



All the Latest from Northern Community Legal Centre

January/February 2023

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From the Team at NCLC

To our community members, stakeholders and partner organisations – a Happy New Year. We hope the holiday season brought you joy and ample opportunity to relax and be together with loved ones.

With the high cost of living, we know that some families are especially struggling right now, and so we have included some helpful information for those in the rental market who may be grappling with rising rents.

This year, NCLC's work continues in the family violence space with two new research projects, which are detailed below.

Finally, we offer some party-safe information for those younger members of our community wanting to let loose a little this summer.

For regular updates on NCLC programs and projects, follow us on Facebook and LinkedIn.



NCLC staff at our end-of-year lunch in December 2022.

Challenging Rental Hikes

The state-wide Rental Report statistics for September quarter 2022 notes an increase in the median rent by:

- \$10 in the metropolitan Melbourne to \$440 per week; and
- \$5 in regional Victoria to \$400 per week.

The Melbourne Rent Index was also reported to have increased by 10%, the largest annual increase since the December quarter 2008.

What does this mean for the renters in Victoria? After a year of interest rate hikes, some renters might have felt the increase in mortgage rates trickle down to increases in rent. With the rising cost of essentials, how do we make sure that we aren't paying more in rent than we need to?

Research and Negotiate

To find out if you are being charged too much, you can look at the rental prices of houses/units similar to yours in your suburb and neighbouring suburbs. You can also check the State-wide Rental Index [here](#).

If you still believe that you are being charged too much, then we suggest you have a conversation with your rental provider. For any such proposed rental increase to be legal, the rental provider needs to follow the law.

1. Fixed-term tenancy agreements

Unless your rental agreement allows for an increase in rent, your rental provider cannot ask for more rent for the duration of the fixed term of your tenancy agreement. If your rental agreement allows for an increase in rent, there are rules that need to be followed for the increase to comply with the law, for example, a 'Notice of Proposed Increase' must be served on the renter. For this notice to comply with the law, it must contain certain information and give the renter the right amount of time before the proposed rental increase.

2. Periodic tenancy agreements (month-by-month agreements)

The rent can be increased; however, any such increase needs to comply with the laws.

Rent Assessment

If the negotiations with the rental provider do not work, you can request Consumer Affairs Victoria for a free 'Rent Assessment'. Consumer Affairs will investigate and report if they find the increase to be too high. You can make this request [here](#).

For tailored advice, [find and contact](#) your local Community Legal Centre.

New Research Projects



NCLC is thrilled to be commencing two important new research projects: the Justice at Home Research Project, funded by the Victorian Legal Services Board, and the Justice Barriers Research Project, funded by the Victoria Law Foundation.

Justice at Home Research Project

Since 2020, Victorian courts have increasingly been using remote technology to hear matters, including family violence intervention orders. Partnering with local community organisations, this project explores the user experience of family violence applicants, evaluating any impacts it has upon safety, validation, participation, support needs and awareness of next steps.

Justice Barriers Research Project

In partnership with the Australian Muslim Women's Centre for Human Rights, this project examines the barriers and system issues faced by culturally and linguistically diverse women in Melbourne's North-West when applying for family violence intervention orders. The project aims to develop policy recommendations that enhance justice and safety for these women when appearing before Broadmeadows Magistrates Court.

For more information about these two new projects, please visit the [project page on our website](#).

Know Your Rights during Festival Season

During February and March, Victoria has some of the best music festivals in Australia at our doorstep. Whether you are heading to Pitch, Golden



Plains, St Jerome's or St Kilda, the information provided below aims to ensure that you are not only safe but aware of your rights when kicking back with friends, and enjoying some live music.

Dealing with police

While drugs are common at festivals, they are also illegal and police are likely to have a presence, and they may have sniffer dogs. If you see the police there is no reason to be alarmed, they are there to keep you safe, and should be respected but not feared.

Police will only stop and search you if they 'reasonably suspect' that you are carrying illegal drugs or something dangerous. There must be a factual basis for their suspicion. Unless police can explain their 'reasonable suspicion' then they cannot search you without your consent.

Before you are searched, you can ask the police why they want to search you, what is their reasonable suspicion, and tell them if you don't consent to the search.

During a search police may pat you down, ask you to empty your pockets or search your bags. Be polite and stay calm. You can ask a friend to film the interaction from a safe distance. You should also ask the police officer to activate their body-worn camera and for their name and station.

If police find drugs on you, they may want to interview you on the spot or at the station. Attempt to get legal advice prior to the interview. You also have the right to answer 'no comment' to any questions asked, but you are required to provide your name and address. If you are charged you are likely to receive a 'summons to attend court'.

If you are a young person under 25 years, contact NCLC's Youth Legal Team for further assistance.

NCLC can deliver community legal education sessions specifically on youth-related issues, including drug and alcohol use. To organise a presentation at your organisation, email Tania McKenna at tmckenna@northernclc.org.au.

Northern Community Legal Centre acknowledges and respects the traditional custodians whose lands we are fortunate to live and work on, and we pay our respects to all Elders past, present, and future.

Northern Community Legal Centre

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