

DEBT RECOVERY IN NSW

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Date Received: 21/05/2014

Inquiry into debt recovery in NSW

Legal Aid NSW submission

to the Legislative Assembly Committee on Legal Affairs

May 2014

Introduction

Legal Aid NSW welcomes the opportunity to make a submission to the Inquiry into debt recovery in NSW which focuses on the first three terms of reference. Our comments are based on our experience in assisting consumers and our knowledge of the issues faced by unrepresented consumers in debt recovery and enforcement processes, particularly disadvantaged and vulnerable consumers. In this submission we reiterate a number of issues and proposed reforms that we have raised in previous submissions on this topic which remain relevant, including to the Review of Debt Recovery Process conducted by the Better Regulation Office and the Department of Police and Justice (previously the Department of Attorney General and Justice) in 2010.

Consumer law matters constitute the largest category of the civil law advice and minor assistance work undertaken by Legal Aid NSW, a significant proportion of which relates to debts and debt recovery processes. In 2013, we assisted 8558 clients with consumer law advice and 6885 clients with non-consumer debt issues. Consumer law and non consumer debt matters also represented a significant proportion of the legal aid civil law grants.¹

This inquiry presents the NSW Parliament with an opportunity to consider the appropriate balance between the rights and interests of creditors seeking to enforce alleged debts and consumers who are being pursued in relation to an alleged debt. It is important to ensure that the legislative and administrative arrangements are fair and just for all parties and provide appropriate safety nets for particularly vulnerable consumers.

¹ Refer to Attachment A for further detail

Research conducted by the Brotherhood of St Lawrence for the Consumer Action Law Centre observes that '[t]he causes of debt and financial hardship are complex and related to other forms of disadvantage'² and 'debt problems arise from the complex intersections of underlying poverty or vulnerability compounded by an unexpected drop in income or rise in expenses.'³ The report also identifies that '[w]hile many Australians benefit from access to credit, poor health, reliance on income support, loss of income, mental health and drug and alcohol problems can increase the risk of financial crisis which exposes individuals to 'problem' debt.'⁴

These findings are consistent with our experience in providing assistance to vulnerable clients at Legal Aid NSW. It is common for a client who has a consumer issue with creditors to also have problems with housing, mental health or drug and alcohol problems. These 'complex intersections' mean that our clients are particularly sensitive to any changes in the legislative and administrative arrangements and particularly reliant on systems and safety nets to prevent them falling into a cycle of poverty in the process of addressing any 'problem debts' or being pursued for alleged debts.

In this submission we refer to those debtors who allegedly owe a debt as 'consumers'. This is an important threshold issue because referring to individuals facing debt recovery may wrongly imply that their consumer rights have been exhausted. It is important that this Inquiry distinguishes between genuine debt recovery and unchallenged judgment debt. There is an important difference between being a consumer whose rights have not yet been exercised and a judgment debtor who will be subject to enforcement processes.

Recommendations for reform

Work and Development Orders (WDO)

1. The NSW Government should commit to expanding the WDO program and developing new alternatives for financially disadvantaged people to address their unpaid fines.

² Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014)

³ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014)

⁴ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014)

Court Sanctioned Seizure powers

The NSW Government should legislate to:

2. Expand the list of essential household property protected from forced seizure and sale by creditors to enable people to retain a reasonable amount of personal property necessary for domestic use within an average household.
3. Increase the current minimum amount of money that debtors can keep for their own use and support from \$458.40 per week.
4. Require judicial assessment of the totality of a person's financial and personal circumstances before the proportion of a person's income which can be garnished is determined.
5. Require notice to be given to a debtor before their bank account can be garnished.

Regulation of the Debt Collection industry

The NSW Government should:

6. Require the licencing of *all* debt collectors under state legislation and establish a dispute resolution mechanism for debt collectors who do not fall under an existing External Dispute Resolution scheme.
7. Support the introduction of a mandatory prescribed code of conduct with clear penalties and avenues for redress to be overseen by ASIC.
8. Introduce legislation to require that all debts being collected are substantiated.

Licensing

9. All third party debt collectors should be required to hold a license.

Default judgments

10. The committee should adopt the key recommendations contained in the report: *Like Juggling 27 Chainsaws – understanding the experience of default judgment debtors in Victoria*.⁵

Reducing barriers to the debt recovery process

Administrative arrangements should be introduced to:

11. Ensure that plain English cover sheets are attached to each statement of claim that is issued outlining central referral points for financial counseling and legal aid advice services.

⁵ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014)

12. Develop clear and precise court practices and procedures to ensure that consumers are given the opportunity to have their matters dealt with by an EDR scheme in the first instance.
13. Establish a *specialised* decision-making stream in the Local Court, particularly regarding credit matters.

Litigation

14. Legislation should be enacted in NSW which requires a creditor to provide a compulsory written warning to consumers of an intention to commence litigation. This notice should also contain Notice of Intention details clearly informing consumers of their right to lodge a dispute with the relevant EDR scheme before or after proceedings are commenced to have a matter resolved for free.

Clarification and proof of the debt assignment process

15. Change civil procedure to introduce a checklist system to ensure that the creditor provides sufficient evidence of the chain of assignment, including proof of the debt and ownership of the debt, before judgment is entered.

i. The effectiveness of current legislation and administrative arrangements
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State Debt Recovery: Improved legislative and administrative arrangements

The State Debt Recovery (SDR) system has improved significantly over the last few decades. The NSW debt recovery system now has in place robust systems for quarantining and identifying vulnerable clients, systems to enable voluntary enforcement without an enforcement fee and Centrepay arrangements. There are processes in place to enable clients to apply for a stay of an enforcement order or an annulment and in appropriate circumstances, clients can apply to have a fine written off. The SDR have also significantly improved their service delivery model, which now includes an advocacy hotline and outreach to Aboriginal communities. As a result, disadvantaged clients who once might have spent time in custody to 'cut out' their debt now have available to them a number of options to pay their fines. The Work and Development Order scheme, which we address in more detail below, is a particularly effective option which provides the most disadvantaged clients with an alternative way to settle their debt with the community.

The current legislative and administrative arrangements for state debt recovery are the culmination of a significant reform process which has occurred since the late 1980's. Outlined below is a summary of the reform process for the Committee's information.

Imprisonment in the 1980s

People were still being imprisoned for non payment of fines in NSW up until the late 1980s. The Bureau of Crime Statistics and Research found that in 1983 nearly 5000 people, or over half of all prison intakes were for fine default.⁶ In addition it was estimated that between 2500 and 3500 people served sentences for fine default in police lockups.⁷ The main reason given for non payment was an inability to afford it.⁸ Most of those imprisoned were in default for a single fine,⁹ usually a traffic infringement.¹⁰ In nearly half the cases, the offence was a fine only offence, with no penalty of prison available.¹¹ With no other way to pay their fines, some people voluntarily turned themselves in to cut out their fines debts. In addition prisoners serving sentences for other matters would often choose to serve additional time to cut out their fines while in custody. This came to an end with the introduction of the Fines Act in 1996.¹²

The end of imprisonment

1987 marked a turning point in the way the fines enforcement and state debt recovery system in NSW would operate into the future. On 10 August 1987, amidst growing community concern about Aboriginal deaths while in police lockups or gaols, the then Prime Minister Bob Hawke announced the establishment of a Royal Commission into Aboriginal Deaths in Custody.¹³ The Royal Commission ran until 1991 and highlighted the substantial overrepresentation of Aboriginal people in prisons (often for fine default) and the undesirability of gaoling people for less serious offences.

In November 1989, an 18 year old man named Jamie Partlic was severely bashed by other prisoners while in the fines wing at Long Bay Central Industrial Prison, serving a 4 day sentence for an unpaid fine debt of \$1,197.00. This assault left him in a coma for four months and with permanent brain damage and triggered a wave of community concern.¹⁴

⁶ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 9

⁷ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 45

⁸ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 41

⁹ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 47

¹⁰ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 48

¹¹ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 32

¹² Clarke, S, Forell, S & McCarron, E, 'Fine but not fair: Fines and disadvantage', Justice Issues Paper 3, Law and Justice Foundation of NSW (2008) at 7

¹³ Jan M Houghton, 'Fine Default – A survey of persons Imprisoned in NSW for Non-Payment of Fines', NSW Bureau of Crime Statistics and Research (1985) Research No. 3 at 41

¹⁴ Muir, A.G, 'Report of the Inquiry into the Central Industrial Prison' (1998) Vol 1 at 25-34

Fines Act 1996

These events led to reform set out in the Fines Act 1996 including the establishment of the State Debt Recovery Office (SDRO) (now called State Debt Recovery) and greater emphasis on collection of fines rather than non financial methods of payment such as Community Service Orders (CSOs) and gaol. Since the introduction of the Fines Act no one has gone to gaol in NSW for unpaid fines.

Following the 1996 reforms there were still a significant number of people who simply could not pay their fines, often building up very large debts. Removing the ability to cut out fine debts in custody had for many people removed the only viable means of reducing their debt.¹⁵ Research undertaken by the Law and Justice Foundation of NSW found that fines had a significant disproportionate impact on some of the most disadvantaged members of the community and that unpaid fines further compounded disadvantaged.¹⁶ Licence suspension imposed as a result of unpaid fines, for example, impacts on a person's ability to work or care for others including children and to participate in the community generally.

2008 Amendments

The futility and cost of trying to enforce unrecoverable debts and ongoing community concern about the impact of the fines enforcement system on some of the most vulnerable members of the community led to calls for further reform. The *Fines Further Amendment Act 2008* (NSW) included a two year pilot of Work and Development Orders which commenced in July 2009. The scheme was made permanent in October 2011.

The Work and Development Order Program

The Work and Development Order (WDO) program is an example of a highly effective debt recovery program which is underpinned by effective legislation and administrative arrangements. The program was developed by the Department of Police and Justice (previously the Department of Attorney General and Justice) and implemented in conjunction with Roads and Maritime Services, NSW Police, the State Debt Recovery Office, Legal Aid NSW and a range of non-government organizations. The WDO Scheme assists disadvantaged people facing serious hardship because of unpaid fines. WDOs allow participants to work off their fines by doing volunteer work, or undertaking courses or treatment programs and other activities that benefit the community and improve their situation. People who are homeless or who have mental illness, intellectual disability or other vulnerability, as well as those experiencing acute financial hardship are eligible to apply. For some of the most vulnerable members of the community WDOs offer the first realistic opportunity to reduce their fine debts since the ability to cut out fines in custody was phased out.

¹⁵ Clarke, S, Forell, S & McCarron, E, 'Fine but not fair: Fines and disadvantage', Justice Issues Paper 3, Law and Justice Foundation of NSW (2008) at 7

¹⁶ Clarke, S, Forell, S & McCarron, E, 'Fine but not fair: Fines and disadvantage', Justice Issues Paper 3, Law and Justice Foundation of NSW (2008) at 7

Leveraging unrecoverable debt – community work

WDO's are an innovative way to leverage and convert 'dead debt' into productive debt. The program is a pragmatic response to unrecoverable debt. Instead of expending limited resources to 'chase' unrecoverable debt this scheme recovers the debt 'in kind'. The evaluation of time to pay, cautions, internal review and the WDO scheme conducted by the then Department of Attorney General and Justice (the DAGJ evaluation report) indicates that:¹⁷

As at April 2011, the SDRO estimates that it costs an average of \$12.49 to recover \$100 of revenue. However for those debts that are difficult to recover (such as old debts, and debts from impecunious clients), the costs are likely to be higher. To enforce a debt, the SDRO may arrange the imposition of licence sanctions and, if this action is unsuccessful, garnishee order (on a person's bank account or income). The longer the enforcement process takes, the costlier it becomes, and the more impecunious the offender, the less likely that debt recovery will be successful.

Further, State Debt Recovery reports that from April 2012, when the WDO self-service portal went live, to December 2013, the value of unpaid work to the community through WDOs has exceeded \$2 million (\$2,169,499.72). In the past, this debt would have simply been written off, but now it is now leveraged to give people an incentive to complete community work and undertake educational programs which can put them on the path to being a more engaged and productive member of the community.

Examples of the community work carried out through the WDO program include volunteering at:

- opportunity shops and charity stores
- washing and detailing cars and trucks for a homeless food drop service
- packing food parcels of donated food to be distributed in boxes to disadvantaged people
- aged care support, including telephoning isolated elderly people in the community and providing over the phone support to them once a week (WDO volunteer had a certificate in Aged Care)
- teaching English to new migrants
- cooking and serving food at a community cafe for homeless people
- bush regeneration and community garden projects
- providing support to people with disabilities

In undertaking this community work, participants in the program can also acquire a range of marketable skills and enhance their work readiness.

¹⁷ NSW Government, 'A fairer fines system,' May 2011
<http://www.lpcld.lawlink.nsw.gov.au/agdbasev7wr/lpcld/documents/pdf/a_fairer_fine_system.pdf > (19 May 2014)

The positive flow on effects of the program are immeasurable. The program puts licenced drivers on the road, gets people back to work and reduces reoffending and secondary offending such as driving while disqualified. The enabling nature of the program is captured in the following comments from the retail manager of Reverse Garbage, a WDO sponsor:

You know, things happen – life happens to some people, and they just can't seem to overcome it, and these things just compound and they just get worse and worse till they're just almost insurmountable. People come here with, like \$10,000 in fines...and then they can leave; they can go, because this burden that's been hanging on them for a long time – you know, they haven't been able to go forward because of it; they haven't got their license so they can't look for jobs, can't get around – all these issues that come up – they're resolved and it's almost like there's a new start for them. Whether they take that opportunity that's up to them, but we've done our part.

Mental health treatment

WDOs are also a powerful tool for encouraging and incentivising engagement with mental health treatment. The DAGJ evaluation report highlights the cost savings and social benefits of this aspect of the WDO scheme:¹⁸

Savings also arise as a result of WDO clients' engagement in, and compliance with, mental health treatment. Mental illnesses come at considerable cost to government and the community. ... The WDO statistics show that as at 14 April 2011, approximately 200 people with mental illnesses have participated in the WDO pilot, and almost 150 people had undertaken medical or mental health treatment as part of their WDO. Furthermore, mental health practitioners stressed the effectiveness of the EDR in encouraging clients to undertake and comply with mental health treatment. The economic benefits arising from these outcomes (while not able to be quantified) must be acknowledged.

Reduced incidence of secondary offending

License suspensions are lifted and other SDR enforcement action stops when a client is approved to undertake a WDO. There is compelling evidence which shows that this is contributing to a reduction in offending rates for driving while suspended or disqualified. There has been a steady decrease in the number of people appearing in the Local Court for driving while their licence is cancelled, suspended or disqualified. In 2008, 19,398 people were brought before the court charged with driving while their licence was cancelled, suspended or disqualified.¹⁹ In 2012, this figure was significantly lower, with 12,106 people brought before the court for driving while their licence was

¹⁸ NSW Government, 'A fairer fines system,' May 2011

<http://www.lpcldr.lawlink.nsw.gov.au/agdbasev7wr/lpcldr/documents/pdf/a_fairer_fine_system.pdf > (19 May 2014) p. 47

¹⁹ Bureau of Crime Statistics and Research, 'Criminal Courts Statistics 2008'

<<http://www.bocsar.nsw.gov.au/agdbasev7wr/bocsar/documents/pdf/ccs08.pdf>> (20 May 2013) p. 3

disqualified or suspended.²⁰ We anticipate that this decline is largely attributable to the introduction of Centrepay and the WDO scheme.

The NSW Government submission to the Inquiry into Licence Disqualification Reform indicates that '[t]he majority of license suspensions are for the non-payment of fines. In 2012, a total of 286,185 licences were cancelled or suspended. Approximately 52% of licence suspensions were for fine default (147,592), 16% for demerit points (45,328) and 5% for driving while disqualified by a court (15,553).'²¹

The submission also highlights the disproportionate impact of licence suspension for unpaid fines on Aboriginal communities.²²

Nearly a quarter of all Indigenous appearances in the NSW Local Court are for road traffic and motor vehicle regulatory offences. In 2012, of the 694 people sent to prison where a driving licence offences was their principal offence, nearly 30% (200) were Indigenous.

The WDO program works directly to reduce the likelihood that disadvantaged people will have their licence suspended as a result of outstanding fines. It also results in significant cost savings for the government by reducing the costs incurred across the justice system by police, prosecution, defence, the courts and Corrective Services NSW when licences are suspended and seconding offending ensues.²³

Case study - Alison

Alison is a 35 year old Aboriginal woman who was participating in the New Enterprise Incentive Scheme (NEIS) to get off benefits and become financially independent. Her plan was to set up a mobile hairdressing business in Western Sydney. Alison was struggling with debts and was picked up and fined for driving an unregistered vehicle. Alison was totally dependent on her car to complete her course and establish her business. She came to the WDO Service at Legal Aid NSW for help and was placed as a volunteer with a community organisation in Mt Druitt which supports women who have experienced domestic violence and sexual assault.

²⁰ Bureau of Crime Statistics and Research, 'Criminal Courts Statistics 2012'

<http://www.bocsar.nsw.gov.au/agdbasev7wr/_assets/bocsar/m716854I5/ccs2012.pdf> (20 May 2013) p. 3

²¹ NSW Government Submission, 'Legislative Assembly Committee on Law and Safety – Inquiry into Licence Disqualification Reform' July 2013,

<[https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/a501582eb636ed92ca257bc7002492e4/\\$FILE/Submissi on%2025.pdf](https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/a501582eb636ed92ca257bc7002492e4/$FILE/Submissi on%2025.pdf)> (13 May 2014) p. 3

²² NSW Government Submission, 'Legislative Assembly Committee on Law and Safety – Inquiry into Licence Disqualification Reform' July 2013

<[https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/a501582eb636ed92ca257bc7002492e4/\\$FILE/Submissi on%2025.pdf](https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/a501582eb636ed92ca257bc7002492e4/$FILE/Submissi on%2025.pdf)> (13 May 2014) p. 6

²³ NSW Government Submission, 'Legislative Assembly Committee on Law and Safety – Inquiry into Licence Disqualification Reform' July 2013

<[https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/a501582eb636ed92ca257bc7002492e4/\\$FILE/Submissi on%2025.pdf](https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/a501582eb636ed92ca257bc7002492e4/$FILE/Submissi on%2025.pdf)> (13 May 2014) p. 7

"I didn't lose my licence because of the WDO program. I wouldn't have a business if I lost my licence, it'd be gone. So it was fantastic that I could go out there and pay it off by doing that. I was expecting to go and pick up rubbish, that didn't worry me, but to be able to help people..."

Alison's volunteer work drew on her experience as a hairdresser. She gave free haircuts and ran workshops on hair, nails and hygiene with the clients at the centre.

"I was doing a lot of haircuts on these poor women who'd been beaten up. The women were in terrible circumstances and they didn't get to look after themselves. It was great, they just loved it. It's given them back a lot of self-confidence. One woman wasn't going to come in that day but someone talked her into it. By the end of it she hugged me and cried. I think it's just given her a little bit more hope."

Alison was able to clear her fines debt.

"It's certainly taken a lot of stress off my mind. It's an incredible way to gain back your financial independence and to survive in this day and age. It's a great way to help people out."

Alison says that she is now careful not to accumulate more fines. Her mobile hairdressing business is now growing with new customers calling. The centre where she volunteered will be offering Alison paid work when they have special events.

An incentive not to incur further fines

The WDO Scheme also provides an incentive not to incur further fines. An evaluation of the WDO pilot found that 82.5% of clients did not receive another fine or penalty notice enforcement order after their WDO was approved. About 40% of these clients had been repeat offenders in the past.²⁴ These early results are impressive given that many WDO clients are homeless, have a mental illness or intellectual disability, or are experiencing acute financial hardship. Clients themselves talk about a renewed commitment to clean living:²⁵

"I always buy a ticket now"

"This is my chance to be a cleanskin – it all balances on the WDO. It means my life".

WDOs also build participant's skills, providing an incentive to work and increased employment opportunities.

²⁴ NSW Government, 'A fairer fines system,' May 2011
<http://www.lpcldr.lawlink.nsw.gov.au/agdbasev7wr/lpcldr/documents/pdf/a_fairer_fine_system.pdf > (19 May 2014) p. 41

²⁵ NSW Government, 'A fairer fines system,' May 2011
<http://www.lpcldr.lawlink.nsw.gov.au/agdbasev7wr/lpcldr/documents/pdf/a_fairer_fine_system.pdf > (19 May 2014) p. 42

The Committee on Law and Safety Report on Driver Licence Disqualification Reform made particular note of the WDO scheme, making the following Committee Comment:²⁶

The Committee notes that the NSW Government has also introduced mechanisms to assist disadvantaged communities to address their fines, such as the Work and Development Order scheme and Centrepay. The Committee strongly encourages the NSW Government to continue to expand on existing programs of this nature and to identify and develop any new alternatives for financially disadvantaged individuals to address their unpaid fines through mechanisms other than license sanctions.

This program is a highly successful scheme that presents the Government with significant cost savings and gives disadvantaged individuals a 'hand up' to overcome their fines debt. Legal Aid NSW advocates strongly for the NSW Government to commit to the expansion of the WDO program and similar debt recovery programs that provide meaningful and effective alternatives to enable disadvantaged people to 'pay back' their unpaid fines.

Scope for an improvement in administrative and legislative arrangements

The administrative and legislative arrangements in place to protect debtors are well below the equivalent statutory protections provided in other jurisdictions.

Writs for the levy of property

In NSW, the list of property protected from forced seizure and sale by a judgment creditor includes only clothing, bedroom and kitchen furniture and \$2,000 worth of tools of trade in use by the debtor or the debtor's family (section 106(3), *Civil Procedure Act 2005 (NSW)*). This is much more limited than that in other jurisdictions and is considered by many to be harsh, oppressive and counter-productive. Often vulnerable debtors are left without the use of what would reasonably be considered to be basic, essential household items. For example, children's toys and educational equipment can be seized by the sheriff. In addition, this provision fails to give any regard to a debtor's individual circumstances such as age, caring responsibilities, dependents, medical conditions or place of residence (eg. rural or remote location).

In our view, NSW needs to enact legislation similar to various other jurisdictions in Australia²⁷ which allows a debtor to retain a reasonable amount of personal property necessary for domestic use within an average household.²⁸ For example, s 116(2) of the *Bankruptcy Act 1966* (Cth) allows a bankrupt person's household to retain one phone, one television, one VCR, one washer and dryer,

²⁶ Legislative Assembly of NSW, Committee on Law and Safety, 'Driver Licence Disqualification reform', Report 3/55 November 2013, p. 23

²⁷ For instance, in Queensland and South Australia, what constitutes protected personal property is defined by reference to federal bankruptcy legislation (s 828(1), Sch 2, *Supreme Court Of Queensland Act 1991*, s7 *Enforcement Of Judgments Act 1991* (SA)).

²⁸ *Bankruptcy Act 1966* (Cth) s 116(2)

numerous items of kitchenware and kitchen furniture, certain sentimental items such as trophies and awards, and one car (up to a prescribed value).²⁹ The trustee must also have regard to any special medical needs of the people in the bankrupt person's household, any other significant factor affecting the household and the likely sale value of the personal property when it is seized.

Legal Aid NSW concurs with the points raised on this issue by the Consumer Credit Legal Centre (NSW) in their submission to this inquiry.³⁰ A car is an essential item of property for many vulnerable clients. It allows them to access and maintain links to support services, such as doctors and counselors, and employment opportunities. Many clients need a car to appropriately carry out their caring responsibilities in regards to children or other elderly family members. In addition, a car enables clients on low incomes to source less expensive goods and services. This is particularly relevant for clients who live in remote locations. In many cases this also assists vulnerable clients to improve their current circumstances.

Garnishee Orders

In our view, the current state of laws in NSW on garnishment of wages and bank accounts has led to significant financial hardship for disadvantaged people. Under NSW law the minimum income a person is allowed to keep for their own use and support is the standard workers compensation weekly benefit (section 122(1) *Civil Procedure Act 2005 (NSW)*). This equates to \$458.40 per week. Since applications for garnishee orders generally are not inspected by a Magistrate but are simply consented to by a court Registrar, creditors have developed the practice of automatically specifying that the debtor retain only this minimum amount. Therefore, instead of the threshold constituting the minimum protected income, it is our experience and that has come to more resemble the standard income for a person subject to a garnishee order.

We endorse the recommendation of the Consumer Credit Legal Centre that the minimum protected amount should be set at 4 weeks worth of the workers compensation amount, which is equivalent to \$1,833.60. The Consumer Credit Legal Centre propose this amount 'on the basis that it is fairly common for workers to have monthly pay cycles, to ensure that these debtors still have the same amount to live off as a debtor who is subject to a wage garnishee.'³¹

Legal Aid NSW frequently encounters clients who have had their bank accounts garnished without any prior notice. These clients are often in receipt of Centrelink benefits and when money is deducted from their accounts they can be left with insufficient funds to meet their basic needs. People in this situation are also unable to seek advice about the possibility of postponing the enforcement action before the money is removed from their account.

²⁹ *Bankruptcy Regulations 1996* (Cth) Reg 6.03

³⁰ Consumer Credit Law Centre NSW, 'Submission to the Inquiry into Debt Recovery in NSW' (16 May 2014), p. 12 CCLC

³¹ Consumer Credit Law Centre NSW, 'Submission to the Inquiry into Debt Recovery in NSW' (16 May 2014), p. 10 CCLC

The SDRO has advised that the banks are responsible for calculating the 'saved amount' which the garnishee order does not apply to where an individual receives Centrelink payments. The formula for calculating this amount is set out in section 62 of the *Social Security (Administration) Act 1999*. In practice, the application of this formula often results in people being left with a 'saved amount' in the order of \$40, depending on where the individual is up to in their payment cycle. It is not uncommon, however, for the majority of the money in a person's account to be removed, leaving only a very small amount of money, as demonstrated by this case study.

Case study - John

John had approximately \$4,000 in outstanding fines and was on a Centrepay having \$20 per fortnight deducted from his Newstart payments. John had some personal issues and didn't report his earning for a short period, resulting in the temporary suspension of his Centrelink payments. He immediately addressed the issue and had his payments reinstated. However, without his knowledge, Centrelink had cancelled the Centrepay arrangement. Under the current scheme, neither Centrelink nor SDR are required to notify the client in any way. John had no idea that this was the case.

John had borrowed money from a friend to send to one of his children who was in hospital in Ghana, to cover her medical expenses. When John went to transfer the money, he found that approximately \$500 had been withdrawn by SDR. This left him with approximately \$30 to survive on for the next two weeks and meant that he was unable to pay rent which threatened his living situation. This also caused him great shame and loss of face with his extended family back in Ghana. When he called SDR he was told he could apply to receive \$100 back on the grounds of financial hardship. He was unable to obtain the documentation required by SDR from the hospital in Ghana in order to receive a further refund on the grounds of medical emergency.

We consider that Centrelink and State Debt Recovery should have to notify a client if their Centrepay arrangements have been cancelled. This would enable clients to make alternative arrangements to pay their debt and avoid a garnishee order, or to make arrangements to ensure that they have sufficient funds available to meet their immediate needs such as their rent and food.

We support a change of law which would require a judicial assessment of the totality of a person's financial and personal circumstances to take place before the proportion of a person's income that can be garnished is determined (section 48.01 *Local Court Rules (NT)*, section 72.05 *Supreme Court Rules (NT)*, section 6 *Enforcement Of Judgments Act 1991 (SA)*). This type of provision allows judges to ensure that people and their entire households are not forced into living in poverty and into defaults on other loans, and ensure that people are given leeway to steadily repay their debts over a reasonable time without excessive hardship in the short-term.

Property Seizure Orders (PSOs) for very small debts

Legal Aid NSW encounters clients who have been issued with Property Seizure Orders (PSOs) for minor debts. A PSO allows the sheriff to enter a person's home or workplace and seize goods belonging to them to auction to pay an outstanding enforcement order. This is a very heavy-handed mechanism which disproportionately affects the most vulnerable members of society who have few possessions to begin with. Furthermore, as with other Civil Enforcement Mechanism Orders such as Garnishee Orders, further enforcement costs of \$65 are added to the total fines debt under section 44(2)(c) of the *Fines Act 1996* when PSOs are issued.

Case Study - Paul

Paul incurred a parking fine for \$232 on 23 November 2012 but never received a notice about the fine. He lives in a unit block with an individual post box but reports that mail is regularly lost either through the mailman's error or tampering with the box. Paul only discovered the existence of the fine in July 2013 when he attended an RMS registry to register his car, but was informed he had a business restriction in place. After reviewing the fine and agreeing that he was indeed responsible for the offence, he entered into a Time to Pay Order for the original amount but requested a review of the enforcement costs that had accrued in that time, which totaled \$230. During his correspondence with SDR he learned that both a Garnishee and Property Seizure Order had also been issued in relation to the matter. Additional costs of \$65 were added for each. Paul had been issued with a PSO for a parking fine which originally amounted to \$232.

In our view, this enforcement response is not commensurate with the type and scale of the debt in this matter. Legal Aid NSW does not support the use of property seizure orders in relation to small debts.

More effective regulation of the debt collection industry

In our experience we commonly see debt collectors who:

- Take enforcement action for statute barred debts
- Insist on a repayment plan that leads a person to charity to meet their daily needs
- Disclose personal information about the consumer to their family and colleagues and
- Fail to provide sufficient information to the consumer to substantiate the debt.

We consider that the debt collection industry in NSW should be subject to uniform regulation that includes:

- Licencing of all debt collectors under state legislation and a dispute resolution mechanism for debt collectors who do not fall under an existing External Dispute Resolution scheme.
- A mandatory prescribed code of conduct with clear penalties and avenues for redress for consumers

- A requirement that all debts being collected are substantiated and evidence provided to the consumer, and
- Externally monitored processes including training to allow debt collectors to identify and appropriately respond to, cases of long term financial hardship.

Licencing

All third party debt collectors should be required to hold a licence either under the National Consumer Credit Protection Act or a separate act that imposes the same conditions (including mandatory EDR). We consider that this licensing requirement should extend to all debt collectors and not just those who collect debts arising from credit. We have assisted a number of clients in relation to issues with collection of debts for school fees and medical bills and it is our experience that the collection of these types of debts can involve the same issues as the collection of debts in relation to the provision of credit.

We do not support mandatory exclusionary requirements in this area given the high potential for mistreatment and harassment of consumers in a self-regulated industry. We consider that the imposition of license conditions, such as mandatory training requirements, is likely to be more effective with external regulation.

Conduct

We consider that current ACCC/ASIC Guidelines or any such voluntary industry codes have proven to be insufficient and inadequate. External monitoring and enforcement is required in order to provide effective and sufficient protection for consumers. It is common for often vulnerable consumers to be subjected to concerning levels of intimidation and harassment by debt collectors.

A mandatory code of conduct should be developed based on these existing Guidelines. The code should be drafted with input from agencies and organisations that assist vulnerable consumers. In addition, the code should include provisions which clearly specify responsibility for dealing with consumers in long term financial hardship, the requirement to make only reasonable requests for documentation, and requirements to substantiate alleged debts.

Complaint handling

It has been our experience that the usual limited recourse for a complaint about a debt collector breach of licence in NSW is to refer the matter to the NSW Police. In our view this is an insufficient remedy which fails to provide debt collectors with sufficient incentive to comply with their legal and professional obligations.

Consumers need a clear and simple method to make complaints about the conduct of debt collectors and to have the opportunity to seek remedies, such as those that are available under EDR schemes.

Default judgments - undefended consumer credit matters

The significant number of undefended consumer credit matters that proceed to default judgment has been a key concern of specialist consumer caseworker organisations such as Legal Aid NSW and the Consumer Credit Legal Centre for some time.³² The fact that a creditor has obtained default judgment by no means proves that the substantive rights of the consumer have been resolved. As outlined in the recent Joint Consumer Submission to the Financial Ombudsman Service:³³

There are many reasons why a default judgment might be issued despite the consumer having a valid defence. These relate not only to the vulnerability of the consumer who may not understand the court proceedings or their rights to complain to FOS, but also the practices of those seeking default judgments and the nature of the default judgment process itself.

Concerningly, for some time consumer organisations have also been drawing attention to matters proceeding to enforcement based on a default judgment that mistakenly identifies the wrong debtor, the wrong debt or debt amount, which by contrast is fatal to a creditor who is seeking bankruptcy.

Our experience indicates that these matters often:

- involve relatively modest sums of money
- are pursued by debt collectors (rather than creditors) who have on-sold the debt
- relate to debts, debtors and debt sums that are not correct, particularly in the case of debt collector enforcements
- have been pursued by debt collection agencies in a manner that is harsh or amounts to harassment, and
- result in significant levels of stress and anxiety for the most disadvantaged in our community – who have neither the means to defend such matters nor the assets to satisfy the debt.

In 2010, statistics reporting the significant number of undefended matters that proceed to default judgment were set out in the ADR Blueprint for NSW, that is:³⁴

- 43% of all small claims matters and 46% of general claims matters proceed directly to default judgment, and
- only 8% of all small claims matter defendants file a defence.

³² See for instance Legal Aid NSW submission to Attorney-General Department's ADR Blueprint for NSW, dated 18 June 2009. See also CCLC letter to NSW Attorney General dated 17 December 2007 re Financial Hardship and debt collection; CCLC letter to NSW Attorney General dated 17 December 2007 re Financial Hardship and debt collection dated 4 November 2008

³³ Joint Consumer Submission to the Financial Ombudsman Service Terms of Reference, October 2008

³⁴ NSW Attorney General's Department, 'ADR Blueprint', April 2009

<http://www.courts.lawlink.nsw.gov.au/agdbasev7wr/_assets/cats/m402652l3/adr_blueprint.pdf> (20 May 2014) p. 31

More recently, in a comprehensive report prepared by Dr Eve Bodsworth of the Brotherhood of St Laurence for the Consumer Action Law Centre, the number of undefended matters in Victoria was reported to be as high as 80% for small money claims.³⁵ This Victorian report investigated the experience of people who received default judgment for debt-related problems in the Victorian Magistrates Court. The report was prepared in response to concerns about 'the high number of claims for small debts which resulted in default judgment, given the potentially harsh and ongoing consequences for vulnerable consumers.' The report identified that '[e]ach year 30000 to 40000 people receive default judgments against them in the Victorian Magistrates' Court, often for relatively small debts.'³⁶ The research paper contains a number of case studies of people with debt problems and their experience of the debt recovery process.³⁷ These case studies are consistent with our experience in NSW. The report outlines the negative impacts that can flow from a default judgment for vulnerable consumers.³⁸

The impact of a default judgment on an individual or family's financial wellbeing can be severe, particularly for people living on low incomes or experiencing other forms of disadvantage. A default judgment can result in the seizure of the debtor's property, including the family home, or ongoing deductions from wages. A default judgment also typically results in continuing contact from debt collectors and may lead to bankruptcy or debt administration. However, for some debtors on very low incomes, a default judgment may be preferable to entering into an unrealistic repayment plan, because there are limitations to enforcing judgment debt against groups such as income support recipients. A default judgment can also have lasting effects for judgment debtors: it will be listed on their credit file for five years, restricting access to further credit and it remains enforceable in Victoria for at least fifteen years.

³⁵ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014) p. 11

³⁶ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014) p. 7

³⁷ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014) p. 28-23

³⁸ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014) p. 7

The report makes a number of key recommendations to alleviate the negative impacts of default judgments:³⁹

1. Improve referral pathways for people experiencing disadvantage by providing resources to build awareness of debt and financial issues and appropriate referral pathways among professional and support workers including health professions; Centrelink and employment services workers; family violence workers and family lawyers; organizations supporting trades people; and self-employed individuals.
2. Improve community awareness of consumer rights, obligations and processes relating to debt, targeting vulnerable groups and groups at risk of financial vulnerability (such as home owners in urban growth corridors)
3. Improve and standardise financial hardship and dispute resolution processes followed by creditors, including mandatory hardship policies, flexible payment options and encouragement of proactive responses to consumers experiencing financial difficulty.
4. Promote debt waiver processes for debtors on very low incomes who are unlikely to improve their financial circumstances in the long term
5. Improve information flow to debtors in relation to the assignment of debts to third parties and during court proceedings
6. Improve the court process for consumer debtors by providing plain language information about the process and referrals.
7. Create an additional option for debtors when legal proceedings are issued, allowing debtors to enter into an agreement to repay in installments without having default judgment entered against them.⁴⁰

Legal Aid NSW endorses these recommendations and considers that they are applicable and relevant in the NSW context.⁴¹

<p>ii. Any barriers to the debt recovery process, and impacts on third parties responding to debt recovery actions</p>

The complexity of the debt recovery process

Many consumers become overwhelmed by the complex nature of the debt recovery process, particularly when it intersects with the justice system and they are a disadvantaged consumer.

³⁹ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014) p. 9

⁴⁰ Note: NSW already enables a debtor to file an 'acknowledgement of Liquidated Claim' and an application to pay by instalments in the Small Claims Division of the Local Court of NSW.

⁴¹ While the analysis of data collected by the Victorian Magistrates Court has limited application in the NSW context, the research is also informed by a literature review and in-depth interview with 16 individuals who received default judgments.

In our casework experience, disadvantaged people are:

- less likely to attempt to represent themselves in legal proceedings
- more likely to be involved in proceedings that proceed to default judgment (i.e. undefended)
- more likely to be eligible to make a claim for redress including financial hardship,⁴² but less likely to be aware of or act upon their rights of redress.

Barriers to the debt recovery process can include:

- a lack of information or understanding about the process, including legal processes, and how to engage with the system
- a lack of support to meaningfully engage with the process, or a lack of awareness of where to go to get support, and
- a lack of options for debtors who acknowledge the debt but can't afford to repay the debt in full or in large installments.

The Brotherhood of St Lawrence and the Consumer Action Law Centre report made a number of key recommendations to address these barriers which are also endorsed by Legal Aid NSW:⁴³

Resources should be provided to increase awareness of debt and financial issues and appropriate referral pathways among professionals and support workers including:

- Health professionals
- Centrelink and employment services workers
- Family violence workers and family lawyers
- Organisations providing support and information to tradespeople and self-employed individuals such as those issuing trade licenses, apprenticeship training organisations, superannuation funds and trade events.
- Resources should be allocated to community legal education, targeting groups at risk of financial vulnerability (such as home owners in urban growth corridors) and addressing rights, obligations and processes relating to consumer debt)
- Continued support should be provided to financial counseling services, both face-to-face and telephone financial counseling. Telephone financial counseling should be more widely promoted, particularly in regional and rural areas where distance may be a factor in disadvantaged debtors seeking advice and assistance.

⁴² See particularly p.37 Joint Consumer Submission to the Financial Ombudsman Service Terms of Reference , October 2008

⁴³ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/> (13 May 2014) p. 60

Once court proceedings are initiated, consumer/debtors can be confused about what it is they are required to do. The Brotherhood of St Laurence and Consumer Action Law Centre Report recommends that 'the statement of claim should be required to include a cover sheet written in plain language including definitions of key terms; a flow chart depicting the outcomes of various courses of action; and the contact details for central referral points where debtors can gain access to financial counseling and low-cost legal advice (such as government websites or the national financial counseling hotline).'⁴⁴ We agree that having plain English explanations of the court process would reduce barriers for consumer/debtors to meaningfully engage in the process.

We also consider that the following measures would also reduce barriers to the debt recovery process:

- Enhancing a broader awareness within the Court system of EDR schemes and their benefits to consumers for the cheap, quick and effective resolution of their consumer disputes including legislating for creditor-provided pre-trial compulsory notices to advise consumers of their EDR rights.
- Developing clear and precise Court practices and procedures (consistent with the broader obligations owed by creditors to consumers) to ensure that consumers are given the opportunity to have their matters better dealt with by EDR in the first instance.
- Enhancing the quality of decision-making in the Small Claims Division of Local Court by developing streamlined *specialised* decision-making procedures in the Local Court (particularly on credit matters).
- Providing fairer levels of enforcement protection for consumers in NSW (at least to the equivalent level of protection available in other jurisdictions in Australia) who are being pursued for an alleged debt.

iii. Possible measures to make the debt recovery process more efficient
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Innovative responses to unrecoverable debts

The Legal Aid NSW Bulk Debt project is an example of a measure that is making the debt recovery process more efficient. Legal Aid NSW, in collaboration with Victoria Legal Aid and Footscray Community Legal Centre, conducted the National Bulk Debt Project from April 2011 to June 2014. Through this project we have negotiated with creditors, including three major debt collectors, for waiver of unrecoverable debts worth over \$20 million. As a result of this project, the debt collectors and other creditors involved have generally agreed that it is good industry practice not to collect, sell or enforce unrecoverable debts, that is debts owed by consumers whose only income is a Centrelink payment and who do not own any assets, and whose circumstances are not foreseeably likely to improve.

⁴⁴ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/> (13 May 2014) p. 62

This market-based solution empowers the most vulnerable consumers who have no assets and are in long term financial hardship but it also assists creditors by identifying impecunious debtors so that valuable resources are not outlaid chasing unrecoverable debt.

As the Project comes to an end, other new and innovative solutions are evolving from that work, including the National Hardship Register. The National Hardship Register is a continuing tool for industry to identify and appropriately address unrecoverable debts. The pilot project is jointly overseen by the debt collection industry and the financial counseling and consumer advocacy sector. Under this project, financial counselors and community lawyers refer vulnerable and disadvantaged clients to the register if they meet the eligibility criteria, that is, consumers whose only income is a Centrelink payment, who do not own any assets, and whose circumstances are not likely to improve. All applications are reviewed by the pilot committee which consists of three industry representatives and three consumer representatives. Eligible applications are accepted and the consumer's details entered on the register. Participating debt collectors have agreed that they will not enforce, sell or collect any debts owed by consumers who are on the register, and that they will waive any debts after 3 years.

Litigation – forum of last resort

At a State⁴⁵ and Federal⁴⁶ level legislation has been enacted which requires parties to make genuine (reasonable) attempts at resolving a dispute before commencing litigation. Costs sanctions will apply to parties who commence litigation without making genuine pre-trial attempts at resolving disputes. National Legal Aid has expressed public support for such principles, particularly in the context of consumer credit disputes.⁴⁷ It is our view that they are consistent with the focus on EDR as the forum of first choice for the resolution of credit disputes.

We submit that legislation should be enacted in NSW that is consistent with these principles. This would include provisions requiring creditors to provide a compulsory warning to consumers of an intention to commence litigation (akin to the default notice in possession list matters). In addition, the legislation should require that the Notice of Intention clearly specify the right of consumers to lodge a dispute with an applicable EDR scheme before or after proceedings commence, as an option to have the matter resolved for free and out of the court system.

⁴⁵ *Courts and Crimes Legislation Further Amendment Act 2010* (NSW)

⁴⁶ *Civil Dispute Resolution Act 2011* (Cth)

⁴⁷ National Legal Aid submission in response to the Civil Procedure Bill 2010, dated 28 October 2010

Clarification and proof of the debt assignment process

Clarification and proof of the debt assignment process

Legal Aid NSW endorses the recommendations contained in the Brotherhood of St Lawrence and Consumer Action Law Centre report about improving information flow to debtors, namely:⁴⁸

- Changes to civil procedure should be considered which would require creditors who commence legal proceedings in the Magistrates' Court to provide greater evidence of the 'chain of assignment' and the original debt details in the statement of claim before default judgment is entered. For example, this would include provision of the initial contract relied upon together with evidence that the consumer has defaulted on their payments (such as copies of statements of accounts, correspondence or default notices).
- Enforcement of the adequate provision of information by creditors could be achieved through the creation of a checklist for Registrars and Magistrates to complete prior to granting default judgment in favour of a creditor. The checklist, which would form part of the judgment (and therefore be available to the public) could include ensuring that the following have been provided by the creditor before judgment is entered:
 - Proof of debt
 - Proof of ownership of the debt (in the case of assignment), and
 - Details of efforts to recover the debt, including any agreements entered with the debtors, agreements to waive part of the debt, repayment plans etc

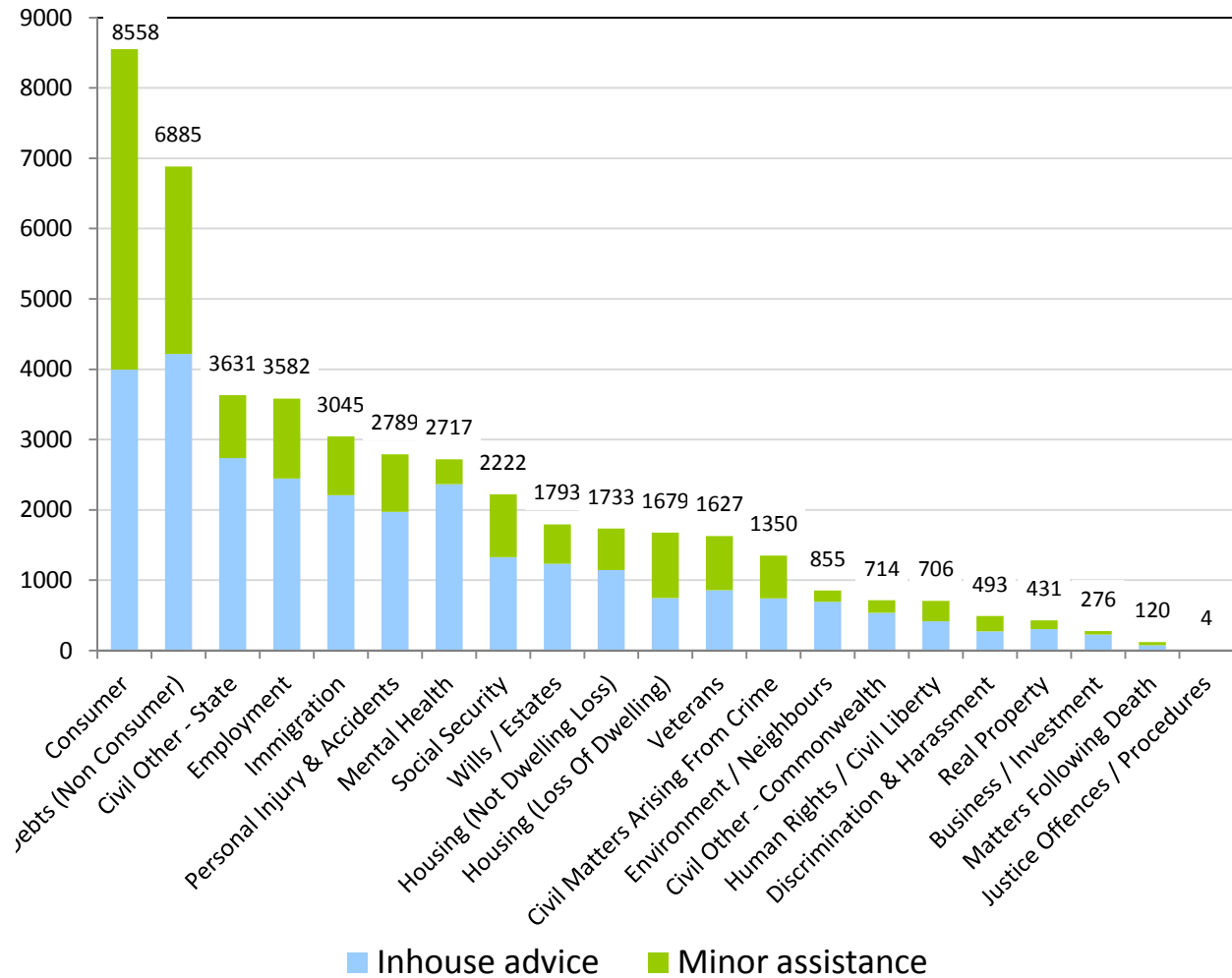
Conclusion

While there are some effective administrative and legislative arrangements in place for debt recovery in NSW, there is still significant scope for further reform. The reforms we propose in this submission are informed by our extensive experience working with disadvantaged clients across various aspects of the debt recovery system including with SDR, within EDR systems and within the court system. We encourage the Committee to consider the perspective of all stakeholders in the course of conducting this inquiry including creditors seeking to enforce alleged debts and consumers, particularly vulnerable consumers, who are being pursued in relation to an alleged debt.

Thank you for the opportunity to make these submissions. If you would like further information, please contact David Coorey, Solicitor, Civil Law at [REDACTED] or Dara Read, Solicitor, Legal Policy at [REDACTED]

⁴⁸ Brotherhood of St Lawrence and Consumer Action Law Centre, 'Like Juggling 27 Chainsaws: Understanding the experience of default judgment debtors in Victoria' June 2013 <<http://consumeraction.org.au/report-like-juggling-27-chainsaws-understanding-the-experience-of-default-judgment-debtors-in-victoria/>> (13 May 2014) p. 61-62

Civil Law Advice and Minor Assistance by Matter Group 2013 Calendar Year



Civil Law Grants by Matter Group 2013 Calendar Year

