



Annual Report 2020/2021

Community Law **Waikato**

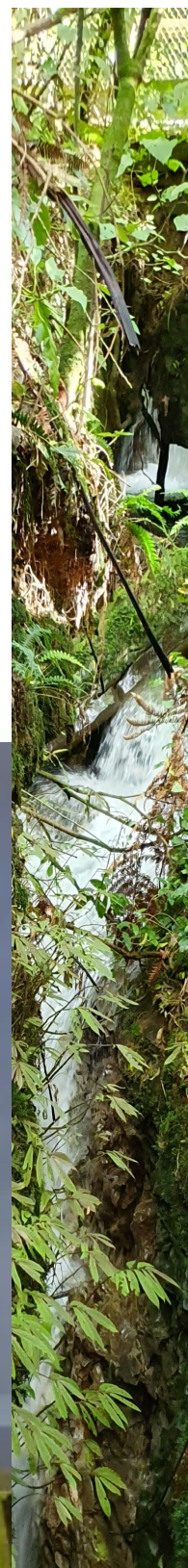
Te Tari Ture ā-Hapori o Waikato

Part of the National Community Law Movement



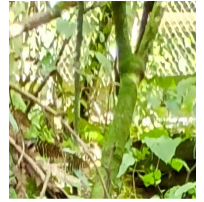
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*He iti hau marangai e tū te pāhokahoka
After the storm, the rainbow appears*

CHAIR'S REPORT



*Tēnā koutou katoa.
Welcome to the annual report
of Community Law Waikato.*

Kua hinga te tōtara i te wao nui a Tāne. *The tōtara has fallen in the forest of Tāne.*

It is with great sadness that we learnt of the recent death of Dame Jocelyn Fish, the first Chairperson of the Trust Board of what was then called the Hamilton District Community Law Centre (1994-2000). Jocelyn was a fighter for women's rights at the local and national level and a truly inspirational community leader. [Women's rights leader Dame Jocelyn Fish dies at 90 | RNZ News](#)



This year we have faced the continuing challenge of COVID-19. The Law Centre has been in lockdown twice. Last year's experience meant staff were well-prepared for working from home and services were able to be maintained. The Board is hugely grateful to the whole team for the way they worked together to serve our community.

The report that follows sets out the work done by the Law Centre during 2020. We continue to provide free legal help to those in the Waikato who would otherwise not have access to this. In the last year 8112 people accessed our services, receiving legal information, advice and assistance and taking part in our legal education opportunities.

As expected, the most vulnerable members of our community have been hit worst by COVID lockdowns. Our team (of lawyers, administrative staff, a legal advocate, community liaison and many volunteers) have assisted people in a wide range of areas like debt, welfare, elder abuse, tenancy, employment, family violence and immigration.

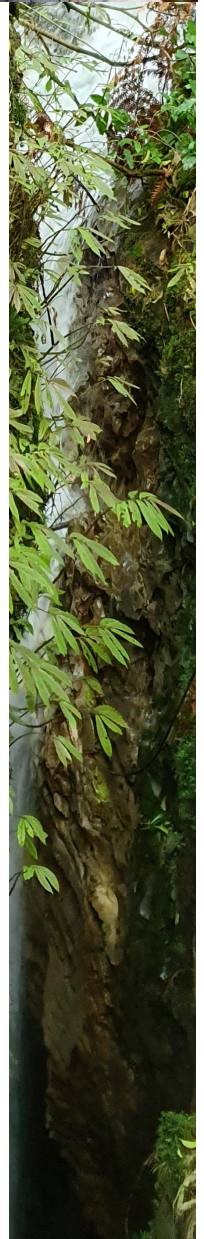
Always an important part of our work, immigration cases have been highlighted this year by the crisis in Afghanistan. Some of our clients are Afghan nationals with New Zealand links. Yet delays in processing their applications for residency meant they were not able to leave before evacuations ceased. Some are in real danger from the Taliban and our team has been at the forefront of legal efforts to help them. The Board is very proud of their work.

There are many people to thank in a report like this. The Law Centre is ably led by Juanita Bennett (General Manager) and Angela Smith (Legal Services Manager). Our Trustees give their time and expertise willingly and generously. In 2021 we were delighted to welcome two new Trustees representing Waikato-Tainui. Strengthening links with local iwi so we can better serve our Māori clients has long been a priority.

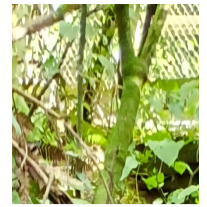
As always we continue to be grateful to our supporters, volunteers and community funders. Your support and friendship in enabling and upholding our kaupapa is much appreciated.

Ngā manaakitanga,

Dr Susan Thompson, Chairperson, Trust Board



COMMUNITY LAW KAUPAPA



Our Vision—A Just and Fair Aotearoa

We provide FREE legal help to those in the Waikato region who would otherwise not have access.

We provide free legal advice, assistance and support through an experienced team including lawyers

We deliver a range of law related education that builds legal knowledge and strengthens communities

We advocate for positive legal and social change to give people a voice

For more information visit www.clwaikato.org.nz



The team use a hauora approach to provide holistic solutions. We acknowledge that whānau need a wide range of support which is why our centre works with many organisations throughout the Waikato including tikanga based community organisations. We work diligently to strengthen networks, collaboration and partnerships.

Community Law is a nationwide movement with 23 Centres throughout Aotearoa. Free legal help is available from over 140 locations delivering over 180,000 hours of legal service to approximately 250,000 people annually.

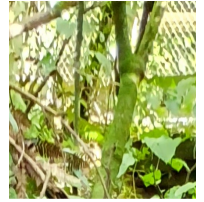
Each Centre is a member of a national body called **Community Law Centres o Aotearoa** (CLCA). The national body represents the interests of the movement with a broad range of activity including publication of law related resources and information, driving law reform, finding funding sources and coordinating national events. CLCA works alongside the movement's Māori Caucus called Ngā Kaiāwhina Māori Hapori o te Ture.



To find out more about Community Law Centres visit: <https://youtu.be/IIOBMAJioqU>



SERVICE DELIVERY

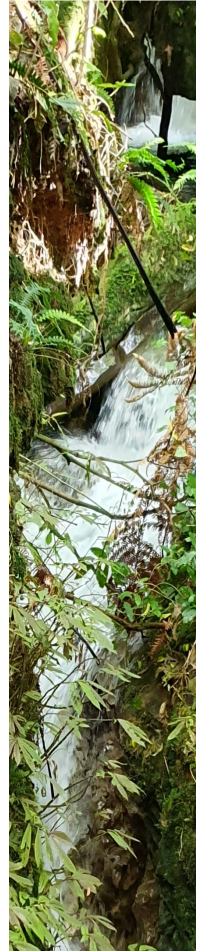


*He aha te mea nui o te ao?
He tāngata, he tāngata, he tāngata*

The largest barrier to legal help is cost. The average hourly rate for a private lawyer in New Zealand is \$292.70 (Law Society 2016). Other barriers include poverty, unemployment, age, isolation, fear, gender, disability, ethnicity and literacy.

Our service is aimed at those who need it the most. Our ongoing priority is to ensure that services are accessible to those who face these barriers.

Our service covers the fourth largest region in Aotearoa, catering for a population of over 500,000 people and large pockets of high deprivation.



8112

people accessed our service in 2020/2021

Legal Casework

2521 people

8506.48 Hours

Legal Education

3089 people

236.25 Hours

Legal Information

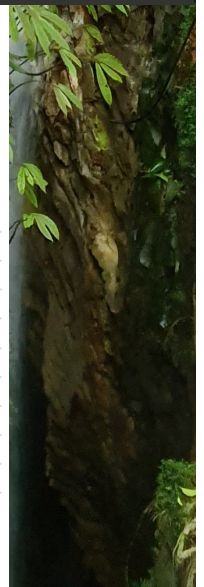
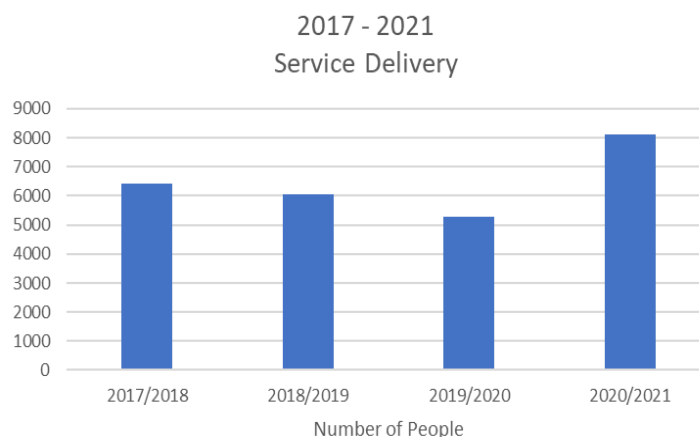
2502 people

336.17 Hours

Our frontline team triage 60 to 70 calls a day, providing information, referrals, and scheduling appointments for whānau needing legal help.

Community Law Waikato's main hub is in Kirikiriroa.

Service delivery is predominantly by phone to minimise travel for people seeking help as well as our team. It also minimises wait times and reduces operating cost. We do provide face-to-face appointments and contact as necessary (including interpretation which is often required for the refugee communities).



Our day to day work is related to housing, income (poverty), health, education, crime, democracy and civil liberties.

The areas of law we cover are extensive, and examples of the common legal queries and problems are:

Employment disputes and breaches including unpaid entitlements and personal grievances for example unfair dismissals or exploitation

Benefit entitlements and disputes with Work and Income or MSD including Review of Decisions, Debt reviews, Entitlements, Review Hearings, Social Security Appeals, and Social Housing Assessments / reviews

ACC claims and disputes including Review Hearings.

Immigration and Refugee matters including visa applications, family reunification, and Immigration Protection Tribunal claims

Tenancy, flatting, and boarding queries and disputes including Tenancy Tribunal Hearings

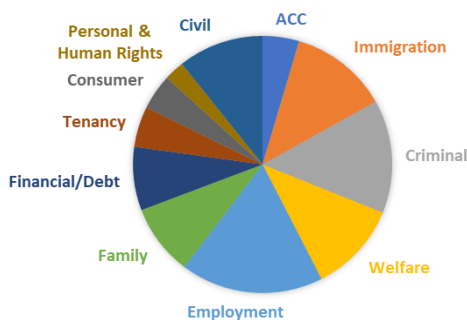
Consumer Law queries and disputes including Consumer Guarantees Act

Debt related queries and disputes including insolvency options

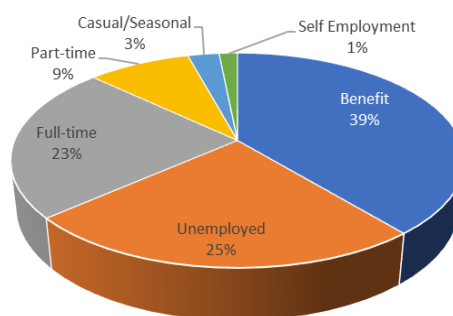
General human rights issues including privacy, interference with personal and property rights such as health and disability and harassment, and ombudsman complaints

Minor criminal and traffic charges including representation and sentencing applications

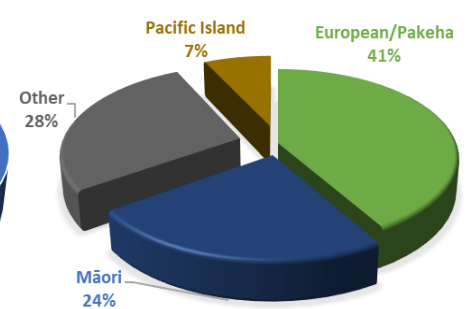
LEGAL PROBLEMS 2020/2021



CLIENTS' FINANCIAL MEANS



CLIENT ETHNICITY



Our advocates assist people with access to their full benefit entitlements and ensure MSD apply the law correctly. The help received includes payment arrears for unlawful deductions made from sole parent benefits, debt write-offs for incorrect recovery, and wrongful prosecutions for relationship status. Since August 2018 the total benefit arrears, debt corrections and compensation payments for whānau equals \$848,161.42.

In 2020/2021 950.83 hours was dedicated to helping 315 people with benefit rights and entitlements.



Elder Abuse is a serious and growing problem, causing considerable harm. The New Zealand Longitudinal Study of Ageing has shown that 10% of over 65s living in our community experience abuse.

Community Law Waikato are contracted through MSD to provide legal advice to EARS providers throughout Aotearoa and provide support with the following:

- | | |
|--|---------------------------------------|
| ■ Financial Abuse | ■ Verbal Abuse |
| ■ Physical/Sexual Abuse | ■ Withholding Access to Grandchildren |
| ■ Tenancy/Eviction | ■ Trespass |
| ■ Wills | ■ Estates/Debt |
| ■ Enduring Powers of Attorney(EPOA) capacity | ■ Actions of EPOA |
| ■ Welfare Guardian and Property Managers | ■ Revocation |
| ■ Personal Orders | ■ Employment/ACC |
| ■ Disclosure of Information | ■ Relationship Property and Capacity |

The team at Community Law Waikato support the community with alcohol licence objections. This project started in 2018 and is funded by Te Hīringa Hauora/Health Promotion Agency.

In 2020/2021 our legal team successfully opposed three liquor licences at Waharoa, Te Awamutu and Hamilton.

ALCOHOL IN OUR LIVES: CURBING THE HARM

A REPORT ON THE REVIEW OF THE REGULATORY
FRAMEWORK FOR THE SALE AND SUPPLY OF LIQUOR

[NZLC R114.pdf \(lawcom.govt.nz\)](https://lawcom.govt.nz/NZLC_R114.pdf)

We see the incapacitating implications of Covid-19. People need legal support in relation to debt, tenancy, welfare, employment, immigration, care of children, family violence and criminal matters. The flow on effects of Covid-19 will continue for a long time affecting whānau and our communities.



Despite the extensive restrictions related to Covid-19, we still celebrated and participated in significant milestones. One example is the official launch of Te Ara Ture—Aotearoa's first probono clearinghouse. This scheme was

developed by a community law centre team, with the purpose to connect those who need help with lawyers willing to give help.

Some other highlights include:

- Becoming a registered provider for the 'Heretohelpu' kaupapa - <https://heretohelpu.nz/>
- Supporting the community at the Te Kōhao Health Whānau Day held at Enderley Community Centre
- Participating in the movements' national Educators Hui in Whangārei working as a collective to identify the needs in our communities.



Legal education is an important part of our kaupapa and service. The aim is to inform people and communities about their rights and obligations, legal processes, and much more.

Our main education sessions were online, making it accessible for people (recordings were also available). The sessions were delivered by our own team and volunteers with various expertise.

71 sessions delivered to 3089 whānau throughout Aotearoa

Topic	Presenter
Adults with Disability	Nan Jensen (Quin Law)
Care of Children	Jamie Blackburn & Akeem Iyanda (NWM)
Charitable Trusts	Dee Holmes (CLW)
Consumer Rights & Credit Contracts	Justin Young & Angela Smith (CLW)
Debt and Insolvency	Amanda Savin & Cecilia Selvaratnam (Insolvency NZ)
Dispute Resolution	Finlay Biggs (Tompkins Wake)
Employment - Issues and Remedies	Rachel Webster (Rachel Webster Lawyer)
Employment - Redundancy x 2	Fiona Dalziel (Tompkins Wake) & Kerri Bell (DTI Lawyers)
Employment and Tenancy	Ellen Hockey and Angela Smith (CLW)
Employment Law	Angela Smith and Juanita Bennett (CLW)
Employment Law - Minimum Rights	Rachel Webster (Rachel Webster Lawyer)
Family Law - Family violence x 2	Amanda Taylor (Taylor Law) & Tiri Maresca-Ellison (Tuu Oho Mai)
Family Law - Oranga Tamariki	Thilini Karunaratne (Oranga Tamariki)
Family Law - Care of Children	Johan Niemand (Niemand Peebles Hoult)
Health and Disability	Charles Gower (H&D)
Immigration x 3	Angela Smith, Ellen Hockey and Sarah Fraser (CLW)
IRD - Kiwisaver, Child Support	Kahu Wynyard, Samantha Tipene (IRD)
Iwi Panel	Corey Ehu (Te Kohao Health)
Law and You x 13 - Melville HS & TWA	Billie Dell & Sarah Fraser (CLW)
Māori Land	Kylee Katipo & Kuru Ketu (McCaw Lewis)
Mental Health	Wendy Ball (Mental Health Inspector)
Privacy Law Update	John Edwards - Privacy Commissioner
Family Law - Relationship & Divorce x 2	Jo Naidoo (NWM)
Restorative Justice	Vanessa Moodie (Restorative Justice Trust)
Tenancy x 5	Sonali Perera & Justin Young (CLW)
Welfare Law - Process to access housing	Ben Hoffman (CLW)
Welfare Law - Your Rights with MSD x 5	Ben Hoffman & Mo Oyedele (CLW)
Welfare Law - Food Grants x 5	Ben Hoffman & Mo Oyedele (CLW)
Wills & Estate x 2	Nick Feast (DTI Lawyers) & Dee Holmes (CLW)
YouthLaw	Manawa Pomare and Sarah Guy (YouthLaw)



*Whaia te mātauranga
hei oranga mō koutou*

**Seek after learning for the
sake of your wellbeing**

He iti te mokoroa nāna te kahikatea i kakati
Even the small can make an impact on the big

Individuals able to resolve their own problems, preventing escalation and reoccurrence	Empowered and confident individuals with the capability to participate and contribute in communities	Driving positive social and legal change (systemic change)
Reducing the disparity, inequality and exclusion people face	Reduced crime rates	Reduced poverty
Providing knowledge to give communities and whanau power to change their future and the lives of the next generation	Resilient individuals and communities	Individuals are protected from domestic violence

Whilst we don't expect thanks it is heartwarming to hear about the difference it has made.

Local Māori iwi - *You should have heard her voice when I mentioned that someone will contact her from your offices - a burden lifted and a happy great grandmother. We really appreciate this connection, effort and education that you provide for us in the community.*

Whānau feedback - *I arranged an appointment with Community Law Office ... The experience was so easy and painless ... From entering the building to the lovely interaction with the receptionist who was very accommodating to my needs ... The lawyer was amazing, she explained everything so well for us , nothing over the top and complicated. She took great care to ensure that mum understood ... I was so grateful for the lawyer's patience. We walked out feeling peace of mind.*

Education attendee and community organisation - *The Welfare Law seminar has assisted me to empower clients to communicate to W&I with confidence. One of our clients gave feedback that with the information you have shared about food grants, they have been able to access support after being declined ... I have been able to refer whānau to your service for support with great outcomes. Our clients have gained clarity and awareness which is the goal*

Community organisation - *Thank you for the amazing work you do for the community.*

Volunteer solicitor - *Thank you so much for the gift and sweet words in the card, I really appreciate it ... So many thanks to everyone in the rest of the team (too many amazing people to name) ... especially Juanita and Angela. CLW is an awesome centre.*

Local High School - *Thank you very much for the work you have done with our students this year...We are very lucky to have had this opportunity with you*

Alcohol licence objector - *We are grateful for the invaluable support and guidance from CLW through the whole process including assisting us with what we needed to provide, and could expect from the hearing.*

TEAMWORK

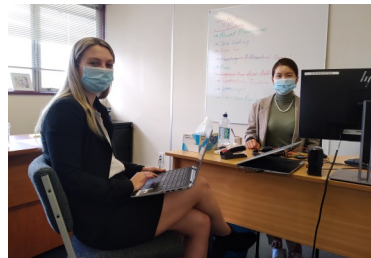
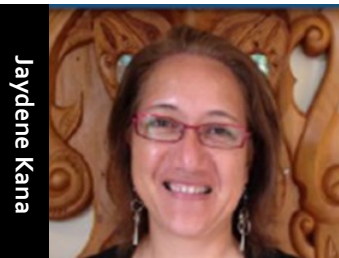
*Ehara taku toa, i te toa takitahi, engari,
he toa takitini*

We have a team of 13 (including nine lawyers, two admin personnel, a community liaison and an advocate) along with an army of over 100 volunteers who sacrifice their precious time and energy to support our kaupapa.

Our volunteers include:

- Law students from the University of Waikato who interview clients and relay advice from a lawyer as well as assist our lawyers with research
- Legal practitioners who give advice and deliver education on a range of topics
- Board of trustees whose experience include business, finance, legal and community expertise. This year we welcomed two Waikato-Tainui representatives; Ethan Jerome-Leota and Jaydene Kana, whose passion and commitment to access to justice especially for Māori, contribute to our kaupapa

*In 2020/2021 our volunteers donated over 3600 hours
to our kaupapa*



Success is not the work of one, but the work of many

"Access to justice is a basic principle of the rule of law. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable."
United Nations and the Rule of Law



Te Poari | Board

Susan Thompson—Chair

David McEwen—Deputy Chair & Treasurer

Brian Dobbs—Trustee

Cheryl Green—Trustee

David Allan—Trustee

Ethan Jerome-Leota—Trustee

Jaydene Kana—Trustee

Ngā Kaimahi | Staff

Juanita Bennett—General Manger

Angela Smith—Legal Services Manager

Justin Young—Solicitor

Sarah Fraser—Solicitor

Caitlin Harrison—Solicitor

Harriet Youn—Solicitor

Ellen Hockey—Solicitor

Ben Hoffman—Advocate

Mark Fyers—Legal Assistant

Billie Dell—Community Liaison

Janna Robertson—Receptionist

Jasmine Muhlmann—Receptionist

As at July 2021



We acknowledge the contribution of team members who resigned in the year; Vikki Porter, Sonali Perera, Dee Holmes, Dayna Dustan, Mosunmola Oyedele and Samantha Smith. Post July, four new members joined; Jadin Hooper, Claudia Russel, Madison Russel and Leah Dangen. You will see them on our website.

FINANCIALS

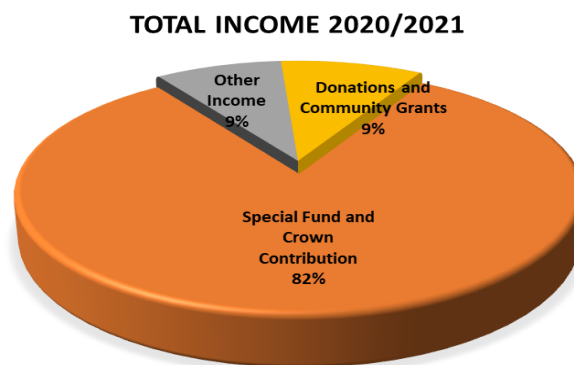
I orea te tuatara ka patu ki waho
A problem is solved by seeking solutions

The main funding stream for most community law centres is the Lawyers and Conveyancers 'Special Fund'.

This fund is interest derived from legal trust and conveyancing accounts and the money is split between banks and community law centres (40:60).

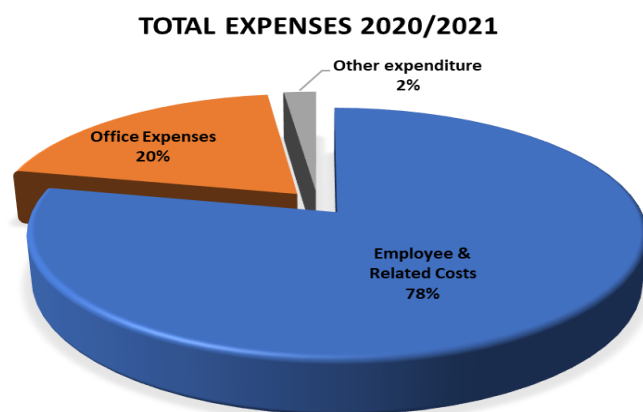
We are very grateful to most banks that donate 20% or more of their share back to community law centres.

The "Special Fund" is administered by the Ministry of Justice who contract community legal services across Aotearoa. Community law centres all use their own initiative to secure additional funding through service contracts and philanthropic funders.



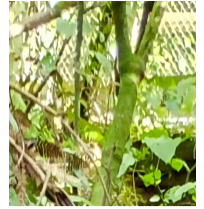
Covid-19 has drastically reduced interest rates that affects the "Special Fund" and bank donation. Whilst the "Special fund" is topped up by the Justice budget (capped at 13.26 million per annum across 24 Centres), unfortunately the same cannot be said for the bank donations. For the financial year ending 31 December 2021, the donations were 40% less than previous years. Fortunately the decline in this funding stream coincided with a slight increase in Justice funding. Along with the

generosity of community and philanthropic funders we are able to hold steady. On par with standard NGO trends, our biggest cost is wages and related costs. This makes complete sense because our team is our biggest treasure!



A full copy of the CLW audited accounts is available at <https://register.charities.govt.nz>—Charity number CC36092

He Mihi / Acknowledgements



*He waka eke noa
We are all in this together*

Community Law Waikato draws support from many pou, without whom we could not provide this essential service.

These pou include our own Board of Trustees, law students from the University of Waikato, local legal practitioners who volunteer their time, experts who deliver our education, local iwi, community funders, government agencies, fellow Community Law Centres throughout Aotearoa, community organisations / service providers, and you folk living in our community.

This tautoko has come in many shapes and forms including time, experience, expertise, grants and donations, discounts, donated equipment...it all contributes enormously to our mahi.

We genuinely value the whanaungtanga that has been developed through working together to support whānau in our community.

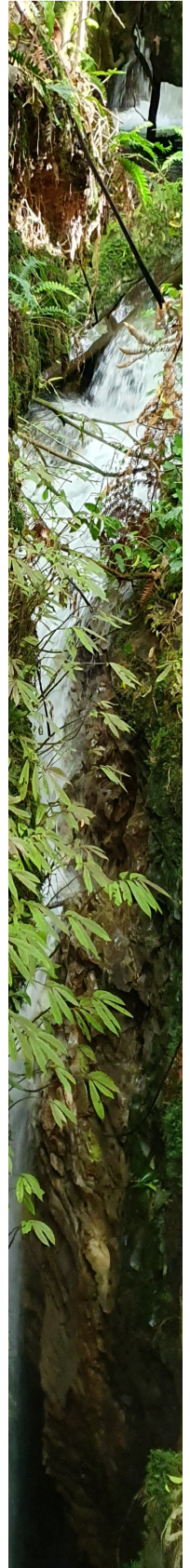
Thank you!

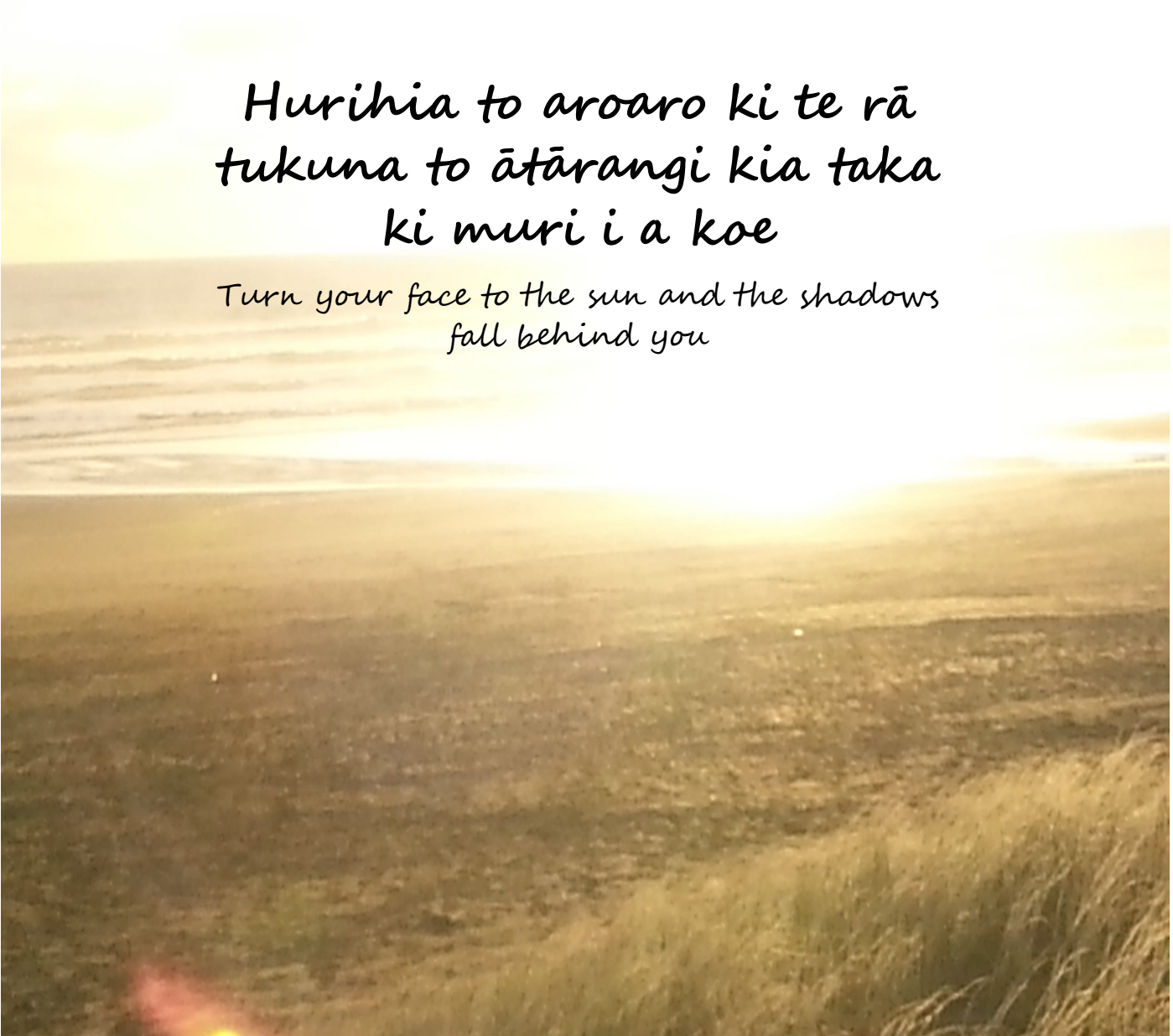


Restorative Justice
Services Hauraki (RJSH)



Lottery Grants Board
Te Puna Tahua
LOTTO FUNDS FOR YOUR COMMUNITY





*Hurihia to aroaro ki te rā
tukuna to ātārangi kia taka
ki muri i a koe*

*Turn your face to the sun and the shadows
fall behind you*

Community Law Waikato

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www.clwaikato.org.nz