

Community Law **Waikato**

Te Tari Ture aa-Hapori o Waikato

Part of the National Community Law Movement



Annual Report 2022/2023

*Ki te kotahi te kaakaho ka whati, ki te kaapuia e kore e whati -
When the reeds stand alone they are vulnerable but bound together
they are unbreakable.*

-Kingi Tawhiao





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01

HAERE MAI

TE PUURONGO A TE TIAMANA CHAIRPERSON'S REPORT

Teenaa koutou e ngaa rau o te kootuku. Welcome to the annual report of Community Law Waikato.

Kua takoto te maanuka. The leaves of the manuka tree have been laid down.

The last year has been a busy one for our team. While it seems that many people would like us to have moved on from the pandemic, the challenges and lasting impacts of Covid-19 remain. Many within our community continue to struggle with the increased cost of living and precarious housing arrangements.

As you will read, our kaimahi (solicitors, welfare advocates, legal assistants, administrative staff, case workers and volunteers) work in a variety of areas to improve people's access to justice, the kaupapa at the heart of the Community Law movement.

They offer invaluable legal advice and education, help people facing elder abuse concerns, support those who object to alcohol license applications and renewals and advocate for legal reform. Every year an average of 6150 people benefit from our service, the majority of whom are unemployed or working part-time.

Over the last year we have taken two new initiatives to improve access to justice by working in partnership with iwi. We were delighted to launch a new Maaori Land Clinic and a free monthly clinic at Mangatoatoa Marae. Moving into the kaupapa Maaori space is a journey with many challenges and learnings but we embrace it with hope.

When I joined the Board of the Law Centre we faced very difficult funding challenges. Over recent years our funding has become both more diversified and sustainable. Our current challenge is to think carefully about the best way to grow capacity to meet community need and resource long-standing gaps.

As a Board we take this opportunity to express our deep appreciation to all of our staff for their professional and compassionate work. We give our heartfelt thanks to Juanita Bennett (General Manager) and Angela Smith (Legal Services Manager) who continue to provide the Law Centre with exceptional leadership.

I'm also grateful to our Trustees who give their time and expertise willingly and generously. We continue to appreciate the support and friendship of our supporters, volunteers and community funders. Without you we would not be able to meet the challenges of our day.

Ngaa manaakitanga,
Dr Susan Thompson
Chairperson, Trust Board

02

NGAA MIHI

We draw support from and collaborate with a range of other stakeholders including the organisations that host our outreach services, community funders, government agencies, fellow community law centres, community agencies / NGOs, service providers, and the general public.

The support we receive comes in many shapes and forms including time, grants and donations, discounts, donated equipment...it all contributes enormously to our mahi..

Community Law Waikato is funded through a variety of streams with one of the main sources being a public fund. The Lawyers and Conveyancers Special Fund is derived from interest accrued in firms' Trust Accounts. Banks retain 40% of the interest (except those banks who donate another 20% to Community Law which aids enormously. The remaining 60% is legislated to fund community legal services.

In addition to the Special Fund and our contracts various Government Ministries, we are reliant on the generosity of philanthropic funders to meet the shortfall and support our growth and individual projects.

We appreciate Owen McLeod & Co for auditing our financial statements. Our financial statements are available to be viewed or downloaded on the Charities Register by searching our Charities registration number CC36092.

Ehara taku toa i te toa takitahi, engari he toa takitini -
Success is not the work of an individual, but the work of many.



“

Thank you for all the incredibly wonderful, clarifying legal information you've given me, and to many others, throughout the year. You have helped so many people with your legal knowledge.



”

03

OUR KAUPAPA

Access to Justice is the shared kaupapa that binds the 24 community law centres across Aotearoa.

Access to justice is commonly associated with access to courts and lawyers. In fact, it is much broader than that. It incorporates everything people do to try resolve disputes...including accessing information and support to prevent, identify and resolve the disputes...it recognises that many people resolve disputes without going to court and sometimes without professional assistance.

Access to justice is a fundamental principle of the rule of law – we are all bound by the law and should benefit equally from it...It only makes sense that, in order to benefit from it or engage with the myriad of legal systems and processes, individuals should have access to law related help.

The law surrounds our everyday lives...housing, welfare, education, health, employment – just to name a few.

The law underpins the way in which society operates and in an ideal state promotes fairness, protections of human rights, economic security, and social cohesion. A state without access to justice renders the complete opposite.

Community Law adopts a people-centered approach. Most barriers to access exist due to individual circumstances such as financial means, location, education, disability, age, ethnicity, language, and fear. At the forefront of our daily operations and strategic direction towards a Fair and Just Aotearoa, is the constant mahi towards reducing barriers and providing legal help to those who need it.



Vision

Fair and just communities



Mission

To provide people in our communities with expert advice, representation, education, and information they may not otherwise have access to.



Values

Humanity
Equity
Integrity
Respect

**Whakapono tatou i roto i te hāpori matatika,
me kotahitanga**

We believe in fair and inclusive communities

COMMUNITY LAW KAUPAPA

Community Law Waikato -Te Tari Ture aa-Hapori o Waikato is a charitable trust that has been in operation since 1995. It is at the front line of providing access to justice throughout Aotearoa. There are 24 Community Law Centres throughout Aotearoa.

LEGAL ADVICE AND REPRESENTATION

Our vision is fair and just communities, with the core function of providing legal services free of charge to those who may not otherwise access such services in the Waikato rohe.

LEGAL INFORMATION AND EDUCATION

Our core services are aimed at benefiting people who are most vulnerable in our community.

COMMUNITY SUPPORT

People are regularly disadvantaged due to language barriers, poor literacy, fear, poverty, race, gender, and disability.

ADVOCATE FOR POSITIVE LEGAL & SOCIAL CHANGE

In addition to our core legal service, we also deliver free law-related education Waikato-wide, and we participate in law reform both at a local level and in collaboration with other Community Law Centres at a National level (to give our people a voice and drive systemic change).

5060+
hours
spent on legal matters
2022/2023



04



OUR MAHI

We provide help with, but not limited to, the following areas of law:

ACC

E.g. Entitlements, lump sum payments, sensitive claims, impairment assessments, mediations and review hearings.

CONSUMER

E.g. Faulty items (incl. motor vehicles), contract disputes, reposessions, Fair Trading Act breaches/complaints

MINOR CRIMINAL & TRAFFIC

E.g. Driving offences, boy racer charges, disorderly behaviour and theft. Sentencing, Judge Alone Trial, & special applications

DEBT ISSUES

E.g. Creditor claims, credit contracts, insolvencies, and debt disputes.

DISPUTES TRIBUNAL

E.g. Assistance with application and response to applications if required.

EMPLOYMENT LAW

E.g. Pay issues, minimum entitlements, disputes, harassment & discrimination, personal grievances, and mediation.

HUMAN RIGHTS

E.g. Harassment & discrimination, restraining orders, trespass orders, health & disability complaints.

IMMIGRATION

E.g. Refugee Family Support Category, 'over staying', visa applications, deportation, migrant exploitation, Immigration Protection Tribunal, and special circumstance applications.

INSURANCE

E.g. Claim disputes and Insurance and Financial Services Ombudsman complaints.

NEIGHBOURHOOD DISPUTES (INCLUDING FENCING)

E.g. Fencing notices and disputes, trees, nuisance, damage, noise, and disputes.

TENANCY

E.g. Flatmate disputes, rent disputes, tenancy agreements, early termination, tenancy breaches, evictions, repair orders, and Tenancy Tribunal hearings.

WORK AND INCOME NZ

E.g. Entitlements, investigations, benefit review hearings, Social Security Appeal Authority.

ACC

E.g. Entitlements, investigations, disputes, and review hearings.

ADDITIONAL AREAS

E.g. Fines, Waka Kotahi (LTSA), affidavits, Local Government. We can offer initial advice in the areas of family law, and wills and power of attorney.

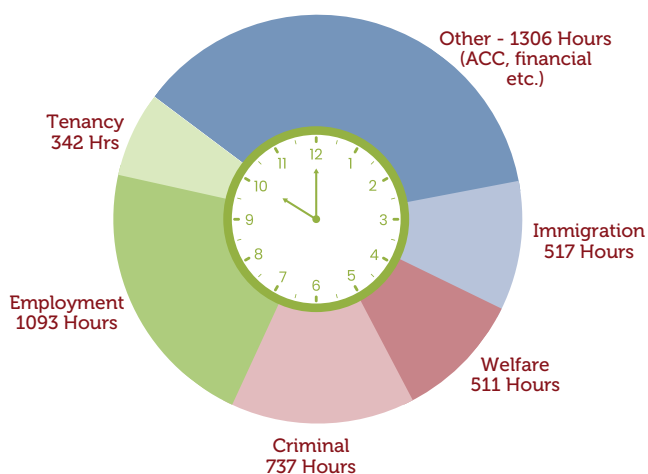
OUR MAHI 2022/2023

Our service covers the third largest region in New Zealand, with some of the most deprived areas and a high proportion of the region's population living in these pockets.

On average, 6150 individuals benefit from our service every year, and 77% of those who receive our services are unemployed or work part-time.

Our reception team provide information, referrals, and schedule appointments.

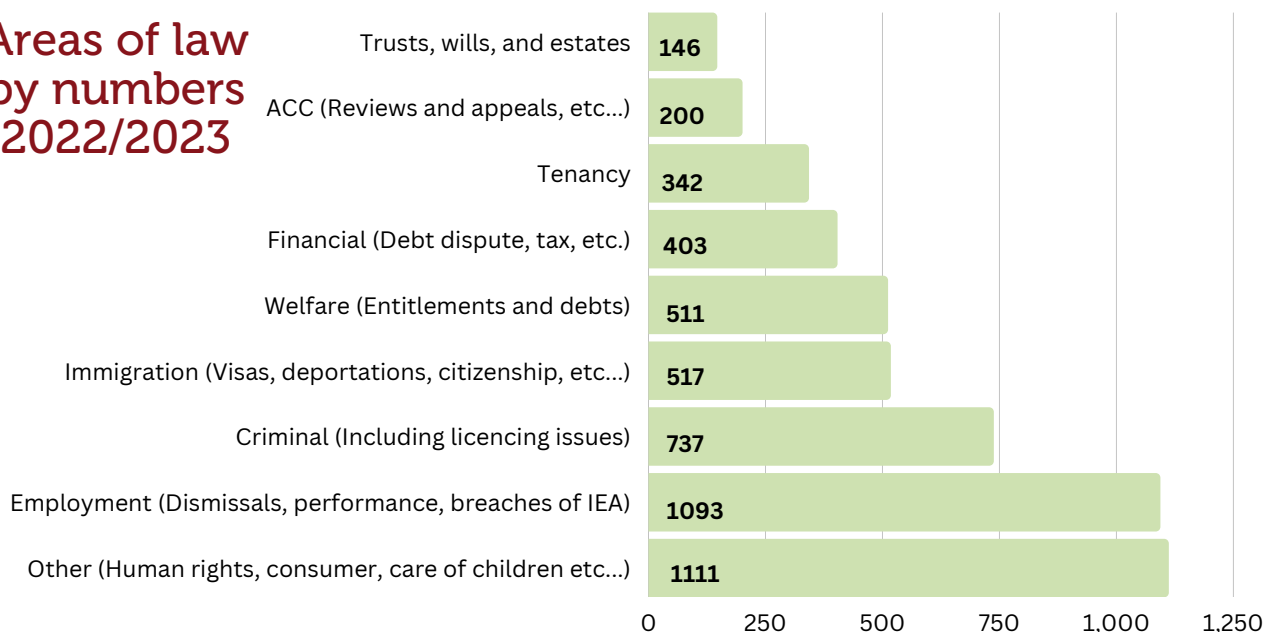
Time spent on legal matters (hours) 2022/2023



Post the Covid-19 pandemic we focused on reconnecting with the Waikato community. People across the motu received our continued support with a wide range of services. Masks may be a distant memory, but our clients continue to struggle with the lasting impact of the COVID-19, increased cost of living, and precarious housing.

Employment and immigration remain at the top concerns for our clients during this reporting year; and financial and welfare legal matters have increased by around 2%.

Areas of law by numbers 2022/2023



1779

New Clients in
2022/2023

60%

of the people who
accessed our services in
2022/2023 were women

99%

of all cases were
successfully resolved

51%

of the people who
accessed our services in
2022/2023 received
support from MSD

We provided our services to

83

different ethnic groups
in 2022/2023

“

Thank you for championing our case and sticking by us to a welcome conclusion. We're very happy with the wonderful professional public service that you offer our community.



”

“

Thank you for the time you took with our family, our Solicitor was excellent



”

“

The professionalism and dedication are an example for many women, thanks for helping me and my son, this life is not long enough to describe how grateful I am to you.



”

“

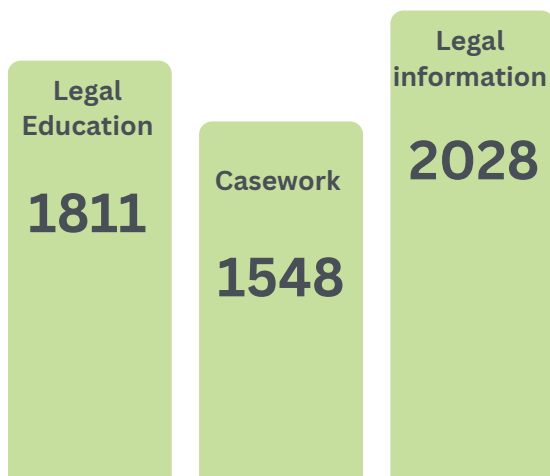
Thanks Community Law for everything you do for this country. Being a immigrant, solo mum, & with zero hopes, you gave me the confidence to trust the justice.



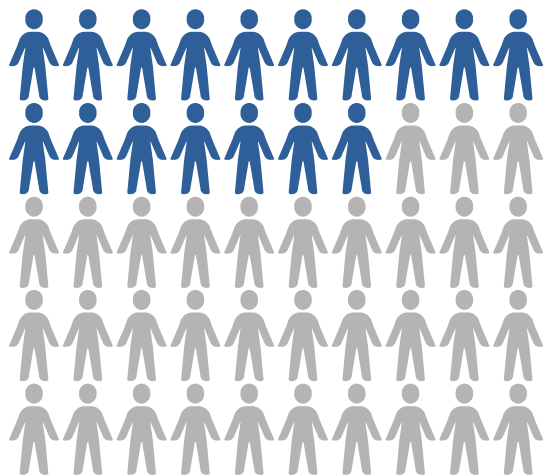
”

5618

PEOPLE REACHED



Only 33% of our clients work full-time



Thank you so much for help, passionate, creative, and good team work



99%

of all cases were successfully resolved



Thank you enough, for all your help and support of this very difficult time in life. I just hope once we write the letter to them we can see some positive change in the future



7202+

Hours were donated by our volunteers in 2022/2023

Legal education

1811

people attended our law related education sessions

99%

of legal education participants would recommend our sessions to others.

Law Related Education

Delivering law related education is another aspect of our kaupapa that contributes to wellbeing for whaanau. We delivered 46 Legal Education sessions during the year, and covered a wide variety of topics. Online learning platforms allow us to offer our sessions to anyone with an internet connection, in addition to any face-to-face sessions. We delivered customised seminars to organisations such as Starfish Services, Citizens Advice Bureau, and HMS Trust.

Our focus is to continue to provide education to as many people as we possibly can. We believe education enables everyone to participate in and contribute to positive intergenerational social change.



The process was very easy, not stressful at all and I felt very supported by my Solicitor.



Excellent presentations. The information was clear and easy to understand.



The handouts are a wonderful tool to empower clients. I share them which helps build relationships and knowledge to serve our community better and support each other.

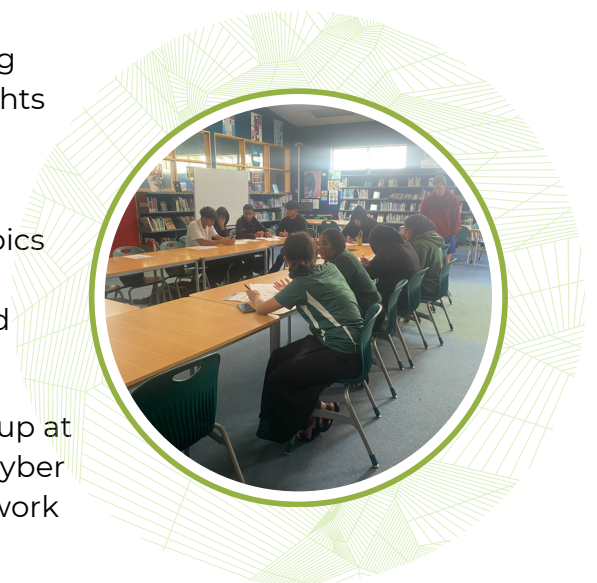


Law for Rangatahi

Our "Law and You" programme is aimed at providing young people with information about basic legal rights and responsibilities.

The aim is to discuss a range of everyday topics that impact everyday life. Learning more about these topics empower youth, and help them transition into adulthood. It is also a useful resource for parents and those who work with young people.

Most recently we delivered the programme to a group at Melville High School with a focus on Employment, Cyber security, Tenancy, Criminal law and how Parliament work through creating Laws.



In 2022/2023 we hosted a 'Learn about your legal rights' webinar series with the following topics presented:

EMPLOYMENT - Health & Safety

FAMILY - Oranga Tamariki

IMMIGRATION LAW

CONSUMER GUARANTEES ACT

HEALTH & DISABILITY RIGHTS

MENTAL HEALTH ACT

DOG CONTROL LAW

DEBT & INSOLVENCY

EDUCATION LAW

PPPR, EPOA, wills & estates

CRIMINAL LAW - including sentencing

FAMILY LAW - separation, divorce., etc.

FAMILY - Domestic Violence Act

MAORI LAND

EMPLOYMENT - Min. rights

CRIMINAL CASES REVIEW COMMISSION

PRIVACY LAW

FAMILY LAW - recognising family harm

CREDIT CONTRACTS

EMPLOYMENT - redundancy & remedies

FAMILY LAW - care of children

TENANCY LAW

EMPLOYMENT - early dispute resolution

PROPERTY - lending money, and gifting

Alcohol Harm Reduction Project (AHRP)

Since 2018 Community Law Waikato has been involved in an Alcohol Harm Reduction Project which aims to support members of the community to object to alcohol licence applications or renewals in their rohe.

Over the last year, Community Law Waikato has been involved in advising on 12 matters that involve community objections in the rohe. We recorded over 100 hours of lawyer time against *Regulatory Sale of Alcohol* matters since 1 June 2022.

100+ hours

spent on Regulatory
Sale of Alcohol matters
2022/2023

200+ hours

spent advising on Elder
Abuse matters
2022/2023



CLW Solicitor Jadin Hooper presenting to Citizens Advice Bureau Hamilton on the AHRS .

Promotion of the AHRP has happened around the rohe.

CLW Solicitor Jadin Hooper has presented to Citizens Advice Bureau (C.A.B.) interviewers during one a learning and development session.

C.A.B. interviewers can now more confidently respond to queries about licence applications, and refer to CLW for advice and support.

“

Thankse specially to our Solicitor who has been incredible. I was shown that I can be strong & independent no matter how hard life can be sometimes.



”

“

Thank you for helping me through this difficult time, and for ensuring the best possible outcome on my behalf. I am so grateful to you for representing me.



”

“

I have found the online education amazing, they are so full of useful and practical information that is delivered in simple easily understood language.



”

Elder Abuse Response Service (EARS)

Community Law Waikato are contracted through MSD to provide legal advice via a helpline to EARS providers throughout Aotearoa.

Around the world many countries are experiencing the combined effects of people living longer, and having smaller families – an ageing population. Here in Aotearoa the number of people aged 65 and over is projected to almost double to 1.2 million by 2035, along with a 130% increase in people aged 80 and over.

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

In 2023 we provided legal support with the following elder abuse concerns:

- Family violence
- Financial abuse
- Human rights
- institutional abuse
- Mental health
- Neglect
- Physical abuse
- Relationship property
- Residential care subsidy
- Tenancy/Property manager
- Wills & Trusts
- Enduring power of attorney
- Emotional abuse
- Welfare guardian
- ACC/Disability
- Legal aid
- Privacy
- Trespass

Work and Income advocacy

Our Kaupapa is to be a voice for those who need it.

Our advocates have specialist knowledge about benefit rights, and support their clients when they deal with Work and Income.

Our advocates work very hard on behalf of their clients to make sure they receive the correct entitlements. Advocates also support their clients when there is a dispute over entitlements, sanctions have been applied, or navigating a fraud accusation.

During the 2022/2023 financial year our advocates have successfully negotiated on the behalf of their clients to the sum of \$488,894.71.

We restored
\$488,894
In MSD
entitlements for
our clients



I would absolutely just love to take this time to say thank you so much for helping us with this situation. It wouldn't of happened if it wasn't for you we couldn't thank you enough!



Work and Income and the Law booklet

In early 2023 we produced our *Work and Income and the Law* booklet. We had come to realise that there was a need for a resource that could translate the often complicated MSD Law into plain English.

The 38 page booklet covers topics such as Legal Rights, Recoverable and non-recoverable grants; Disability, Housing and Supported Living allowances.

The booklet also gives practical examples of how to respond to MSD if our clients disagree with their decisions.

Work and Income and the Law is available for free to be downloaded from our website.

We are preparing our next publication which will cover the Disputes Tribunal process in plain English.



Emergency Housing Standards Urgent

Community Law Centres have supported clients all over Aotearoa who have been placed into unsafe emergency housing and others who have been treated unfairly by providers. Community Law Centres across the country have reported a noticeable increase in unfair and short-notice evictions leading CLCA to spend two years convincing MSD to create standards that contain rights for emergency housing tenants.

Head of Community Law Centres Aotearoa Sue Moroney says: "Handing over millions of dollars of taxpayer funding to private providers without any requirement for a decent level of service and basic human rights to be adhered to is unacceptable. Families need to be protected when they are at their most vulnerable."

"The Ministry of Social Development has a duty to ensure its clients are protected by basic rights. It also has a duty towards taxpayers" - Sue Moroney.



Thank you for providing an amazing service, we truly appreciate your service and assistance to answer any questions we had.



Kaupapa maaori services

Maaori Land Clinic

Our Maaori Land clinic is also officially under way and is becoming popular.

McCaw Lewis generously supports this kaupapa by providing Maaori land law advice once a month.



Mangatoatoa marae

As part of our commitment to accessible legal services and Te Tiriti, we were thrilled to launch a free legal clinic at the Mangatoatoa Marae near Kihikihi.

The clinic is offered once a month with one of our lawyers available to provide advice and guidance on a range of legal issues.



Update - Afghan Nationals

In August 2021, Community Law Waikato undertook a judicial review and took the New Zealand Government to court in a landmark case to seek a ruling on behalf of more than 70 Afghans who applied for residence visas.

Community Law Waikato lawyers represented a wider group of 70 clients arguing to have their New Zealand residence visas promptly determined by Immigration New Zealand (INZ).

In the judgment released in November 2021, Justice Francis Cooke directed INZ to progress the applicants' residence applications without further delay and to assess applications for Critical Purpose Visitors Visas again applying the correct approach to the humanitarian grounds, as determined by the Court.

In the 18 months since Justice Cooke's decision Community Law Waikato have supported dozens more refugees through the complicated process of gaining visa's to New Zealand.

CLCA 2022 Hui



Ki te kotahi te kaakaho ka whati, ki te kaapuia e kore e whati - When the reeds stand alone they are vulnerable but bound together they are unbreakable.

-Kingi Tawhiao

Finally, after a few false starts thanks to Covid-19, Community Law Waikato - hosted the Annual National Community Law Centre hui late August 2022 .

The hui took place at the Hamilton Gardens with around 120 staff and volunteers from the 24 CLC's throughout the motu. The purpose of this hui was to reflect together on progress, share information, and collaborate on future plans.

Waikato-Tainui opened the event with a powhiri.

Ngaa mihi to those who addressed our group with invigorating and inspirational speeches and presentations:

- Judge Mullins who gave a keynote speech on Constitutional Review via via Zoom,
- Judge Denise Clark, Judge Lisa Treweman, and Craig Hayes spoke about Te o Marama/Drug and Alcohol Court/Young Adults list,
- C.E Parakawhia MacLean presentation on the Criminal Cases Review Commission,
- The Honourable Kiritapu Allen addressed the group.

In addition to the speeches and presentations there was a panel on the Afghan Nationals Judicial Review; and workshops facilitated by:

- Te Ara Ture - Darryn Aitchison & Lee DiFillipo
- NZLS Independent Review – Megan Williams & Jane Mears.
- ActionStep – Katie Burke & Scott Nicholas
- De-escalation – Tom Harris

After a dinner at the Hamilton Gardens café everyone helped us celebrated 10+ years of Community Law Centres Aotearoa providing access to justice across the motu.



05

OUR KAIMAHI

Our team is made up of experienced and accomplished lawyers, administrators, advocates, case workers, legal assistants, and volunteers. All share a passion for social justice and sacrifice their precious time and energy to support our Community Law Waikato kaupapa.



Our volunteers

Our volunteer team includes solicitors and law students who bring extensive experience and expertise across a wide variety of legal areas, as well as practical skill. Our volunteers offer their precious spare time to support our vision of access to justice, and we could not be more grateful.

Our volunteer lawyers offer their time and expertise to give free legal advice, present legal education webinars or seminars. Often they volunteer their time after working a full day in their own legal firms. We are incredibly grateful to have so many community-minded and experienced lawyers volunteer to support the movement.

Our volunteer caseworkers are law students from the University of Waikato. The role of a caseworker involves interviewing clients and relaying the advice given by a solicitor back to the client. Caseworking is a valuable learning opportunity for the students, and we are thrilled that during their time volunteering with us they gain such rich legal experience.

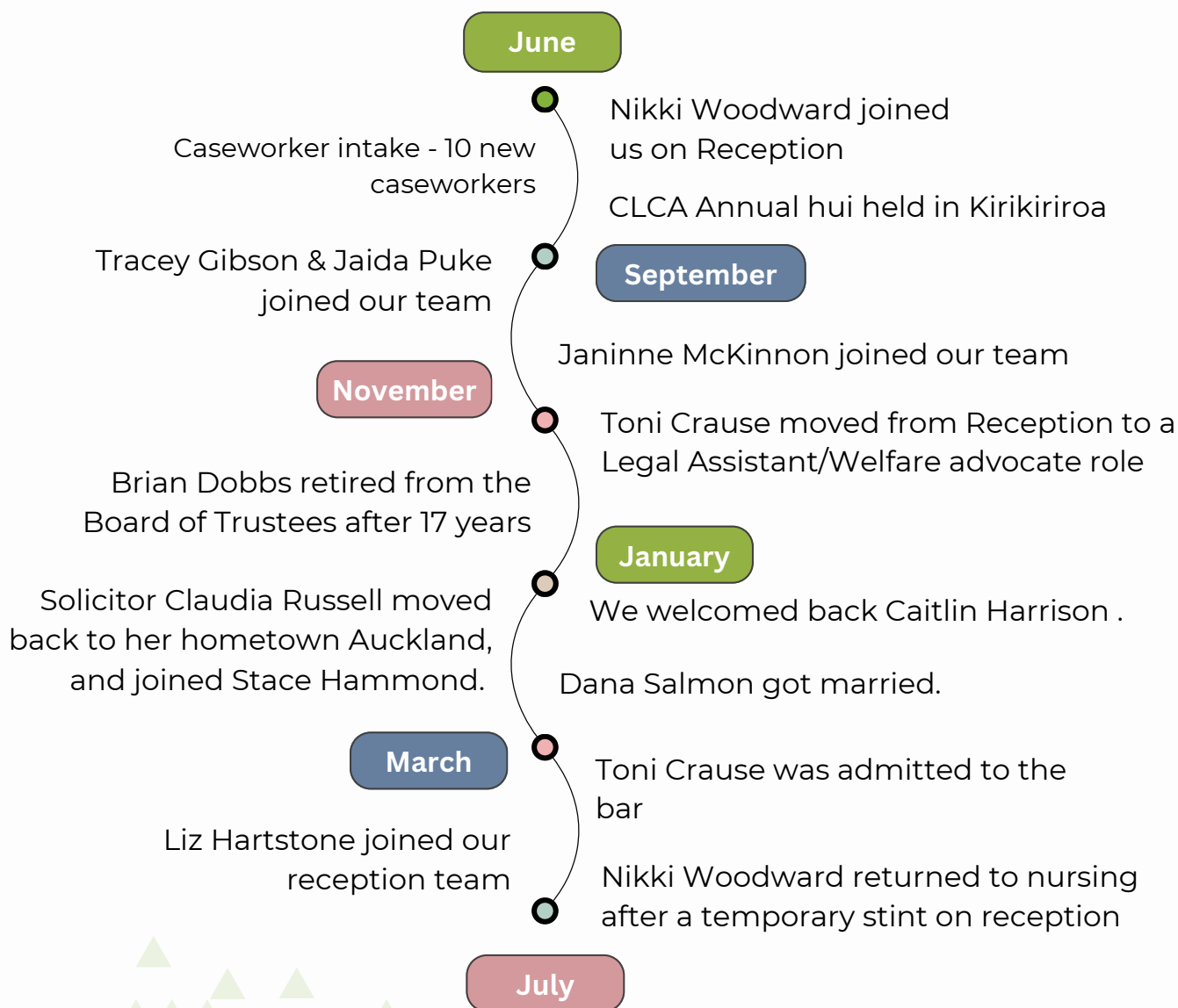
Thank you!

Our staff

Every member of our team brings a set of unique talents, backgrounds, and experiences to the Centre. The things that make us unique as individuals make us richer as a team - The things that make us unique as individuals make us stronger as a team - a satisfied and motivated workforce helps us achieve the best outcomes for our clients and the communities in which we serve.

We live and work by our strong values; our combined values and differences help create a happy and inclusive workforce with a passion for making positive change in the lives of others.

Snippets 2022/2023



Congratulations Toni!

Toni Crause is a welfare advocate at Community Law Waikato and our newest Barrister and Solicitor. Toni was admitted to the bar in May of 2023. Congratulations Toni!

Toni joined Community Law Waikato in January 2022 as a volunteer case worker, and has worked in multiple roles at the Centre on her journey to being a Solicitor. After moving from case working to a front-line role in Reception, Toni was then promoted to Legal Assistant after she graduated with a Bachelor of Law in October 2022. Toni is now employed as a Solicitor.



Cycling the river trails



During the year our team swapped fluorescent lights and a professional wardrobe, for sunshine and cycle helmets.

We hired e-bikes and cycled en masse, from the Cambridge domain along the beautiful Waikato river. We headed off in the direction of Maungatautari past horse studs as far as the Karapiro domain.

After a lovely lunch in the sunshine with incredible views of Lake Karapiro we doubled back along the cycleway and returned to Cambridge.

Team Red

In 2022 we realised that we had a number staff on our team who all donated blood products so we signed up for Team Red.

We now regularly organise a shared breakfast, and then head up as a group to the donor centre to donate.

To date our whole blood, plasma, and platelet donations have saved over 111 lives!



“

Absolutely incredible, our solicitor was so helpful and compassionate.



”

“

Our sincere gratitude to you for all the effort that you've shown that has helped us get back to this stage. One can pay back the loan of gold, but one lies forever in debt to those who are kind.



”

“

Thanks specially to our Solicitor who has been incredible. I was shown that I can be strong & independent no matter how hard life can be sometimes.



”



ANGA WHAKAMUA

On the horizon

Amidst and post COVID there has been many points of crossroads, reflection, and adaptation. It now feels like we can paddle forward beyond some of the confines of the pandemic.

Aside from the continuous organic evolution of operations and kaupapa, our official 3 to 5 year Strategic Review kicked off in November 2023. With the professional support of Community Waikato, facilitator Roseanne Murray, it was a fantastic opportunity for our team to evaluate and deliberate the way forward. In conclusion, the focus forward remains to a large degree similar to previous years: to ensure our services reflect community need and is genuinely accessible to those who need it most; to build capacity and competence – specifically to recruit and support a diverse team and; to continue the work on diversified and sustainable funding.

As featured in the “mahi” section of this report, the development of kaupapa maaori services is an important part forward of our commitment to genuine equitable access to justice. We've been blessed with the generous and patient guidance by our two Waikato Tainui representatives on our trust board. It's been a journey with many learnings and challenges and our team is embracing it with a sense of optimism. Step by step, next on the agenda being the refinement of a clear strategy with goals to continue guiding this journey.

Growing capacity at a local level is an ongoing mission, and at times difficult. Finite funding result in the inevitable loss of experienced staff. Coupled with COVID it has been at times a relatively slow process of getting back to “full” capacity. It's about recognising and embracing opportunities that may present as a team shifts. As is the case from here forward, exciting opportunity to add to our wonderful existing team.

At a national level, a dynamic group of leaders are paving the way towards co-governance and a Treaty based framework for the community law movement. Key amongst various service developments coming up in the kaupapa maaori space, is a national service pilot that will roll out in 2024. The movement is very excited to finally secure funding for this dream that has been in the pipeline for quite some time. The details and scope of the pilot is still in the making – watch this space.

Sustainable funding is a work in progress, heading in a promising direction. The combined effect of the Special Fund's return with higher interest rates and generous donations by the major banks mean, community law centres are able to resource some long standing gaps as well as new initiatives towards access to justice.

Haere raa - ka kite

**Hurihia too aroaro ki te raa tukuna too aataarangi kia taka
ki muri i a koe**

turn your face to the sun and the shadows fall behind you



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