

Legal Issues

Legal advice and government services complaints

Matters often arise which require a legal opinion. Brief, free and low cost assistance is available from a range of services.

Community legal services help South Australians to access legal advice and assistance when they can't afford to hire a lawyer. These services are offered through the Legal Services Commission, Aboriginal Legal Rights Movement and Community Legal Centres.

Specialist legal advice services are offered for women, people requiring assistance with welfare rights and social security issues, neighbourhood matters, elder abuse, domestic family violence matters.

Legal Services Commission of SA

The Commission offers free advice to the general public on most legal matters at any of its offices. It is also the first point of contact for people seeking community legal services. Ring the **Legal Helpline on 1300 366 424** (Monday to Friday 9am-4:30pm) for preliminary information, advice and referral, or make an appointment with any of these offices:

- **Adelaide city, tel. 8111 5555**
- **Elizabeth, tel. 8111 5400**
- **Noarlunga, tel. 8111 5340**
- **Port Adelaide, tel. 8111 5460**
- **Port Augusta, tel. 8686 2200**
- **Whyalla, tel. 8620 8500**

Online legal chat and basic legal information is available at www.lsc.sa.gov.au.

Legal representation is subject to certain restrictions and to means and merit tests. Interpreters are available on request. The Commission also provides a Duty Solicitor at Magistrates Courts and Youth Courts. The service Duty Solicitors can provide is limited and may involve applications for bail for persons in custody, obtaining adjournments/remands and conducting simple guilty pleas where there is usually no prospect of imprisonment, such as for traffic offences and minor criminal offending.

The Commission's Family Advocacy and Support Service (FASS) provides duty lawyer and social support services to people with family law matters who have been affected by family violence. The Legal Services Commission of SA also has duty lawyers at the Family Law Courts who are able to assist in

matters where the person is not affected by family violence.

Community Legal Centres

The generalist centres provide legal advice, assistance and referral to community members who might not otherwise get the help they need. Most centres provide services free of charge.

www.clcsa.org.au/community-legal-centres

- **Adelaide Central & Hills – Uniting Communities Law Centre** (Medindie Gardens). **Tel. 8342 1800, 1300 886 220 (Country callers);** www.unitingcommunities.org
- **Adelaide South, Riverland and South East – Community Justice Services SA** (including Southern, Riverland and Limestone Coast Community Justice Centres, and various outreach offices. **Tel. 1300 850 650** (Southern), **8723 1396** (Limestone Coast), **85824998** (Riverland); www.communityjusticesa.org.au
- **Adelaide North - Northern Community Legal Service Inc.** (Salisbury plus outreach in Gawler, Davoren Park), **tel. 8281 6911;** <http://northernlegal.org.au/>
- **Adelaide West, Barossa Valley, Mid North, West Coast, Outback - WestSide Lawyers** **Tel. 8340 9009** (Hindmarsh), **8633 3600** (Port Pirie), www.westsidelawyers.net

Women's Legal Service (SA)

Provides legal advice, assistance and representation **Tel. 1800 816 349, 8231 8929;** www.wlssa.org.au.

Aboriginal Legal Rights Movement Inc.

Provides comprehensive legal advice and assistance through its staff lawyers and, where appropriate, private lawyers, to people of Aboriginal descent.

Tel. 1800 643 222; www.alrm.org.au.

Offices located in Adelaide (**8113 3777**), Port Augusta (**8113 3777**), Port Lincoln (**0427 456 954**) and Ceduna (**8113 3799**)

Roma Mitchell Community Legal Centre

This Norwood-based organisation is involved with reconciliation and human rights projects. It also operates an Evening Advisory Service. **Tel.**

8362 1199, email rmclc@ozemail.com.au

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Family Violence Legal Service - Aboriginal Corporation (SA)

FVLSAC is a free community legal service assisting Aboriginal & Torres Strait Islander victims/survivors of family violence and/or sexual assault in South Australia.

Offices in Port Augusta (**1800 111 052, 8641 2195**), Port Lincoln (**1800 309 912, 8683 1896**) and Ceduna (**1800 839 059, 8625 3800**).

www.fvlsac.org.au

Mediation

Many problems with neighbours, clubs or associations or within families or households can be resolved or avoided by maintaining clear communication. Legal action may make relations worse and should only be taken as a last resort. It is generally advisable to come to an agreement or compromise with the other party personally or with the help of an impartial mediator. **Uniting Communities Mediation Service** can help the parties to a dispute to come to a resolution without the costs of going to court.

Tel. 8342 1800; www.unitingcommunities.org

Social security (welfare rights) issues

Operating across South Australia, **Uniting Communities Welfare Rights Service** can support you with social security matters by providing advice and assistance when dealing with Centrelink and in appeals to the Administrative Appeal Tribunal.

The service is available to people on a government benefit, living in South Australia, aged 15 and over.

Tel. 8342 1800; www.unitingcommunities.org

Magistrates Court Legal Advice Service

MCLAS is a free service run by Adelaide Law School students supervised by experienced lawyers at the Adelaide Magistrates Court. The service only deals with disputes that fall within the minor civil claims jurisdiction (civil dispute with a value of up to \$12,000). The types of matters dealt with include but are not limited to: damage to your property (i.e. your car in a car accident), money you have loaned to someone and has not been paid back, being owed wages by an employer, disputes with a neighbour.

The service does NOT deal with criminal matters, major civil matters, family law or personal injury claims. **Tel. 8204 2444.**

<https://law.adelaide.edu.au/free-legal-clinics/magistrates-court-legal-advice-service>

UniSA Legal Advice Clinic

The University of South Australia's Legal Advice Clinic provides advice to the general public on a range of matters including criminal, family, debt claims, car accidents, tenancy, and neighbourhood disputes. It is staffed by law students under the supervision of qualified legal practitioners.

The Clinic offers free legal advice services at UniSA City West campus by appointment (**Tel. 8302 7436** to book). In periods when face-to-face appointments are not available, secure and confidential tele-law services are offered instead.

<https://unisa.edu.au/legal-advice-clinic>

Consumer Credit Law Centre of South Australia

This service helps people to resolve consumer credit problems including debt, hardship, credit law issues involving disputes with creditors, bankruptcy, mortgage stress, inability to negotiate payment plans and conduct by creditors.

It is a free service and provides access to specialist legal advice, financial counselling and legal representation in areas of credit, banking and finance.

Tel. 8342 1800; <http://consumercreditsa.org/>

JusticeNet SA

Independent, not-for-profit legal service which helps individuals who cannot afford a lawyer or get the help they need elsewhere.

Programs include:

- *Pro Bono Connect* – referral service that can connect you with a lawyer to help you for free. The degree of assistance that your pro bono lawyer can provide will depend on the nature of your legal problem and other factors. Application form available on line. **Tel. 8313 5005**
- *Federal Court Self-Representation Service* - provides direct legal advice and assistance to people representing themselves in Federal Court and Federal Circuit Court – **Tel. 8410 2280**
- *Refugee and Asylum Seekers* – JusticeNet SA coordinates free legal help for refugees and asylum seekers who are applying for judicial review. Application form available on line.
- *Homeless Legal* - advice about the person's rights, legal options and help with resolving legal issues that may be having a negative impact on the client's life and housing. Available at outreach locations: Hutt Street Centre (drop-in) and

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Catherine House (by appointment – **tel. 8232 2282**).

www.justicenet.org.au

Ombudsmen and other dispute resolution services

As a general rule these services advise people to first try to resolve their issues directly with the organisation, documenting all steps taken, including contacts made and copies of any letters sent. If no satisfactory resolution is achieved contact the relevant complaint service. For complaints services regarding provision of telecommunications, energy, water, building and housing services see our fact sheet *Consumer protection*.

Commonwealth Ombudsman investigates complaints from people who believe they have been treated unfairly or unreasonably by an Australian Government department agency or prescribed private sector organisation, including Australia Post, Services Australia (Medicare, Centrelink, Child Support), Department of Home Affairs (Immigration), National Disability Insurance Scheme and the private health insurance sector.

Complaints can be made online by completing the complaint form at www.ombudsman.gov.au. If unable to do so or for other information **Tel. 1300 362 072**

Ombudsman SA investigates complaints about South Australian government and authorities (e.g. SA Water; Housing SA; Public Trustee) and local councils. Complaints can be about any action or inaction by an agency. Ombudsman SA may conduct investigations to determine whether the process was reasonable and fair, and that the decision is not unreasonable or unlawful.

Tel. 8226 8699, 1800 182 150 (SA country callers); www.ombudsman.sa.gov.au. It is possible to lodge a complaint by email.

Office of the Health and Community Services Complaints Commissioner (HCSCC) provides assistance with resolution of complaints about health and community services in South Australia, including public hospitals and community health centres. **Tel. 8226 8666, 1800 232 007**; email info@hscce.s.gov.au. It is also possible to lodge a complaint on line at www.hscce.sa.gov.au.

Further information

The Law Society of South Australia

The Society offers Legal Advisory Service at a small fee on Mondays and Wednesdays 5.30pm - 7pm at level 10, 178 North Tce, Adelaide. Single 20-minute appointments can be made by ringing **8229 0200**.

The Society's website features a finder facility which allows users to locate member law firms able to provide legal advice across a range of specialist areas.

www.lawsocietysa.asn.au

Legal Services Commission of South Australia

In addition to the legal advice service mentioned on the front page, the Commission publishes information resources on a range of topics, and the comprehensive Law Handbook.

www.lsc.sa.gov.au

Catalyst Foundation

Catalyst Foundation (including Seniors Information Service) can help you to identify and locate the organisations that might be able to assist with your specific complaint or legal issues, and advocacy. We can also provide access to the relevant application forms where applicable.

Refer to our fact sheets *Consumer protection*, *Home support and care options* and *Aged care homes* for information on complaints services regarding these areas.

Tel. 8168 8776, 1800 636 368 (SA country); email information@catalystfoundation.com.au; www.catalystfoundation.com.au

The information contained here is general in nature and is not intended as legal advice

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