

# Indigenous Legal Needs Project



- FCA Conference, 20 May 2015 -

## **The Civil and Family Law Needs of Aboriginal and Torres Strait Islander People in Australia:**

### **The Indigenous Legal Needs Project**

# ILNP: Reporting Findings

## Reports and animated films for each jurisdiction:

- (1) Indigenous legal needs assessment: priority civil and family law issues
- (2) Barriers to access to justice and ways to address them

Findings based on extensive fieldwork (**40** communities, **8** in each jurisdiction).

NSW	NT	WA	QLD	VIC
Redfern Penrith/Mt Druitt Wagga Wagga Dubbo Moree Tabulam Goodooga Bourke	Darwin Katherine Tennant Creek Alice Springs Wadeye Bulman Alpurrurrulam Papunya	Perth Geraldton Narrogin Laverton Fitzroy Crossing Balgo Wyndham Roebourne	Cairns Brisbane Pormpuraaw Thursday Island Charleville Mount Isa Rockhampton Roma	Bairnsdale Shepparton Swan Hill Robinvale Heidelberg Fitzroy Framlingham Bendigo

# Stakeholder Interviews/Focus Groups

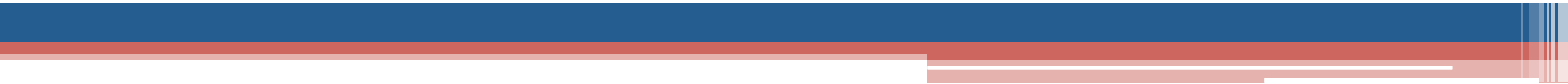


### Credit and Debt

	Vic		NSW		NT		QLD		WA	
<b>Credit Debt: Bill or Loan</b>	32.4 [2]		34.9 [2]		18.4 [5]		26.0 [4]		30.7 [4]	
<i>Male/female</i>	24.2	38.5	34.7	35.1	14.3	22.1	26.1	25.9	29.2	32.1
<b>Credit Debt: Credit Ref, Bankruptcy</b>	13.0 [10]		19 [7]		6.8 [12]		11.5 [11]		11.3 [9]	
<i>Male/female</i>	13.6	12.5	17.1	20.9	0	13	13.0	10.1	10.1	12.5

**29.5%** of people had had legal action threatened against them on account of a debt (approx 31% of women and 26% of men)

**12.3%** of people had a problem around their credit reference rating, as a guarantor for a loan or about bankruptcy.



They [haven't been able to get] housing forever, [they've been] living with relatives and so on. They finally get a property. Sometimes there's a child protection issue too because they've had the kids taken away. So they get the kids back, go into the new house but they've got no furniture and their mum says to them 'Look, you'd better get some furniture or DOCS are going to take the kids again.' So then they go 'Well I've got no money for furniture.' On TV, every commercial station has lots of information about Mr Rental and whatever it is. So then they buy into one of those and it ties them up for four years, maybe \$13,000 worth of furniture. And if they stop the payment too, they lose the items as well.

**(Indigenous legal service staff, QLD)**

# National findings: what help were people getting about their credit/debt issues?

Of the people who identified a problem around debt

**36 per cent**

Sought legal advice.

Women were almost double as likely seek legal help than men  
(43% compared with 24.7% of men)

# National findings: Consumer

**FG participants who had a problem accessing or finding superannuation, or a dispute with bank/other financial institution:**

**MEN: 18.5% WOMEN: 14.4 % TOTAL: 16.3%**

**FG participants who have had a problem with insurance:**

**MEN: 6.5% WOMEN: 2.5 % TOTAL: 4.4%**

**FG Participants identifying a problem with 'Scams' or Contracts (Funeral Funds, Used Cars, Etc.)**

**MEN: 12.9% WOMEN: 10.1 % TOTAL: 11.4%**

**Other Problems Where Participants Didn't Get What They Paid For**

**MEN: 9.7 % WOMEN: 8.1 % TOTAL: 8.9%**

**Total who Sought Legal Advice: 12.6%**



# Access to justice

*A lot of people think you get a credit card and you don't have to pay it back... They've got to realise that [you do] (Indigenous community org, WA)*

*We need to educate them about their rights and also their responsibilities when it comes to signing a contract ... and not knowing that there is a cooling off period when you sign a contract. But also if you signed a contract and you find that the goods that you have—like if you get a lemon car—how do you get out of that after the cooling off period? (Indigenous Legal Service staff, VIC)*

*There is definitely more need for consumer legal support. There is definitely under-supply of that for people in very difficult situations and being Indigenous as well in those situations adds another whole myriad of issues that aren't being addressed. (Indigenous Legal Service staff, QLD)*





# Ongoing work in the area

National findings outcomes

Access to justice models for Indigenous clients  
(eg Legal Aid NSW Aboriginal Field Officer program)

# Find out more

Facebook: Indigenous Legal Needs Project



[www.jcu.edu.au/ilnp](http://www.jcu.edu.au/ilnp)

Animated videos of findings for each jurisdiction

