

TRANSCRIPT

LEGISLATIVE COUNCIL LEGAL AND SOCIAL ISSUES COMMITTEE

Inquiry into Homelessness in Victoria

Melbourne—Wednesday, 1 July 2020

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WITNESS

Ms Melissa Hardham, Chief Executive Officer, WEstjustice (*via videoconference*).

The CHAIR: Thank you, Melissa, for joining us today. I am Fiona Patten, the Chair of the Legislative Council Legal and Social Issues Committee, and our inquiry, as you know, is Homelessness in Victoria. All evidence taken at this hearing is protected by parliamentary privilege as provided by our *Constitution Act* and our Legislative Council's standing orders. Therefore anything that you say today during this hearing is protected by law; however, if you were to repeat those comments outside this hearing, they may not be protected. Any deliberately false evidence or misleading of the committee could be considered a contempt of Parliament. After those rather harsh words, again, welcome. Would you like to make some opening comments? Then we will open it up to a more general committee discussion.

Ms HARDHAM: Thank you, and thank you for the opportunity. Just by way of background, we have obviously provided written submissions, and given that they are fairly lengthy, we rely on those today. What I would like to do is just summarise our role in the community, why we have become very familiar with the impact of homelessness among our communities in the western suburbs and the innovative and comprehensive solutions that we have been working on with our partners, stakeholders and communities to try and address these cycles of disadvantage and homelessness.

WEstjustice, for those who do not know, was developed in 2015 by way of merger of three existing community legal centres and then later a youth legal service based at Sunshine. So our coverage is large, across many western suburbs, and whilst we cover predominantly three LGAs, we work across many other areas within the western region. The merger of four pre-existing community legal centres, has resulted in us developing up a lot of understanding over the years of the issues faced by our communities. Therefore, even though this particular organisation was established in 2015, our reach and our time working with those communities covers a much longer period.

We have established over the years a number of very strong connections with organisations, and they themselves have worked for a very long time with our communities, understanding the needs of the communities, and therefore it has been part of our modus operandi to ensure that we work in situ with those partners. Therefore on any given day, a WEstjustice lawyer will be working in a school, in a hospital, in a settlement service, in a shelter, in a maternal, child and healthcare service, working with our clients as closely as we can with the other practitioners and other specialist services addressing other needs. That gives us an opportunity to really focus on the legal issues but at the same time have a comprehensive understanding of the other aspects of that person's life that they are trying to address.

Our purpose as an organisation is to service the legal needs in the west in a way that addresses the systemic nature of disadvantage. So whilst it might sound ambitious and broad, we focus on legal issues insofar as they interface with other issues that a person may be experiencing, and it is through the whole-of-person, whole-of-family and whole-of-community approach that we feel that we add our best value and what we feel is required when looking at the causes and the solutions to address homelessness.

So our approach is to look at prevention: any ways that we can work addressing the legal issues and how they interface with those ancillary issues to prevent outcomes such as homelessness, and then when those outcomes do occur we try to get involved to address these issues as early as possible through our focus on early intervention. Once those negative systems and cycles are entrenched in people's lives, obviously then we see our role as trying to break those cycles and create sustainable and long-term outcomes. That is why increasingly for WEstjustice and our partnership programs we are looking at life outcomes, not just legal outcomes. We are not trying to measure what we might determine as an organisation or what a client might consider a good legal outcome; it is more important for us to look at the life outcome and the sustainability of that approach. So therefore if we are looking at an employment issue, it is about developing agency of that individual—to not just get a good legal outcome but also to be able to address their own employment issues over the longer term where required and then know that a service like WEstjustice is there and available to them for free within the community should another issue arise that they need support with, and so on and so on across multiple areas of law, which I will summarise shortly.

Our approach to homelessness in particular is to see homelessness not as an outcome or a singular issue but more a complex matrix of a number of competing issues and complexities which have resulted in a person finding themselves—or a family, or unfortunately in the western suburbs a large portion of our community—homeless. We really need to work as best we can with government, with stakeholders and with partners to support that family, that individual, that community, to change their circumstances. We do that by addressing issues comprehensively so that the solution cannot be seen to be just one arm. It is part of potentially a number of issues, and they could be legal, which is obviously our starting point, but also health, mental health. It could include financial circumstances, family relationship breakdowns, employment issues or disengagement from education. Therefore, if there are a number of different competing factors, we need to work with those other services and those other elements of the problem to then find a comprehensive solution in a timely fashion rather than a stop-start approach or a narrow, siloed lens in terms of how we can approach the issue.

Our approach at WEstjustice, in terms of our impact areas, involve four main areas of focus, particular groups of people experiencing different consequences of disadvantage. We work with people experiencing family violence. We work with people from culturally and linguistically diverse backgrounds. We work with young people trying to understand our legal system. And we work with people that are economically vulnerable. Again in the western suburbs that covers a large amount of our community and our society.

The way that we do the work that we do in partnerships has become, given our size and our remit, a generalist specialist legal service. Rather than just focusing on one area of law, we have developed specialisation across a number of areas of law. So that means that if one of our team is working with a young person in terms of their criminal law issue, they can also address a tenancy issue that the family might be experiencing, a consumer issue, a debt, a motor vehicle, banking or insurance issue, infringements and fines, employment and discrimination and, more broadly, a focus in recent times on children's law and the unique and complex issues that young people face. So that means that a person can come in through one door of our partner program and address the health, wellbeing, employment or education issues that they might be experiencing, and then when they come in through the legal door, that door opens across eight or nine different areas of law so that that can be all dealt with comprehensively.

Again we see this as fundamental to approaching the complexities of what someone might be experiencing in terms of homelessness, because it is not just a tenancy or a housing issue per se; it could be a raft of other issues which need to be dealt with simultaneously. This type of model, which you have probably already heard about in terms of evidence earlier today from Jocelyn Bignold from McAuley Community Services for Women, really depends on that collaborative practice and enables us to achieve a number of very worthwhile advantages for our clients, which are a transfer of trust from someone that they have a great relationship with over to the lawyer, a reduction in multiple storytelling, which decreases the trauma of retelling a story, and the efficiency of time—of being able to walk in one place and have access to multiple services, including multiple legal services.

In terms of our work moving forward in the western suburbs, we obviously look to partner with organisations like McAuley but also the schools, where we have got the School Lawyer program, the hospital services and many of our other partnership programs to ensure that we continue to build understanding of the unique issues that our clients face and do it in a way which is client led and family led, not service driven. Our aim is to continue to adapt and evolve our services to meet the needs of the clients and the community and not be fixated on what we think the community needs.

Now, that is as much as I have prepared to say within this period of time which I have been provided with, which is 10 minutes. Obviously I think the better use of time is to open up to questions from this group so that I can answer any of the detail that I have already provided.

The CHAIR: Thank you so much, Melissa, and thank you very much for keeping to excellent time; we very much appreciate that. And, yes, I know that the committee will have a number of questions, and we have got a little bit of time to work through those, so I will be less officious in my timekeeping for the next little session.

Just to start with, Melissa, we heard about the great work you are doing with McAuley House, and we heard from one of your clients there who had had a particularly good outcome in having some arrears and debt sorted, which was very helpful. We have made some changes to our tenancy Act in recent times in the Parliament. Is

there any other legislative reform that you think the committee should recommend that could assist in either preventing people from entering into homelessness or helping people who are experiencing homelessness?

Ms HARDHAM: Thank you for the question. Look, if I could just talk about tenancy and perhaps segue into mortgage stress, what seems to be clear is that the law often—and my background is in criminal law, so I guess I have that unique lens of understanding the criminal justice system—tends to obviously look at issues in terms of the legal problem. And one of the challenges that we face, particularly with tenancy, mortgage stress and the impact of COVID-19 and the pandemic that we are facing, is that there are often a lot of attempts to provide solutions to these problems, but they are presented in silos. For example, when we are dealing with a tenancy issue there may be an opportunity or a package that is provided by government that if the client had have known at the time and had the agency, and the understanding of the system, to take advantage of that opportunity coupled with the awareness of a service like WEstjustice to assist with the legal problem, then there may have been preventable outcomes.

The reform, as I would suggest, needs to not happen only in terms of Acts and legislation that may impact negatively on a person because of a lack of understanding or a lack of opportunity—and that area I guess we are constantly working on and constantly refining—it is then the way in which those legal outcomes are addressed across departments or across other areas, which could provide more practical comprehensive solutions. What I mean by that is really the joining of the dots. If there are approaches to a problem like reform of the Residential Tenancy Act, that information needs to be available to communities and understandable. So that is where a community legal centre is very well placed to educate and provide that information. It is important for the CLC to feed that back in through the systemic impact and law reform recommendations and suggestions.

However, there is another piece of work, which is to make sure that those agencies and services are also aware of what they are able to provide, which might be a rent relief package or even a food—funded—relief package, which could then work collectively to then help an individual in those circumstances. What we see is people at a real crisis point where they need to have available to them all those resources at any given time. So a lot of it is about trying to join the dots and become aware of what is available and then make sure that our clients, our families and our communities are aware at the time that they need to access those opportunities most .

The CHAIR: So it is less about reform but more about educating people about what avenues and tools they have at their fingertips. Thank you.

Ms HARDHAM: Similarly, in terms of mortgage stress and mortgage wellbeing, we find the same. We have a service which has a lawyer, a social worker and a financial counsellor all working together to create an outcome, which is to prevent someone from defaulting with regard to their mortgage contract, which ultimately then leads to the slippery slope of homelessness—so the lawyer being able to provide that legal solution and for a CLC to feed back to the legislatures what reform needs to take place to ensure that we are able to work with that person experiencing the mortgage stress, but equally to have the social worker and the financial counsellor, those other elements or those other layers of the onion, working to help with the ancillary issues that can be as problematic and which need to be dealt with in combination at the same time.

Dr KIEU: Thank you, Melissa, for your submission and your work. For my understanding, what distinguishes you from the legal aid service? Is this the whole spectrum of services that you provide and the whole community and person approach? The second part is: in terms of the whole community and in terms of the many different cohorts you are helping—you mentioned the culturally and linguistically diverse community—what about the people who have not got a visa or Centrelink support, like asylum seekers, like overseas students, like workers who are on a visa and have no support now because of the situation at the moment; do you have that cohort coming to seek your help, and what can you do to help them? So the two parts: what distinguishes you from legal aid and so on.

Ms HARDHAM: Dr Kieu, thank you for those questions—or one question with two parts. In order to address the first question, this is a topic which I have given a lot of consideration to since I became the CEO of Westjustice in December of last year. But I guess over my history of having formed a legal service at First Step in 2008 I have really been turning my mind over the years to the value-add of community legal centres. What I feel is happening, which is a really exciting movement amongst the community legal centres, is a strong attraction from young lawyers to services like WEstjustice because of the combination of being able to provide

really good quality legal services but also being able to do that in a way which makes a difference. So the quality of candidates and the quality of law is increasing significantly and will continue to do so.

When we look at Victoria Legal Aid and the legal aid services generally, obviously for a long time legal aid has been able to produce high-quality services across multiple disciplinary areas of law. The community legal services historically have probably had more difficulty in trying to work outside the generalist model. Now that you have services like WEstjustice that are larger and have attracted these very high-quality legal graduates and sustained quality senior practitioners, we are now able to offer multiple legal services across multiple areas of law, and as a consequence of that our retention and attraction rates are higher.

However, because we are in situ and we are working in the partnership programs with community, our clients are able to achieve, I would suggest, a more comprehensive service than private law firms and legal aid can offer in terms of the fact that we are able to work in integrated partnership programs over the longer period of time. We can provide multiple services and our clients can return to our services. But we are also focusing on the legal education and the development of personal agency and understanding of the legal system and the legal issue, in an environment which normalises access to good-quality legal services in community which are free and are community driven.

So that is, I would suggest, the point of difference, that we are able to compete in terms of the quality and the specialist services, but we are also able to do it in an environment which is connected to the community, which understands the community issues and needs and looks at that broader systemic component of legal education, agency and empowerment. And we have the time; we have the relationship with the community over a longer period of time. By way of example, a 14-year-old could access our services in a school and 10 years later be accessing the same organisation perhaps in a different setting and continue to return and look at other areas of law which may be different from what they needed when they were 14 years of age.

In terms of the second part of the question, we are—sorry, can you remind me because I just got very involved—

Dr KIEU: No, that is fine.

Ms HARDHAM: in answering my first part of the question. Could you just remind me of the second part?

Dr KIEU: Yes. Sorry. What about the people who have no Centrelink support, like overseas students, asylum seekers and workers?

Ms HARDHAM: A large portion of our clients are from culturally and linguistically diverse backgrounds, and they are newly arrived. They are migrants. They are accessing or not accessing Centrelink. Our Twitter account is very active at the moment in terms of the issues faced by people that are not able to access JobKeeper and JobSeeker payments as a consequence of COVID. But these are not new issues to us simply because of the coronavirus. So a lot of our time is spent enabling people to understand their rights and responsibilities in an environment where it is very hard to get access to information that they might be able to readily understand. It's not just about trying to create a legal outcome but also developing up the skills and the education so that they themselves can create an understanding of the legal framework and the legal system.

We see every opportunity as an opportunity to create that broader understanding. Rather than take the case, run the case and then deliver a legal outcome that might be suitable to the client, we try and enable the client to come along through the experience, learn from it, understand the system, understand what their rights but also what their responsibilities are within that system and hopefully develop up the community awareness and understanding at the same time. That is why some of our projects that are looking at actually working with community members to develop their understanding in order for their capacity to be utilised so that they can become educators as well. And you can see examples of that in our youth programs, in our employment programs and in other programs.

Ms LOVELL: Thanks very much, Melissa. Melissa, I am interested in the impact of the moratorium on evictions and how that is affecting you in the west but also whether you see that you are going to be approaching a cliff that at some point we are going to fall off because the moratorium has lifted.

Ms HARDHAM: If I could start with the second part of the question, which is the cliff. It is a concern. It is definitely a concern because we feel that, firstly, there are clients that have not benefited from the opportunities created, because in terms of tenancy they may have already signed an agreement with the landlord which is counterproductive and does not give them the full advantage of the legislation. That would have been because they got in early and tried to negotiate before they were aware of some of the moratoriums that followed. Secondly, we find with our international students at legal clinics—that they, for whatever reason, have decided to return to home or they are very concerned about their capacity to fund any of the tenancy arrangement both during and post-COVID and therefore have decided to abandon the agreement.

There are a whole lot of other consequences, obviously, with the discontinuing of the JobKeeper package. For those that are able to hang onto their properties—either their tenancy arrangement or their mortgage, it is a question of ‘Okay, well this is fine for now, but what’s going to happen next?’. That is why we have been advocating to both the state and federal governments to provide further packages after September but also to enable the community legal centres to be aware of the future post-September and for us to be able to do a lot of work to educate communities on what the opportunities will be and how we can address and assist with those issues that follow. I think that the community legal education component will be key, particularly in terms of tenancy and mortgage issues.

In terms of the impact, we have certainly seen positive outcomes for our clients. The biggest issue again is the lack of education and awareness of clients that have not been able to reach our services in time. A lot of that is unavoidable because of the pace at which this was all upon us, but if we had our time over what I would have liked to have seen happen is a lot more education and a lot more time spent working with communities in those early days. That would have required community legal centres to have more information in the very early stages and reach those communities and those clients that were subsequently referred, where they had already made commitments or acted in a way which was detrimental which they could not have known in advance. So the impact of the moratoriums has been positive in many cases but unfortunately excluded a large number of our clients as well.

Ms LOVELL: Terrific; thank you. I was looking to follow that up. You spoke about a couple of the challenges coming out, but I just wondered if you could give me an idea of what you think the biggest challenges are going to be for people as we come out of COVID-19.

Ms HARDHAM: A lot of our clients are not receiving any income at all or are subject to JobKeeper packages and therefore do not have income to service the needs of their families or pay what they need to to have a roof over their heads, a safe place to call home, and that is, I guess, the tsunami that we are all really concerned about. If they do not have wages and incomes, how are they going to be able to live to a standard which keeps them safe? Then from that there are all the ancillary issues, all the other matters that may be brewing that we are unaware of, such as the growing concern around family violence. Unfortunately, due to a number of reasons, services like WEStjustice, despite the fact that we have created hybrid and virtual services and whilst we have not been able to deliver in-person services, we have seen a reduction in the numbers of family violence clients. We know that that is not because there has been a reduction in incidents or issues. We know that that has been because it is harder for people to access our services. So it is not just a case of what is going to happen in terms of tenancy and mortgage stress and homelessness; it is also the increased number of family violence issues, unemployment, mental health and physical health problems. I think we are really, as a community and as a state and a country, just starting to come to terms with.

Mr BARTON: Hi, Melissa. I am very familiar with WEStjustice. As a community legal service you have done amazing work over a number of years for the taxi industry here in Victoria—the western suburbs, I should say. Maybe not all of the taxi industry understood what your role was, but there is no doubt in my mind there are people in their homes now because of the interaction with WEStjustice and being able to negotiate with banks. We have had highly emotional people; English was not their first language, and they struggled. So I thank you for the work that WEStjustice has done and continues to do. My fear is from the results of the reforms of 2017 we still have many, many people with mortgages on licences in the hundreds of thousands of dollars. We know the taxi industry is not going to recover for a long time. Are you starting to see any of this coming through as yet, because I know that there are people sleeping in cars. I know people have lost their homes. It is just a terrible situation. Are you seeing any of that coming through as yet?

Ms HARDHAM: Thanks for the question, Mr Barton. Certainly we are not seeing the volume that we would have been seeing pre-COVID at the moment. What we are very concerned about is what is going to happen after September. We still have clients that are referred that are experiencing mortgage stress, but there is this sense that things are on hold and that the bigger issue will be post-September if there is not another stage of support that is put in place. I agree and hear what you are saying in terms of impact already. We are certainly seeing that. We are certainly seeing clients under enormous pressure and enormous stress and we are seeing clients that do not have the incomes available or the relief packages to maintain any sort of mortgage. So the concern is it is not like everyone is just going to get their jobs back; it is not like everyone is going to be able to find a way to service those mortgages once the moratoriums are lifted. And that is where we feel that we need to work comprehensively with those other services that will be trying to provide the support, to get in early and help those people negotiate with the banks ways in which allows them to remain in their properties and continue with their mortgage.

Mr BARTON: Thanks, Melissa. That is great. Thank you.

Ms VAGHELA: Thanks, Melissa, for your time and submission and the great work that you do in my electorate of Western Metropolitan Region. So you provide a range of services, and one of them is helping with tenancy-related issues, and while providing this service to the clients you might have dealt with many different housing service providers. Do you think we can do better in the coordination of the homelessness sector and all its different organisations? Do you see any opportunities to fix potential overlap in the sector, especially in terms of funding and resources?

Ms HARDHAM: Thank you for the question. Yes, I do. One of my observations—and I have worked both in Victoria and in Far North Queensland for six years with Indigenous communities—is that one of the biggest challenges is to avoid siloing issues and services. There needs to be greater regional and statewide coordination of services, to encourage these multidisciplinary models that are fully integrated, so not just co-locating but still operating under the same silos. My suggestion would be a lot of the funding structures and the funding models should encourage this type of collaboration that you see with McAuley and Westjustice and all the other services that McAuley engages with.

One of the pieces of work that was done recently which I think should be explored in more detail is this notion of the anchor sites. So a site like McAuley, which has strong relationships already with the community that they are seeking to serve, brings in organisations like Westjustice and we learn from what they have already got in terms of intel around what is required. Usually our partners have already completed some sort of legal needs analysis. Therefore, instead of Westjustice coming in with some predetermined concept of the legal services we want to deliver, we are coming in on invitation to deliver the services those clients need. So rather than determining the problem from an external, more conceptual framework, we start with the client and the services that are already fully aware of what the issues are and bring in other services, and that is the basis on which they should be funding, I would be suggesting—so anchor sites that lead the integration and that are overlaid with some funding for some case management, rather than trying to create something brand new from the ground up, or alternatively, create something conceptually and then try and run some generic concept across a region or a state.

Ms VAGHELA: In your submission you mention about McAuley, and right now also you mentioned it a few times. I have been to McAuley and I have seen that they do fantastic work. Are there any other programs or organisations or initiatives that you think that the committee should investigate as best practice? We have been to a youth forum in Shepparton and we have seen that that works well. I have gone to McAuley House; that works well. What are the other initiatives and programs?

Ms HARDHAM: Perhaps if I can give you some examples, and I will give you maybe a cross-section of some of the different work that we do with the different partners. Our School Lawyer Program works off the basis that we, as a legal service, support students through the wellbeing team. It is obviously a collection of expertise already addressing the wellbeing and health and developmental issues that a young person experiences, so that type of in situ model—for example, within a school. Another example is our legal services attending hospitals and working with people where we have been contacted by one of the hospital staff. It might start as a family violence issue, and then we may learn of economic issues that the person is experiencing that prevent them from leaving the relationship. There may be a tenancy issue or mortgage stress issue. So it is going into the hospitals and having that sort of whole-of-person approach with all the services being able to be

accessed and provide that support. We also provide that type of service out at the Sunshine Visy Cares Hub for youth, where we have got already a collection of those types of services that have worked with young people for a long time, such as Headspace, Orygen, YSAS, CMY—we work in partnership in situ with those organisations.

So my suggestion would be that if we are looking at homelessness, there are obviously a lot of services in the west that already work in integrated hub models, and if we had more funding for more services, we would be there too. Equally, though, if you are looking at other experiences—young people who are couch surfing, working with them through these hub models like the Visy Cares Hub, or the Youth Resource Centre and for those that are in the school working with the health and wellbeing team. So the common element is a space where that person is already going and they are already accessing multidisciplinary services even if they do not know it, like kids at school. As a consequence of that, then we are part of that model. The missing piece financially, which is obviously part of this anchor site model that we have been working on with other organisations such as McAuley in the west, is based on the fact that there is a place where people are going already. We are therefore bolting onto that service and providing the legal element which is missing—so well-entrenched, well-established partnership programs that are already offering some sort of multidisciplinary service, but they are given more funding to service people more comprehensively, with an overarching case management structure enabling other services like ours.

Mr TARLAMIS: Thank you, Melissa, for presenting to us today. Unfortunately all the questions that I had have been asked by other committee members, so I am okay at the moment.

The CHAIR: Fantastic. Thanks, Lee. Do other people have further follow-up questions for Melissa?

Ms VAGHELA: I just wanted to know, since the COVID-19 pandemic, have you seen an increase in terms of the clients—the new clients or the ones which you already had in the system and they have returned?

Ms HARDHAM: Sorry, it was a little hard to hear, but if I can play back the question, you are asking me whether or not we are seeing different clients than what we would have seen pre-COVID-19?

Ms VAGHELA: Yes, yes.

Ms HARDHAM: That is a really interesting question, and I might have to take that on notice because we are collecting all that data currently. I do not know what the number is or what the percentage is, but I would definitely say that we are seeing a new type of client. But we will be producing some material to verify the number and what that looks like when we review our service delivery. I imagine, certainly post-September, there will be a large volume of clients that we have not seen before, and they will be, I expect, new clients with mortgage-related issues or family violence clients, who we would have ordinarily seen in the duty court list, which we have not been able to access, and they by their nature are usually first-time clients. We have some recurring clients, but we anticipate there will be a new volume of clients, unfortunately.

In terms of the young people, we have connected and continue to stay connected with our young people who were accessing our services, but we know now that the schools have returned there are young people that we will come into contact with that were not clients before that have got new issues as a consequence of COVID. Unfortunately some of those which we are now starting to see have received COVID fines, so that is very much a new issue and is going to be affecting young people and our clients more generally.

The CHAIR: Melissa, you mentioned as one of your recommendations that CAV—Consumer Affairs—should strengthen its complaints regime and take a more active approach to prosecutions on illegal evictions. Could you expand just a little bit on what that might look like and how you would see Consumer Affairs acting upon that?

Ms HARDHAM: Yes. Because of the work we do with both tenancy issues more broadly and international students, what we do see is particular groups that we would suggest are more targeted than others, and we have cases where there is a common landlord or a common set of circumstances which would suggest that that behaviour is ongoing. We feel that at the moment the current system allows for individual cases to be pursued, but there needs to be some sort of accountability for repetitive cases, and that is what is being suggested there—that if there was some sort of accountability or some sort of regulatory body we could report to that would investigate these issues more thoroughly in terms of that larger group of people that are being exploited—

The CHAIR: And where you are seeing a pattern of behaviour, a consistent pattern of behaviour from one landlord.

Ms HARDHAM: That is right, because we work for a number of clients collectively. But obviously what we want to do is avoid those clients incurring those problems in the first place.

The CHAIR: In the first place, yes.

Ms HARDHAM: So if we can be more systemic in our approach by reporting or suggesting that a group of people report someone who we know is continuing to breach the law and that there are some sorts of consequences or some sort of investigation and consequences to stop that behaviour happening. I would like to go back to the point that I made earlier. I feel that the CLCs are in a very strong position to educate not just our clients but also the broader community, which may involve at times landlords and estate agents in terms of tenancy issues. We have a great opportunity to educate employers if we see a repeat scenario. But it is always useful to be able to bring in an independent regulatory body to assist with the highlighting of the concern and the change in behaviour, and then we can assist with the systemic work.

One of the added benefits, if I can just go back to the earlier question in terms of the value-add of CLCs, is that I also believe that one of our greatest contributions is the capacity to see these issues and feed these problems—I call it percolating them up to the surface. But WEstjustice has such a large body of evidence from our casework and our client work, so when we do see a repetitive issue probably one of our greatest strengths is that we identify it and we percolate it up to the surface and then we do whatever we can to change the systems. Sometimes it requires quite active litigation, but other times it requires education—and at times education of those organisations involved.

We have been able to do this through our work in terms of family violence and economic abuse, restoring financial safety, but we are also able to do that through our work with young people in working with some of those unlikely partners like Victoria Police in order to try and find better ways to divert kids out of the system or to work through tenancy issues with organisations that represent the landlords to try and highlight some of these problems as they occur. I think that is a really important third element of advocacy: to try and work not just outside in trying to highlight the problems and spotlight the problems but also trying to work effectively within the systems to try and change the systems. I think my predecessor, Denis Nelthorpe, was excellent at doing that and has really forged a mentality within WEstjustice to try and find effective solutions to complicated, continuing problems.

The CHAIR: Yes, without doubt.

Mr BARTON: Melissa, WEstjustice is looking after a lot of diverse problems and everything. But just in terms of mortgage stress and rental stress, where would that fit in the overall business there? Would that be in the top third of your business?

Ms HARDHAM: Again, great question, and I will take that on notice. I am happy to provide our data on how many of those types of cases we manage, but we do have a strong representation in our mortgage wellbeing service and in banking and insurance more generally. Our tenancy practice is growing. Even since I have been with WEstjustice, before I was offered the opportunity of CEO, I was working with the organisation for 12 months, and tenancy was definitely a growing area. Just in terms of our service delivery, during the COVID-19 period we have expanded our tenancy services. So, are we meeting the demand? No. We could do with a lot more funding to increase our opportunity to service tenants and people experiencing mortgage stress. Certainly, in terms of mortgage stress, we believe that both our tenancy clinic model and our mortgage stress model are programs that can be codified and scaled. But we definitely need to build our opportunity and our capacity to deliver more of those services, and we will continue to do so.

We did a lot of work during the COVID-19 period in terms of assisting with law reform, and we hope to be very proactive in the short and long term on the effects of the changes to the tenancy legislation. In terms of mortgage stress, we hope to assist with development of a broadening reach of our services. We definitely believe in terms of mortgage stress that it is not just the legal services. It is not just about increasing capacity for lawyers to assist with the negotiations with banks so that people do not lose their homes. The fundamental elements of that service are the lawyer, the social worker and the financial counsellor collectively, because the financial counsellor assists the person or the family to ascertain how to ensure sustainability and that those same

issues do not reoccur—or if they do, how they can pre-empt them and manage them—and the social worker deals with all the other complexities that may have brought the stress on in the first place.

The CHAIR: Thank you so much, Melissa. That was really informative, seeing the very important component that legal representation and legal education is in the complex problem of and hopeful solutions to homelessness. Thanks again, Melissa, and thank you to your team for the really substantial submission we have received as well.

Ms HARDHAM: Thank you. And thank you, everyone, for your taking the time. It is a wonderful opportunity to be able to talk about the issues that we have spoken about. They are very serious and significant issues, and it is wonderful to have this forum and this inquiry.

Witness withdrew.