

'POD' PLAYS GUIDING ROLE IN YOUNG LIVES

AN INNOVATIVE PRO BONO LEGAL PROGRAM SUPPORTS YOUNG PEOPLE EXITING STATE CARE.



Most of us take it for granted that our family will be there to help when we're facing financial difficulties, problems with a job or relationship, or even just to guide us through the basics of independent living such as signing a tenancy agreement or breaking a lease.

Our reliance on family has been brought into stark relief during the COVID-19 pandemic, with many young people moving back home, or turning to parents for financial and emotional support.

But what if you're a kid who doesn't have a family unit to fall back on? What if you are someone who has been removed from your family due to neglect or abuse, and on exiting care must transition to independent living with limited supports?

That's the situation facing around 400 young people who leave out-of-home care in Victoria each year.

Young people transitioning out of state care are arguably some of our most vulnerable citizens.

Young care leavers are at greater risk of homelessness, substance use and contact with the criminal justice system than other young people. They are also more likely to have poorer health, education and employment outcomes than the non-care population.

Unlike the majority of Australians, young care leavers rarely have family to help them navigate life's challenges and legal issues.

Paradoxically, young people leaving care are more likely to have unattended legal matters than the general youth population, yet are least equipped to deal with them.

Youthlaw's Legal Pod program addresses this through a targeted legal service for young people transitioning from care.

Legal Pod is a Victoria-based legal service for young people aged 18 to 25 who have a background in out-of-home care. It has been funded by the Victorian Legal Services Board for an initial three years and is modelled on a successful pilot which ran in Queensland.

The Legal Pod program connects vulnerable care leavers with a "pod" or small team of lawyers who will provide ongoing legal support for up to three years.

Each pod consists of three to four lawyers who are involved in the program as part of their firm's commitment to pro bono practice. The firms participating in the program are Baker McKenzie, Colin Biggers & Paisley (CBP), DLA Piper, Gilbert + Tobin, Holding Redlich, PwC, Russell Kennedy and Wisewould Mahony.

Progress report

The Legal Pod program has so far assisted 39 care leavers to respond to their legal problems. Of these, 25 care leavers were able to be assisted through one-off legal information and/or referrals. A smaller group of 14 have required more intensive, ongoing support and have connected with their Pods for long-term assistance. This group had a very high level of unaddressed legal need, with an average of eight legal problems at the time of intake.

The pro bono lawyer's perspective

Edward Vong from PwC is one of the pro bono lawyers working in the Legal Pod program. PwC's participation represents one of their significant partnerships in the pro bono space, and Mr Vong says it has been rewarding for the lawyers involved.

"Other pro bono work is usually one-off. The client comes to you with one problem, you help them, and they move on. There's rarely an opportunity to see how your legal assistance helped their lives," he says.

"But Legal Pod is different because you get to work with a client over a long period of time. You witness their growth and change. And with our clients being young people, a lot can change in a short space of time.

“... Legal Pod tells them 'we're in it for the long haul, we are invested in you, we care about you' and they respond well to that.”

PwC lawyer Edward Vong



“The powerful thing for the client is that we have agreed to commit to them for up to three years. My client said ‘this is probably one of the longest relationships I’ve had with a support worker.’

“The long-term nature of Legal Pod tells them ‘we’re in it for the long haul, we are invested in you, we care about you’ and they respond well to that.”

CBP has been involved in the Legal Pod program since its inception in 2018. CBP solicitor Dilusha Jayasekara says the program is vital in helping to improve the lives of vulnerable young people.

“It’s important for us to be able to assist young people in the community, and particularly those who wouldn’t normally have access to intensive, expert legal support,” she says.

“We work in an integrated way with their social worker and any other workers, so we’re addressing the client’s holistic needs.”

Ms Jayasekara says a priority has been making an application for her client to have infringements withdrawn, due to special circumstances of family violence.

“I know that having those infringements withdrawn will make a huge difference to her mental health.”

Legal needs of care leavers

There is an increased understanding and awareness of the link between the child protection and criminal justice systems, with those transitioning between the two commonly described as crossover kids. Less understood are the non-criminal, or civil law problems, which are faced by care leavers.

Common civil law problems of care leavers assisted through the Legal Pod program include:

- fines – the impact of fines enforcement on both young people and disadvantaged cohorts is well documented. Legal Pod clients regularly requested assistance with unpaid fines, commonly for public transport or traffic related fines.
- debts – almost all Legal Pod clients have debts they require assistance with, most commonly to telcos, electricity providers, and credit providers. Studies reflect that care leavers feel underprepared to transition to independence particularly in relation to budgeting and managing finances.
- freedom of information – many Legal Pod clients have sought assistance to undertake an FOI request for access to their care records. This is not surprising

given that young people report confusion or angst around decisions made while they were in care.



Clients have indicated that they would like their records “just to have them” or, in some cases, to consider potential legal causes of action arising out of abuse they experienced either before or after entering care.

- victims of crime – several Legal Pod clients are being assisted to understand their rights as a victim of crime, and in some cases pursue an application under Victoria’s Victims of Crime scheme. Some are eligible to make an application but do not wish to revisit their past experiences.
- tenancy – Legal Pod clients have sought legal advice for a range of tenancy related issues, both in private and social housing, including rental arrears and property damage. The evidence is clear that without effective support, many care leavers experience housing instability and homelessness.
- family violence – many Legal Pod clients have had exposure to family violence since leaving care. For these clients, we have supported them to understand the nature of family violence and the legal framework for responding to it. For those who wish to pursue intervention, a small number of Legal Pod clients have connected with Youthlaw’s family violence service for specialist legal and social support, including court representation.
- rights – apart from pressing legal problems, as Legal Pod clients develop a rapport with their Pods, they have proactively sought guidance about their legal rights. Specifically, many Legal Pod clients seek guidance around their rights when dealing with police, in the context of employment, and as tenants.

Flexibility in service delivery has been a critical element of the Legal Pod program. This has included engaging clients through a variety a different communication modes according to their preference. For this reason, COVID-19 has yet to present major disruptions to service delivery and clients have continued to be supported via phone, email and text. While client intake usually occurs in person, this has continued over the phone.

The Legal Pod program will be formally evaluated this year and Youthlaw hopes to secure extended funding to continue the program beyond the pilot stage.

For more information about the Legal Pod Program, contact Paula Hughes at Youthlaw on 9113 9500. ■

Paula Hughes is managing lawyer at Youthlaw Legal Pod Program and **Lanie Harris** works in communications at Youthlaw.

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CBP solicitor Dilusha Jayasekara