



# NATURAL DISASTER- RELATED LEGAL NEED IN AUSTRALIA

Community Legal Centres  
and disaster preparedness

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We acknowledge the Traditional Custodians of the Country on which we work and live. We acknowledge their history, culture and continuing connection to land, sea, sky and community. We pay our respects to Elders past and present.

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Our sincere appreciation also extends to Sarah Marland, Executive Director of Community Legal Centres NSW (CLCNSW), for her support and endorsement of this project. CLCNSW's ongoing collaboration and advocacy continues to strengthen the sector's capacity to respond to natural disasters.

## **A note on terminology**

In this report, we use the term natural disaster to describe events where a natural hazard significantly impacts society or the environment, resulting in widespread damage, destruction, and loss of life. A natural disaster occurs when a natural hazard intersects with societal vulnerabilities, overwhelming a community's ability to respond and necessitating external assistance.

We acknowledge that the terminology surrounding disasters is an evolving discussion among researchers and practitioners in disaster and emergency management. In particular, the term natural may imply an absence of human influence. Factors such as population movement into hazard-prone areas and the role of anthropogenic climate change in increasing the frequency and intensity of certain disasters must be considered when examining their impact on the Australian community.

Despite these considerations, we have chosen to use the term natural disaster in this report to align with existing funding arrangements and disaster-related legal assistance mechanisms.

Additionally, while climate change has intensified many recent disasters, some events – such as earthquakes – occur with less direct human influence. Legal assistance services have played a critical role in supporting communities affected by both climate-linked and non-climate related disasters, reinforcing the need for preparedness across all types of natural disasters.

— *Emily Kothe, Kerryn Butler, Helen Easton, Kate Davies*

# Glossary

**Disaster response:** This phase includes help and intervention during or immediately after a natural disaster occurs. The primary focus of this phase is on the protection of human life and community assets (including the environment). It also encompasses the provision of material aid that is necessary to enable people to meet their basic needs.

**Legal capability:** The characteristics and competencies – such as resources, skills, knowledge and psychological traits (e.g. self-efficacy, conscientiousness, psychological wellbeing) – needed to resolve a legal problem. Legal capability is multifaceted and influenced by both personal and structural factors.

**Legal need:** Legal needs arise when people require legal support to adequately deal with a legal problem. Some legal problems may be considered too minor to warrant resolution, or individuals may be able to resolve them independently without external support or resources. However, many legal problems do result in legal needs.

**Legal problems:** Problems that raise legal issues or for which there may be a legal resolution. A problem is defined as legal even when it is not recognised as such by individuals facing it and regardless of whether individuals use legal processes or support to resolve it.

**Natural disaster:** Occurs when a natural hazard significantly impacts society or the environment, resulting in widespread damage, death, and destruction. A natural disaster is the point at which a natural hazard intersects with the vulnerable aspects of a society, overcoming the community's ability to cope and necessitating external assistance. Disasters are often characterised by the scale of their impact on communities, including the loss of lives, displacement of people, and damage to both property and the natural environment, leading to a long and complex recovery process.

**Natural hazard:** A natural phenomenon that has the potential to cause harm to people, property, and the environment. Natural hazards encompass a variety of events such as earthquakes, floods, droughts, bushfires, cyclones, landslides, and tsunamis. It is important to note that natural hazards only represent a threat to safety and do not necessarily result in damage or disaster; their impact depends on where they occur and how they interact with the human and built environment.

**Recovery support:** This phase involves supporting communities to restore social, economic, natural, and built environments.

# Executive Summary

This report presents findings from a study on the ways that Community Legal Centres (CLCs) in New South Wales engage in disaster preparedness, the barriers they face, and the enablers that support effective engagement and preparedness. The study is part of the Law and Justice Foundation of NSW's program of research that aimed to understand the legal needs associated with natural disasters and the legal sectors' capacity to respond to these needs.

Interviews with 21 people, from 13 different CLCs, revealed that fundamental disaster preparedness approaches such as trauma-informed practice and community engagement are also important in legal contexts. In addition, CLCs are uniquely placed as first responders to legal issues post-disaster and as proactive agents in disaster preparedness and community resilience-building. While funding constraints, workforce challenges, and community fatigue limit preparedness activities, there are clear opportunities for growth and system-wide improvements. By strengthening collaborative networks, securing long-term funding, and embedding preparedness into the legal sector's business as usual, CLCs can enhance their capacity to support vulnerable communities before, during and after disasters.

## LIMITING FACTORS / CRITICAL CHALLENGES

**Funding Constraints:** Short-term and disaster-specific funding restrict CLCs' capacity to engage in long-term preparedness efforts.

**Workforce Limitations:** High staff turnover and the time required to train staff in specialist areas of law undermine continuity and preparedness.

**Community Engagement Challenges:** Community fatigue from repeated disaster exposure, reluctance to engage with legal preparedness, and cultural norms around self-reliance present barriers to effective service delivery.

**Relationship Building:** While CLCs aim to engage in disaster preparedness forums and interagency collaborations, challenges remain in securing a "seat at the table" in formal disaster preparedness planning.

## ACTIONABLE INSIGHTS / STRATEGIC PRIORITIES

**Secure Sustainable Funding:** Secure longer-term, flexible funding to support preparedness work beyond disaster response and recovery.

**Build Workforce Capacity:** Enhance training in disaster-specific legal issues and trauma-informed practice.

**Strengthen Interagency Relationships:** Increase engagement with government disaster planning forums to ensure the legal sector's role is formally recognised.

**Promote Community Awareness:** Embed legal preparedness messages into broader community disaster preparedness campaigns.

**Support Knowledge-Sharing:** Foster communities of practice and learning networks to disseminate best practices and build sector-wide capacity.

# This report

## Program of research overview

This report marks the final stage of a multiphase research program aimed at supporting the legal assistance sector to better meet the disaster-related legal needs of the Australian community. The earlier stages of this research are documented in the Foundation's 2024 report, *Natural Disaster-Related Legal Need in Australia: State of the Evidence* [1].

The *State of the Evidence* report provided a comprehensive review of existing evidence on disaster-related legal needs, covering both met and unmet legal needs arising from natural disasters. It presented findings from two key stages of the research program:

**Evidence Snapshot:** A synthesis of existing research on disaster-related legal needs.

**Quantitative Analysis of Service Utilisation Data:** An in-depth analysis of how legal assistance services were used during the post-disaster period, offering new insights into service trends and demand not previously reported.

The *State of the Evidence* report revealed a critical knowledge gap – there was limited information about the disaster preparedness activities being undertaken by the legal assistance sector. This report directly addresses that gap by focusing on the role of the community legal centres in disaster preparedness. It explores the current preparedness efforts, the barriers to greater engagement, and the strategies that can support the sector in strengthening its role before disasters occur.

# Introduction

Natural disasters are known to be associated with a range of legal problems and lead to both met and unmet legal need [1]. In Australia, the disaster management arrangements commonly conceptualise natural disaster management in terms of distinct phases that form the natural disaster cycle [2]. Across jurisdictions in Australia these phases can be conceptualised as Prevention, Preparedness, Response and Recovery or as “before”, “during”, and “after” a disaster [2]. Regardless of how these phases are conceptualised, it is clear that disaster-related legal need occurs at all phases of the disaster cycle [1].

Many jurisdictions have formal arrangements that define the role of legal assistance providers in the disaster response and recovery environments [3]. As a reflection of this – and of ad hoc arrangements in other jurisdictions – legal assistance providers have received funding to provide services to disaster impacted individuals and communities in the wake of recent disaster [4-7]. Service utilisation data suggests that there is substantial utilisation of this assistance in the post-disaster phase [1]. This is supported by the finding from Victoria Law Foundation’s legal need survey, the *Public Understanding of Law Survey (PULS)*, which found that bushfire-impacted Victorians are more likely than non-impacted Victorians to access legal support when they experience a legal problem [8].

To date, much of the work that has been conducted investigating disaster-related legal need has focused on the post-disaster context. However, as part of a “whole-of-community approach” to disasters [9] and in recognition of the importance of access to justice in the post-disaster environment [1], legal assistance providers have an important role to play in natural disaster preparedness activities.

The reasons for this include:

- as valuable participants in disaster response and recovery, legal assistance providers may benefit from engaging in preparedness activities to ensure that they are positioned to provide assistance in the aftermath of a disaster [1, 2]
- they can assist in supporting individuals to engage in preparedness activities that reduce the likelihood and severity of natural disaster-related legal need [1]
- they can engage in public benefit law and advocacy post-disaster to reduce the impact of some legal problems in subsequent disasters [1].

Despite these important roles, the *State of the Evidence* report [1] found that:

- legal needs associated with prevention and preparedness, the “before disaster” phases, are less well understood
- some legal assistance providers believe that they are not sufficiently resourced to engage in natural disaster preparedness activities.

While there is evidence that some legal service providers do conduct disaster prevention and preparedness work, there is very limited information about the type and scope of this work. To date, no research has specifically investigated the barriers facing legal assistance providers seeking to engage in disaster preparedness or the approaches used by providers who do engage in such work.

This qualitative study sought to address this gap in knowledge by collecting and analysing empirical data to provide insight into:

- the way in which legal assistance providers currently engage in relation to disaster preparedness
- barriers that legal assistance providers encounter in engaging in disaster preparedness
- key enablers of legal assistance providers' engagement in preparedness including strategies that providers believe are effective in overcoming barriers.

This report focuses specifically on the role and involvement of Community Legal Centres (CLCs) in disaster preparedness activities. Other legal assistance providers, especially Legal Aid Commissions and Aboriginal and Torres Strait Islander Legal Services, have important, and sometimes defined, roles to play in disaster preparedness. However, the context for engaging in such work and the barriers and enablers are likely to differ significantly between these types of services. Scoping work conducted by the Foundation indicated that CLCs' experiences of engagement in disaster preparedness were likely to be a rich source of information for investigating this important component of the disaster cycle. While consideration of preparedness activities within other services may be warranted, it is outside the scope of this report.

The report includes reflections from staff from both specialist and place-based CLCs that provide services to people living in New South Wales. Box 1 includes a short description of the operations of specialist and place-based CLCs for readers unfamiliar with the legal assistance sector.

### **Box 1. Understanding specialist and place-based CLCs**

#### **SPECIALIST CLCS**

Specialist CLCs provide free legal advice and assistance that focuses on specific areas of law or particular population groups. In NSW, centres provide targeted legal assistance in areas such as insurance, social services, or tenancy, or they serve specific groups such as people with disability or young people. Service delivery by specialist CLCs often includes a combination of telephone advice, online resources, outreach programs, and direct representation. Many also engage in community legal education and law reform activities related to their area of expertise. These CLCs often operate on a statewide, or even national basis. There are 22 specialist CLCs operating in NSW.

#### **PLACE-BASED CLCS**

Place-based CLCs provide free legal advice and assistance within a defined geographic area. These centres often operate as generalist providers, offering assistance across a broad range of legal issues. Place-based providers typically provide a higher proportion of services through face-to-face methods than their specialist counterparts. There are 19 place-based CLCs in NSW.

Given the lack of available evidence about preparedness activities undertaken by the legal assistance sector, it is useful to consider evidence relating to the role of community service organisations more broadly when positioning this research. Previous emergency management research that has investigated the involvement of community organisations in Australian disaster preparedness has found that organisations vary in their motivations for engagement in disaster preparedness and in how they conceptualise their role in this essential disaster management activity [10]. Where community organisations have an appetite to become more involved in disaster management, including disaster preparedness, they can encounter significant barriers to doing so [10]. This has included factors such as resource constraints, difficulty in integrating with formal disaster management arrangements, vulnerability of organisations to natural disaster-related service disruptions, and challenges in engaging community members in disaster preparedness [10, 11].

Despite these challenges, community service organisations and Australian emergency management agencies identified strategies and approaches that they believe are effective in overcoming these barriers and in enabling preparedness [11, 12]. Evidence-based strategies tested in the emergency management context including approaches to build awareness, relationships, and community capacity through a wide range of strategies including informational campaigns, participatory mapping, and community coalitions [12]. The use of all-hazards<sup>1</sup>, people centred, strengths based, trauma-informed and inclusive approaches in the design of preparedness activities have been identified as important enablers of best-practice [13, 14].

While some previous cross-sector studies have included legal assistance providers as participants, data from legal services have not been separated from data from other sectors.

As such, little is known about disaster preparedness in the legal context. The extent to which these barriers, enablers, and approaches influences disaster preparedness will vary depending on the specific nature of the work undertaken by an organisation. As such, a focus on CLCs will provide important insights into whether factors that influence disaster preparedness among other sectors also relate to the legal assistance sector. This research also aimed to identify influences on disaster preparedness that are unique to the legal assistance sector.

When examining how legal assistance providers foster preparedness within communities, it may be useful to distinguish between the broad concept of disaster preparedness and the more specific area of disaster legal preparedness. Here, we can understand disaster legal preparedness as those activities that a person can do to prevent disaster-related legal problems or to allow them to more effectively respond to and recover from disaster-related legal issues. For example, legal assistance providers may seek to increase disaster legal preparedness by assisting people in understanding their rights and obligations with regards to common post-disaster legal issues such as insurance [1].

Disaster legal preparedness is part of a broader set of actions aimed at helping individuals and communities respond to and recover from the psychological and social impacts of natural disasters [15]. Traditional preparedness activities often focus on physical safety during and immediately after a disaster. These activities tend to overlook the psychological, social, and financial aspects of disaster recovery, as well as the role preparedness can play in strengthening these areas of resilience [16]. As such, the barriers, enablers, and effective strategies relevant to disaster legal preparedness are likely distinct from those identified in broader disaster preparedness contexts. Therefore, focusing specifically on the legal assistance sector will provide valuable insights into how organisations within the sector can maintain or enhance their engagement in preparedness. This includes both their own organisational preparedness and their capacity to support individuals and communities in becoming better prepared for disaster-related legal problems.

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<sup>1</sup> An all-hazards approach is a comprehensive framework for emergency preparedness that involves planning for the response to and mitigation of all types of disasters and emergencies, regardless of their specific cause.

# Methods

Key informant interviews were conducted with staff from CLCs in New South Wales (NSW).

CLCs were first invited to participate in the study via an emailed invitation from Community Legal Centres New South Wales (CLCNSW). After this initial invitation, each CLC was also individually invited through phone calls made by Law and Justice Foundation of NSW staff and, where possible, a follow-up email. At least two attempts were made to invite a respondent from each NSW-based CLC. Study invitations were also disseminated at presentations that included representatives from NSW CLCs. This included a CLCNSW Disaster Response Network meeting and a New South Wales Disaster Legal Assistance Group meeting. Recruitment was purposive in that more intensive recruitment efforts were directed towards CLCs known to be especially active in disaster preparedness, response, and/or recovery.

Multiple respondents from the same CLC were able to participate if they wished to do so. In some cases, multiple individuals from the same CLC took part in a joint interview, for others separate interviews were conducted. The decision to conduct joint or individual interviews was based on respondents' availabilities and preferences.

Semi-structured interviews were conducted via Microsoft Teams and took between 45 and 90 minutes. The interview schedules included open-ended questions, a subset of which was covered in all interviews. Other questions were tailored to the expertise of the interviewee and the experience of conducting preparedness work in each CLC. Consent to audio-record the interview was obtained from all respondents.

Each interview was transcribed and imported into NVivo software for analysis. Each transcript was coded using Braun and Clarke's reflexive thematic analysis approach [17, 18]. This generated the key themes that are reported in the findings.

# Findings

A total of 21 respondents from 13 CLCs participated in the interviews. Three CLCs formally declined because they had not been involved in the provision of disaster-related legal support, even though they acknowledged the importance of the issue. The remainder of the CLCs did not respond to the invitation to participate.

Respondents included people working in a range of roles within CLCs, including community engagement officers, solicitors, and managers. Respondents came from CLCs throughout NSW and there was considerable variation in the extent to which participating CLCs had been impacted by recent major disaster events. For the purposes of providing context to the responses, where respondents self-reported that their centre had been substantially impacted by a recent disaster that CLC was labelled as “disaster impacted”.<sup>2</sup> While all areas in NSW have been disaster impacted to some degree since 2019, where respondents did not identify their centre as having been substantially impacted by disaster they are labelled as “less disaster impacted”. Whether a respondent is from a place-based or specialist CLC is also indicated in quotes in this report for context.

Most respondents who chose to participate in the project saw preparedness as an important area of work. They identified:

- the need for systemic change and advocacy to prevent and prepare for disaster-related legal needs in the future
- opportunities to further support individuals in their ability to prepare for future disasters
- the importance of engaging in organisational preparedness to ensure that services were able to operate effectively when impacted by disaster, and
- climate justice as a growing legal need within their communities where CLCs could increase their engagement.

In general, respondents believed that disasters were likely to increase in the future due to climate change. For respondents from disaster impacted CLCs, disaster was seen as a matter of “when, not if.”

Eleven key themes resulted from the analysis. Each of these, are discussed below. To structure the reporting of findings, the themes are grouped into two overarching areas of focus for preparedness work within the sector: (1) organisational disaster preparedness and (2) individual and community disaster legal preparedness. Where appropriate we provide illustrative quotes from respondents that took part in the project. We also link common experiences to the broader literature relating to emergency management and disaster preparedness from outside the legal sector.

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<sup>2</sup> For specialist CLCs, respondents tended to identify their service as disaster impacted when they had provided a large volume of services to disaster impacted people.

# Findings in detail



## Organisational disaster preparedness

When asked about their CLC's engagement in disaster preparedness, respondents from CLCs of all types reported that their organisations were engaged in some type of formal disaster preparedness activity intended to increase organisational resilience and preparedness. At least one respondent from each CLC represented in this study was personally engaged in the development or implementation of organisational disaster preparedness activities as part of their role. This included a range of activities such as the preparation of emergency management plans, formal preparedness training, and participation in collaborative preparedness activities at both the local and sector level (e.g. council-run disaster preparedness meetings and consultations, the CLCNSW Disaster Response Network, community-led disaster preparedness action groups).

## Efficacy of emergency management plans

Emergency management plans existed for all centres that participated in this project and many respondents had been involved in the development of such plans at the local and sector level. However, respondents were sometimes pessimistic about their utility. At times this was because plans had not identified relevant risks, or they felt that planning focused too much on disaster response and recovery with too little focus on improving preparedness and reducing risk:

**“I sat in a meeting there one day, this was probably eight months ago and the whole meeting was about what we were going to do after, and like, when the event was happening. And I was really concerned that we weren't prepared before the event... I was struggling that we didn't put a strategic plan in place for that.”**

*– Respondent from a disaster impacted place-based CLC*

While it is not possible to determine whether plans made by individual organisations or as part of local and sector level activities are appropriate, it is certainly the case that not all emergency management plans are equally effective. Ideally, CLCs would be involved in the development of plans that are based on an all-hazards approach and that encompass all phases of the disaster cycle [19]. Emergency management scholarship that has sought to examine natural disaster planning at the state and local government levels in Australia has previously critiqued the way in which plans conceptualise preparedness [20]. The extent to which plans prioritise short-term response and de-emphasise more systemic preparedness has been identified as an issue across jurisdictions [20].

Respondents varied considerably in their assessment of the extent to which their service was prepared for and resilient to future disasters. Notably, respondents from place-based services that had been most impacted by recent disasters tended to report that in hindsight they were inadequately prepared for those disasters.

While they felt that their resilience had improved because of their recent experience with disaster, these respondents also reported that they did not believe that they were well prepared for future disasters.

**“We’re really far behind on preparedness in actual fact... that is about being better prepared organisationally, you know, not just how do we evacuate, but how do we actually plan to, for continuity of service, but also for staff resilience and, you know, how do we do that better?”**

*– Respondent from a disaster impacted place-based CLC*

In contrast, place-based providers that did not report recent disaster impacts were more optimistic about their level of preparedness. They tended to believe that their service would be able to cope with the impact of a disaster. Some respondents from CLCs in this category reported that they felt well-equipped to address the specific legal problems that would arise from a natural disaster, would be able to handle the increase in demand for services following a disaster, and that the impact on the physical infrastructure and service continuity would be minimal in the event of a natural disaster.

**“Like just say we had a natural disaster and suddenly half of our clients showing up were here about insurance claims. My sense is we would just probably be able to manage them with our existing arrangements.”**

*– Respondent from a less disaster impacted place-based CLC*

This confidence may be well-founded for centres in areas unlikely to be affected by severe or catastrophic natural disasters. In other cases, these assessments may be overly optimistic, as some such respondents operate in regions predicted by climate experts to experience severe disasters in the future or that have experienced them in the past.

The different assessments of risk between respondents in regions recently affected by disasters and those who have not recently experienced disasters is perhaps unsurprising. Evidence suggests that people are more optimistic about their capacity to respond to disasters if they have not actually needed to utilise that capacity [21, 22]. The capacity to understand disaster risk is identified as a key component of the Australian Disaster Preparedness Framework and is seen as useful for the development and implementation of appropriate preparedness, response, and recovery planning [19]. Provider’s perceptions of risk of disaster are also likely to influence the extent to which they engage in disaster legal preparedness activities with clients. Research from outside of the legal context has shown that providers in social, health, and community settings are less likely to engage their clients in preparedness activities when their own risk perceptions are low [23].

As emergency management research acknowledges, organisational preparedness and resilience is a complex process that requires management of organisational resources and an accurate and sophisticated assessment of risk [24]. Mirroring this work, respondents identified several key factors that they believed influenced disaster preparedness at an organisational level. These

included staff levels, access to training and skills, and the anticipated impacts of disaster on the CLC and its staff. Relationships between CLCs and other organisations was seen as a key enabler of CLC's capacity to prepare for disasters, this included relationships with both other legal assistance providers and organisations from outside the legal sector engaged in disaster response and recovery.

## Adequate staffing and surge workforce capacity

Adequate and appropriate staffing was seen as a major determinant of organisational preparedness for both place-based and specialist CLCs. This is consistent with formal frameworks of disaster resilience that conceptualise staffing and capacity as key drivers of organisational resilience and preparedness [24] and with research that has identified limited staffing as a barrier to preparedness for Australian community service providers [10, 25].

Several respondents reported that they were chronically understaffed and struggled to fill key roles even in the absence of disaster impacts. These respondents reported that they struggled to meet current demand for legal assistance, let alone any increase in legal need following a future disaster. As a result, increased baseline staff levels and the ability to rapidly access funding to engage a surge workforce were identified as important components of managing natural disaster preparedness.

Respondents from some CLCs that were less directly impacted by disasters were keen to support disaster response by contributing to surge capacity.<sup>3</sup> These respondents recognised the value of stepping in to assist their disaster impacted peers. Through mutual support and the sharing of resources and staff, these respondents believed that they could help to ensure continuity of legal services when demand overwhelmed those in disaster-affected regions. Some respondents believed that hybrid work models adopted in the wake of the COVID-19 pandemic would make it easier to deploy staff from other CLCs or pro-bono lawyers to meet post-disaster surges in demand.

Importantly, despite indicating willingness to provide surge capacity, less disaster impacted centres did not report whether they were currently engaged in proactive discussions about how to enable their contributions to future disaster. Disaster impacted respondents identified some examples where this model (or a variation of it) had worked effectively in the past. The collaboration between tenancy services after disastrous 2022 floods was identified as a successful example of surge workforce provided by CLCs. Another example was the practice of generalist centres taking on existing generalist case load for disaster impacted CLCs to allow those CLCs to focus on disaster response and recovery and reduce their case backlog.

However, the discussion of adequate staffing to support preparedness went well beyond the number of staff within an organisation. Respondents emphasised the importance that staff have specialised skills that they saw as essential in the disaster environment. For place-based services the emphasis was on skills such as trauma-informed lawyering and collaborative practices (for further discussion of these skills see the next section). Understanding of local communities and services was also seen as vital in ensuring that staff were adequately prepared to engage in disaster response and recovery work in the event of a disaster.

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<sup>3</sup> The most commonly used model for providing surge capacity to CLCs in NSW involves deploying a surge workforce – including pro bono lawyers and lawyers from other CLCs – to manage the CLC's ongoing casework. This allows CLC lawyers to focus on disaster recovery efforts or attend Disaster Recovery Centres.

**“...it's having the right staff.... You do need to know a little bit about everything and where to connect people and that is local knowledge... you can't just plug someone in and off they go.”**

*– Respondent from a disaster impacted place-based CLC*

This view aligns with research and policy recognising the importance of local knowledge in disaster response [19, 26-28].

Both emphasise the valuable role that place-based community organisations can play in disaster recovery and response efforts in particular because of local knowledge, relationships with other organisations, and their reputation within communities.

Respondents from specialist CLCs emphasised the importance of having specific technical expertise within their areas of practice. Respondents noted that it could take up to two years for staff to become fully trained in providing specialist legal advice. However, funding cycles and other challenges often made it difficult to recruit and retain staff for such extended periods. This was seen as a significant threat to disaster preparedness, as staff recruited post-disaster would not be fully trained when their services were most urgently needed.

Unsurprisingly, the CLCs most engaged in sophisticated disaster preparedness were those able to allocate dedicated staff to this work. This was typically made possible either through specific funding for preparedness or by utilising disaster response and recovery funding to integrate disaster preparedness into post-disaster service provision. However, this experience was not universal. Respondents from some centres that had received disaster relief funding and hired staff for disaster-related legal assistance reported only minimal involvement in formal disaster preparedness.

Even when services were able to obtain disaster-specific funding such funding often operated on short timelines and respondents felt that they could not be relied on for longer-term planning, especially with regards to staffing. In some cases, the time taken to hire required staff took much of the time for which funding had been provided. Services that had operated across multiple disasters often reported that although they had had continuous or near continuous disaster funding, this was accompanied by a high degree of unpredictability that made planning challenging.

The lack of continuous funding or uncertainty about whether projects would be funded over time led providers to scale back staffing levels. Even when project funding was earmarked for disaster response, respondents felt that scaling back projects would make centres less prepared for subsequent disasters. This experience was true for both specialist CLCs who tended to mention challenges related to training staff in specialist areas of law and place-based services who saw funding uncertainty as a threat to community trust and relationship building (for further discussion of the impact of funding uncertainty on relationship building, see Building relationships with other organisations, page 14).

**“The biggest challenge I would say is, like I mentioned before, it takes a long time to train someone up to do what we do. It is specialist work. And I'm not saying that a lawyer can't get their head around it, but it is complex law ... losing people when we are in a shrink phase is devastating because then we get [disaster-specific] money it takes us no joke, like 18 months to staff back up. By then we're like facing another funding cliff and people are just not ready [when a disaster occurs].”**

*– Respondent from a disaster impacted specialist CLC*

## Training and skills

Respondents emphasised the critical role of ongoing training and skill development in ensuring organisational preparedness. They suggested that while dedicated staff are important, ensuring that all staff have the skills needed to operate in post-disaster environments is equally crucial. This aligns with organisational resilience scholarship and with disaster preparedness frameworks that emphasise the importance of skills in influencing preparedness [24]. Two key areas of training emerged during interviews.

The first area centred on developing trauma-informed lawyering skills and other skills centred around resilience and mental health.

**“Training in vicarious trauma... Mental health .... Resilience, wellbeing. It’s very, very important that if the staff aren’t strong in all those areas, they’re not going to be able to help anyone else.”**

*– Respondent from a disaster impacted place-based CLC*

These skills were considered essential for best-practice legal service provision in any context, but particularly critical in the aftermath of disasters, when clients may be demonstrating high levels of distress [5]. Respondents noted that individuals engaging in disaster preparedness activities were often recently impacted by disasters. As a result, they emphasised the importance of training CLC staff – particularly those delivering disaster-related services – in trauma-informed practice. This reflects respondents’ beliefs that such training is essential for supporting disaster impacted individuals.

Trauma-informed practice is a multi-faceted and often ill-defined set of practices. In general though, such practices are understood as contributing to best-practice by non-legal community service organisations that engage in disaster preparedness, response, and recovery in Australia [13]. There is also a substantial body of work that considers the value of trauma-informed legal practice across a range of areas of law and with different clients [29, 30]. It is worth considering whether the frequent identification of trauma-informed skills as a key training need for lawyers in disaster impacted areas reflects a perception that these skills are not broadly applicable to all CLC clients, or whether it highlights gaps in the skillsets of legal assistance providers. While outside of the scope of this series of interviews, further examination of the perceived importance and level of trauma-informed skills across the sector more broadly would be an interesting topic for further study.

The second area of training need identified was in specific areas of law that respondents believed would see increased demand post-disaster. Insurance law was frequently highlighted, but CLCs in disaster impacted regions also noted rising demand for legal assistance in areas such as planning and administrative law after recent events. These were areas that are traditionally outside of the scope of practice for many centres. This finding aligns with the results of the Foundation’s analysis of the nature and breadth of post-disaster legal problems [1 pp. 19 - 32].

Specialist CLCs and other organisations in the legal assistance sector (e.g. Legal Aid) were identified as key providers of training. This is consistent with how respondents from these specialist CLCs described their own role. These respondents highlighted their efforts in sourcing expert advice from pro-bono providers, creating training materials in-house, and delivering resources and training. These training sessions were aimed at both lawyers from CLCs and staff from non-legal community support organisations. Respondents from both place-based and specialist CLCs recognised the value of upskilling generalist providers. They suggested that this approach could position generalists to offer legal advice for a range of disaster-specific legal

problems that are outside of their expertise while enabling them to identify issues requiring referral to specialist services.

However, a significant challenge discussed was determining the optimal timing for such training. Some respondents reported receiving training well before disasters, only to find that the knowledge had faded by the time it was needed. Other respondents reflected on training that they received post-disaster where they felt that the skills were needed immediately post-disaster and before the training was available.

**“I think it [training in resilience and managing distress] needs to be built in much more substantially into the future plans... We have had training, but you know, it's, we didn't really get the training until after the event.”**

*– Respondent from a disaster impacted place-based CLC*

Respondents from specialist CLCs reflected that for the most disaster-prone areas providing post-disaster training may be the most impactful way of ensuring that legal assistance providers are prepared for future disasters. They highlighted the importance of having resources ready for rapid rollout of training in the immediate post-disaster environment. This would ensure that CLC staff could quickly refresh or acquire the necessary skills when they are most urgently needed.

**“Last summer, there was all this fear it was going to be a big fire summer, so we did do some proactive like updating all our fire resources and like putting it out there ... Now that we're in the cycle of never-ending disasters, I think to be honest, giving people these tips after a disaster in a way is preparing them for the next one.”**

*– Respondent from a disaster impacted specialist CLC*

The types of training models and resources identified by respondents have not been formally evaluated within the public domain. However, it is useful to consider that respondents from place-based CLCs did specifically mention training provided by some specialist CLCs had been useful for their practice. Additionally, the overall principle of providing a mix of underlying skills and knowledge with refresher just-in-time resources has been suggested a useful model for continuing professional development in both legal and non-legal contexts. (For example, see [31].)

In many ways, the discussions around the ideal timing of disaster preparedness training for legal assistance providers mirrors the considerations about the ideal timing of community legal education for members of the public. (For example, see [32].) It seems that some skill development prior to a disaster may help place-based CLCs to provide better services in the immediate aftermath of disaster and design appropriate community legal education activities. However, it is likely that there will also be a need for more specialised training and support following a disaster in response to the unique legal needs that arise from that disaster. Ensuring that services can access key resources to rapidly enable that skill development is likely to be an important enabler of disaster preparedness.

## Susceptibility and vulnerability to disaster

Respondents from several place-based and specialist CLCs identified factors that they believed contributed to their organisational resilience during disasters, even when these factors were not directly related to disaster events. One key factor was their physical location. Respondents from specialist CLCs in metropolitan Sydney, for example, believed that their geographical location meant that their centre was less likely to be directly impacted by disasters. In contrast, respondents from place-based centres in areas that had been repeatedly disaster impacted had more mixed experiences. Some felt their main office was unlikely to be severely affected, while others had been directly impacted by recent disasters and anticipated future vulnerability to large-scale events. This is consistent with previous research that has identified high levels of vulnerability to disaster among small place-based community organisations [25].

Regardless of whether their physical office was at risk, place-based respondents highlighted the need to plan for potential indirect impacts of disaster on staff and local infrastructure.

**“The other thing about being embedded in the community... is that people have got, you know, their families and their houses in the time of disaster that they need to go and secure... And we don’t have funds to backfill at the moment. That’s not the way our funding works. So, yeah, I don’t know what we do. We’d just be down a staff member without any kind of contingency fund.”**

*– Respondent from a disaster impacted place-based CLC*

Respondents identified improving business continuity measures as a strategy to minimise disaster impact. The most common solution was to enhance technological capabilities, enabling staff to work remotely and reducing reliance on physical or paper-based files.

Interestingly, the COVID-19 pandemic was understood to play a key role in accelerating technological transformations. While the shift to hybrid work models was not originally intended for disaster preparedness, respondents believed that it had the unintended benefit of increasing the flexibility and resilience of CLCs in disaster contexts (e.g. through more flexible ability to contribute surge workforce discussed in Adequate staffing and surge workforce capacity, page 9).

Further, sustaining improvements in technological capacity was identified as a challenge for maintaining preparedness. While initial funding came from COVID-19 grants, ongoing funding for system maintenance and device replacement was often lacking. Respondents also expressed concerns over rising cybersecurity risks as their reliance on digital solutions grew.

In addition to infrastructure, the impact of disasters on staff was recognised as a critical factor in organisational resilience. The extent to which staff would be personally affected by disasters was difficult to predict but was identified as posing significant risks to maintaining adequate staffing levels and ensuring staff wellbeing. Consistent with organisational resilience scholarship [24], these identified impacts were not limited to the immediate aftermath of a disaster but could also manifest as long-term effects on staff welfare, including burnout, stress, and vicarious trauma. Respondents acknowledged that a loss of staff or a decline in their wellbeing would severely hinder their ability to provide services during times of crisis.

**“Now that we all live in this hybrid environment where people work from home a lot ... you’ve got to worry about vicarious trauma when someone’s alone taking these calls in their kitchen...They don’t have direct supervision, they don’t have someone they can go debrief with at the water cooler. So, all of that is very challenging.”**

*– Respondent from a disaster impacted specialist CLC*

Respondents emphasised the importance of creating supportive work environments that prioritised staff welfare but highlighted the need for increased planning to support this. Strategies used by CLCs to manage staff wellbeing included providing access to mental health resources, flexible work arrangements, and protocols for management of vicarious trauma. Use of such strategies have been linked to increased organisational resilience outside of the legal assistance context [33]. Where centres had funding for a dedicated role for a disaster lawyer, they also reported spreading the disaster-related workload across lawyers to lessen the burden on a single member of staff. Despite these efforts, respondents anticipated ongoing challenges in ensuring their staff remained resilient over the long-term, particularly as they continued to operate in disaster-prone regions with high levels of demand.

**“It’s something we have to be very mindful with our team and make sure our team is working in a vicarious trauma aware workplace that we’re supportive of all the mechanisms to support yourself and that everyone’s trained in the, you know, distancing from it and not taking it on.”**

*– Respondent from a disaster impacted place-based CLC*

## **Building relationships with other organisations**

Many respondents saw relationship building as key to their engagement in disaster preparedness.

**“Some of the preparedness is about really long-term trust and relationship building.”**

*– Respondent from a disaster impacted place-based CLC*

This focus on relationship building emerged both out of a belief that the ability to deliver such services in the aftermath of disaster would be improved by strong and pre-existing partnerships and in response to the challenges of providing preparedness services directly to members of the public (discussed in more detail below). Respondents felt that relationships built during ‘business as usual’ times would make disaster response smoother and more coordinated. Recognition of the importance of relationship building before and within disasters is consistent with research from outside the legal sector that shows that relationships between organisations involved in disaster relief are most effective when they are continuous and in place prior to the disaster impact [34-36]. Past research from outside the legal assistance sector has also identified a lack of connection between community organisations and government and emergency management agencies as a ‘lost opportunity’ to build preparedness and resilience [10].

A major focus of preparedness efforts, especially for respondents from place-based services in areas recently impacted by disaster, was the development of relationships with other organisations that provide disaster response and recovery services. This includes

place-based community service organisations, large charities, emergency services, and local and state governments. Respondents from specialist services also highlighted the importance of relationships with other stakeholders but were more likely to focus on relationships with state and Commonwealth governments, regulators, government agencies, and industry bodies.

The *Royal Commission into National Natural Disaster Arrangements* (often referred to as the Bushfire Royal Commission) specifically identified the coordination of legal assistance post-disaster as an area that could benefit from greater planning [27]. The report suggested that non-government organisations (including legal assistance providers) should be included in recovery planning processes at local, regional, state, and national levels to facilitate better coordination and activation of post-disaster services. Many of the respondents who took part in this study reported engagement in such processes. They typically were in disaster impacted place-based and specialist CLCs. For place-based respondents represented in this report this most often manifested as participation in local and regional disaster preparedness activities. Specialists more often reported engagement at the state and national levels.

Even when they were able to engage in recovery planning, multiple respondents indicated that they encountered difficulties in being included in local planning and preparedness forums. Interestingly, this occurred even for centres impacted by floods in 2022 so is not simply a feature of the 2019-20 bushfire experience already discussed in the Royal Commission report. Some respondents also indicated that they had occasionally received important disaster-related information from local agencies that Legal Aid NSW had not been provided with or where they and Legal Aid had had to work together to ensure sufficient inclusion of the legal assistance sector in formal planning. These responses suggest that the experiences are not simply a result of the disaster coordination arrangements in NSW which emphasise the role of Legal Aid NSW as the lead agency for disaster legal assistance [5].

Some respondents highlighted challenges associated with government agencies such as Service NSW and the Reconstruction Authority and the local councils leading community-facing disaster preparedness initiatives:

**“I question whether government departments are the right place for that work to be happening and bringing community together and, yeah, and sharing information and resources... I just think, you know, that government departments tend to be quite insular. So even though they might want to, you know, be cooperative and draw on, you know, expertise and partnerships outside of government, they just tend not to be able to do that for whatever reason.... you go to some of those events and it's literally sometimes all government departments there. And there might be one or two community organisations that somehow found out about it and just sort of tagged along. But we don't seem to be very front and centre when people like government departments are thinking about our response, which is disappointing.”**

*– Respondent from a disaster impacted place-based CLC*

A related challenge is ensuring that CLCs and other community services are adequately represented in formal disaster preparedness activities. Some respondents expressed frustration at having to repeatedly advocate for a seat at the table in government-led disaster preparedness initiatives, despite their expertise and the critical role they play in providing legal support during recovery efforts.

**“One of the biggest things for us... that’s the building relationships and connections with other services and stakeholders. In particular, government agencies. And one of the biggest challenges there has been continually having to ask for a seat at the table”**

– Respondent from a disaster impacted place-based CLC

It is useful to note that these experiences are not unique to the legal assistance sector. Submissions to the Review of the NSW Reconstruction Authority Act 2022 from human services and community sector organisations reported that the engagement of community services in formal disaster preparedness activities led by the NSW Reconstruction Authority can be minimal [37-39]. The Community Sector Disaster Capability Project led by the NSW Council of Social Services concluded that engagement of place-based social services and community organisation is highly variable across NSW. Where these organisations are involved in preparedness led by government bodies, engagement can be “tokenistic” [37 p. 8].

## **Box 2. Disaster preparedness activities that arose from participation in disaster preparedness, planning, and resilience forums**

### **DISABILITY-INCLUSIVE DISASTER PREPAREDNESS**

- Lack of disability inclusion in disaster preparedness was identified as a key area of legal need in the Foundation’s *State of the Evidence* report [1].
- Project included participation in local disaster preparedness meetings to promote inclusion for people with disability and their use of the Person-Centred Emergency Preparedness framework [14].

### **RESOURCE COLLATION AND DASHBOARD DEVELOPMENT**

- Duplication of resources and a lack of an authoritative source of disaster preparedness and response information is a threat to community engagement [40].
- Project included development of a council-facilitated dashboard that includes disaster legal preparedness resources alongside authoritative information from council, emergency management agencies, and other relevant organisations.
- Emphasis on centralising resources for community access and preparedness.

### **COMMUNITY ORGANISATION MAPPING AND COLLABORATION**

- The lack of connection between emergency services and community service organisations is a key challenge identified in Australian disaster research [41].
- Project to map community organisations in a local area to understand their roles and enable effective collaboration and referrals.
- Supports collaboration with local organisations as part of CLC’s standard approach to community engagement.

Similarly, a qualitative study of community organisations' engagements in disaster management reported that even when community organisations are involved in government-led disaster planning initiatives, some organisations felt that their engagement was an afterthought [10].

Where CLCs were actively included in formal disaster preparedness processes respondents believed that these had the potential to lead to increased disaster preparedness and better coordination and collaboration between organisations. Some respondents identified specific preparedness approaches and activities that they had contributed to in formal disaster preparedness process that they believed led to meaningful improvements in preparedness. These are described in Box 2.

One common thread in these responses was the potential for formal planning activities to promote the strategic use of existing resources and services. Respondents from both place-based and specialist CLCs emphasised the importance of avoiding duplication, to ensure resources are used efficiently and minimise the potential for confusion for members of the broader community. This includes ensuring that information is well-coordinated, clearly linked, and consistent, so that resources complement rather than contradict or duplicate one another. However, funding competition was noted as a potential cause of hesitancy to fully share resources or knowledge, especially when specific funding streams are involved.

**“Not treading on anyone’s toes in regards to funding because everyone’s a little bit guarded. When they’re getting funding for something they’re a little bit hesitant about sharing everything and I understand that completely because, you know, like they don’t wanna slit their own throat.”**

*– Respondent from a disaster impacted place-based CLC*

This response echoes observations from the National Legal Assistance Partnership 2020-25 (NLAP) Review regarding the tension between collaboration and competition in the resource constrained environment under which the legal assistance sector operates [42]. Competition between community service organisations has also previously been identified as a challenge to building effective collaborative relationships outside of the legal assistance context.

Some respondents also reflected on the way in which continual presence in formal emergency management processes could increase community awareness of and trust in legal assistance providers since other participants were often members of the local community themselves. For example, one respondent from a place-based CLC in a disaster impacted area highlighted the importance of attending such meetings to establish the CLC as a familiar and reliable resource both for other organisations and for members of the community who attend emergency management meetings:

**“Going out to those regular meetings has made us a constant presence in the community. And now instead of going there when the disaster happens, we’ve actually helped educate on the way through. We’ve a familiar face.”**

*– Respondent from a disaster impacted place-based CLC*

Respondents also highlighted the importance of building relationships through informal processes and engaging with broader, non-disaster-specific networks to ensure referral pathways could be readily activated during disaster response and recovery. However, maintaining these relationships is not without its challenges. Respondents frequently cited barriers such as

funding cuts and high staff turnover, both within their own organisations and among their partner agencies. These issues were not limited to CLCs experiencing funding uncertainty themselves but extended to allied services operating in similarly unstable environments. Such instability often resulted in the loss of institutional knowledge, forcing CLCs to repeatedly rebuild partnerships from the ground up.

Respondents also noted that the success of collaborations depended heavily on the resources and commitment of partner organisations to disaster preparedness, which could vary widely. Even when CLCs secured grants to support their own disaster preparedness or response efforts, the lack of sustained funding for partner services made it harder to establish and maintain collaborative relationships. This in turn heightened the risk of community fatigue and trauma. The consequences of fatigue and trauma among members of the community are discussed in more detail later in this report (see Perceived psychological impacts of disaster, page 26).

Another way in which respondents leveraged relationships between organisations to increase preparedness was in shaping policy. Some respondents identified particularly productive relationships with key stakeholders such as regulators and government departments/agencies that they felt could lead to positive change in the absence of formal law reform. For some CLCs, particularly specialist centres focused on prevalent areas of disaster-related legal need, driving policy change was a key element of their disaster preparedness and response strategy. This approach aimed to reduce the occurrence of legal problems experienced by the broader community following a disaster.

## Leveraging relationships with other CLCs

Relationships between CLCs were seen to play a distinct and crucial role in disaster preparedness, response, and recovery. Many respondents who participated in this study are active in both formal and informal networks that support knowledge-sharing between legal assistance providers with networks between CLCs the most common. The importance of these networks in supporting centres to incorporate lessons learned from disaster impacted peers was identified by multiple respondents.

Respondents from place-based providers saw other place-based services as invaluable sources of knowledge and experience. They reported having gained valuable insights by learning from other centres that have been directly impacted by disasters. These experiences provide practical examples of 'what works' in terms of disaster preparedness, response, and recovery.

Respondents from specialist CLCs further emphasised the importance of formal networks and communities of practice in fostering relationships with place-based services and in shaping the training and resources that they developed for their place-based colleagues:

**“I think those communities of practice and networks that we’re part of are really foundational to how we think about our role and our impact in this space... we’re always learning from our colleagues in those spaces, and there’s a lot of information sharing that goes a long way to being impactful in disaster preparedness.”**

*– Respondent from a disaster impacted specialist CLC*

The important role for specialist CLCs in providing training and development in the pre- and post-disaster environment has already been discussed in the section Training and skills (page 11).

Respondents from place-based services reported that their specialist counterparts were valuable resources for the management of more complex matters. This was true both where clients experienced legal problems that were not within the typical scope of practice of a given

CLC (e.g. insurance law or social security law) or where the CLC did not have sufficient resources to provide high intensity legal assistance. However, some respondents from place-based CLCs reported that they struggled in previous disasters with a lack of alignment between their desire to refer certain matters and specialist CLCs' capacity to take on those matters. This was particularly in reference to the capacity for specialist CLCs to take on ongoing legal work such as representation.<sup>4</sup>

**“It was probably [a] misunderstanding of community needs. I think a lot of the specialists in particular ... were expecting that there would be a lot of — a need for community education and for advice services and not so much for casework. That’s been really great to be able to rely on the specialists to do that [community education] and for them to upskill, not only the community, but for us as a service that’s been really, really good. But for the most part, we as a generalist service are able to provide general advice as a first response. We can do that. And we had a fair degree of capacity to take things to a certain point. It was when things got really complex or were out-of-the-box-weird, which they often are in disaster. That that’s where we really needed the specialists and the pro bono to be able to step in. And we hit some barriers just in the way they had distributed their funding. So, they hadn’t allocated particular resourcing to casework, they’d kind of put it all into advice, which [it] wasn’t. And then they were like ‘we’re not getting very many advice appointments.’ And we were like ‘no’, but we have all these cases that we could give you.”**

*– Respondent from a disaster impacted place-based CLC*

Respondents believed that better understanding among different legal assistance providers about the various kinds of matters that can be handled by place-based and specialist CLCs and by pro bono lawyers prior to disaster could improve disaster preparedness and resilience.

Multiple respondents who saw policy reform as a key component of disaster preparedness highlighted the importance of collaboration between specialist and place-based centres in ensuring that advocacy and systemic reforms are grounded in the realities of disaster impacted communities. Both respondents from both place-based and specialist centres believed that sharing insights from on-the-ground experiences allowed specialist centres to advocate for more targeted and effective reforms. More detailed discussion of the role of CLCs in using policy change to foster preparedness is included below (Policy and law reform, page 22).

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<sup>4</sup> For reporting purposes, legal assistance services are categorised as either discrete assistance or ongoing legal support. Discrete assistance includes the provision of information or legal advice. Representation services are a form of ongoing support where a legal assistance provider takes on a matter in an ongoing, representative capacity.

# Individual and community disaster legal preparedness

Based on interviews conducted in this study, centres varied significantly in their involvement with disaster legal preparedness activities. Previous work by the Foundation has identified a variety of ways in which legal assistance providers could contribute to individual and community disaster legal preparedness [1 pp. 8-9]. Most relevant here are providing support for individuals to engage in disaster legal preparedness (through services to individuals or through community legal education) and engaging in public benefit law and advocacy to reduce the impact of some disaster-related legal problems through legislative and policy change. At present, little is known about whether and how CLCs engage in either of these types of activities.

## Client-facing disaster legal preparedness

Where centres engaged in any work to foster individual and community disaster legal preparedness this was most often through legal services to individuals or organisations or as community legal education (hereafter referred to as client-facing disaster legal preparedness). However, not all respondents reported that their CLCs did engage in such work. Those respondents from place-based services who indicated that they were not currently engaged in any client-facing disaster legal preparedness tended to self-report that they did not believe that a disaster was likely to impact their region or clients in the future.

Respondents from a small number of specialist services who took part in the project reported that they did not provide client-facing disaster legal preparedness services because they did not feel that it was aligned with the most pressing needs of their clients. Importantly, these respondents indicated that they believed that disaster legal preparedness was an important area of legal need, but that it was out of scope for their service given resource constraints and competing priorities.

Where CLCs were reported to provide client-facing disaster legal preparedness this was most often in the form of community legal education. Commonly identified topics included insurance, disaster grant schemes, and storage of important legal documents to protect them from disaster impact.

When prompted to discuss their community legal education offerings and the way in which they related to disaster legal preparedness, respondents tended to identify stand-alone resources focused on these issues (e.g. insurance). Some respondents did indicate that they incorporated disaster legal preparedness information into resources on other topics (e.g. existing sessions on wills and estates). These providers tended to work in place-based CLCs that had been recently disaster impacted. While those in less disaster impacted areas occasionally identified topics that could be incorporated into their existing community legal education resources, this content was not currently incorporated into those resources as part of their standard practice.

A more limited number of providers offered legal services to individuals or organisations on disaster legal preparedness topics. Where this did occur this tended to be services to individuals who lived in disaster impacted areas and relate to either insurance (especially changes to insurance pricing or coverage) or government grant schemes. Some CLCs provided support to other organisations in terms of preparing for disaster and engaging in good governance practices or advice for local community groups considering issues such as liability for volunteers in a disaster environment. Respondents indicated that they tended not to raise disaster preparedness topics proactively with clients.

Respondents from a range of CLCs reflected on the extent to which increased understanding of certain types of problems as “legal problems” and increased awareness of CLCs as source of assistance for these problems would increase disaster legal preparedness. While this was seen as a more general issue for all types of legal problems, it is notable that previous research indicates that some of the most common legal issues post-disaster are not commonly understood as legal problems by members of the public [3].

**“A lot of preparedness work is about ... how to make the law seem accessible to people who would never normally think about civil law issues. So that in the event of something, they know who to contact...”**

*– Respondent from a disaster impacted place-based CLC*

One important influence on client-facing disaster legal preparedness was the availability of funding. Respondents reflected on several important ways in which services were influenced by the funding environment. Some respondents indicated that a lack of funding for client-facing preparedness work limited their offerings. Even when funds were available, respondents felt that certain types of work were more attractive to funders and that influenced the type of work that could be conducted.

**“What we really see is philanthropy, but increasingly also government funding as well, it prioritises newness, novelty, new solutions... it’s almost non-existent finding funding for maintenance of existing projects. It’s very much what’s the new kid on the block.”**

*– Respondent from a disaster impacted specialist CLC*

Another respondent from the same CLC expanded on this experience:

**“I guess outreach funding for those projects as well, which then becomes the issue as well because you have these, you know, great products that kind of become a little bit dormant or less used because you don’t have the continued funding to tell people they exist.”**

*– Respondent from a disaster impacted specialist CLC*

As in the quotes above, CLCs identified challenges in continuing to fund client-facing projects that had been reported to be effective and in updating and maintaining those resources. This experience is hardly unique to disaster preparedness and has been widely reported across the legal assistance sector with reference to challenges in gaining ongoing funding for programs even when pilot evaluations have reported them to be feasible and effective [42]. Taking an even broader perspective, it is important to note that the same factors are known to be at play for many health and human service providers and across different funding sources. There is an important tension between providing funding to support programs that are known to be effective, as in the example above, while also supporting innovative and (at times) “risky” programs to meet emerging challenges. As one CLC respondent expressed, it’s also vital to be given “room to fail.”

## Policy and law reform

With regard to fostering individual and community preparedness through legislative and policy change, many respondents recognised that policy and law reform had the potential for a large impact on natural disaster legal need. Respondents felt that contributing to such work could be an important contribution to disaster legal preparedness within their communities. However, for organisations of all sizes, funding constraints also impacted the abilities of CLCs to lead or contribute to such work.

**“...we don’t really have the resourcing to engage in a lot of advocacy and things like that in the preparedness space. So that’s often something that becomes quite reactive or collaborating with other organisations to kind of put in a submission or things like that.”**

*– Respondent from a disaster impacted specialist CLC*

This experience was not universal, as other respondents from other specialists saw their ability to engage in such work as central to their impact and a priority area even in the absence of dedicated funding.

Some place-based services, especially in areas that had been impacted by multiple disasters over a short period of time, were reportedly active in policy and law reform. However, respondents from these centres believed that their contributions to such work had flow on impacts for their capacity to engage in other areas of work in a resource constrained environment. Other place-based services did not directly lead law reform or policy projects. Instead, respondents felt that their contributions to policy and reform work led by specialist CLCs had the highest potential for impact. Respondents from such CLCs tended to highlight the value of specialists in being able to recognise broader systemic issues across different place-based providers in different regions. However, they were not always certain how to best feed that information upwards to specialist centres.

**“... it’s hard to know as a local centre where to feed our information in, in order to achieve law reform change... I know, for example, Financial Rights are doing an amazing amount of work in the insurance issues. And we would feed them case studies and provide information to them to support that work. But I feel like there’s probably more work that could be done. It’s just that we haven’t got time to stop and think about where that is and target it.”**

*– Respondent from a disaster impacted place-based CLC*

While many CLCs engaged in policy and law reform as part of their disaster preparedness efforts, client-facing services remained the most common area of focus. However, delivering client-facing disaster preparedness services presented unique challenges, including perceptions of low demand, the psychological impacts of disaster, and cultural preferences for self-reliance. The following section explores these barriers in detail, along with the enabling role of strong community relationships in overcoming them.

## Perceived (lack of) demand

In both disaster impacted and less disaster impacted areas, client-facing disaster legal preparedness was principally driven by perceived demand (or lack thereof). Most respondents reported that the community legal education program at their CLC was driven by requests for seminars or resources from members of community or by non-legal community service providers. For one-on-one service provision (i.e. services to individuals and organisations), respondents indicated that they provided legal preparedness when issues arose in the course of providing legal services but did not proactively prompt clients to consider disaster preparedness.

Where respondents reported minimal client-facing disaster legal preparedness services, they tended to report that they believed that there would be little interest in such services if they were to offer them.

Some respondents reported that their CLCs had offered preparedness community legal education prior to recent disasters but there had been poor uptake of those offerings. There is a significant body of evidence showing that emergency management agencies can struggle to engage people in disaster preparedness activities and that there is a pervasive lack of adequate preparedness in the community [11]. To the extent that there is a lack of demand for disaster preparedness, it is not surprising that this would extend to the more narrowly defined area of legal disaster preparedness.

Respondents from a range of CLCs felt that community reluctance to engage in disaster legal preparedness was a significant obstacle to further involvement in this type of work. A common theme expressed by respondents is that many people simply do not want to think about disaster legal preparedness.

**“It’s resistance, it’s people don’t want to have to think about if they haven’t thought about it, it’s too late to think about it. And so really trying to find what’s the hook that we can use to get people invested enough to even just start exploring.”**

*– Respondent from a disaster impacted specialist CLC*

To address the issue of perceived low demand for stand-alone disaster preparedness workshops, some CLCs have repackaged preparedness content into broader community legal education programs. This approach involves embedding disaster-related topics within sessions on more ‘popular’ legal areas such as wills, family law, or housing rights. Others have included legal preparedness into disaster preparedness resources provided by other organisations such as the Rural Fire Service and State Emergency Service [44].

In some cases, a perceived lack of demand for disaster preparedness services was understood as part of broader phenomenon that impacts people’s willingness to engage in legal preparedness in general. Some respondents observed that people tend to avoid engaging with legal issues that require making difficult or uncomfortable decisions. Whether it’s attending a workshop on divorce or wills, the public often resists engaging with these topics until absolutely necessary.

As one respondent noted:

**“You put a seminar on about divorce, no one wants to go to that... but if you have a divorce, you need to know that, don’t you?”**

*– Respondent from a disaster impacted place-based CLC*

This highlights a broader cultural challenge in promoting legal preparedness, where the very nature of the subject matter discourages proactive engagement for some people.

Even when disaster preparedness work was conducted, CLC respondents were sometimes pessimistic about whether people who engaged with such community legal education sessions were likely to take action to improve their personal disaster preparedness.

**“We’ve really focused on trying to do a lot of messaging about... preparing and making sure you’ve you know got your documents, and you know, plan all that stuff. But again, you can lead a horse to water but you can’t make it drink.”**

*– Respondent from a disaster impacted place-based CLC*

However, it is important to recognise that it is inherently difficult to measure the impact of community legal education at an individual level [32, 45]. Understanding the goal of different community legal education activities is also essential to being able to assess its impact. While the above quote implies that community legal education should lead a person to act to reduce their legal problems, many community legal education activities aim to build awareness and build knowledge [32]. Importantly, there is evidence that disaster preparedness community legal education activities conducted by legal assistance providers have led to tangible improvements for clients’ disaster preparedness for at least some clients [1]. There is also evidence that (non-legal) disaster preparedness services that use similar strategies to those reported by CLCs, can be effective in increasing preparedness [12].

As a result, pessimism about the utility of disaster legal preparedness focused community legal education should not be taken to indicate that these services are ineffective. Rather, these types of responses imply underlying beliefs held by some legal assistance providers. While these beliefs do not provide insight into the true efficacy of community legal education they do represent an important barrier to the provision of such services. If providers do not believe that the services that they provide will bring about meaningful changes in clients’ behaviours and knowledge this is likely to reduce their service provision over time.

Despite the widespread challenges with community interest in disaster preparedness, it is important to recognise that this experience was not universal across all CLCs. In some communities, particularly where disaster preparedness was seen as an integral part of disaster recovery, there was notable interest and demand for preparedness activities. This was especially true when the focus was on specific issues such as insurance and disaster resilience government grants, which are directly relevant to post-disaster recovery efforts. In these areas, preparedness was viewed as a practical necessity, making it easier for CLCs to engage the community in these conversations. For the most severely impacted regions, there was demand for both community legal education and services to individuals that addressed disaster preparedness. Both place-based and specialist CLCs were engaged in providing these services. This is consistent with research from outside the legal context which indicates that recent exposure to a disaster can drive increased participation in preparedness activities [46].

To the extent that perceived lack of demand for disaster legal preparedness services emerged as a significant barrier for many CLCs, this perception warrants critical examination. While some respondents cited low community interest as a reason for limited engagement, this belief risks becoming a self-fulfilling prophecy. Legal needs often go unrecognised and unmet [8]. As such, relying solely on service utilisation as an indicator of demand may significantly underestimate the true extent of need for support to foster disaster legal preparedness. Proactively challenging these assumptions and fostering engagement through strategic outreach could help close this gap.

However, it is worth considering whether CLCs are best positioned to take on the primary role

in driving disaster legal preparedness. Several respondents highlighted the challenges of low visibility and name recognition for CLCs within the broader community, an issue that is well-documented in previous research [47]. For example, a respondent from a specialist CLC reflected on the challenges of engaging certain communities with their disaster preparedness resources, linking lower uptake in some regions to a lack of community awareness of the service:

**“I think there is an element of it, that’s just people haven’t heard of us before... and so we suspect that most of that hesitance is coming down to that.”**

*– Respondent from a disaster impacted specialist CLC*

If individuals are unaware of the services offered by CLCs or do not associate them with disaster preparedness, their ability to independently lead preparedness initiatives may be limited. Instead, CLCs could adopt a supporting role, contributing their specialised legal knowledge and resources to organisations or initiatives with stronger community trust and recognition, such as emergency services or community-led efforts. Other collaborative models, such as health justice partnerships, suggest that embedding legal expertise within trusted organisations may improve accessibility and engagement by leveraging existing relationships and infrastructure [48-50].

Indeed, many respondents recognised the value of community-led initiatives as a more effective way to drive disaster preparedness. Rather than running preparedness activities independently, some CLCs collaborated with existing organisations that already had established trust and presence within their communities. Participatory co-design was identified as a particularly valuable approach, with respondents emphasising the importance of working alongside communities to tailor preparedness activities to local needs. Disaster management literature supports this approach, highlighting that community-led and collaboratively designed initiatives are more likely to resonate with participants and overcome resistance [12]. However, in contemplating the potential value of engaging in community-led initiatives to contribute to disaster preparedness it is important to recognise that some CLCs may wish to engage such activities in areas in which they do not have a recent history of face-to-face service delivery (whether due to funding constraints, geographic difficulties, or other factors). This may be a challenge that needs careful consideration for some CLCs.

It is also vital to recognise that all CLCs face the need to make careful decisions about how best to serve their communities amidst competing priorities – an issue consistently highlighted across responses from CLC respondents. For many centres, particularly those in regions perceived to be less prone to severe disasters, prioritising high-demand legal needs such as domestic violence and homelessness over disaster preparedness may be a practical and ethical choice. Balancing the imperative to address core client needs with the goal of increasing disaster preparedness presents a real dilemma for many centres, especially in resource constrained environments where both financial and non-financial resources, like staff time and capacity, are limited. Decisions about how to prioritise types of legal problems and different client groups affects not only service delivery but also impacts decisions about priorities for organisational preparedness, training, outreach, and advocacy efforts.

## Perceived psychological impacts of disaster

As many respondents recognised, those areas and people most likely to experience a natural disaster in the future are those who have been recently disaster impacted. However, some respondents believed that the psychological impacts of recent disasters posed a barrier to engagement for client-facing disaster legal assistance.

Perceptions about the psychological impacts of disasters sometimes limited the provision of client-facing disaster legal preparedness services altogether. In CLCs that did offer such services, these perceptions appeared to influence how the services were designed and delivered. Efforts to tailor service delivery often took into account the potential emotional and psychological needs of clients, reflecting an awareness of the broader impacts of disaster experiences on help-seeking behaviours.

Some respondents described a reluctance to engage in disaster legal preparedness among members of their local communities that they believed was driven by fatigue. These respondents felt that individual and community fatigue was a major barrier to service delivery and community engagement:

**“We’ve been so caught up in crisis support and honestly, the community’s really, really tired. So, their ability to take, to come to education sessions and hear more when they’re still in trauma and still haven’t had their issues resolved in relation to recovery...”**

*– Respondent from a disaster impacted place-based CLC*

Where respondents identified fatigue as a challenge for client-facing disaster legal preparedness, they tended to work in place-based services operating in areas that had experienced recent, often repeated, natural disasters. The COVID-19 pandemic was also mentioned as a contributor to this sense of fatigue within the community.

Scholarly work in disaster preparedness and resilience has identified community disaster fatigue as a major barrier to community engagement in disaster preparedness and resilience activities [51, 52]. Community disaster fatigue can be understood as a type of collective emotional exhaustion that is characterised by defeatism and a lack of planning, decreased health and wellbeing and declining social capital. The experiences of some CLCs in disaster impacted areas are consistent with this phenomenon.

Fatigue appeared to shape the way some CLCs engaged in legal preparedness activities. In some cases, they reported that they could provide services to individuals if they avoided direct reference to disasters when promoting services. Consideration of community fatigue also led to a greater focus on establishing trusted relationships with communities with the view that these would better enable disaster response and recovery service provision in the event of a disaster and collaborations with other local service providers. However, consistent with research into the experience of community disaster fatigue conducted with community leaders [52], respondents report that fatigue can also impact their ability to effectively build collaborative relationships with community organisations.

While work on how to effectively prevent the development of community disaster fatigue is in its infancy [51, 52], recognition of the potential impact of repeated disasters on emotional resilience at both the individual and community level may assist in the planning of disaster legal preparedness activities for both specialist and place-based CLCs.

Another way in which the psychological impacts of disaster were seen as a challenge for the provision of disaster legal preparedness services was the potential levels of trauma for both the community and individuals. The prevalence of stress, distress, and trauma is difficult to quantify

as people have varied responses when exposed to stressors and traumatic events. However, whether clients present as stressed, distressed or traumatised, a trauma-informed practice responds in ways that are person-centred, sensitive, and supportive. The argument that trauma-informed practice should be adopted across all legal services and systems is well made [5] and is particularly relevant for clients who are disaster impacted.

The extent to which disaster impacted individuals were believed to be traumatised by recent disasters was seen to pose a challenge for the design and delivery of preparedness activities.<sup>5</sup> For some services, beliefs about trauma among their target audience led to changes in the design of community legal education resources. The use of a trauma-informed approach also influenced the decisions about the approach to community legal education and the focus of different resources:

**“... a real principle of our work was offering choice. And that’s also really important in the disaster context where people’s agency is stripped away from them. That can have extremely traumatic impacts on people. So our whole approach to [project name] was how can we offer choice and offer people to pick the pathway that’s right for them.”**

*– Respondent from a disaster impacted specialist CLC*

Place-based services tended to highlight the importance of certain modes of delivery for potentially traumatised community members. These CLC respondents identified some models of service delivery that they felt were not suitable for members of their communities that were experiencing high levels of distress. In particular, the provision of services via telephone hotlines run by providers located outside of the disaster area:

**“People in communities and people who’ve experienced trauma aren’t going to be the sort that are going to pick up the phone and want to speak to someone in [major city]. So effectively we’re the only service available.”**

*– Respondent from a disaster impacted place-based CLC*

Perceptions of trauma did not necessarily mean that CLCs did not engage in disaster legal preparedness, but it did influence the way they chose to engage in that work. As discussed earlier in this report, trauma-informed skills were identified as training needs, in order to ensure that service providers are sufficiently equipped to engage in disaster response and recovery (see Training and skills, page 11).

The emphasis on trauma and distress as factors influencing the design and delivery of client-facing disaster legal preparedness services reveals interesting beliefs held by legal assistance providers about the disaster context. As with discussions of trauma-informed skills and training addressed elsewhere in this paper, it is important to note how these beliefs also shape the approaches to service delivery for disaster-affected clients.

Implicit in respondents’ descriptions of trauma-informed design is the belief that such considerations may be particularly relevant for disaster impacted clients. While it is true that disasters can heighten distress within communities, the intended purpose of trauma-informed design is broader.

<sup>5</sup> It is important to recognise that while respondents worried that many clients experienced trauma, the diagnosis of trauma, as opposed to distress or other mental health concerns, requires specialist expertise. Even when people experience highly impactful negative events, not all people will experience trauma as a result. The prevalence estimates of post-traumatic stress after a community disaster vary widely from 3.6% to 37% [53].

This approach seeks to make services more inclusive by recognising that any client may be experiencing trauma and ensuring service delivery meets their needs regardless of their trauma history [54-56].

This focus on trauma-informed design in disaster-related work raises an intriguing question: do legal assistance providers more readily identify the importance of trauma-informed approaches for disaster contexts compared to other client groups or areas of law? While this study does not explore the prevalence of these beliefs or their implications, the findings suggest that further investigation into how trauma-informed principles are applied across different areas of legal assistance could provide valuable insights for enhancing service inclusivity and effectiveness.

## Self-reliance

Another commonly identified challenge for community-focused disaster preparedness work was a perceived tension between preparedness and a deeply ingrained belief in the value of self-reliance. Some respondents believed that members of rural communities in which they operated had a preference for self-reliance that conflicted with seeking legal assistance related to natural disasters. In these areas – historically affected by recurring natural disasters such as floods and bushfires – respondents relayed the belief of some members of the community that individuals and communities can manage these crises without external help.

Where this was seen to manifest as resistance to engaging in disaster preparedness education, it was understood by respondents as reflecting a broader cultural view that prioritises self-reliance over external intervention. Respondents felt that for some rural residents, disaster preparedness may be seen as unnecessary because they have been dealing with these issues for generations.

**“There’s real resistance, yeah there is real resistance it’s like we’ve been dealing with disasters forever. We’ll deal with it when it comes. We actually don’t want to come and listen to someone talk about how to prepare for the next disaster.”**

*– Respondent from a disaster impacted place-based CLC*

This sentiment was reported by respondents across multiple disaster impacted rural areas. They linked it to a sense of pride in managing crises independently. Respondents also noted a belief among some community members that formal preparedness efforts are either redundant or irrelevant to their lived experiences.

Respondents felt that a strong sense of self-reliance, while often a strength, could also create challenges. They expressed concerns that as disasters become more frequent and severe, the strategies that have worked in the past may no longer be sufficient. Moreover, they worried repeated exposure to disasters could erode communities’ capacity for effective self-reliance over time and that self-reliance could create a false sense of security, discouraging individuals from seeking critical legal or practical assistance that could enhance their preparedness and recovery efforts. These respondents grappled with how to engage individuals in disaster preparedness if they already believe they possess the resources needed to manage disaster recovery.

These views conflict in important ways, with how self-reliance is understood in both the disaster management, and access to justice literature. Previous research from a range of contexts suggests that people who are more ‘self-reliant’ often make good use of resources and may use more effective problem-solving skills and higher resilience than those with less self-reliance. To that end, fostering self-reliance is seen as an important end-goal for community preparedness activities [57]. The ability for people to effectively manage their own legal problems without formal supports is also a key component of the concept of legal capability [58]. Access to justice

research clearly articulates that increased legal capability is associated with lower unmet legal need and should be seen as a desirable goal of efforts to increase access to justice [59, 60].

The concern expressed by some respondents in this study, that self-reliance could be problematic in certain contexts, conflicts with the view in both disaster management and access to justice that self-reliance is a desirable and adaptive trait. While this research project cannot determine the accuracy of these beliefs about the potential negative consequences of self-reliance, it is notable that respondents framed the concept as potentially harmful – a perspective that contrasts with its broader acceptance as a positive attribute in both fields.

Some people living in rural communities may value stoicism and self-reliance over seeking help to solve problems. Indeed, the expectation that rural men engage in behaviour that reflects these traits can lead to decreased help-seeking behaviours following natural disaster [61]. However, recent legal needs survey work shows that people in outer regional and remote areas have similar likelihood of using legal advisers to solve legal problems as their inner regional and urban counterparts [8]. As such, assumptions about people's willingness to engage in disaster legal preparedness risk misrepresenting the diverse realities of rural communities. This could lead to lower levels of service provision, driven by beliefs about rurality rather than a genuine understanding of community needs and preferences.

# Conclusion



## Discussion

This report seeks to explore the role of CLCs in disaster preparedness, examining both their organisational resilience and their capacity to support individual and community disaster legal preparedness. These findings provide a nuanced understanding of how CLCs approach disaster preparedness and offer reflections that contribute to broader discussions on resilience and disaster management.

### Key findings

Respondents described a wide range of disaster preparedness activities, spanning both organisational and community-facing efforts. Organisational preparedness included disaster planning, securing stable funding for continuity, and building a resilient workforce – core components of ensuring service continuity during and after disasters. Community-focused initiatives encompassed direct legal services, community legal education and systemic advocacy to address legal and policy barriers. Together, these efforts illustrate the diverse ways in which CLCs aim to support disaster preparedness.

Engagement in disaster preparedness varied significantly across centres. This variability often appeared to reflect factors such as geography, funding availability, and organisational priorities. Many respondents from centres in disaster impacted regions or in particularly disaster-relevant areas of law reported substantial engagement, while others, particularly in less disaster impacted areas, described minimal involvement. These differences underscore the flexibility of the sector to tailor its efforts to community needs but also point to challenges in fostering a coordinated sector-wide approach. Consistent with disaster preparedness literature, organisational preparedness was identified as critical for enabling centres to adapt their services during crises. Engaging centres that do not perceive themselves as vulnerable to disaster in meaningful organisational preparedness activities may be particularly challenging, yet their involvement remains important for building broader sector resilience as climate change increases the frequency and severity of disasters. Centres with limited investment in organisational preparedness may struggle to scale their services effectively if they were to be impacted by a disaster, posing challenges as the sector faces an increasingly complex disaster landscape.

The reflections of CLC respondents highlight both shared approaches and unique contributions in how they conceptualise disaster preparedness compared to other sectors. Like many community service organisations, CLCs emphasise organisational preparedness to ensure continuity of operations during crises and coordination of disaster response and recovery across organisations. Additionally, their focus on the psychological and social dimensions of preparedness aligns with holistic disaster management approaches used in modern disaster preparedness frameworks and by leading community service organisations involved in disaster preparedness, response, and recovery. Where CLCs stand out is in their specialised focus on disaster legal preparedness, particularly in addressing systemic legal barriers to recovery.

This distinct contribution complements the broader approaches taken by other sectors, highlighting the value of diverse organisations in creating comprehensive and integrated disaster preparedness activities.

Barriers to engagement emerged as a consistent theme across respondent reflections. Funding constraints were frequently identified, with short-term and project-specific funding models undermining opportunities for sustained investment in preparedness. This challenge was particularly acute in disaster-prone regions, where inconsistent funding was sometimes believed to have eroded long-term community relationships and hindered organisational readiness. These limitations often necessitated a reactive rather than proactive approach, with resources directed towards disaster response at the expense of preparedness. Similar patterns have been observed in other community service sectors, where resource constraints often deprioritise preparedness despite its recognised importance. The frequency with which respondents raised funding in interviews is not surprising given that Australian research has identified limited funding as an issue for community service organisations seeking to engage in disaster preparedness across all jurisdictions and in organisations of all sizes [11]. This is consistent with studies of barriers to disaster preparedness for not-for-profits in the United States of America [60] and New Zealand [61].

Workforce capacity constraints also emerged as a critical challenge, particularly in maintaining a trauma-informed and disaster-ready workforce. High staff turnover and the need for specialised skills and knowledge placed additional strain on service delivery. These challenges mirror workforce issues in other sectors, where staff capacity significantly influences preparedness and recovery outcomes. Expanding collaborative training and knowledge-sharing initiatives within the sector could help mitigate these barriers while strengthening workforce resilience.

A perceived lack of demand for client-facing disaster preparedness initiatives was another key barrier identified by respondents. Many felt that members of their communities were reluctant to engage with legal preparedness activities, citing psychological resistance or community preferences for self-reliance as contributing factors. This challenge is not unique to CLCs; engaging communities in any form of disaster preparedness often faces similar barriers, as documented in broader disaster management literature. However, low demand may not indicate a lack of need. Research across various sectors demonstrates that individuals often resist engaging with preventative or preparatory initiatives, even when such activities could significantly reduce risks. In this sense, the perception of limited demand may reflect a broader societal challenge rather than a sector-specific limitation. Nevertheless, these beliefs about demand for disaster legal preparedness, whether accurate or not, risk limiting the scope of services offered and perpetuating low levels of engagement. While some CLCs have adopted evidence-based strategies, such as participatory approaches and trust-building, to foster engagement, scaling these efforts across the sector will require sustained investment and collaboration with other organisations. Additionally, while these strategies are grounded in broader evidence from sectors such as public health and community development, their effectiveness in the legal assistance context remains largely unevaluated. Rigorous evaluation is needed to determine how such approaches translate to fostering disaster legal preparedness, ensuring that resources are allocated to initiatives with demonstrated impact and relevance to the communities served.

Relationships emerged as pivotal enablers of disaster preparedness for CLCs, underpinning both organisational resilience and community engagement. Respondents consistently emphasised the importance of strong, collaborative relationships within and beyond the legal assistance sector as a foundation for effective preparedness work. Within CLCs, inter-organisational collaboration was identified as critical for resource-sharing, knowledge exchange, and aligning strategies. Respondents highlighted how relationships between place-based and specialist CLCs, for instance, allowed centres to leverage complementary strengths, with place-based providers offering deep local knowledge and trusted community connections, and specialist centres providing expertise in systemic advocacy and complex legal areas. These collaborations reflect broader principles of coordinated disaster management, which emphasise the value of networks in enhancing resilience.

Beyond the sector, relationships with emergency services, community organisations, and government agencies were consistently highlighted as essential by respondents. These external partnerships enable CLCs to navigate sensitive issues, foster engagement, and tailor their services to reflect the needs and priorities of their communities. Respondents described how trust and familiarity with local communities allowed CLCs to act as both trusted intermediaries and effective advocates during crises. These relationships were often framed as a long-term investment that paid dividends during disaster response and recovery, enhancing the reach and impact of their work.

Importantly, respondents recognised that the role of CLCs within these broader networks is not necessarily to lead disaster preparedness efforts. Instead, their contributions are most impactful when integrated into existing mechanisms within the disaster management and community service sectors. The broader disaster and community sectors, as well as the legal sector itself, have already established relevant networks and frameworks for disaster preparedness and response. CLCs benefit from intentionally incorporating disaster-related networking into their ongoing, 'business as usual' relationship building activities. This approach not only aligns with existing practices but also ensures that CLCs remain effectively connected to broader systems without duplicating efforts or overextending their resources.

Coordination with these external networks was also seen as valuable in avoiding duplication of services – an especially critical consideration given the resource constraints and competing priorities faced by the legal assistance sector. By embedding disaster-related networking into their routine activities, CLCs can contribute their specialised expertise to enhance broader preparedness efforts while maintaining their focus on delivering essential, community-driven legal services.

At the community level, relationships were essential for driving demand and engagement in client-facing preparedness work. Trust-building and participatory approaches were seen as effective strategies for addressing psychological resistance and preferences for self-reliance that often hinder community uptake of disaster legal preparedness initiatives. While respondents reflected on the difficulty of engaging communities in such work, they also highlighted examples where established relationships had enabled more meaningful participation in preparedness activities, particularly in regions where CLCs maintained a consistent presence. These insights align with broader disaster management literature, which underscores the role of social capital and trust in fostering resilience and preparedness.

However, respondents also pointed to challenges in sustaining these relationships, particularly in the face of funding constraints and high staff turnover. Short-term funding cycles often limit the ability of CLCs to invest in long-term community relationships or maintain continuity in collaborative efforts. These constraints not only threatened organisational resilience but also risked undermining the trust and familiarity that are crucial for effective community engagement and intersectoral coordination. Addressing these challenges will require stable, sustained funding and targeted workforce development to ensure that CLCs can maintain the relational foundations necessary for impactful disaster preparedness.

By fostering strong relationships across the legal assistance sector, community services, and emergency management networks, CLCs can navigate resource constraints while maximising their contributions to disaster preparedness. These relational foundations not only enhance service delivery but also align with evidence-based approaches from other fields, offering a roadmap for more integrated and impactful disaster preparedness efforts.

## Broader implications for the CLC sector

The reflections of CLC respondents reveal important tensions that warrant further examination, both within the context of disaster preparedness and more broadly across the sector. These include the role of trauma-informed practices, the balance between self-reliance and preparedness, and the interplay between local service delivery and specialist expertise. While these tensions offer valuable insights into workforce perceptions, they also underscore the complexity of aligning beliefs and practices with the realities of service delivery.

Respondents frequently highlighted the importance of trauma-informed practices in disaster contexts, particularly given the psychological impacts of disasters on both clients and communities. However, these reflections also reveal underlying beliefs among CLC staff about trauma, their own skills, and those of their colleagues. The emphasis on trauma-informed practices in disaster contexts suggests an implicit belief that disasters create heightened psychological distress among clients, making such approaches more relevant in these circumstances than in day-to-day service delivery. While this may reflect an accurate understanding of disaster impacts, it also raises questions about whether trauma-informed approaches are being consistently integrated into other areas of CLC practice. Exploring the extent to which these beliefs influence the perceived relevance of trauma-informed skills could provide valuable insights into how such approaches are understood and applied across the sector.

The tension between self-reliance and preparedness similarly reflects complex dynamics in community engagement. Respondents often associated rural and regional communities with a preference for self-reliance, which they believed contributed to resistance to engaging in legal preparedness activities. While such narratives are consistent with cultural tropes about rural resilience, it is important to approach these beliefs critically. They may reflect generalisations about community attitudes that do not account for the diversity of perspectives within rural areas. Perceptions of self-reliance among rural communities, whether accurate or not, could influence how CLCs design and deliver services, potentially limiting opportunities to engage clients proactively in legal preparedness beyond the disaster context.

Respondents also grappled with the balance between local service delivery and specialist expertise. Local providers often positioned themselves as more trusted and accessible, particularly in disaster-prone regions where community relationships are seen as critical. At the same time, some legal issues – such as complex insurance disputes or systemic advocacy – require specialist knowledge that local centres may not have the resources to provide. This tension highlights the challenges of integrating local knowledge and trust with the specialised expertise needed to address complex legal needs effectively. While respondents valued collaboration between place-based and specialist CLCs, they also identified barriers to achieving seamless partnerships, such as funding constraints, misaligned priorities, and differences in capacity.

These tensions offer valuable insights into the perspectives of the CLC workforce and point to broader themes that merit further investigation. They suggest the need for a deeper understanding of how beliefs about trauma, self-reliance, and service delivery influence the design and implementation of CLC programs. Moreover, they raise questions about how the sector can better align workforce perceptions with evidence-based practices to enhance both client outcomes and organisational resilience. By critically examining these dynamics, the sector has an opportunity to build on its strengths while addressing areas of potential misalignment, ultimately contributing to a more effective and inclusive approach to legal assistance.

The *State of the Evidence* report suggests that disaster legal preparedness might be an underserved area within the legal assistance sector. However, this study raises important questions about whether limited engagement in disaster legal preparedness reflects a true service gap or broader contextual factors, including demand for such services. Respondents highlighted the significant volume and diversity of preparedness work already being undertaken

by CLCs, including systemic advocacy, direct client services, and community legal education. For many centres, especially those in resource constrained environments, prioritising immediate legal needs over proactive disaster preparedness activities represents a response to competing demands. This raises the question of whether disaster preparedness is genuinely underserved or simply deemphasised within the sector's broader mission to address pressing community needs.

The findings also underscore the importance of strategic alignment in disaster legal preparedness, rather than simply expanding services or programs. Many issues that arise during disasters, such as housing insecurity or increased prevalence of family violence, may have a relationship to disaster but are not inherently disaster-specific. Developing resources or interventions that are overly tailored to disaster contexts may risk duplication or misalignment with broader community needs. Instead, ensuring that existing services are adaptable to disaster-related contexts and integrated into broader systemic strategies may be more effective in addressing these challenges.

At the same time, the findings highlight some potential gaps in areas that were not reported as focus areas by respondents in this study, such as climate justice, native title, and ensuring human rights are integrated into disaster management frameworks. These domains represent strategic opportunities to align legal preparedness with broader systemic issues, particularly in the Australian context. However, these areas are complex and resource-intensive, raising further questions about whether CLCs are the best placed entities to lead such initiatives.

Ultimately, the notion of underservicing in disaster legal preparedness cannot be fully disentangled from the structural and societal factors that shape demand and engagement. While there may be areas for growth, the findings suggest that expanding disaster preparedness efforts should be approached with caution, ensuring alignment with community needs, systemic barriers, and the capacity of the sector. Balancing proactive preparedness with the immediate demands of service delivery remains a central challenge – and opportunity – for the legal assistance sector.

## Limitations of this report

This study has several limitations that must be considered when interpreting its findings. The perspectives of CLC respondents reflect their own experiences and may not capture the full range of activities within the sector. Several CLCs declined to participate in the study, often citing limited engagement in disaster preparedness as a reason. While these declinations limit the diversity of perspectives included, they also highlight barriers – such as funding constraints and perceived lack of community interest – that may shape engagement in disaster preparedness across the sector. Most respondents represented centres in disaster-prone regions, meaning that insights from areas less directly impacted by disasters are under-represented. Importantly, the study does not evaluate the effectiveness of CLC interventions or incorporate the perspectives of community members affected by disasters, limiting its ability to draw definitive conclusions about the impact of CLC activities.

Despite these limitations, this research provides valuable insights into the challenges and opportunities facing the CLC sector in disaster preparedness. By critically examining these dynamics, the sector has an opportunity to build on its strengths while addressing areas of potential misalignment, contributing to a more effective and inclusive approach to legal assistance in the face of growing disaster risks.

# Conclusions

By addressing a gap in understanding the engagement of the legal assistance sector in disaster preparedness, this report contributes valuable insights at a time when natural disasters are becoming increasingly frequent and severe in Australia.

Ultimately, addressing barriers to engagement in disaster preparedness will require stable funding, targeted workforce development, and innovative, community-driven engagement strategies. By aligning efforts with community needs, systemic barriers, and the capacity of the sector, CLCs can enhance their contributions to disaster resilience while navigating the structural and societal factors that shape demand and engagement.

The findings of this research align with established themes from disaster management literature and the broader challenges of service delivery faced by CLCs in non-disaster contexts. A significant contribution of this study lies in highlighting the applicability of evidence-based community development principles – widely recognised in fields such as housing and public health and the wider emergency management context – to the legal sector. This alignment suggests that fostering disaster preparedness within the CLC sector can be informed by a substantial existing evidence base. The availability of well-researched frameworks and approaches presents a valuable opportunity to strengthen both organisational and client-facing disaster preparedness efforts, enabling the sector to build on proven strategies to address emerging challenges.

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