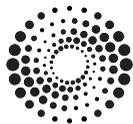


The Law Handbook

YOUR PRACTICAL GUIDE TO THE LAW IN NEW SOUTH WALES

15th EDITION



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Note to readers: While every effort has been made to ensure the information in this book is as up to date and as accurate as possible, the law is complex and constantly changing and readers are advised to seek expert advice when faced with specific problems. *The Law Handbook* is intended as a guide to the law and should not be used as a substitute for legal advice.

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Assistance With Legal Problems

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[4.10] Legal problems can be confusing and expensive. There are, however, quite a few places where people can go for information and help. This chapter looks at the different forms of legal assistance available in NSW, including:

- free legal services and sources of advice;
- Legal Aid NSW;
- what you need to know about using a lawyer;
- the interpreting services available to people in the NSW legal system.

Free legal assistance

[4.20] If you can't afford a lawyer, there are ways of getting help for free. Some preliminary free advice is also a good way to work out whether it is worthwhile paying a lawyer to act for you.

[4.30] What assistance is available?

The main forms of legal assistance offered by the services discussed in this section are:

- legal information;
- legal advice, including where to go for further help;
- legal representation (eg, writing letters on a person's behalf, negotiating with third parties or appearing in court);
- legal education (programs and publications to improve access to legal services and understanding of legal rights).

Means and merits tests

Some of the services described in this section are available free to anyone, while others are:

- means tested (only available to people whose income and assets are below certain levels); and/or
- merits tested (the case must be likely to succeed, and the cost of funding it must not exceed the benefits to be expected).

Legal information and advice are generally available without means testing.

Legal representation usually involves an application for legal aid and is usually means tested (see Who is eligible for legal aid? at [4.130]).

Which agency?

Some agencies direct their services to a particular group of people or specialise in a particular area of law. If you are unsure which agency is appropriate for your situation, phone LawAccess or a community legal centre, or the chamber service at a Local Court.

They are aware of the services available and can direct you to the right one.

[4.40] Legal Information Access Centre

The Legal Information Access Centre (LIAC) is a law library for non-lawyers that gives the general public access to information about the law.

What they do

LIAC helps people find legal information. Its staff can help you:

- find the relevant piece of legislation if you have a problem;
- locate books, pamphlets and internet sites on parts of the law that interest you;
- find the meaning of legal words;
- find out whether a law has been changed;
- find agencies that provide legal advice.

Cost

Anyone can use LIAC and it is free.

What they don't do

LIAC does not offer legal advice or legal representation.

Where to find them

LIAC is based at the State Library in Sydney. There are also LIAC "Find legal answers" toolkits (a collection of easy-to-read, practical books about the law) and Hot Topics publications (legal issues in plain language) in many public libraries across the state. Some public libraries have an additional collection of legal resources and staff trained to provide a legal information service. You can contact LIAC at liac.library@sl.nsw.gov.au.

LIAC is an initiative of the State Library of NSW.

[4.50] Community legal centres

Community legal centres offer free advice to help people sort out their legal problems, and can be a useful first contact point. They will also explain whether you might be eligible for legal assistance from other organisations, including Legal Aid NSW.

What they can do

Where no other legal assistance is available and a person cannot afford to pay a private solicitor, a community legal centre may assist by negotiating on the person's behalf, preparing legal documents and, in some cases, representing the person in court.

Specialist centres

Some centres operate in a specialist area of law (such as Seniors Rights Service, the Intellectual Disability Rights Service and the Tenants Union). Anyone who has a problem in that area of law can approach these centres.

Local centres

Generalist community legal centres can only assist people who live in the communities they serve.

Legal education and reform

Community legal centres not only give legal advice, but they also work to change laws when they are unfair or unjust, and undertake community education to help people in the community understand their legal rights and responsibilities.

Contacting a community legal centre

It is always a good idea, if possible, to phone the nearest community legal centre for information about their services before seeking assistance in person. They are open during business hours, but generally have limited hours during which advice is available.

Evening appointments

Some centres will make appointments for evening interviews if a person is unable to get there during the day.

Outreach services

Many community legal centres also provide outreach services in other towns and suburbs in the areas they cover.

Telephone assistance

Many centres offer assistance over the telephone, ranging from direct legal advice to suggestions about other organisations that may be a more appropriate source of help.

There is a list of community legal centres and their contact details in [4.300].

[4.60] The Aboriginal Legal Service

The Aboriginal Legal Service (ALS) offers free legal advice and representation for Aboriginal and Torres Strait Islander people. ALS lawyers work in the areas of criminal law, family law and children's care and protection law. For civil law matters, they give information and referrals to other service providers.

There is no means test except for contested family law hearings.

A full list of ALS offices is in the Contact points of Chapter 2, Aboriginal People and the Law.

[4.70] Law Society of NSW

The Law Society of NSW offers a range of legal assistance services for the general community. These services are primarily aimed at improving people's access to the legal system and to justice.

Solicitor Referral Service

The Law Society conducts a Solicitor Referral Service to appropriate NSW legal firms and other agencies.

It can also refer people to firms that are prepared to make legal aid applications, or that have expertise in such areas as mediation, community languages and foreign law.

Pro Bono Scheme

The Law Society runs a Pro Bono Scheme, which offers legal assistance to people who:

- have applied for and been refused legal aid for their legal matter (proof of this is required);
- satisfy the means assessment applied by the Scheme;

- have a matter that has merit and/or reasonable prospects of success;
- have a type of matter covered by the Scheme.

The Scheme can refer eligible people to solicitors prepared to provide legal advice or representation free or at a reduced cost to pro bono clients.

Neighbourhood centres

Some regional law societies coordinate neighbourhood legal referral and advice centres.

These centres are staffed by volunteer solicitors and are usually open one evening each week in a local community centre.

Contact your community centre to find out if there is an advice and referral centre in your area.

[4.80] LawAccess NSW

LawAccess NSW is part of Legal Aid NSW and is a free service providing a single point of access to legal and related assistance in NSW through:

- a telephone legal information, referral and advice service; and
- legal information resources including fact sheets, forms and publications.

You can access the LawAccess NSW website for legal information including answers to common problems and assistance for people who are dealing with a legal problem without a lawyer or representing themselves in court. You can call LawAccess on 1 300 888 529.

[4.90] Justice Connect

Justice Connect matches public interest cases or disadvantaged groups who need free legal assistance with law firms willing to help them. There are detailed eligibility criteria. Individuals and groups seeking assistance should contact Justice Connect for further information.

Justice Connect is a membership-based organisation. Members include the Law Society of NSW, the NSW Bar Association, Legal Aid NSW and the Public Interest Advocacy Centre, as well as law firms and barristers.

[4.100] Chamber service at Local Courts

Most full time local court registries have a registrar or deputy registrar who can provide information, assistance and guidance to members of the public on local court procedures and applications. This is called the chamber service. The chamber service does not provide legal advice and cannot represent people in court.

The chamber service may be available by appointment at your local court, depending on the nature of the inquiry and the availability of the senior registry officer.

Local court staff and the chamber service can help you prepare some court documents for matters to be heard by a local court including:

- applications to commence proceedings (including statements of claim for civil proceedings where the cause of action is straightforward);
- apprehended violence applications;
- defence, notices of motion to stay proceedings and set aside judgment in civil actions (but not advice on what to say in support of a defence or motion);
- family law applications;
- family law recovery orders in limited circumstances, primarily in country locations where no other service is available.

The Chamber service cannot assist with complex court documents, including drafting affidavits or deeds of settlement.

[4.110] NSW Trustee & Guardian

NSW Trustee & Guardian will help prepare wills free of charge, provided the NSW Trustee & Guardian has been appointed executor to administer the estate.

A fee is normally charged for executor services. Details of the charges should be obtained before a decision is made to appoint the NSW Trustee & Guardian as executor.

See Chapter 40, Wills, Estates and Funerals for more details about getting help with preparing wills and administering estates.

Legal assistance from Legal Aid NSW

[4.120] Legal Aid NSW

Legal Aid NSW is funded by the State to provide legal assistance for matters arising under NSW law. It also has an arrangement with the Commonwealth to provide legal assistance for matters arising under Commonwealth law.

Getting legal advice

Legal Aid NSW has staff in 26 offices around NSW. People can get legal advice from a Legal Aid NSW solicitor at a Legal Aid NSW office or outreach service. There is no means or merit test for general legal advice. It is generally limited to about 15 minutes.

For a full listing of Legal Aid NSW offices, go to the Legal Aid NSW website at www.legalaid.nsw.gov.au.

Contacting Legal Aid NSW

If you want to contact Legal Aid NSW, you should call LawAccess first and they will assist you with this.

Telephone advice

Legal Aid NSW has a number of specialist services that provide help over the phone.

- Youth Hotline 1800 10 18 10
- Prisoners Legal Service 02 8688 3888

If you need help over the phone, start by calling LawAccess. If you are under 18 and need help with a criminal law problem, you can call the Legal Aid Youth Hotline.

Interpreters

Interpreters can be arranged for people who don't speak English well or have a hearing difficulty. A person who needs an interpreter should let the office know well before the interview so that this can be organised.

Extended legal assistance (ELA)

ELA is an extended legal service which allows a lawyer to provide legal assistance to a client where the legal problem is not yet at a court or tribunal. It can involve assistance with one or multiple legal problems. The main purpose is to assist clients in resolving their legal problem at the early stages.

This service is only provided by Legal Aid NSW inhouse lawyers. ELA is available for family, civil and criminal law matters. There are eligibility criteria that apply including a simplified Means Test and Merit Test. The details of the eligibility policies are published on the Legal Aid NSW website. If a person sees one of our Legal Aid lawyers for advice, they can ask whether they are eligible for an ELA service.

[4.130] Getting legal aid

Someone who needs more than basic advice or an ELA service will need to make an application for legal aid.

Duty solicitors are available in all Local Courts and some other courts to provide limited assistance for court appearances. This includes representing a person in the Local Court for a sentence matter where they have pleaded guilty.

Legal aid lawyers

If a person is granted legal aid, Legal Aid NSW will provide them with a lawyer to help them with their case. The lawyer may be a Legal Aid NSW lawyer, a private lawyer or a community legal centre lawyer.

When appropriate, Legal Aid NSW can also provide a barrister or, in serious criminal cases, a *public defender*.

Public defenders are barristers retained by Legal Aid NSW to represent legal aid clients appearing in the District or Supreme Courts on criminal charges.

Who is eligible for legal aid?

Legal aid is available for a wide range of civil, criminal and family law matters. Legal Aid NSW uses eligibility policies to decide who is eligible for legal aid in these different areas of law. The policies aim to be fair and consistent, and to target people in the community who are most socially and financially disadvantaged.

Eligibility tests

Four tests are used in deciding whether a person is eligible for legal aid:

- merit test, which looks at whether the case is likely to succeed, and other issues;
- means test, which looks at the income and assets of both the applicant and anyone who

- could be reasonably expected to contribute to the applicant's legal fees;
- jurisdiction test, which looks at the type of case and the area of law in which aid is sought;
 - availability of funds test – legal aid will only be granted if Legal Aid NSW determines that sufficient funds are available for a particular type of matter.

This is a guide only. When Legal Aid NSW makes a decision about who gets legal aid, the full eligibility policies are used. For details and advice about eligibility for legal aid, contact Law Access or a community legal centre (see also [4.170]).

[4.140] Merit tests

There are two merit tests: Merit Test A, used for criminal and civil law matters and state family law matters; and Merit Test B, used for Commonwealth family law matters.

Criminal law, civil law and care and protection matters

In applying the merit test for criminal law, civil law and care and protection matters, Legal Aid NSW asks: Is it reasonable in all the circumstances to grant legal aid?

Several matters are considered in answering this question. The main ones are:

- the benefit to the applicant if aid is granted, or the detriment they may suffer if aid is refused;
- whether the case has reasonable prospects of success.

Commonwealth family law matters

The merit test for Commonwealth family law matters is based on three considerations:

- does the matter have reasonable prospects of success (ie, is it more likely to succeed than not)?
- would a prudent self-funding litigant risk their funds in the proposed proceedings?
- is it appropriate to spend limited public legal aid funds on the particular matter?

Matters subject to a merit test

A merit test is applied in the following matters:

- most non-criminal matters (civil law, family law, certain care and protection matters, and veterans' matters);
- appeals in criminal matters;

- Supreme Court bail matters; and
- some matters associated with Children's Court proceedings (such as appeals from the Children's Court to the District Court).

Matters not subject to a merit test

A merit test is not applied to:

- criminal law matters (except appeals, revocation or variation of a Community Control Order or a Conditional Release Order and Supreme Court bail applications);
- children in the Children's Court;
- most *Mental Health Act 2007* (NSW) matters;
- the subject of the proceedings in matters before the Guardianship Division of the NSW Civil and Administrative Tribunal (NCAT).

[4.150] Means test

Legal Aid NSW applies a means test which looks at an applicant's income and assets to:

- assess whether that person is eligible for legal aid; and
- determine how much contribution a successful applicant will have to pay towards the cost of the legal services.

The means test includes both income and assets tests, and also considers the applicant's ability to pay legal costs. Applicants who receive a Centrelink income support payment at the maximum rate automatically satisfy the income test. Otherwise, eligibility is determined by assessing the net assessable income (after subtracting allowable deductions) and assets (after excluding allowable assets) of both:

- the applicant; and
- financially associated persons (a person who could reasonably be expected to contribute to the applicants legal costs).

The means test applies to both State and Commonwealth matters. Details of the means test are on the Legal Aid NSW website at www.legalaid.nsw.gov.au including a Means Test Indicator to assist in estimating whether an applicant is likely to meet the means test.

What matters are means tested

The means test does not apply to:

- legal advice and minor assistance services;
- first appearance bail applications in the Local Court;
- family law and civil law duty matters;
- children in the Children's Court;

- children in all criminal law matters;
- children in appeals to the District Court in care matters;
- children represented by an independent children's lawyer in family law proceedings;
- some Mental Health Advocacy Service matters;
- ex-service personnel and their dependents for proceedings in the Administrative Appeals Tribunal under Pt II of the *Veterans' Entitlements Act 1986* (Cth) and the *Military Rehabilitation and Compensation Act 2004* (Cth);
- Drug Court matters;
- *Drug and Alcohol Treatment Act 2007* (NSW) matters (except for appeals).

All other matters are means tested.

Contribution from the applicant

A person receiving legal aid is usually required to make an initial contribution of \$75 or more based on their income and assets. If the contribution amount required is greater than the estimated cost of proceedings, the person is not eligible for aid.

Where there is no initial contribution

An initial contribution is not required for pleas of guilty in Local Court criminal matters, applicants in ADVO matters, most mental health matters and some other matters.

The contribution to legal costs

If the person recovers a sum of money or other asset, or if there is a substantial improvement in their financial situation, they will be asked to make a contribution to the legal costs at the end of the case. If the person owns real property, they may be required to give a charge over that property to secure the contribution to legal costs. This will depend on the costs of the case to Legal Aid NSW, and in some cases, the type of matter.

The contribution to legal costs is usually the full cost of providing the legal service.

Apart from such initial contributions and the contribution to legal costs, the person granted legal aid does not pay any legal fees either to Legal Aid NSW or their lawyer.

Discretion to grant aid

In some exceptional cases, there is a discretion to grant legal aid in matters where the applicant's income and assets exceed the means test limits (eg, where the applicant would suffer special hardship if aid was refused).

[4.160] Jurisdiction test

The jurisdiction test looks at whether legal aid is available in that jurisdiction and area of law. The following table sets out the types of matters where legal aid is available.

<i>Criminal law</i>	<i>Legal aid may be available for the following criminal law matters:</i>
Local Court	<ul style="list-style-type: none"> • applications for annulment of conviction or sentence; • applications to remove driver disqualification under Div 3A of Pt 7.4 of the <i>Road Transport Act 2013</i> (NSW); • apprehended domestic violence order proceedings; • apprehended personal violence order proceedings in limited circumstances; • bail applications; • breach of Community Correction Order and Conditional Release Order proceedings; • committal proceedings; • contesting a forensic procedure application; • defended hearings where there is a real possibility of jail or exceptional circumstances exist; • Drug Court matters; • matters commenced by a police court attendance notice (excluding driving and traffic offences unless there is a real possibility of jail or exceptional circumstances exist); • matters commenced other than by a police court attendance notice if there is a real possibility of jail or exceptional circumstances exist; • participation in a restorative justice program, for example, Circle Sentencing; • revocation and variations of Community Corrections Order and Conditional Release Order.

<i>Criminal law</i>	<i>Legal aid may be available for the following criminal law matters:</i>
District Court, Supreme Court, Court of Criminal Appeal and High Court	<ul style="list-style-type: none"> • appeals; • bail applications; • extended supervision order, continuing detention order and control order matters, including matters under the <i>Crimes (High Risk Offenders) Act 2006</i> (NSW) and the <i>Terrorism (High Risk Offenders) Act 2017</i> (NSW); • indictable matters; • matters where a conviction is to be quashed following a free pardon or inquiry; • matters where the applicant is the defendant in a prosecution in the Land and Environment Court under environmental protection legislation, in limited circumstances; • matters where the Director of Public Prosecutions has applied for an acquitted person to be retried; • petitions for review of a conviction or sentence, inquiries into a conviction or sentence, and applications to a review panel to review a conviction or sentence; • preventative detention, contact order and prohibited contact order matters; • protected confiders in sexual assault communication privilege matters.
Children's matters	<ul style="list-style-type: none"> • appeals; • matters where the child is acting as an informant, in limited circumstances; • matters where the child is participating in a restorative justice program; • proceedings in the Children's Court including committals; • trials and sentence matters in the District and Supreme Courts.
Prisoners' matters	<ul style="list-style-type: none"> • life re-sentencing applications; • Parole Authority hearings; • reviews of segregation directions; • visiting justice proceedings.
Excluded matters	<p>Legal aid is not available for the following criminal law matters:</p> <ul style="list-style-type: none"> • applicants in Apprehended Personal Violence Order matters unless it is a child; • Local Court defended hearings where the defence is frivolous or has no possible prospects of success; • proceedings under the <i>Confiscation of Proceeds of Crime Act 1989</i> (NSW) and other legislation related to tainted monies/property; • to commence proceedings in the Local Court except for ADVO proceedings.
<i>Family law</i>	<i>Legal aid may be available for the following family law matters:</i>
State matters	<ul style="list-style-type: none"> • adoption proceedings; • care and protection; • compulsory schooling order proceedings in the Children's Court.

<i>Criminal law</i>	<i>Legal aid may be available for the following criminal law matters:</i>
Commonwealth matters	<ul style="list-style-type: none"> • child support and child maintenance; • contempt of court proceedings where the applicant for legal aid is the respondent; • contravention of parenting orders; • dissolution and nullity of marriage; • international child abduction, in limited circumstances; • matters relating to the location and/or recovery of a child; • parenting matters (separate representation for children is also available); • proceedings in the Family Court concerning a special medical procedure for a child; • property settlement; • spousal and de facto maintenance.
Excluded matters	<p>Legal aid is not available for the following family law matters:</p> <ul style="list-style-type: none"> • enforcement proceedings (property).
<i>Civil law</i>	<i>Legal aid may be available for the following civil law matters:</i>
State matters	<ul style="list-style-type: none"> • breach of civil liberties, for example, false imprisonment, malicious prosecution; • consumer protection matters; • coronial inquests in limited circumstances unless for Aboriginal or Torres Strait Islander families in relation to any Aboriginal or Torres Strait Islander death in custody; • discrimination matters; • employment matters where the applicant meets the Social Disadvantage Test (unfair dismissals at the Industrial Relations Commission of NSW); • extended supervision order, continuing detention order and control order matters, including matters under the <i>Crimes (High Risk Offenders) Act 2006</i> and <i>Terrorism (High Risk Offenders) Act 2017</i>; • matters relating to the making or review of a public health order; • matters under the Working with Children legislation; • matters where it is likely the applicant will lose his or her home; • mental health and guardianship matters; • public interest human rights matters; • reviews under the <i>National Disability Insurance Scheme Act 2013</i> (Cth); • sexual assault communication privilege matters; • <i>NSW Trustee and Guardian Act 2009</i> (NSW) matters (protected estate matters).
Commonwealth matters	<ul style="list-style-type: none"> • Centrelink income and pension matters; • employment law matters where the applicant meets the Social Disadvantage Test; • extradition proceedings; • matters arising from a Commonwealth decision which affect a person's capacity to continue employment; • migration matters including cancellation of visa on character grounds; • proceeds of crime; • reviews under the <i>National Disability Insurance Scheme Act 2013</i> (Cth); • war veterans' matters.

<i>Criminal law</i>	<i>Legal aid may be available for the following criminal law matters:</i>
Excluded matters	<p>Legal aid is not available for the following civil law matters:</p> <ul style="list-style-type: none"> • matters about damage to any property by a motor vehicle; • proceedings under the <i>Confiscation of Proceeds of Crime Act 1989</i> (NSW) and other NSW legislation relating to tainted monies/property; • to a defendant who is objecting to or defending an Order for restitution under the <i>Victims Rights and Support Act 2013</i>; • matters involving medical negligence or public liability; • matters involving personal injury, unless aid is available under some other policy for a matter in which personal injury is alleged as harm or damages; • matters under the <i>Succession Act 2006</i> (NSW) (family provision claims and Wills and Estates); • matters which result from commercial and investment transactions conducted by the applicant for legal aid; • building disputes; • civil assault matters (not including assault by a person in a special position of authority); • matters in the Local Court where the amount in issue is less than \$3,000 or less; • defamation matters; • matters involving disputes between family members and former family members over property or money; • matters involving intra association disputes, for example, between members of clubs or unions (associations); • neighbourhood disputes; and • public interest environment matters.

[4.170] Applying for legal aid

Application forms can be obtained from the Legal Aid NSW website and offices, community legal centres and Local Courts. Assistance in completing an application form can be received from a Legal Aid NSW office, LawAccess and a CLC. There is also an online form that can be accessed through the Legal Aid NSW website and completed online.

Applicants should give as much detail as possible on the form. Where possible, supporting documents such as police reports, medical opinions and the statements of witnesses should be included. Where possible, it is best to have a lawyer submit your application directly to Legal Aid NSW.

A person pleading not guilty to a charge should apply before a date is set for the hearing.

Applying through the duty solicitor

A person with a criminal matter in the Local Court who has not had the chance to apply for legal aid can apply at the court. All Local Courts have a lawyer – the duty solicitor – rostered by Legal Aid NSW, on duty every sitting day, who can give advice about making an application.

Bail applications at the Local Court

The duty solicitor can also represent anyone in police custody making a first appearance in court for a bail application. There is no means test in this situation.

[4.180] Appeal against legal aid decisions

If an application for legal aid is refused or the applicant does not agree with the conditions of the grant, an appeal can be made to the Legal Aid Review Committee. The letter giving details of the decision made by Legal Aid NSW includes information on how to appeal.

Time limit

The appeal must be lodged within 28 days of receiving the decision.

Where there is no right of appeal

There is no appeal for Local Court criminal matters where:

- the application is refused on the basis of the means test; or
- the person is required to pay a contribution.

There is no appeal against assignment of a matter to a Legal Aid NSW lawyer or a private practitioner specified by Legal Aid NSW.

Lawyers

[4.190] Do you need a lawyer?

In many cases, a person who needs legal assistance must consider consulting a lawyer in private practice. The decision will depend on:

- the type of problem you have;
- the sort of action you want to take;
- how much money you have available.

Is legal action the answer?

Legal action is often only one alternative. For instance, problems with neighbours can often be solved by approaching them directly (see Chapter 32, Neighbours for more about this).

Getting advice and information

There are a number of ways of getting free initial advice and information about your legal situation (see [4.20]). You can use this information to find out whether your problem has a legal solution, and decide whether to take legal action.

Cost

Whether it involves letter writing, negotiation or going to court, legal action is likely to involve seeing a lawyer, and will mean at least some expense if you are not eligible for legal aid or for representation by a community legal centre.

Cost may be a major consideration. For information about fees, see [4.220].

[4.200] Choosing a lawyer

It is essential to have a good relationship with your lawyer. It is worth looking for a lawyer who not only has experience in the area of the law that concerns you, but whom you like and respect.

Any advice a lawyer gives you should be independent, so do not choose a firm or a solicitor

For advice and assistance in appealing a legal aid decision, contact a community legal centre or if you have a lawyer, speak with him or her about appealing the decision.

already advising someone opposing you in a legal action or dispute.

Remember that you are employing the lawyer. Take the time to shop around, and don't hesitate to ask questions.

Finding a lawyer

Ask friends and colleagues

A common way of finding a solicitor is to ask friends or colleagues whether they are happy with a solicitor they have used in the past.

Ask your local community legal centre

Some community legal centres have referral lists of private solicitors who practice in the local area.

Contact the NSW Law Society

The Law Society's Solicitor Referral Service can refer you to firms that:

- practise in particular areas of the law in your local area, or wherever is convenient;
- have accredited specialists in certain legal areas;
- will make legal aid applications on your behalf;
- will visit you at home or in hospital;
- offer services in community languages.

This information can also be found on the society's website at www.lawsociety.com.au.

Contact the Bar Association

The NSW Bar Association can refer you to appropriate barristers, and also has a directory of barristers online. Their website address is www.nswbar.asn.au.

Legal aid

If you think you will not be able to afford a solicitor, you can contact a Legal Aid NSW office. They offer assistance, provided you pass the means and merit tests. See Legal aid from Legal Aid NSW at [4.120]–[4.180].

If you are at court without a lawyer

Assistance from the duty solicitor

If you are at the Local Court and have no lawyer, you may be able to see the Legal Aid NSW duty solicitor. It is best to be at court early so that there is time to discuss your case. If it is complicated, the duty solicitor can ask that your matter be adjourned (put off) until a later date so that you can get further advice.

The duty barrister scheme

The Bar Association has a duty barrister scheme operating in some Local and District Courts to help people who cannot afford a lawyer and who do not qualify for legal aid.

Solicitors and barristers

The term “lawyer” refers to both solicitors and barristers. In NSW, lawyers qualify as legal practitioners, but may only practise as a solicitor or a barrister, not both.

Solicitors

Solicitors are the lawyers people most often deal with. They usually undertake a range of legal work, including preparing wills, contracts and deeds, and doing conveyancing and probate work. They also work in government organisations, advising and representing those bodies in legal matters, and in community legal centres and Legal Aid NSW.

This section looks mainly at solicitors in private firms, although much of the information also applies to solicitors providing free assistance.

Solicitors can, and many do, appear in court to represent a client, but if a case is complex they may advise a client to use a barrister to represent them in court.

Barristers

Barristers are courtroom specialists. They often develop a high level of expertise in particular areas of law, and are therefore often asked by solicitors for their opinion on technical and complex legal questions.

Members of the public can approach barristers directly, but it is usual to see a solicitor first (some barristers only accept instructions through solicitors). The solicitor may then advise that a barrister should be briefed (ie, hired to act in the case).

Barristers are usually employed by the solicitor, not the client, though the client pays their fees.

Collectively barristers are referred to as the *Bar* and individually as *counsel*.

Qualifications

Lawyers in NSW are trained in a variety of ways. Most have law degrees, but it is also possible to qualify

by completing the courses offered by the Legal Profession Admission Board.

All practising lawyers must have a practising certificate. These are issued by the Law Society for solicitors and the Bar Association for barristers.

[4.210] The lawyer–client relationship

The retainer

Once you agree to employ a lawyer and they agree to represent you, you have entered into a contract called a *retainer*.

Formal requirements

The retainer can be a verbal agreement, or it can be in writing.

It is sensible to have a written agreement setting out what each party expects from the other, although it is not compulsory for a lawyer to provide a general written agreement. Lawyers must provide written costs disclosure in matters where total legal costs are expected to exceed \$750 disclosing the basis upon which costs will be calculated and an estimate (see [4.230]).

What you need to know

You will need to find out:

- what your lawyer expects to happen as your matter progresses;
- how your lawyer will keep you up to date with the progress of your matter;
- if you are dealing with a firm, the name of the lawyer who will be handling your matter (and of the partner who will be supervising that person, if they are not a partner in the firm).

Ending the agreement

Either you or your lawyer can end the agreement for good reason and with reasonable notice.

The lawyer’s duty to keep you informed

Your lawyer has a duty to keep you informed of developments in your case.

If you feel that you are not being kept informed, you can arrange for regular contact. However, lawyers can charge for all the time they spend on a case, including client visits and phone calls. It is better, therefore, to have an agreement about how you will be kept informed and to contact the lawyer only when there are specific issues to be dealt with.

The lawyer's staff may be able to answer your minor queries.

Responsibility to act on instructions

You, the client, are instructing the lawyer, and they are obliged to follow your instructions, provided those instructions are legal and ethical.

Lawyers should never act without instructions from a client.

If you change solicitors

Obtaining your file from the solicitor

If you engage a solicitor and then decide to employ another solicitor, the first solicitor does not have to hand over the file until their bill is paid in full or their costs are satisfactorily secured.

The first solicitor has a *lien* over the file. (A lien is simply a right of possession over something of value that lasts until obligations under a contract or agreement have been fulfilled.)

If the file is needed for court proceedings, the solicitor may be required to hand it over regardless of the lien.

Obtaining a brief from a barrister

If a barrister is holding the brief relating to your case, this brief belongs to the instructing solicitor, and the barrister cannot give it straight to you.

You can contact the Office of the Legal Services Commissioner for assistance in retrieving your file from your lawyer.

The first interview

When you go to see a lawyer for the first time, you should try to get as much as possible from the interview. You may save both time and money if you are well prepared, with all your information and documents ready.

It is also important to ask questions when you do not understand something. The law is full of jargon, and lawyers are inclined to use specialised language, sometimes without realising it.

What to ask your lawyer

Some important questions to ask are:

- is the first appointment free? (Ask this when you make the appointment.)
- can you start straight away?
- what are my chances of success?
- what other matters like mine have you handled?
- how do you charge – by the hour or a fixed amount?
- can you estimate the overall cost?

- will you send me a letter outlining how I will be charged?
- how long is the case likely to take?
- what possible delays or problems are there?
- will you be handling the case personally?
- how will we communicate with each other?
- will you send me an itemised bill?
- can I pay in instalments?
- do you think there will be any additional costs?
- what is the worst possible outcome if I lose?

Find out what the lawyer can and cannot do

You need to understand the limits of what your lawyer can actually do for you. To avoid later disappointment, try to establish from the beginning what can and cannot be accomplished by legal action. You need to understand what benefits you could gain, and at what cost in time and money. Ask the lawyer to explain this carefully.

[4.220] Fees charged by lawyers

One of the most important issues you need to agree on with your lawyer is costs. You should establish as soon as possible:

- what your matter is likely to cost;
- how you will be billed;
- how you will pay;
- what you will be charged for.

Costs and disbursements

There are two parts to legal expenses – costs and disbursements.

Costs

Costs are the fees charged by a lawyer for all work done in handling a matter. This includes:

- *lawyer–client* costs for the work done by the lawyer; and

- *party-party* costs for work which directly relates to court proceedings.

Party-party costs can be recovered from the other side if you win the court case. You may be required to pay the other side's party-party costs if you lose.

Lawyer-client costs are paid by the client, whether you win or lose.

Disbursements

Disbursements are the expenses that the solicitor pays out on your behalf. They include:

- payments for applying for official records and certificates (eg, a traffic accident report from the NSW Police, or a certificate of title from NSW Land Registry Services);
- fees for filing documents at court;
- fees for serving documents on other people involved in the proceedings;
- fees for medical reports or reports from other experts;
- barrister's fees, if relevant.

[4.230] Costs disclosure requirements

What must be disclosed

Section 174 of the *Legal Profession Uniform Law* (NSW) ("LPUL") (which came into force on 1 July 2015, replacing the *Legal Profession Act 2004* (NSW) (now repealed)) requires lawyers to disclose the basis of their costs to clients up front, including:

- an estimate of total legal costs; and
- the basis for calculating it;
- arrangements for billing the client.

The LPUL applies if the client first instructs a law practice on or after 1 July 2015. If the client first instructs a law practice before 1 July 2015, the requirements of the *Legal Profession Act 2004* in relation to disclosure apply.

Formal requirements

The costs disclosure must be in writing (s 174(6)). It may be a separate document, part of a *costs agreement*, or in a retainer agreement (see The retainer at [4.210]). It must include information about the client's rights to:

- negotiate a costs agreement with the law practice;
- negotiate the billing method;
- to receive a bill from the law practice; and

- to request an itemised bill after receiving a bill that is not itemised or is only partially itemised; and
- to seek the assistance of the Legal Services Commissioner in the event of a dispute about legal costs.

Your lawyer must be satisfied you understand the costs disclosure (s 174(3)).

Exceptions to costs disclosure requirements

Costs expected to be below a certain limit

The lawyer does not have to provide the costs disclosure referred to above when the total legal fees (excluding GST and disbursements) are expected to be below \$750.

If the lawyer does not take reasonable steps to provide a costs disclosure, and the costs exceed the limit, the cost agreement may be void in which case the lawyer cannot recover their costs without having the bill assessed by the NSW Costs Assessment Scheme or the costs dispute is resolved by the Legal Services Commissioner. There is also a standard (simplified) costs disclosure form for matters where the total legal costs are not likely to exceed \$3,000 (excluding GST and disbursements).

The lawyer does not have to disclose costs when the client is a "commercial or government client" (s 170).

Family law matters

With the introduction of the LPUL on 1 July 2015, the costs disclosure requirements for solicitors working on family law matters where instructions are received after 1 July 2015 is the same as for other types of legal matters. The Family Court sets a fixed scale of fees that applies to costs payable on a party-party basis. Solicitors may charge for work done in family law proceedings at scale rates, or otherwise, but they should still disclose their estimate, and on what basis it is calculated.

[4.240] Methods of charging

Because there are several ways in which lawyers can charge for their work, it is important that you understand how you will be charged.

Lawyers in NSW are generally free to charge on any basis they choose as long as their charges are fair and reasonable, although fees in some types of matters are regulated.

Where fees are not regulated, most solicitors:

- charge a fixed amount; or
- calculate their costs on an hourly basis.

It should be clear from the costs agreement provided by your lawyer which method of charging is to be used.

Regulated fees

The matters in which the fees a solicitor can charge have been fixed by legislation include:

- motor accident claims (unless there is a costs agreement);
- deceased estates (obtaining a grant of probate only).

Charging a lump sum

One method is to charge a lump sum fee. This is usually done for conveyancing, for example, where fees are likely to depend on the value of the property being bought or sold.

Ask what other charges apply, particularly disbursements. A low lump sum fee may include larger-than-usual disbursements as a hidden cost.

Charging item by item

Another method is to charge on an item-by-item basis. In this case, the lawyer may charge a fixed amount for particular work, for example, writing a letter, reading a letter or drafting a statement of claim to commence court proceedings.

Charging an hourly rate

The lawyer may charge for the time spent on the matter. There must be a specific agreement between lawyer and client as to the rate per hour, or per day. Different solicitors charge different rates, so you should shop around. Charges are usually levied in minimum units of time, most commonly six minutes. That is, work that takes less than six minutes will be charged at a minimum of six minutes.

No win, no fee

Some lawyers sometimes offer conditional (“no win, no fee”) agreements under which the client only pays if the case is successful.

No win, no cost?

If your lawyer is working on a “no win, no fee” basis, you should find out exactly what this means in your

case. It is important in most civil cases, because if you lose you can be required to pay the legal costs of the winning side, even if you don’t have to pay your own lawyer.

You may also have to pay for your disbursements.

[4.250] Payment

Lawyers often ask for money in advance at an early stage to pay for costs and disbursements.

The solicitor’s trust account

Solicitors operate two different accounts. Any money paid by a client in advance of work being done must be placed in a trust account until it is used for the client’s expenses.

This money cannot be used to benefit any other client, or the solicitor, and the solicitor must have the client’s authority to spend it.

Any breach by a solicitor of the regulations that control their use of client’s money can lead to serious consequences for the solicitor.

The solicitor’s bill

When your case is finished, the solicitor will send you a final bill. This is called the memorandum of costs and disbursements. If the bill does not itemise all the work done and all the disbursements paid on your behalf, you may request an itemised bill.

If the solicitor has put your money in a trust account, a trust account statement setting out any money paid into and out of the account must also be provided.

If the solicitor has paid some of the expenses/disbursements out of the office operating account, they will send a letter asking for authority to withdraw money from the trust account to repay it.

Party-party costs

The bill of costs from the solicitor will include party-party costs (see Costs and disbursements at [4.220]) if the matter has gone to court, even though that money may be recoverable from the other side (this can sometimes take a long time).

When the other side pays the costs, the solicitor will refund the amount to the client.

Problems with lawyers

If you are dissatisfied with the service you are receiving or feel there is a problem with your case, there are a number of avenues you can pursue.

Usually the simplest way to resolve a problem is to raise the issue with the lawyer yourself, as early as

possible, either in person or by letter. This can often resolve the problem easily and quickly.

If direct communication is not successful, you may need help. See Complaints about lawyers in Chapter 9, Complaints, for detailed information about how to proceed.

Interpreters

[4.260] A person who has difficulty communicating effectively in English must have access to an interpreter in situations involving the law or legal proceedings. Accurate communication is essential, whether the person is being interviewed by police, is having a conference with a lawyer, or is a witness in court.

Interpreters may be needed not only by people from non-English speaking backgrounds but also by people with hearing or speech disabilities.

Even if someone can understand perfectly what is being said, they may have difficulty answering questions accurately.

[4.270] Right to an interpreter

International law

The right of a person to an interpreter in legal matters is recognised in international law; for example, in Art 14 of the *International Covenant on Civil and Political Rights*.

NSW law

In NSW, only a small number of statutes provide that an interpreter must be made available for a person who cannot communicate in English. An example is ss 70 and 158 of the *Mental Health Act 2007* (NSW).

Giving evidence

Under both the *Evidence Act 1995* (NSW) and the *Evidence Act 1995* (Cth), an interpreter may be used by a witness giving evidence in court where that person:

- has difficulty communicating in English (s 30);
- is deaf and/or speech impaired (s 31).

However, these provisions apply only to witnesses, and do not give litigants the right to have all of the court proceedings interpreted.

Rules of the courts

The Rules of the Local, District and Supreme Courts give the presiding judicial officer, either judge or magistrate, the discretion to decide whether an interpreter should be used.

Attitude of the courts

Most judicial officers now recognise that for justice to be done, an interpreter must be made available to people appearing before the court who have difficulty communicating in English.

Federal law

Some federal legislation (eg, the *Customs Act 1901* (Cth), s 219ZD; the *Migration Act 1958* (Cth), s 366C) provides that when a person cannot understand or adequately reply to questions in English, interpreter services *may be provided*.

The Administrative Appeals Tribunal

The federal Administrative Appeals Tribunal has specific guidelines for the use of interpreters for matters within its jurisdiction.

[4.280] Being interviewed by the police

When a person is arrested

Under NSW law

Pursuant to s 128 of the *Law Enforcement (Powers and Responsibilities) Act 2002* (NSW), a person, who is detained by police in connection with any investigation, has a right to an interpreter if that person is unable to communicate with “reasonable fluency” in English because of either inadequate knowledge of the language or a disability. An interpreter need not be provided if the “difficulty of obtaining an interpreter makes compliance with

the requirement” impractical (s 128(3), 128(6)). A person also has the right to an interpreter before the police carry out any forensic procedure, such as the taking of finger prints, a body search or the taking of biological samples for testing (*Crimes (Forensic Procedures) Act 2000* (NSW), s 98). If an interpreter cannot be physically present, the police may arrange for a link to a telephone interpreter (s 98(1A)).

Arranging for interpreters

Interpreters are now provided for initial interviews in criminal matters, if needed, by arrangement with Multicultural NSW (formerly the Community Relations Commission).

Aboriginal suspects

In addition to the statutory right to an interpreter in NSW, the courts have developed special rules in relation to the interrogation of Aboriginal suspects by police.

These rules, which apply throughout Australia, are known as the Anunga Rules because they were first formulated in *R v Anunga* (1976) 11 ALR 412.

The Anunga Rules

The Anunga Rules state that:

- unless the suspect is as fluent in English as the average person of English-speaking background, an interpreter must be used;
- wherever possible, a “prisoner’s friend”, that is, someone in whom the suspect has confidence, should be present. The prisoner’s friend may be an interpreter;
- the caution should be given in simple language, and care should be taken to ensure that the suspect fully understands what it means;
- care should be taken to frame questions that do not suggest specific answers.

Although these rules apply specifically to Aboriginal people being held in police custody for questioning, it could be argued that they should apply to the protection of anyone unable to communicate effectively in English.

[4.290] Interpreter services

Why use an accredited interpreter?

It is essential that interpreters are properly trained and accredited.

Interpreting is an extremely specialised profession and requires a high degree of

competence in both English and the other language. In the case of legal interpreting, it also requires a detailed knowledge of legal terminology.

The fact that a person is able to speak two languages does not qualify them to be an interpreter.

National Accreditation Authority for Translators and Interpreters

In Australia, interpreters and translators are certified by the National Accreditation Authority for Translators and Interpreters. Certification ensures that an interpreter has achieved a specified level of competence in English and the other language. NAATI has a number of levels of certification for interpreters and translators but the most common are listed below:

- Levels of certification;
- Certified Provisional Interpreter or Translator;
- Certified Interpreter or Translator;
- Certified Specialist Interpreter or Translator (Health and Legal).

Non-certified interpreters

Except in emergencies, people should never use the services of a friend or relative for interpreting in legal situations unless that person is a professional interpreter. An incompetent interpreter may cause more problems than having no interpreter at all.

Availability of certified interpreters

For legal interpreting, as noted above, it is essential that the interpreter be accredited to at least certified interpreter and translator level. Usually, interpreters supplied by state and federal government departments are accredited to this level.

However, there may be a few languages in which it is impossible to obtain suitably qualified and certified interpreters – perhaps where only a very small number of people in Australia speak that particular language.

Obtaining the services of an interpreter

In NSW, there are a number of state and federal government authorities that provide interpreting and translating services.

Translating and Interpreting Service

Where an interpreter is needed urgently, the federal Department of Immigration and

Border Protection provides the Translating and Interpreting Service National (TIS National). The TIS National telephone service operates 24 hours a day, with interpreters available in all major languages spoken in Australia. The service is free. The Department also offers translating services.

The Department of Social Services also offers free interpreting and translating services through TIS National.

Multicultural NSW

Multicultural NSW provides legal interpreters and translators on a fee-for-service basis, 24 hours a day, seven days a week.

Document translation

Multicultural NSW provides a service for translating documents into English. The translations are certified by an official stamp, and are made by interpreters accredited to at least paraprofessional interpreter and translator level.

The fees charged for these services depend on the length and complexity of the document.

Private interpreting and translating services

Besides the interpreting and translating services offered by government departments, there are a number of private interpreting and translating agencies listed in the *Yellow Pages* online telephone directory.

Contact points

[4.300] If you have a hearing or speech impairment and/or you use a TTY, you can ring any number through the National Relay Service by phoning **133 677** (TTY users, chargeable calls) or **1800 555 677** (TTY users, to call an 1800 number) or **1300 555 727** (Speak and Listen, chargeable calls) or **1800 555 727** (Speak and Listen, to call an 1800 number). For more information, see www.communications.gov.au.

Non-English speakers can contact the Translating and Interpreting Service (TIS National) on **131 450** to use an interpreter over the telephone to ring any number. For more information or to book an interpreter online, see www.tisnational.gov.au.

Changes are expected to the websites for many NSW government departments that were not available at the time of printing. See www.service.nsw.gov.au for further details.

For non-urgent matters NAATI offers an online directory of certified interpreters and translators on its website, see www.naati.com.au.

Free legal assistance

Australasian Legal Information Institute (AustLII)

www.austlii.edu.au

Australian Government Solicitor

ags.gov.au

ph: 9581 7777

Bar Association, NSW

www.nswbar.asn.au

ph: 9232 4055

Choice

www.choice.com.au

Community Restorative Centre (CRC)

www.crcnsw.org.au

ph: 9288 8700

Federal Register of Legislation (formerly CommLaw)

www.legislation.gov.au

Find Legal Answers (State Library of NSW)

www.legalanswers.sl.nsw.gov.au

ph: 9273 1414

The State Library of NSW in Sydney has a comprehensive range of legal information resources and specialist staff.

All public libraries in NSW have plain language legal information: the *Find Legal Answers* Toolkit (a collection of easy-to-read,

practical books about the law) and Hot Topics publications (legal issues in plain language).

Justice Connect

www.justiceconnect.org.au

ph: 8599 2100

Justice (NSW), Department of

www.justice.nsw.gov.au

LawAccess NSW

www.lawaccess.nsw.gov.au

ph: 1300 888 529

Law and Justice Foundation of NSW

www.lawfoundation.net.au

ph: 8227 3200

Law Consumers

lawconsumers.org

ph: 9564 6933

Law Reform Commission, NSW

www.lawreform.justice.nsw.gov.au

ph: 8346 1284

Law Society of NSW

www.lawsociety.com.au

ph: 9926 0333

Law Society Solicitor Referral Service

ph: 9926 0300 or 1800 422 713

Law Society Pro Bono Scheme

ph: 9926 0364

Lawstuff (website for young people)

www.lawstuff.org.au

Legal Information Access Centre (LIAC)

www.legalanswers.sl.nsw.gov.au/about/liac

Legal Services Commissioner, Office of

www.olsc.nsw.gov.au

ph: 9377 1800 or 1800 242 958

National Accreditation Authority for Translators and Interpreters

www.naati.com.au

ph: 9267 1357

Aboriginal legal services

For a list of Aboriginal legal services, see Contact points of Chapter 2, Aboriginal People and the Law.

Community legal centres

Animal Defenders Office

www.ado.org.au

ph: 0428 416 857

Arts Law Centre of Australia

www.artslaw.com.au

ph: 1800 221 457 or 9356 2566

Australian Centre for Disability Law

disabilitylaw.org.au

ph: 1800 800 708 or 9370 3135

Central Coast Community Legal Centre

centralcoastclc.org.au
ph: 4353 4988

Community Legal Centres NSW

www.clcnsw.org.au
ph: 9212 7333

Domestic Violence Legal Service

www.wlsnsw.org.au/legal-services/
domestic-violence-legal-service
ph: 1800 810 784 or 8745 6999

EDO NSW

www.edonsw.org.au
ph: 1800 626 239 or 9262 6989

Elizabeth Evatt Community Legal Centre

www.eeclc.org.au
ph: 1300 363 967 or 4782 4155

Far West Community Legal Centre

www.farwestclc.org.au
ph: 1800 300 036 or (08) 8088 2020

Financial Rights Legal Centre (NSW)

financialrights.org.au
Insurance Law Service
ph: 1300 663 464
Credit and Debt Hotline
ph: 1800 007 007

Hawkesbury-Nepean Community Legal Centre

www.hnclc.net.au
ph: 4587 8877

HIV/AIDS Legal Centre (NSW)

halc.org.au
ph: 9206 2060

Hume Riverina Community Legal Service

hrcls.org.au
ph: 6057 5000 or 1800 918 377

Hunter Community Legal Centre

www.hunterclc.com.au
ph: 4040 9120 or 1800 650 073

Illawarra Legal Centre Inc

www.illawarralegalcentre.org.au
ph: 4276 1939

Immigration Advice and Rights Centre Inc

www.iarc.asn.au
ph: 8234 0799

Indigenous Women's Legal Program

www.wlsnsw.org.au/legal-services/indigenous-womens-legal-program
ph: 8745 6977 or 1800 639 784

Inner City Legal Centre (ICLC)

www.iclc.org.au
ph: 9332 1966 or 1800 244 481

Intellectual Disability Rights Service (IDRS)

www.idrs.org.au
ph: 1800 666 611 or 9318 0144

Kingsford Legal Centre

www.klc.unsw.edu.au
ph: 9385 9566

Macarthur Legal Centre

maclegal.net.au
ph: 4628 2042

Macquarie Legal Centre

www.macquarielegal.org.au
ph: 8833 0911

Marrickville Legal Centre

mlc.org.au
ph: 9559 2899

Mid North Coast Community Legal Centre

mnclc.org.au
ph: 6580 2111

Mt Druitt & Area Community Legal Centre

www.mdclc.org.au
ph: 9675 2009

National Children's and Youth Law Centre

www.ncylc.org.au
ph: 9385 9588

North & North West Community Legal Service

www.nnwcls.org.au
ph: 1800 687 687 or 6772 8100

Northern Rivers Community Legal Centre

northernriversclc.org.au
ph: 6621 1000

Public Interest Advocacy Centre

www.piac.asn.au
ph: 8898 6500

Redfern Legal Centre

rlc.org.au
ph: 9698 7277

Refugee Advice and Casework Service (Australia)

www.racs.org.au
ph: 8355 7227

Seniors Rights Service

seniorsrightsservice.org.au
ph: 1800 424 079

Shoalcoast Community Legal Centre Inc

shoalcoast.org.au
ph: 1800 229 529 or 4422 9529

South West Sydney Legal Centre

www.swslc.org.au
ph: 9601 7777

Tenants NSW

www.tenants.org.au

University of Newcastle Legal Centre

www.newcastle.edu.au
ph: 4921 8666

Welfare Rights Centre (NSW)

www.welfarerights.org.au
ph: 1800 226 028 or 9211 5300

Western NSW Community Legal Centre

wnswclc.org.au
ph: 1800 655 927 or 6884 9422

Wirringa Baiya Aboriginal Women's Legal Centre

www.wirringabaiya.org.au
ph: 1800 686 587 or 9569 3847

Women's Legal Services NSW

www.wlsnsw.org.au
ph: 1800 801 501 or 8745 6988

Legal Aid NSW

www.legalaid.nsw.gov.au

See website for a full list of offices in NSW.

Central Sydney office

ph: 9219 5000

Legal Aid NSW specialist services

www.legalaid.nsw.gov.au

LawAccess NSW

www.lawaccess.nsw.gov.au

ph: 1300 888 529

Child Support Service

ph: 1800 451 784 or 9633 9916

Children's Legal Service

ph: 8688 3800

Legal Aid Youth Hotline

ph: 1800 10 18 10

Coronial Inquest Unit

ph: 9219 5156 or 9219 5000

Domestic Violence Unit

ph: 9219 6300

Family Law Early Intervention Unit

ph: 1800 551 589

Immigration Service

ph: 9219 5790

Mental Health Advocacy Service

ph: 9747 4277

Older Persons' Legal and Education Program

ph: 1800 424 074

Prisoners Legal Service

ph: 8688 3888

Sexual Assault Communications Privilege Service

ph: 9219 5888

Social Security Service

ph: 9219 5790

Veterans' Advocacy Service

ph: 9219 5148

Work and Development Order Service

ph: 1300 478 879

