

## **Regional Outreach Clinic Guidelines**

### **Introduction**

The Regional Outreach Clinic Program (ROCP) supports regular face-to-face legal advice clinics for people experiencing disadvantage in regional, rural and remote locations in NSW where there are limited or no other options for free face-to-face legal advice. Legal services are provided by Legal Aid NSW panel lawyers and clinics are held in partnership with local host organisations including neighbourhood centres, local courts and community services. Some clinics are supported by a roster of Legal Aid NSW in-house lawyers, community legal centre lawyers and Legal Aid NSW panel lawyers.

Details regarding a clinic, including location, frequency and whether the clinic is general or focused on a particular legal need (family, civil or crime) are determined by Legal Aid NSW, taking into account the available resources, identified legal need and the availability of other legal assistance services in the location.

Appointments for a clinic are made with a Legal Aid NSW regional office, the host organisation or directly with the lawyer providing the service.

### **ROCP panel lawyers**

An ROCP lawyer must:

- Be a member (as principal or associate) of one or more Legal Aid NSW panels.
- Have the capacity to deliver high quality legal services to people experiencing social and economic disadvantage.
- Have experience in the relevant area of law.
- Be willing to work flexibly in partnership with Legal Aid NSW and the host organisation in providing ROCP clinic.
- Keep records of their work in accordance with these guidelines.

### **ROCP clinics**

Legal Aid NSW manages the hosting, rosters and promotion of each clinic. Legal Aid NSW will make any promotional materials available to the host of the clinic and the ROCP lawyers who are encouraged to promote the service through their own local networks.

### **Fees for ROCP lawyers**

ROCP lawyers are remunerated on the same basis as Legal Aid NSW duty lawyers in the Local Court for the time allocated to the clinic (\$195 per hour) and are also compensated for travel if the clinic is located more than 35 km from the provider's place of business (@ 68 cents per kilometre). Additional travel time (which must be approved) is available @ \$100 per journey.

### **Client Services**

ROCP lawyers provide legal advice and where appropriate referrals for clients in accordance with the [Legal Aid NSW Client Service Standards](#).

Legal Aid NSW [Policy Online](#) sets out the policies and guidelines for grants of legal aid. Advice or legal assistance is **not** given by Legal Aid NSW on [these civil law issues](#). If a client is

booked in for advice in one of these areas of civil law the service to the client should be limited to referral and procedural advice.

If a conflict arises the legal practitioner should notify the client prior to the clinic and refer the client to another lawyer rostered on the same clinic, [Legal Aid NSW](#) or a [community legal centre](#).

The advice should include, where appropriate the availability of legal aid and assistance with completing the client to complete an application for a grant of legal aid.

ROCP lawyers should keep detailed notes of the advice and referrals provided to clients and record the demographic data required about each client for Grants Online (Aboriginal and Torres Strait Islander status, whether the client receive income support from Centrelink; and whether the client receives Disability Support Pension from Centrelink).

## Referrals

The CLSD Unit has developed a **referral directory** for ROCP lawyers which includes information on making a referral to inhouse Legal Aid NSW teams. Contact the Unit for an up-to-date copy of the directory.

ROCP lawyers should consider making a referral to one or more of the following services, particularly where the client is experiencing deep and/or persistent disadvantage and requires further assistance:

- A specialist or regional community legal centre (for example, Welfare Rights Centre for Centrelink problems).
- Aboriginal community-controlled organisations such as the ALS NSW/ACT for Aboriginal and Torres Strait Islander clients.
- Tenancy advice and advocacy services (refer to the Tenants Union website for details of local services) for tenants who are facing eviction or having persistent problems with getting repairs done.
- 1800RESPECT for all people impacted by domestic, family and sexual violence, including people who use violence or who are accused of using violence.
- Financial counsellors, including the specialist Gambling Awareness counsellors who are available in regional areas.

Further information about these services and others are in the ROCP referral directory.

Where a matter involves additional casework or representation work and the client is likely to be eligible for legal aid but the lawyer is unable to take the matter on, the lawyer should assist the client to complete an application for legal aid or refer the client to the nearest Legal Aid NSW office.

Aboriginal or Torres Strait Islander people who need representation in criminal matters should be referred to the Aboriginal Legal Service NSW/ACT.

Aboriginal or Torres Strait Islander people who need representation in family law or care and protection matters should be referred to the Aboriginal Legal Service NSW/ACT, the Legal Aid NSW Family Law Service for Aboriginal Communities or the Legal Aid NSW Early Intervention Unit. Further information on referring to these services is in the ROCP referral guide.

For matters outside of Legal Aid NSW guidelines consider a referral to a local or specialist community legal centre or pro bono legal assistance using [Justice Connect](#).

Wherever possible 'warm referrals' (referrals in which the legal practitioner introduces the client to the referee agency – rather than just provide a phone number) should be made.

## **Record-keeping, Reporting and Monitoring**

Legal Aid NSW monitors the operation of the ROCP and lawyers must retain records of all work undertaken including the area of the law, the matter type and the approximate time associated with the work as well as statistical and other data on client services delivered through the clinics, as requested by Legal Aid NSW. The following demographic data should be collected:

- Whether a client is Aboriginal or Torres Strait Islander; and
- Whether a client receives Centrelink, and whether a client receives a disability support pension.

From time to time, Legal Aid NSW evaluates the effectiveness of the ROCP for its impact on service delivery and for its operational costs and benefits. ROCP lawyers may be asked to complete survey documents, participate in interviews and other processes that may be undertaken as part of this evaluation.

Legal Aid NSW may also conduct an audit of the lawyer's files to confirm that any work undertaken on behalf of Legal Aid NSW complies with Legal Aid NSW policies, guidelines and procedures.

## **Complaints**

ROCP services are covered by the Legal Aid NSW [complaints policy](#). ROCP legal practitioners should comply with this policy and provide clients with information about the policy.

All complaints should be directed to the Manager of the CLSD Unit at Legal Aid NSW who will seek to resolve it informally (Level 1 of the Legal Aid NSW complaint handling policy).

When a complaint cannot be resolved informally the Manager will refer the complaint to Level 2 of the Legal Aid NSW complaint handling process.

## **Training and Resources**

Legal Aid NSW offers ROCP legal practitioners free or discounted admission to Legal Aid NSW Conferences. Other training may be offered from time to time depending on need and resources. Legal Aid NSW provides a referral guide for ROCP lawyers.

## **Contact at Legal Aid NSW**

Contact the CLSD Unit at Legal Aid NSW with any questions or concerns [Kate.Halliday@legalaid.nsw.gov.au](mailto:Kate.Halliday@legalaid.nsw.gov.au) 02 92196399.