

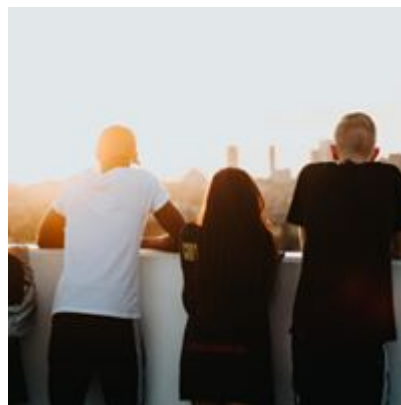


All the Latest in Legal News from Northern Community Legal Centre

August 2020

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From the Team at NCLC



To our partners and clients, we extend our support and best wishes as we adapt to Stage 4 lockdowns. We hope that this will soon lead to a time where we can both see, and hug, those who are dear to us. To our community, we ask that you reach out for help if you need it, as well as reaching out to help others who need some extra assistance.

At NCLC, many of our clients are productively using this downtime to seek legal help. When it comes to legal issues, the earlier you get advice, generally the easier the legal issue is to resolve. At the moment, you can obtain legal advice without even needing to leave your home. There are some instances, however, when we are not able to provide advice, and this can be a source of frustration. We cannot provide advice if we have previously assisted another person who is involved in the legal dispute (this is known as a 'conflict of interest'), and there are some areas of law in which we do not assist. Below are some examples of the types of legal matters where NCLC can and cannot provide assistance.

We can assist with:

- Family law matters, including parenting disputes and divorce
- Family violence matters
- Fines and debts
- Centrelink disputes
- Employment entitlements
- Tenancy disputes

We cannot assist with:

- Binding Financial Agreements
- Commercial business disputes
- Conveyancing
- Neighbourhood disputes
- Personal injury

If you contact NCLC for assistance, and we cannot provide advice in relation to your legal issue, we will always provide a referral to another agency who can assist.

AT NCLC OUR LAWYERS CONTINUE TO PROVIDE LEGAL SERVICES BY
TELEPHONE DURING COVID-19 RESTRICTIONS.

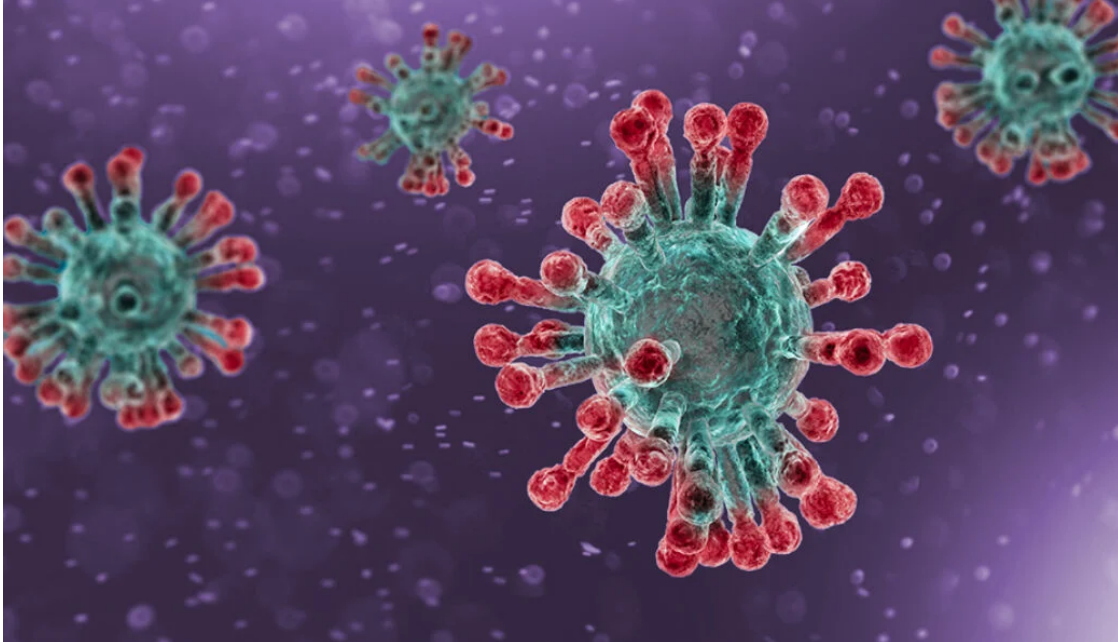
FOR LEGAL ASSISTANCE PLEASE CONTACT US BY TELEPHONE ON:

(03) 9310 4376

OR BY EMAIL AT:

admin@northernclc.org.au

COVID-19 Legal Updates



We have recently reviewed all our current COVID-19 Legal Fact Sheets to bring them up to date with the latest Stage 4 restrictions.

The Fact Sheets have also been updated in community languages including Arabic, Hindi, Nepali, and Punjabi.

The updated Fact Sheets are available on our website or via the link below.

If you are a service provider that has included NCLC resources on your website, then please ensure the latest versions of our Fact Sheets are made available.

COVID-19 Legal Facts and Info

COVID-19 and Policing

On 2 August 2020, the Victorian government declared a State of Disaster, giving police and emergency services significant powers to enforce COVID-19 restrictions.

A summary of the current COVID-restrictions can be found [here](#).

If the police believe that someone has not followed the COVID-19 restrictions, then they can be charged with a criminal offense, which could include on-the-spot fines of:

- \$200 for breaching the requirement to wear a mask or face covering (see [here](#));
- \$4,957 for breaching a requirement to self-isolate or self-quarantine (see [here](#)); or

- \$1,652 for breaching other COVID-19 directions, such as the 'stay at home' directions (see [here](#)).

We are concerned about the impact that these increased police powers and significant fines are having on people in our community, particularly those already experiencing disadvantage during a very stressful period.

Anyone issued with one of these fines is entitled to have it reviewed. If they believe that the fine has been issued unfairly or incorrectly, they should seek legal advice before the due date on the fine.

Our Fact Sheet on COVID-19 Fines and Police Powers is available [here](#) in multiple languages.

Family Violence

Despite the current lockdown in Melbourne, escaping family violence remains a permitted reason to leave the home, and the Magistrates' Court is open for new applications for Family Violence Intervention Orders.

People experiencing family violence should be referred for family violence support and legal advice, preferably before the date of the hearing.

More information and useful referral information is available on our Family Violence Fact Sheet, available [here](#).

Workplace Restrictions

From 6 August 2020, COVID-19 restrictions have required many workplaces to shut down, unless employees are able to work from home. Information about the permitted essential workplaces is available [here](#).

If an employee is required to attend a work site, their employer must issue them with a 'worker permit', which they will need to carry with them if they leave the home to attend work. See [here](#) for information about the worker permits.

Our Employment Law Fact Sheet, available [here](#), covers this and other COVID-19 employment law issues.

Rent Reductions



Any Victorian tenant who has lost income due to COVID-19 is entitled to seek a temporary rent reduction with their landlord and may be entitled to a rent subsidy from the government.

We have spoken to many clients in severe financial hardship who have had no idea that they are entitled to seek a rent reduction, and we are aware of many landlords and real estate agents that have been very difficult for tenants to negotiate with.

It is important for tenants to negotiate a reduction now, before the temporary laws (including the eviction ban) end on 31st December 2020. If tenants are unable to negotiate an arrangement with their agent or landlord, they should utilise the dispute resolution processes available through Consumer Affairs Victoria.

After the eviction moratorium ends, landlords may be able to evict tenants if they are behind in rent.

Information about the rent reduction process are available in our Renting Rights Fact Sheet, available [here](#).

NCLC is helping international students negotiate rent reductions with their landlords.

Alam's Story

Alam* is an international student studying and living in Melbourne. Before COVID-19, he had an ongoing job where he was earning approximately \$4000 a

month. Unfortunately, his employer ended his contract as a result of a downturn due to COVID-19.

Since losing his job, Alam has used up the small amount of savings he had, and can no longer afford his rent of \$1,285 a month. Alam's family overseas has also been negatively impacted by COVID-19, and cannot afford to provide financial support. Because Alam is an international student, he is not entitled to JobKeeper, or any Centrelink payments.

Alam's landlord applied to VCAT to evict him from the property, which would have led to him becoming homeless. NCLC opposed this application, and the landlord eventually withdrew the application to evict him.

We are now in the process of assisting Alam to negotiate reduced rental payments. Once a rent reduction is determined, Alam will be able to apply for a rental subsidy of up to \$2000 from the government.

While this rent reduction will be temporary (the COVID-19 tenancy laws are temporary and are now due to expire at the end of December), it will at least help him to not incur a large debt of unpaid rent, and it will avoid the risk of him being evicted when the temporary protections expire.

* Name and identifying details changed

Additional Support for International Students During COVID-19

NCLC is aware that many International Students have been particularly impacted by the COVID-19 lockdown response.

With support from Moreland Council, we are implementing an **International Student Legal Clinic**.

Our dedicated lawyer will be available to provide advice by telephone on common issues experienced including housing and renting rights, employment, managing debt, and accessing financial support. Appointments can be made by telephoning [\(03\) 9310 4376](tel:(03)93104376) or by email [at: admin@northernclc.org.au](mailto:admin@northernclc.org.au)

Practitioner Training

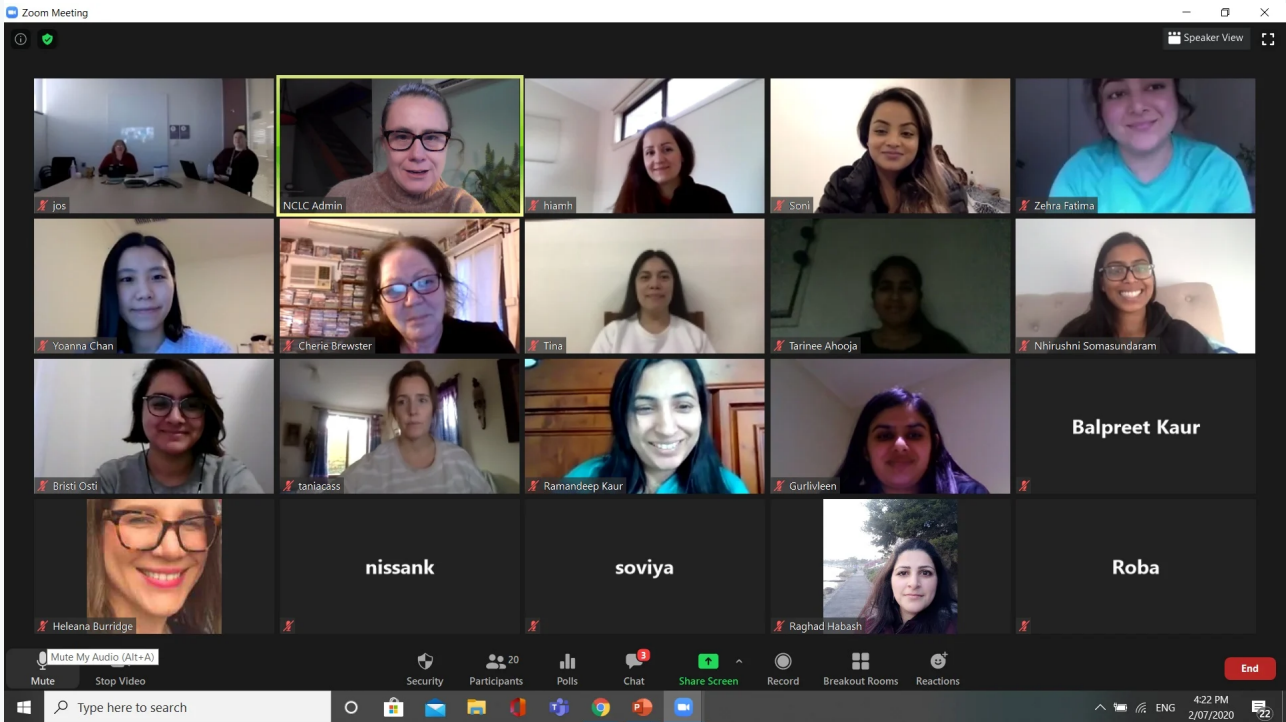
NCLC IS OFFERING ONLINE PROFESSIONAL DEVELOPMENT TRAINING

NCLC can provide free training for Practitioners that work with women experiencing family violence on topics including:

- Obtaining a Family Violence Intervention Order;
- Family law and child contact arrangements; and

- Working with women on temporary visas experiencing family violence (including family violence immigration provisions).

All training sessions are being conducted via video conferencing while workplace restrictions are in place. For further information contact: Tania McKenna. Community Development and Partnership Manager, 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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Broadmeadows
Australia

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