

Justice Out West



Melton community legal profile 2014





Acknowledgements

Project Staff

Project researcher and author: James Edwards Project Officer, Community West

Project supervisor: **Stephanie Tonkin** Managing Lawyer, Brimbank Melton Community Legal Centre

Key search terms

Community West Brimbank Melton Community Legal Centre Justice Out West Melton community profile community legal profile access to justice legal needs community legal service planning.

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Community West

PO Box 84 St Albans VIC 3021

Tel: (03) 8312 2000 Fax: (03) 9367 9438

Brimbank Melton Community Legal Centre

ST ALBANS OFFICE:

Level 1 358 Main Road West St Albans VIC 3021

Tel: (03) 8312 2020 Fax: (03) 9367 9438

MELTON OFFICE:

Melton Library Schebler Meeting Room Level 1 31-35 McKenzie Street Melton VIC 3337

Tel: (03) 9747 5240 Fax: (03) 9971 5517 i

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Introduction

Justice OutWest is a series of reports prepared by Community West on access to justice in Melbourne's west. The *Melton Community Legal Profile* is intended as a starting point for understanding our community's profile, legal needs and barriers to accessing the justice system. Understanding our Melton community is integral to achieving Community West's goal of delivering responsive and community-focused service delivery.

The Melton Community Legal Profile comprises three parts:

- First, in 'Key Indicators of Legal Needs and Access to Justice' the relationship between demographic and socio-economic indicators is described, and access to justice in our community is explored to establish a research framework to guide this paper;
- population data, community indicators and crime statistics are then used to construct a detailed statistical profile of the Melton community; and
- finally, in 'Seeking Legal Assistance in Melton', client data is presented that captures the types of legal needs for which members of the Melton community have sought assistance from the Brimbank Melton Community Legal Centre (BMCLC).





Major Findings

The major findings from the Melton Community Legal Profile are that our Melton community has:

- an extreme population growth rate;
- a young to middle aged population;
- increasing cultural diversity;
- high housing, mortgage and rental stress;
- lower formal education attainment than Greater Melbourne;
- high recordings of family violence incidents and crimes against the person;
- large prison populations; and
- strong demand for community legal services, particularly family law, government, credit/debt, general civil law issues and crime.

Key Indicators of Legal Need and Access to Justice

The following demographic indicators are found to significantly impact on legal needs and barriers to accessing the justice system in Australia.

Age

Age can inform the propensity and type of legal need a person is likely to experience. Young to middle aged adults are most likely to experience a legal need (Coumarelos et al, 2012). While certain legal needs are more common in each age group (Coumarelos, Wei & Zhou, 2006; Coumarelos et al, 2012; Ellison et al, 2004; Stubbs, 2010):

Youth:	crime, government, consumer, housing and family law;
Middle age:	family, housing, government, credit/debt and employment; and
Older age:	money, housing and health.

Gender

Gender can contribute to a person's experience and interaction with the legal system. Males and females are likely to experience similar legal needs (Coumarelos et al, 2012) but women are more often the victims of gender and family violence, and often have less access to resources to engage with the legal system (Stubbs, 2010).

Cultural and linguistic diversity

High social exclusion, disadvantage and cultural difference in Indigenous Australians reduce access to the legal system and legal services (Parliament of Australia, 2004). In Victoria, Indigenous Australians presented twice as likely to experience multiple legal needs than non-Indigenous Australians (Coumarelos et al, 2012).

Cultural and linguistic diversity is associated with low prior knowledge of the justice system and communication difficulties. Ineffective identification of a legal need was considered a major factor in the *LAW Survey* (Coumarelos et al, 2012) to explain underreporting of legal needs by respondents whose first language is not English. The survey also found that some members of the community are less likely to respond to an identified legal need, primarily due to higher barriers faced in accessing the justice system.

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Socio-economic disadvantage

Legal needs are found to be higher in socio-economically disadvantaged communities, which also face substantially higher barriers to accessing the legal system and services (Coumarelos, Wei & Zhou, 2006). Income, employment, housing, education and family structure are all indicators of socio-economic status. Unemployment was found in the *LAW Survey* (Coumarelos et al, 2012) to be correlated with a higher risk of experiencing overall, multiple and substantial legal needs, particularly in the areas of credit/debt, consumer, government and rights. Furthermore, people living in disadvantaged housing reported higher legal needs in credit/debt, crime, employment, family, government and housing issues.

A higher prevalence of legal needs is compounded by difficulty accessing the legal system. Income and education levels are correlated with a person's effective response to a legal need (Coumarelos et al, 2012), and the likelihood of a person taking action or seeking professional legal advice to deal with a legal need.

Homelessness and risk of homelessness

Homelessness and risk of homelessness significantly impact on a person's legal needs. Family law matters, family violence, debt and housing are found to be prominent legal needs which may lead to homelessness; while crime and fines are most prominent with people living in prolonged homelessness (Forell, McCarron & Schetzer, 2005). The high rates of legal needs among people experiencing homelessness is further complicated by the daily struggles of homelessness and additional forms of social disadvantage (for example mental illness) that increase the barriers to accessing the justice system (Coumarelos & People, 2013).

Disability and mental illness

People with a disability or chronic illness, including mental illness, have a higher likelihood of experiencing overall, multiple and substantial legal issues, in nearly all areas of legal need (Coumarelos, Wei & Zhou, 2006; Coumarelos et al, 2012). It is less likely they will report a legal need or access assistance due to difficulties in identifying a legal need and engaging with the right services. These barriers are exacerbated by discrimination and feared discrimination when attempting to engage with services (Karras et al, 2006).

Prison population

Prisoners inevitably have or are experiencing criminal law legal needs but Grunseit, Forell and McCarron (2008) find high prevalence of further civil and family law issues among prison populations in Australia. Legal needs experienced prior to imprisonment, for example in relation to unpaid fines or family violence, often continue during a prison term. Many prisoners face legal needs that reach beyond the prison environment, such as child custody, housing or employment, which not only impact the prisoner but also the individuals close to them.

Concentrated disadvantage in the Australian prison population (for example, mental illness, disability or low education) increases the barriers to accessing justice. Grunseit, Forell and McCarron (2008) also find that prisoners continue to face multiple barriers to addressing their legal needs once they have served their prison term. In this regard, unmet legal needs during imprisonment are found to severely impact on a person's rehabilitation and wellbeing after release from prison.

The following chapter presents a comprehensive community profile of the Melton Local Government Area (LGA) using the established key demographic and socio-economic indicators. It demonstrates how the above findings apply to the Melton community. This will also build on an understanding of the extent of legal need, the types of legal needs and the barriers faced by the Melton community in accessing the justice system.

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Our Melton Community

Melton is one of the largest LGAs in Melbourne, covering 527 square kilometers. It is located in Melbourne's outer west, approximately 40 kilometers from the central business district. Melton City Council includes the suburbs (or parts of suburbs) of Brookfield, Burnside, Burnside Heights, Caroline Springs, Diggers Rest, Exford, Eynesbury, Hillside, Kurunjang, Melton, Melton South, Melton West, Mount Cottrell, Parwan, Plumpton, Ravenhall, Rockbank, Taylors Hill, Toolern Vale and Truganina.

The most recent population data from the Australian Bureau of Statistics (ABS) Census in 2011 presents a detailed picture of the Melton community together with information from Victoria Police and relevant health and community indicators. The statistics for Melton are presented in comparison to the same statistics for Greater Melbourne and Victoria.



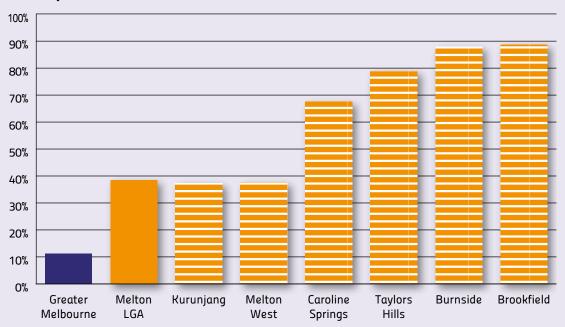
Demographics

POPULATION

109,258 Melton residents were recorded on the night of the ABS 2011 Census (2012a). The Melton population has grown rapidly in the past five years and is expected to continue to grow at an accelerated pace. Between 2006 and 2011 the population grew by 30,349 residents, a growth rate of 38.46% nearly quadruple the 11.3% growth rate for Greater Melbourne (ABS 2007; 2007a; 2012a; 2012c).

Much of the growth is concentrated in particular suburbs: Brookfield and Burnside experienced growth rates above 80%, followed by Taylors Hills (78.9%), Caroline Springs (67.5%), Melton West (37.65%) and Kurunjang (37.3%), while Diggers Rest was the only suburb with negative growth (-13.5%) (ABS 2007; 2012a).

High population growth in Melton is expected to continue. Victoria in Future (DPCD 2012 p.10) estimated a growth rate of 49.1% for Melton between 2011 and 2021 (to 168,500) and for the population to double to 225,800 by 2031.

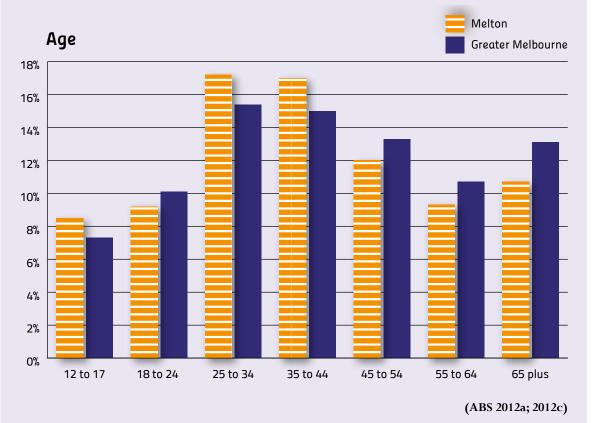


Population Growth Rates 2006 - 2012

(ABS 2007; 2007a; 2012a; 2012c)

AGE

Age distribution in Melton is characterised by a large young to middle age population. The table below presents the number of residents in key age brackets as a percentage of the total population. A high percentage of the Melton population is aged between 12 and 17 and 25 and 44. Compared to Greater Melbourne, a slightly lower percentage of the population is aged in the three older age groups.

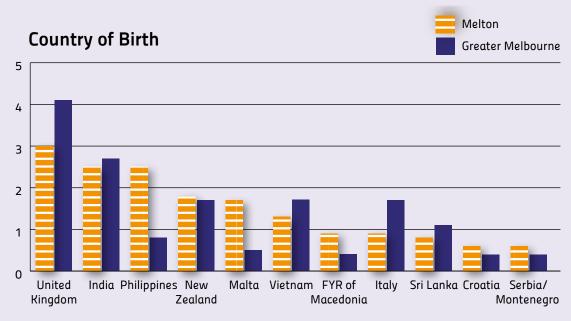


CULTURAL DIVERSITY

There is a higher representation of Indigenous Australian residents in Melton than in Greater Melbourne. The 2011 Census (ABS 2012b) recorded 790 Melton residents who identified as Aboriginal or Torres Straight Islander. This comprises 0.7% of the Melton population, above the 0.5% of the population who identified as Aboriginal or Torres Straight Islander in Greater Melbourne.

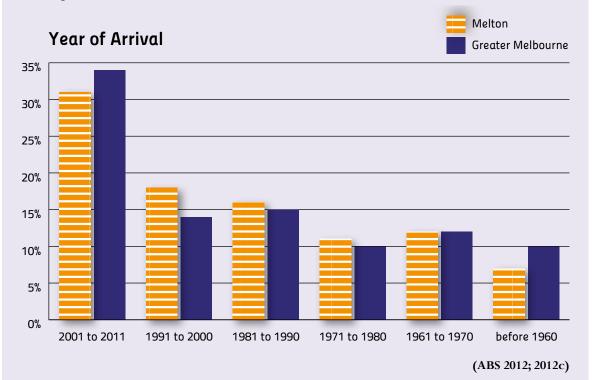
Over one quarter (27.79%) (ABS 2012) of the Melton population was born overseas. This is comparable but slightly less than the 31.5% (ABS 2013c) of the Greater Melbourne population born overseas. The United Kingdom followed by India and the Philippines are the most prevalent overseas countries of birth in Melton, representing 3% and 2.5% of the Melton population respectively. Of note are higher numbers of Melton residents born in the Philippines and Malta compared to Greater Melbourne. Melton community legal profile

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⁽ABS 2012; 2012c)

The largest percentage of Melton residents who have emigrated from outside Australia arrived in the last 11 years (31.3%) (ABS 2012). The following table shows the percentage of migrants arriving in Australia in ten year time frames for Melton and Greater Melbourne.



The majority of Melton residents speak English only. Most residents who speak a language other than English at home also speak English well or very well. However, 3.5% (ABS 2012) of the Melton population speaks English not well or not at all.

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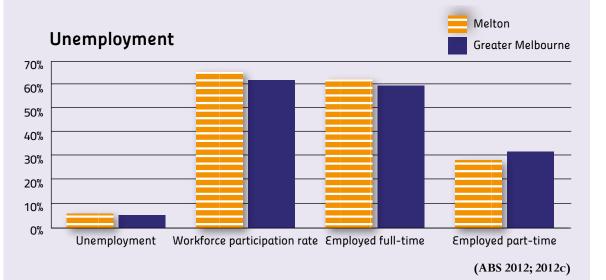
Justice out west Melton community legal profile

Socio-economic disadvantage

Melton scored 1002.1 in the ABS Socio-Economic Index of Areas (SEIFA) (ABS 2013), a score below both the Greater Melbourne SEIFA score (1020.0) and the score for Victoria (1010.0). Suburbs of Melton LGA with the lowest SEIFA scores were Melton South (894.0), Melton (900.0) and Melton Township (953.0), while the suburbs with the highest scores were Hillside (1054.0), Taylors Hill (1051.0) and Caroline Springs (1051.0).

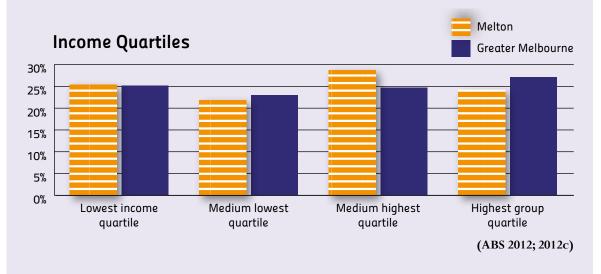
UNEMPLOYMENT

Unemployment in the Melton community was 6% on the night of the 2011 Census, higher than the 5.5% unemployment rate recorded for Greater Melbourne (ABS 2012; 2012c). However, the workforce participation rate was higher in Melton than in Greater Melbourne, which also revealed a higher number of full-time workers compared with Greater Melbourne.



INCOME

The median individual income in Melton was \$610 at the 2011 Census date and the median family income was \$1,486 (ABS 2012). The median personal income in Melton is slightly higher than for Greater Melbourne (\$591), however the median family income for Melton is lower than that for Greater Melbourne (\$1,567) (ABS 2012c).



The table above presents the income distribution in Melton in comparison to Greater Melbourne. Victorian incomes are divided into quartile ranges with the percentage of individual incomes in Melton that fall into each quartile shown below. Marginally more Melton residents (25.4%) (ABS 2012) earn incomes in the lowest income quartile than Greater Melbourne (25.2%) (ABS 2012c). While more Melton residents are in the medium highest quartile, less Melton residents are in the highest income quartile than in Greater Melbourne.

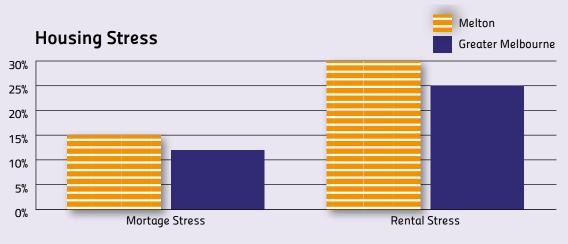
INDUSTRY OF EMPLOYMENT

The five largest industries of employment for Melton residents are manufacturing (12.7%), retail trade (11.2%), construction (10.6%), transport, postal and warehousing (10.1%) and healthcare and social assistance (9.3%) (ABS 2012). Employment in manufacturing, retail trade, construction and transport, postal and warehousing is higher than employment in the respective industries in Greater Melbourne (10.8%, 10.6%, 8.2%, 4.8%) (ABS 2012c).

HOUSING

Housing stress is particularly prevalent for Melton residents. A significantly higher number of Melton residents pay a large proportion of their household income on mortgage and rental payments than in Greater Melton. In Melton, at the time of the 2011 Census, 18% of households paid more than 30% of their income in mortgage repayments, compared with 11% for Greater Melbourne. In contrast, 7.2% of renting households in Melton paid 30% or more of the household income on rental payments compared with 9.7% for Greater Melbourne. (ABS 2012a and 2012c)

Philips, Chi & Harding (2006) define mortgage and rental stress as a household earning income in the lowest 40% of all incomes, and that household spends more than 30% of its income on rental or mortgage payments. Using this definition, in Melton, 14.5% of households are living under mortgage stress compared with 11.7% in Greater Melbourne. Applying this definition to renting households in Melton, 29.5% of households live under rental stress compared to 24.9% of households in Greater Melbourne.



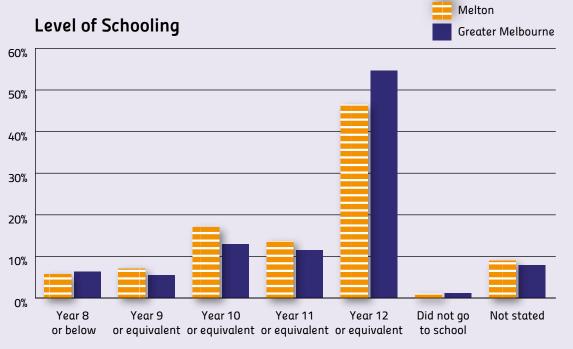
⁽ABS 2012; 2012c, compiled by Atlas.id 2013)

HOMELESSNESS

On the night of the ABS Census (2012e), 321 Melton residents were homeless. A further 91 were living in supported accommodation for the homeless and 48 marginally housed in caravan parks. In addition, 335 Melton residents were living in over crowded dwellings and 149 residents living in severely overcrowded dwellings.

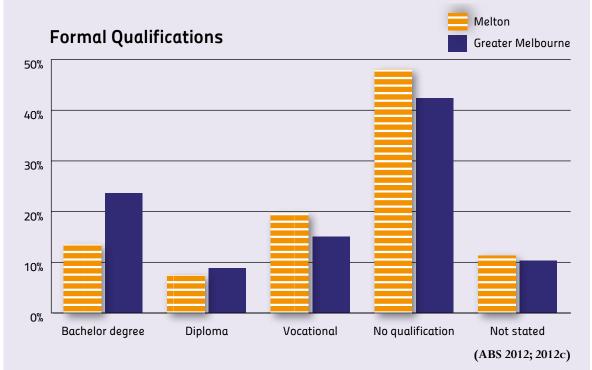
EDUCATION

A large number of Melton residents have low formal education attainment. More Melton residents did not proceed past year 10 or equivalent (29.8%) than in Greater Melbourne (24.8%). Only 46.5% of Melton residents completed year 12 or equivalent, compared to 54.6% in Greater Melbourne (ABS 2012; 2012c).



(ABS 2012; 2012c)

Post-school qualifications are also low in Melton. Nearly half (48.1%) of Melton residents do not have a post-school qualification while in Greater Melbourne the figure is 42.4%.



WELLBEING AND COMMUNITY ENGAGEMENT

The size and distance of Melton is such that 21.9% of Melton residents have to commute more than two hours to work compared to only 11.6% of workers in Greater Melbourne who must do the same (VicHealth 2011).

Community engagement is lower in Melton than across Victoria. In response to the Victorian *Community Indicators Survey* 70.6% of Melton residents felt that they were a part of the community, less than the 72.3% response rate in Victoria (Community Indicators Victoria, 2011). Citizen engagement is also lower, as 44.5% of Melton residents compared to 50.5% in Victoria stated they either attended a public forum, engaged with local politicians or joined a petition or protest in the past 12 months.

DISABILITY

Need for assistance with core daily activities due to disability in Melton (4.1% of residents) is comparable but slightly lower than in Greater Melbourne (4.5%) (ABS 2012; 2012c). However, certain suburbs, Melton (7.7%), Melton South (7.6%) and Melton Township (5.7%) require higher assistance than the Greater Melbourne average.

MENTAL ILLNESS

Mental illness in the Melton community is above the state average levels. *TheVictorian Population Health Survey 2008* (DPH, 2008, p.257) reported that 15.5% of residents in Melton experience high and very high levels of physiological distress compared to the Victorian average of 11.4%.

Crime

CRIME STATISTICS

Victoria Police crime recordings were high in Melton for the 2012-13 financial year. In Melton, 1,213.6 crimes against the person per 100,000 population were recorded by Victoria Police (2013) compared to 1,026.7 in Victoria.

Crimes against property in Melton are comparable to the recording for the whole of Victoria with 4,560.6 crimes against property per 100,000 population recorded in Melton and 4,640.7 in Victoria. Other crimes were 971 per 100,000 population in Melton of which 462.4 were for justice procedures ¹ compared with Victoria's figures of 1111.7 and 542.2 per 100,000 population respectively.

FAMILY VIOLENCE

Family violence incidents in Melton are significantly high. In 2012-13, 1217 family violence incidents per 100,000 population were reported in Melton to Victoria Police (2013a). This figure is above the 1071 per 100,000 population reported for the whole of Victoria and was the seventh highest recording for metropolitan LGAs. In Melton, both the number of incidents where charges are laid (542.6 per 100,000 population) and the incidents where children are present (417 per 100,000 population) well exceed the respective recordings (450.3 and 333.2) for the whole of Victoria.

Applications by Victoria Police for family violence intervention orders occurred nearly twice as often in Melton (320.2 per 100,000 population) compared to the whole of Victoria (184.6). However, in Melton safety notices were issued for only 0.8% of family violence incidents, while across the whole of Victoria, safety notices were issued for 8.3% of cases.

PRISON POPULATION

Two of Victoria's 13 prisons are in the Melton LGA and plans for a third prison have been announced (Department of Justice 2013).

The Dame Phyllis Frost Centre is a maximum security prison for female prisoners located in Ravenhall with a current capacity of 344 female prisoners. The Metropolitan Remand Centre is a maximum security remand centre for adult prisoners also located in Ravenhall. It has a capacity 723 with 204 beds allocated for vulnerable prisoners and young adult prisoners.

A third prison, The Ravenhall Prison Project, is planned for construction in the Melton LGA. The plan is for a medium security prison with a capacity of 1000 male prisoners to be built in Ravenhall adjacent to the Dame Phyllis Frost Centre and the Metropolitan Remand Centre. 1 Justice out west Melton community legal profile

Seeking Legal Assistance in Melton

Client access at Brimbank Melton Community Legal Centre

Information on the types of legal needs for which Melton residents seek assistance at BMCLC has been collated from the Community Legal Service Information System (CLSIS) for the 2012-13 financial year.



Accessing assistance

DISABILITY

Of clients from the Melton community accessing advice or casework legal services at BMCLC, 18.9% reported a disability indicator.

COUNTRY OF BIRTH

Nearly half, 42.3% of Melton residents accessing BMCLC were born outside Australia. The top countries of birth are as follows.

- Australia
- Vietnam
- Philippines
- New Zealand
- India
- Malta
- England
- Former Yugoslav Republic of Macedonia
- Sudan
- China (Excludes SARs and Taiwan Province)
- Italy

Types of legal needs

Data on the types of legal needs is presented in relation to three categories of legal service delivery:

Information:	where information or a referral to another service is provided;
Advice:	where a legal consultation and advice is provided; and
Casework:	where ongoing legal assistance and representation is provided.

The legal service provided can reflect both the nature of the legal need and the capacity of BMCLC to assist. The three forms of legal assistance are best viewed together to demonstrate the areas of legal need in the Melton community.

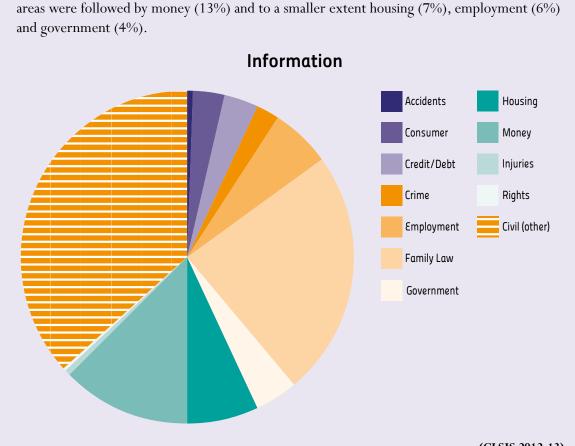
Family law was a prominent area of law for which Melton residents seek community legal assistance. Family law accounted for 24% of information, 31% of advice and 13% of casework. Other prominent areas included government, money, crime and other civil law matters.

Legal information was predominantly provided for general civil matters (36%).² Family law (24%) was the area of law with the second highest demand for legal information. These two

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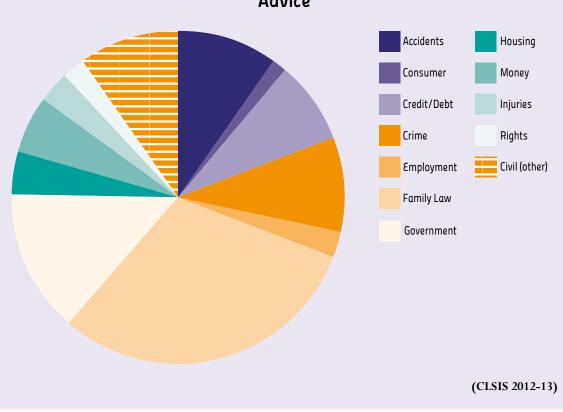


This is based on the number of recordings under the category 'other civil'. However, it may be overstated. Many legal information sessions are provided in interactions where it is not always possible or necessary to capture the full extent of the legal need and thus default recording under 'other civil' is made.

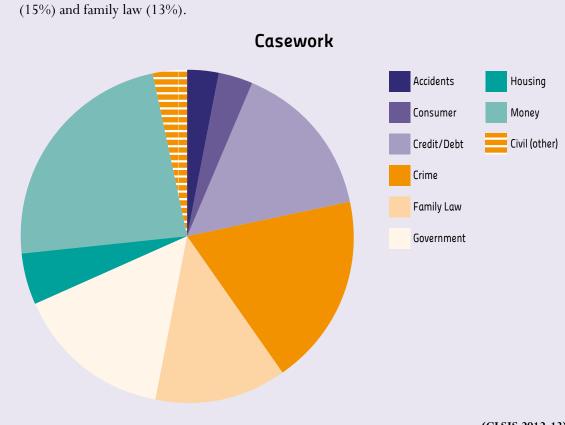


(CLSIS 2012-13)

Family law (31%) was the area of law in which the highest number of advice sessions were delivered. Government (14%) was the second largest, followed by motor vehicle accidents (10%), crime (10%), other civil (10%) and credit/debt (8%).



Advice



BMCLC undertook casework for Melton clients most prominently for money (24%) and criminal (19%) matters. These areas were closely followed by credit/debt (15%), government

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(CLSIS 2012-13)

Major Findings

The major findings from the *Melton Community Legal Profile* will be used to help focus and shape the community legal services delivered by BMCLC to our Melton community. This report will not only influence the areas of law on which the BMCLC focuses its legal service, but also the nature, location and style of legal service delivery (for example, delivering more outreach services in collaboration with community organisations, including delivering community legal information and education sessions).

The major findings from the Melton Community Legal Profile are that our Melton community has:

- an extreme population growth rate;
- a young to middle aged population;
- increasing cultural diversity;
- high housing, mortgage and rental stress;
- lower formal education attainment than Greater Melbourne;
- high recordings of family violence incidents and crimes against the person;
- large prison populations; and
- strong demand for community legal services, particularly family law, government, credit/debt, general civil law issues and crime.

It is worth noting that the rapid expansion and change in our Melton community will require ongoing community consultation and collaboration with community organisations to maintain BMCLC's effectiveness in delivering legal services.



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The Brimbank Melton Community Legal Centre has offices in St. Albans and Melton

St. Albans office:

1st Floor, 358 Main Road West, St. Albans, Vic. 3021 Tel: 8312 2020 Fax: 9310 7163 Email: legal@communitywest.org.au Monday to Friday, 9am to 5pm

Melton office:

1st Floor, Melton Library and Learning Hub, 31-35 McKenzie Street, Melton, Vic. 3337 Tel: 9747 5240 Fax: 9971 5517 Email: legal@communitywest.org.au Monday to Friday, 9am to 5pm

www.communitywest.org.au



