

# PILBARA COMMUNITY LEGAL SERVICE NEWSLETTER

Welcome to our April PCLS newsletter!

PCLS would like to use this issue to update people on some important COVID-19 information. If there is any specific information you would like to see in our upcoming issues please email [admink@pcls.net.au](mailto:admink@pcls.net.au)

We hope everyone had a safe and happy Easter! Our Karratha and Hedland offices are now open to the public. Roebourne and Newman remain closed at this time but you can still access our services via phone or email.

Our Facebook page is up and running! Head over to our page and give it a like to keep up to date with all our PCLS news and events.



<https://www.facebook.com/PilbaraCommunityLegalService/>

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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](http://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.

## Early Access to Superannuation

Do you need assistance with early access to superannuation?

Make an informed decision.

Our highly knowledgeable financial counsellors can help you to explore this possible solution or maybe find an alternative plan for you.

**EARLY RELEASE OF SUPERANNUATION**

**ARE YOU ELIGIBLE?**  
You are eligible to access your superannuation if you meet the stated criteria.

**IF YOU REQUIRE ASSISTANCE IN FINANCIAL COUNSELLING,**  
PLEASE CALL US **(08) 9185 5899** OR EMAIL **ADMINK@PCLS.NET.AU**

Find out if you are qualified on the link provided.

Pilbara Community Legal Service Inc.

The infographic features illustrations of a man and a woman with gold coins, a smartphone with a checklist, and a person at a computer monitor displaying a bar chart. The Pilbara Community Legal Service Inc. logo is present in the top left, top right, and bottom right corners.

Don't let COVID-19 affect you financially. Contact your nearest PCLS office to discuss your options with one of our financial counsellors

## Job Seeker Payment– COVID-19 Assistance

Have you lost your job during this COVID-19 pandemic? We have put a quick link for you to see if you can access the JobSeeker Payment.

If you require financial counselling assistance, contact us, we are more than willing to help you in navigating the government assistance available for you.

<https://bit.ly/jobseekersau>

<https://bit.ly/covidfinancialsupplement>

**COVID-19 HAS AFFECTED THE JOBS AND WORKFORCE TREMENDOUSLY**

**LOST YOUR JOB BECAUSE OF COVID-19? HELP IS ON THE WAY.**

**IF YOU REQUIRE ASSISTANCE IN FINANCIAL COUNSELLING,**  
PLEASE CALL US **(08) 9185 5899** OR EMAIL **ADMINK@PCLS.NET.AU**

**FIND OUT ABOUT YOUR MUTUAL OBLIGATIONS**  
IF YOU'RE A JOB SEEKER AFFECTED BY THE CORONA VIRUS (COVID-19).

Pilbara Community Legal Service Inc.

The infographic features a large red downward-trending line graph, a person carrying boxes out of a door, and several people in business attire. The Pilbara Community Legal Service Inc. logo is present in the top right, bottom left, and bottom right corners.

### **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 Facts for Renters**

The Commissioner for Consumer Protection has issued some advice about your renting rights and responsibilities during the COVID-19 coronavirus pandemic.

The Residential Tenancies (COVID-19 Response) Act 2020 put into place a six-month moratorium on evictions and other measures.

These include:

- A ban on rent increases during the moratorium period.
- Fixed term tenancies will convert to periodic tenancies if they expire during the period, unless another fixed-term agreement is entered into.
- Landlords who are experiencing hardship do not have to carry out urgent repairs.
- Renters who end a fixed-term tenancy due to financial hardship will not incur break lease fees, but will still be liable for damage and rent

arrears.

Renters and landlords are encouraged to be open about their situation and explore possibilities to get through this crisis together. Options for discussion include whether the tenancy or accommodation agreement can be varied to provide:

- deferring rent payments to a specified later date when the renter's income improves;
- a decrease in rent for a specified period; or
- terminating the lease without penalty.
- Any agreement to change rent arrangements should be put in writing.

Renters not affected by the financial impacts of COVID-19 can be evicted for choosing to stop paying rent and refusing to talk to the landlord about how rent arrears are going to be paid.

Renters can also be evicted during the emergency period if:

- a court or tribunal ordered termination of a rental agreement before 30 March 2020;
- the renter or another person allowed to live in the premises:
  - is causing damage, including to any shared areas or facilities, or
  - has caused injury to the landlord/agent or any other person including neighbours and the landlord/agent has obtained a court order terminating the agreement;
- the landlord is suffering hardship and has obtained a court order terminating the agreement

**For more information please visit <https://www.commerce.wa.gov.au/consumer-protection/residential-tenancies-covid-19-response>**

**If you are a renter you can contact one of our tenancy advocates for assistance.**

### **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, Sabrina, Kim, Kayla and Isobelle, 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, criminal injuries compensation, Wills and deceased estates. If you are needing assistance with any of the above please call Julie, Isobelle or Carolyn in our Karratha office on **(08) 9185 5899**, Sabrina, Kim or Kayla in our South Hedland office on **(08) 9140 1613**.

# Family Law Factsheet: Conduct Agreement Order

## WHAT IS A CONDUCT AGREEMENT ORDER?

If you are a respondent in an FVRO case in Court, you could consider resolving the case by agreeing to a Conduct Agreement Order (CAO), which means you will not have to go to a final order hearing. The CAO will be made with your consent without making any admissions. A CAO is a Court Order that is enforceable by the Police and Courts. This means if the CAO is breached the person can be charged by police and the charges will be heard in Court.

If the parties agree to the terms of the CAO there will not be a final order hearing and there will be no finding or admission of family violence. If the parties do not agree on the terms of the CAO, the case can proceed to a hearing and the Court will decide whether to make an FVRO.

## WHAT DOES 'WITHOUT ADMISSION' MEAN?

'Without admission' means that a party is not agreeing to any allegations made against them. This means that the party does not agree that there was family violence.

If the respondent agrees to a CAO there is no finding by a Court that family violence happened. The Respondent does not admit to what is alleged in the FVRO application and the Court disregards the evidence provided. The Applicant is afforded the same protection as if the FVRO was granted.

## IS A CAO A CRIMINAL CHARGE

A CAO is not a criminal charge. Police can only lay charges if the Order is breached.

## COURT BASED OPTION TO HELP RESOLVE FAMILY DISPUTES

If a person breaches a CAO it is an offence and the person may be arrested and charged with the offence of breaching an FVRO if there is enough evidence. On conviction the maximum penalty for breaching a CAO is a fine of \$6,000 or 2 years imprisonment. A conviction for breaching a CAO will go on someone's criminal record.

## WHAT WILL BE INCLUDED IN A CAO

A CAO can include all restraints and conditions that can be included in an FVRO. It is common for the Respondent to agree to a CAO on the same or similar terms to those on the interim FVRO (if there is one). The CAO can be worded to suit your situation.

*A person may be treated as a repeat offender if they have breached an FVRO or CAO more than once in the last 2 years. If they are a 'third strike' offender, the court must impose a sentence including suspended or immediate imprisonment*

A CAO CAN BE MADE AT ANY STAGE DURING FVRO PROCEEDINGS. IT WILL OUTLINE WHAT THE RESPONDENT CAN AND CANNOT DO, USUALLY BASED ON THE TERMS OF THE FVRO APPLIED FOR. YOU SHOULD SEEK LEGAL ADVICE BEFORE AGREEING TO A CAO

**DOMESTIC VIOLENCE SUPPORT WORKERS**

Sara, Dolly 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 Dolly and Kody in South Hedland on **(08) 9140 1613**.

**EMERGENCY 000 STAYING SAFE DURING COVID-19 EMERGENCY 000**

Karratha Police: 9143 7200 Roebourne Police: 9182 1133 Hedland Police: 9160 2100 Newman Police: 9175 4000 Lifeline: 13 11 14 1800RESPECT: 1800 737 732

If you can feel an argument starting, try moving to safe spaces in the house, such as the living room or hallway where there are no weapons and there are external exit points.



Have "Me" space where you or your kids can be safe when your partner is unhappy or if an argument is starting.

Make a plan with your children. If you need to leave in a rush, explain where you will go and why. Have a bag of clothes ready to go.



Talk to your neighbours about the issue. Ask them to call the police if they hear a fight.

Have emergency contacts saved in your phone, including local police and a safety friend.



Make a check in time with your safety friend. Call, text, or email this person to let them know you are safe and if you don't check in ask your safety friend to call the police.

The government is allowing for 2 people to engage in outdoor activities. Take this chance to go for a walk with a friend you have concerns for. Walking is great for the body and mind and will give you both a chance to talk openly about your concerns.

**Family violence, COVID-19, and helping a friend**



Don't be judgemental or solicit advice. Remember, that during these uncertain times, your friend will be spending more time with their partner. It is best for your friend to determine their own course of action. **However, if you feel there is imminent danger call 000.**

If in isolation, discuss having a check in time with your friend and consider what you will do if they don't respond. Give them a reasonable amount of time to respond before taking action. Try using other communication forms instead of just text or phone call. Consider apps the friend can log out of when they have checked in.

Don't feel pressured to become too involved in the matter. If you don't feel comfortable leaving your house because of the risk of infection, refer your friend to call service providers. If you prefer, you can call Pilbara Community Legal Service to gather more information on how to support your friend.

**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**.

### 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**.

## Migrant Worker Helps Employment

Our Hedland community migrant service worker Victoria had a migrant client who came to Australia as an asylum seeker.

The client had recently left their partner and their place of residence because of family and domestic violence issues.

Due to COVID-19 the clients place of employment had to close down leaving them unemployed.

Like the 2.17 million temporary visa holders in Australia, this client did not qualify for the governments \$320 billion dollars worth of benefits that it had announced for the people of Australia.

With flights cancelled, country borders

closed and being an asylum seeker, the client could not return to their home country.

This left the client in a difficult situation with no access to internet and low proficiency in written English.

Thankfully, Victoria was able to assist them to find employment so they could get back on their feet. Victoria assisted with searching for job vacancies, writing cover letters, contacting different organisations and businesses, applying for jobs on the clients behalf and providing referrals.

After all their hard work, the client was able to get casual employment and is doing a lot better.

If you are a migrant or know someone who is a new arrival to Australia and is needing any type of assistance, please call our office on (08) 9185 5899 and we can assist you.



## COVID-19 Advice in Other Languages

If you have a COVID-19 question and need an interpreter:

1. call 131 450
2. request the National Coronavirus Helpline on 1800 020 080.

**We're all  
in this  
together.**

If you require resources and information in a language other than English the follow the link below.

<https://www.wa.gov.au/organisation/departments/departments-of-the-premier-and-cabinet/covid-19-coronavirus-advice-other-languages>