

24 August 2020

Committee Members

Select Committee on the COVID-19 Pandemic Response

Office of the Legislative Assembly

BY EMAIL: LACommitteeCOVID19@parliament.act.gov.au

Dear Committee Members,

Request for further information in relation to increase demand for women's specialist legal services

Thank you for the opportunity to appear before the Committee to assist your considerations on the specific affects on COVID-19 on women in Canberra. At that appearance, we undertook to provide some additional information about increase in the increase in demand for our services during COVID-19. Please find this information here below.

Increase in demand for legal assistance

During February/March 2020, the Women's Legal Centre ACT (WLC) quickly transitioned our service delivery model to meet the need of women in the ACT. We have seen significant increase in the need for legal assistance over the COVID period. Between 1 January and 30 June 2020, the Centre delivered **1 161 legal advice services**. This represents approximately **200 additional advices** or **21% more** than the previous period (July-December 2019).

The Centre also delivered **116 legal tasks services** to women in the period. A Legal Task is a discrete legal assistance service focussed to trying resolve the matter as quickly as possible, without escalation to a court or tribunal. This could include the Centre's lawyers writing a letter to the other parent of children subject to care order seeking their adherence with that order, prior to commencing a court action, or a writing a letter of demand to an employer for underpayment of wages. Over COVID-19, the Centre has been focussed on delivering these services to meet current client need, particularly in relation to family law, where women are either seeking advice and action on existing orders affected by lockdown measures. As with our legal advice services, has delivered **21% more** such services than in the previous period.

During this period, the Centre assisted **827** clients, an **increase of 100 clients (approximately 14%)** from the previous six months.

These increases are particularly notable given the suspension of our volunteer and pro bono programs, which usually provide the Centre's Tuesday Night Advice Service, two specialist family law clinics and critical admin support. Centre staff have worked with exceptional dedication and flexibility to ensure there has been an increase in the availability of legal assistance over the COVID-19 period.

Some additional comments on the nature of this increase in demand for legal assistance is provided here below for the Committee.



Legal Need Related to Domestic and Family Violence

- Family and domestic violence has been one of the primary reasons women have sought assistance from the Centre over the period.
- The Centre has seen **dramatic increases in the number of women** seeking legal assistance in relation to domestic and family violence in the period.
- The number of legal advices in relation to family and domestic violence **increased by 97%** when compared to the same period in 2019 and the number of legal advices in relation to Family Violence Orders **increased by 162%**.
- The Centre has also provided advice to women finding it difficult to perform their work from home due to an escalation in domestic violence.

Legal Need Related to Relationship and Family Breakdown

- The onset of COVID-19 and government responses to reduce transmission created significant uncertainty and insecurity for women, particularly for separated families whose arrangements were affected by COVID-19 lockdown measures or restrictions on movement.
- A significant proportion of women who contacted the Centre in the first weeks of lockdown were women who had already separated and had previously agreed arrangements for the care of their children.
- There was a **60% increase** in advices related to child residency between the declaration of a Public Health Emergency in the ACT and 30 June 2020 when compared with the same period in 2019.
- Child contacts or contact orders were the most common reason the Centre opened new ongoing legal matters in the period, followed by Child residency.
- There was also a significant increase in the number advices related to divorce and separation over the COVID-19 period, with requests for assistances related to these matters **increasing by 55% and 34%** respectively, when compared with the same period in 2019.
- The Centre has identified separation and family breakdown as ongoing areas of need as the social and financial pressure of economic contractions hits families. Legal assistance is particularly important for women separating from relationships marked by violence and coercive control to ensure women receive a fair division of assets and care arrangements are safe.

Legal Need Related to Employment and Discrimination

- The Centre experienced a significant increase in demand for employment law services (almost **60%**) during the COVID-19 period. Most employment legal services provided in this time related to employment issues resulting from COVID-19 and the lockdown.
- National level ABS data showed in June 2020, women have been much more likely to both lose hours of work and their job than their male counterparts. Reflecting this national trend, the Centre have seen women working in unstable employment in women dominated industries like retail and hospitality, who have been fired or made redundant because of the economic downturn in their sector due to COVID-19.
- The most common reasons women sought legal assistance in relation to employment matters included needing advice about unfair dismissal or lack of access to pay, leave, or flexible working arrangements.



- Between March and June 2020, the Centre was inundated with requests from working parents and pregnant workers, who were finding it difficult to get approval to work from home, or to take carers leave to care for kids when childcares, disability services and schools closed down. In many cases, women have been forced to choose between keeping their jobs or resigning because they have no choice but to stay home and protect themselves or care for their children. This mirrors trends in the USA and UK, where demand for assistance with employment law matters has also increased, particularly from women experiencing issues related to pregnancy and caring responsibilities.
- The Centre received a significant number of requests for assistance related to the Jobkeeper scheme, with many employees and employers confused about eligibility and the enabling directions employers could give to employees.
- The Centre's Employment and Discrimination practice has emerged as central to the Centre's commitment to protecting women's financial independence over the COVID-19 period.

Effects of COVID-19 on clients

- Like many DFV and legal assistance services, the Centre has noted a marked increase in the distress levels of clients, combined with a deterioration in key living standards.
- There has been an increase in women contacting the Centre expressing suicidal ideations, affected by drugs and alcohol and acute mental health issues.
- There was a 5% increase in women experiencing a disability/mental illness compared with last reporting period. We expect this trend to continue into the new period as the stresses related to COVID continue and the economic forecast worsens.
- The percentage of women experiencing or at risk of homelessness has also increased for particular groups of clients, particularly women assisted through the Centre's Mulleun Mura and Health Justice Programs.

Collaborative Service Delivery During Crisis

- The Centre has worked collaboratively with other community and legal assistance services to ensure client's needs have been met in full.
- As client's circumstances have become more complex due to COVID-19, the Centre has increased the number of referrals to other services. The Centre has provided **almost double** the number of referral services in the past six months, when compared to the six months previous.

The gendered impacts of COVID-19 are being increasingly understood by governments, researchers and services across the world. Women's participation in the workforce has decreased. Evidence suggests the rates of family and domestic violence has increased. The combination of these two things leaves women in the ACT exceptionally vulnerable both in the immediate and in the long term.

It is imperative the ACT Government and the Assembly considers the specific risks for women's financial independence, workforce participation and safety in Canberra and applies a gender lens to proposed responses to COVID-19.

The Centre remains committed to ensuring women in our community can achieve financial independence, safety and long-term security for themselves and their children. Our role as a gender specialist organisation

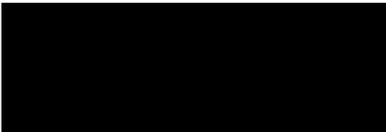


and the other gender specialist and domestic and family violence services in our community have never been more important as we struggle to meet the needs of women who have been disproportionately affected by COVID-19 and ensure women are not further disadvantaged as the Canberra community looks to recovery.

Thank you again for the opportunity to appear before the Committee and to provide this additional information to the Committee.

Please do let us know if we can provide anything further.

Yours faithfully,



Elena Rosenman
CEO
Women's Legal Centre ACT