# FLIP SIDE

The Association of Participating Service Users

# out of the RED

8

into the BLACK

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# **EDITORIAL**

Financial stress certainly has a strong impact on recovery from drug use. It is one of the components in the complex rainbow of issues surrounding drug use that we have often tried to address in Flipside.

It is not uncommon for a person to lose the job because of their drug use or to stop working to get into treatment, so there is a significant reduction in income. On top of that one is likely to have accumulated all kinds of debt, fines, unpaid bills... Every sound of the door bell, every phone ring causes fear and anxiety. Instinct tells us to escape, to hide, to ignore. More than enough to cause relapse. When you are in such a situation, it is hard to imagine that things can ever really be different. But they can, and it can happen in a shorter time than you would imagine.

In this Flipside we wanted to encourage all those that are under any kind of financial stress by featuring stories of people that have successfully overcome such difficulties. You will also find many practical tips that indicate where to start to get out of the red and into the black.

Flipside No.34 Winter 2013 Editing and layout: Edita Proofreader: Edita, Elzara, Jeff

Contents: Thanks to those who contributed artwork/photos and to all those who contributed articles, stories and poetry.

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If you have any articles, poems or artwork you would like to see in Flipside

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#### The empowering effect: Garry Rothman

We had a chat with Garry Rothman, Financial Counsellor at the Odyssey House Victoria, who gave us many useful tips. You might just find the right advice in this interview.

APSU: What does a financial counsellor do?

**Garry:** Financial counsellors in general deal with people who are in financial stress and have debt related crisis or some debt related legal issues. Our job is to tease out what the options are for the client, so that the client can make an informed choice about what they want to do. Where we can, we assist them to put those choices in practice.

For instance, somebody might have a whole lot of infringements and there are a number of available options to deal with them. They can make an installment plan, or do nothing, or be arrested and go to jail to pay it off. But they can also do an application for special circumstances. Off course, going to jail is not a very good option, but some people might choose to do that. At least the person is making an informed choice. If they decide to make a special circumstances application, then I can tell them how they can go about doing that.

We can also negotiate for waivers of debt, where people have long term illnesses and there is no way that they will ever be able to repay debts. We sometimes request a credit provider to take into account these circumstances and to waive the debt.

Our role is to empower people by letting them know what their financial rights are and the right language to use in dealing with bureaucracies and financial institutions. Because often people will try to self advocate, and they should be able to self-advocate, they shouldn't have to come to a financial counsellor, but the reality is that a lot of people are not listened to and aren't heard when dealing with bureaucracies. For instance, somebody might have the threat of having their gas and electricity cut, and they might be in hardship and they might say that they can afford \$20 a fortnight for each. Gas and electricity company might say that that's not enough and that they want \$100 a fortnight. If someone is on Centrelink benefits, such repayment is unrealistic. Then that person comes to a financial counsellor. Financial counsellor does an assessment, calls the utility company and says all this person can afford is \$20 a fortnight for each, and the company agrees to it. Therefore that person is just being marginalised and ignored, because I have just negotiated the same conditions that they had offered. They'll listen to me, but not to them. And that's really disempowering for people.

# APSU: What do you think is the reason for that? Do service users not have the right language?

**Garry:** It doesn't only happen to people who are drug users. It happens to most marginalised people. It's about knowing what your rights are. For example utilities can only demand that you pay according to capacity you have to pay. I will sometimes get a client to ring up and make that arrangement and I tell them "if they say no, you have to pay more, say look, that's all I can afford. I've been to the financial counsellor, where I've worked out my budget, and that's all I can afford." And they should accept that. In dealing with any bureaucracies, whether a bank, utility or any credit provider, you need to use certain key words like I am experiencing financial hardship or I am experiencing financial

difficulties, instead of 'I can't pay'. It's really important to use the right terms. It's the little key that opens the door.

# APSU: You mentioned that financial counseling is not only for drug and alcohol clients.

**Garry:** There are a number of financial counseling agencies across Melbourne. All financial counseling is free of charge. One of the problems that I have is that I am the sole financial counseling worker at the Odyssey House, so I am overbooked and at this time I can't provide appointments for almost 2 months. The case work is very complex because people usually don't present with only one, but with multiple issues. So it involves communicating with various health professionals and getting documentation from them, then making the various applications, using that documentation



Garry Rothman, Financial Counsellor at Odyssey House Victoria

making the various applications, using that documentation in support of applications, making a special circumstances case and so on.

## APSU: What are the most common issues for people who are clients of drug and alcohol services?

Garry: I would say that there are a number of common issues for people who are AOD clients. Probably the most common one is outstanding fines and infringements. Another really common issue in our practice is fringe landers, like Cash Converters or pawn brokers. Also issues with debt collectors, unpaid credit cards and loans, threats of disconnection of gas, electricity and water, and wanting to access the superannuation. We have clients with the whole range of problems - from somebody who has no assets and no income apart from Centrelink to someone who had a good income and has assets, like a mortgage, and can no longer pay it, because of their drug and alcohol issues they had to stop working. These are really the most complex cases. Drug and alcohol issues have changed their living standards. If somebody looses their job, or temporarily has to stop working to attend treatment, we make applications for hardship for periods where no payments need to be made to protect the asset. That's another area altogether. Drug and alcohol issues can hit people of all various socio-economic backgrounds and we don't distinguish between those people. I am currently advocating for someone who's got a mortgage on a million dollar house, but because of their drug and alcohol problems they're not able to maintain the repayments. But just because they've got a million dollar home... if they've got no money, they're on Centrelink benefit and they've got a drug problem, then their problem is just the same as anyone else's. So I will advocate on their behalf.

One of the most common issues is infringements. I've had clients with up to \$100,000 in infringements, and that can be a combination of CityLink fines, traffic offences, parking offences and public transport offences. You can have a mix of all of those and the longer you leave them, the bigger they get. The good news for our clients is that special circumstances application can be made for infringements. The criteria for special circumstances is one of the following: severe drug and alcohol addiction, mental illness or homelessness. You only need one of those where you can show that the condition in question contributed to that person incurring in infringements or not understanding their actions. Obviously, some of our clients have all three of those special circumstances.

However, the infringement has to be related to that condition. Homelessness will not get you special circumstances for talking on a mobile phone while driving a car, but mental illness and drug addiction might. Homelessness will mainly be considered for public transport fines and parking fines when you're living in your car, because that's where homelessness contributed to person incurring infringements. When proving special circumstances we have to get a letter from doctor, psychiatrist, or psychologist – one of those or one of each, the more the better. Also, drug and alcohol counsellors can be a good secondary source. We don't only need to show that the person suffers from drug addiction or mental illness. The letter must draw a link between the condition and the person's actions.

For a lot of my clients it's very messy. They have a lot of fear because they have a lot of outstanding infringements. They might have their license taken off them. If it gets to warrants stage, the Sheriff can suspend people's registration, stop them from selling their car and suspend licenses. This means that people might be driving unregistered cars or driving unlicensed, so then they incur in further infringements. It just all compounds itself and gets more and more messy.

Important thing for clients to realise is that there is a way to resolve this, but it also involves changing the behaviour. Because if we go to court, and in most cases we do go to court, if the prosecutors say that the person is still incurring fines, the court is less likely to be lenient. So the person needs to look at this as an opportunity to clean up the mess and to stop that behaviour, to stop thinking that it's OK to get fines. We can clean it up, but if the person keeps getting more, then there is not a lot that we can do.

#### APSU: Does it get harder second, third time?

**Garry:** I've often gone to court with a client and the magistrator said to them "well, what do you want me to do? You've made this application, I'm prepared to wave these fines, but you keep getting more. This isn't a right to keep breaking law". For us to get a good outcome the person has to stop thinking that it's OK to keep getting more fines. Sometimes there might be some still in the pipeline and we can make a second application for that, and the courts understand that at this time there are still outstanding infringements, but what they are looking for is a change in the behavior.

# APSU: How many specifically alcohol and drug financial counsellors are there in Victoria?

**Garry:** There are only two of us collocated in drug and alcohol treatment services. I work in Odyssey, only part-time, and there is another person working in ReGen (formerly Moreland Hall), where I used to work and I've mentored them into the role. But that doesn't mean that there aren't other financial counsellors who can work with people with alcohol and drug problems, because we do a lot of training for other financial counsellors. So there are other financial counsellors who work with community health services for instance, and they are very aware of the effect of drug and alcohol issues.

#### APSU: How can people access your service?

**Garry:** Usually people access my service here if they're engaged with a drug and alcohol treatment service. They can ask their counsellor to make a referral to me. Otherwise, I would suggest that people ring MoneyHelp at 1800 007007 or visit www.moneyhelp. org.au to find out where their nearest financial counsellor is and how they can get help.

Sometimes MoneyHelp will give them the information they need, because they also provide phone financial counseling service, sometimes the issue can be solved over the phone.

We also find that many people with alcohol and drug issues also have gambling issues and there are gambling specific financial counsellors who can assist them. Sometimes people may have drug and alcohol addiction, but their main financial problem might be caused by their gambling. So I would suggest that those people seek a gambling financial counsellor.

#### APSU: How did you start doing this job?

**Garry:** I had worked in private industry before, and then I decided that I wanted to do something that is of benefit to people. I realised that there was a big gap in service provision in drug and alcohol treatment sector, because there was no one providing a service to deal with people's financial issues, when it's such an important area of people's recovery. It's just so overwhelming for so many people and they don't know where to start. It keeps so many people in that spiral of using because they continually feel marginalised and victims of the system. So I did a diploma in community services, major in financial counseling, which is ran by the peak body for financial counsellors through Victoria University. It's a very good 2-years part-time course. I also had financial background, so I could use a lot of that experience in this job.

#### APSU: Is there any particularly successful case that you feel proud of?

**Garry:** People often don't know that they have insurance attached to their superannuation, usually three kinds of insurances: death insurance, income protection and total permanent disability insurance. This is on top of what they have in their superannuation. Some people will have income protection insurance attached to their superannuation, which means that, if they had to stop working because of an illness, they're entitled to 2 years of the 70% of the income they were earning at the time when they had to stop working. For instance if somebody suffered from depression or from a drug issue, and they had to stop work and to seek treatment, and they had income protection insurance, if they were earning \$1,000 a fortnight, they would possibly be eligible for up to \$700 a fortnight, depending on the level of cover, for up to 2 years. Their Centrelink benefit would be affected, but wouldn't be totally wiped out. The other kind of insurance is total permanent disability, and this story is about that.

I had a client who had a mental illness and cancer. She worked as air-hostess for Qantas and had to stop working due to her illness. Qantas had paid out her disability payment, but they hadn't paid out her total permanent disability that was on insurance. This lady got legal advice and her solicitor said that she hadn't qualified for any further payment. Then she came to me to help her negotiate the payment plan on her mortgage, because she was behind. She didn't ask me to do anything on her superannuation. It was only while going through her superannuation that I had realised that there might be a claim to be made. We got solicitors involved to act on her behalf and we pursued the total permanent disability insurance. We were very successful in this case and the client got the payout of \$400,000.



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tive member base. We invite you to join us in having a say. APSU membership is free, confidential and open to anyone interested in voicing their opinions and ideas on the issues facing service users today. We need your help to give us all a fair go. To become a member please fill out the form below and post to: 140 Grange Road, Carnegie VIC 3163 APSU believes that people who use alcohol and other drug treatment services are the reason the system exists; their needs, strengths and expertise should drive the system. APSU is run by service users for service users and has an acor fax to: 03 9572 3498 or go to: www.apsuonline.org.au to register online.

# **MEMBERSHIP APPLICATION**

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#### Some more tips from Garry

If you get sued by a credit provider while you are on Centrelink benefits and have no assets

(Professional term: Judgment proof) If a credit provider gets a judgment against you, they cannot enforce that debt if you are on Centrelink and have no assets. For instance, if a person has a loan, maybe they were working and now they cannot work because of an illness, they are not likely to return to work and they still have \$10,000 debt. If they are on Centrelink benefits and they have no assets, even if the bank sues them and goes to court and then gets Sheriff to come out to their home, the Sheriff cannot do anything. They cannot seize their personal goods that are protected under the judgement debt recovery act, they cannot take them to jail and they cannot touch their Centrelink benefit.

#### If a debt is more than 6 years old

(Professional term: Statute barred)
If you have a debt which is more than 6 years old and you have not been sued for it, that debt is not enforceable. But if you pay even 1 dollar toward that debt, 6 years period starts all over again. So if you think that your debt is older than 6 years and you have not made any payments in 6 years, you should seek advice before you agree to make any payments.

#### **Credit rating**

A free copy of personal credit report is available from VEDA Advantage (http://www.veda.com. au/personal/my-credit-file.dot or tel. 1300 762 207). You need to write to VEDA with a copy of your photo ID and request a free copy of your credit report.

Listings on credit reports are not there forever. The longest that anything stays on a credit report is 7 years.

Before you act on any of these matters, seek legal advice from **Consumer Action Law Centre** tel. *1300 881 020* or *consumeraction.org.au* 

#### How to get a racehorse... or not

by Emma

I came into recovery when I was 30 years old. After I managed to stay clean for 6 months and ceased to be the destructive force in my own life I decided it was time to "sort my shit out". I had decided long before that the best way to manage my mounting debt was to stop opening my mail. I had been throwing the letters on top of the fridge and would hear them fall down the back whenever I added to the stock pile.

I linked in with a financial counsellor in Cheltenham. When I made the appointment the lady told me to just bring my mail and we would open it together. I hired 3 sherpas and a mule and we carried my Santa sacks of devastation to the appointment.

For the next hour the financial counsellor Shirley (for reasons of fluidity, we shall call her Shirley, because I remember her being friendly and Shirley sounds like an apt name for a friendly financial counsellor) managed to arrange my mail into three neat piles: important, not so important and pizza delivery pamphlets. This was a woman who knew her job and like a stealth bomber she flew into action. It went along the lines of "Emma is experiencing financial hardship and if you have any concerns call me and not Emma.....clunk."

The mail stopped arriving and the phone stopped ringing. The fridge had a new role of food store instead of filing cabinet.

As efficient as Shirley was at her job she was only able to redirect the flow of the burst dam. I needed to look at my options. Consolidate my debt and pay \$10 a week for the rest of my life and 3 following generations, or go bankrupt. I was unemployed at the time and had just returned to school. The total debt was just over \$60,000. To me it might as well been a zillion quadrillion dollars. People said "Don't go bankrupt for such a small amount; you will fuck up your credit rating for the rest of your life and 3 generations after. You won't be able to ever get a loan, open a business, and buy a house, car, boat. racehorse.... EVER!!!!!"

I decided that it was probably not a good idea to buy a racehorse in the near future anyway. What with the horse feed, vet bills, agistment, shoes, Gaye Waterhouse!

I went down the road of bankruptcy. I needed to learn to live hand to mouth instead of hand to arm. I was doing a bit of housing cleaning to keep me in lunch money for school and receiving a study allowance. Anyway I would need a couple of years of living a humble life instead of the super star lifestyle I had in active addiction (I can't seem to find a symbol that denotes sarcasm).

Over the ensuing years I completed a diploma, went back to full time employment and got a library card. I enrolled to vote then forgot to actually vote (What do you mean I have to line up at the local kindergarten?). I was a grown up machine. I hooked up with a bloke that didn't drive a Tarana and took my first steps towards enslaving myself to the system. It had been over 5 years and I made an application to be discharged from bankruptcy. I can't remember the exact process, but I do remember that I contacted an agency, filled in some paperwork and then got a letter back saying it was all cool and I could go forth and get that racehorse.

As for my speeding and parking fines, unfortunately you can't go bankrupt for those. I was placed on a payment plan and paid them off over 3 years. I could have gone to court and pleaded special circumstances, but it meant going down mental health memory lane, and I figured I could afford to pay the money because I work in community services and it pays so well (sarcasm symbol, sarcasm symbol!).

Now I am the happy part owner of a house, and not of a racehorse. For me bankruptcy was a good choice.



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## Leaving mum's couch

by Jason

My name is Jason and I am a recovering heroin addict who hasn't had a drink or a drug for 8 and a half years.

In my using I was a typical addict, nothing special really, I was prepared for a long time to do whatever it took to feed my habits. As a consequence I never really had much; it all seemed to go up my arm. Over 22 years of using I was mostly on the dole but managed to hold down a few jobs, mostly in sales and marketing. No surprise, even though I was boned out and looked like death warmed up my sales managers kept me on. See I was motivated, I had a habit to feed: this meant I needed money and money for me meant money for them.

About 10 years ago I was half on the nod on my mums couch dreaming of a better life when I realised that a better life wasn't going to swing by mum's couch and say "here I am." I had to go and get it. I was unsure where to start but hopeful that drug treatment services and a detox would be able to provide some direction. I was so sick and tired of being sick and tired. A cliché, I know, but it was completely relevant. At 34 years of age I was a broken shell of a man with no hope and all sorts of mental, physical, emotional and financial issues. So I went to detox, broke my habit, left detox and, instead of using straight up. I began hanging around recovery focused

people who had experienced similar challenges and who were now living in a solution.

They blew me away. They seemed happy, I wanted that for me, I was desperate not to use again and took on any support that was offered. My life started to change and after 100 days of not using any mind or mood altering substance my obsession with drugs left me. This was amazing and a miracle - I was free, at last I wasn't a slave to my addiction! So, I set off on a mission to find value and meaning in my life which included going to TAFE and studying for an AOD diploma, getting a girlfriend, a job, and finding somewhere safe to live.

This was hard as my credit rating was shot and I was 100 per cent dependent on the dole. I was terrified at the thought of applying for a mobile phone in case they knocked me back. I was amazed when my application was successful. I made sure I made all the repayments on time and my credit rating began to improve. Then I applied for a utility bill in my name and was successful. Water was next, then gas. I set up direct debits and made sure that I was able to meet all the repayments. I added up all my monthly income, minus my bills then divided the remainder by 30 days in the month and this gave me a daily budget of about \$15.

Tough when I had to buy smokes and live, so I stopped smoking. This was difficult, but I was on a mission. In my

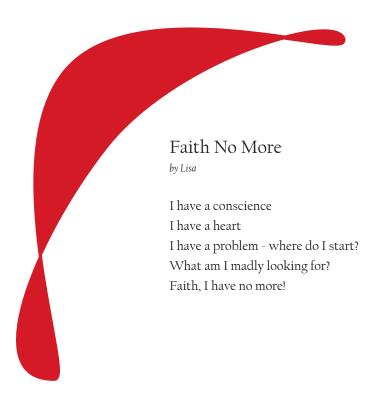
using I never failed a mission, so I figured I could do it. All of a sudden I had a little extra in my pocket. Then I got offered a job in the drug and alcohol field, which I took. I had a regular pay check coming in now, I was doing a job I loved and my selfesteem grew. I was happy. I realised that although life can be hard, it was really me who had made it previously impossible to live life successfully.

Next came a car, a better place to live, a full time job... I became committed and focused, reliable and responsible. I was given more responsibility and a better paying job. I was set and felt like I could do this thing called life. A managers role came up and I got it.

A few years later I bought a house. Yup! Jase the brassy from the eastern suburbs had got a full time job, bought a house and had fallen in love!

My most recent achievement has been buying a rehab. I am a partner in an intensive outpatient addiction treatment program and I love it. We work hard to give people suffering the impacts of addiction an opportunity to access best practice contemporary private addiction treatment (check out www.dayhab.com.au).

My fundamental financial principle is still the same today as it was in my early recovery: Don't spend more than you have!



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#### Stolen\*

by George Hall

The dreaming is now.

And we are all in the rhythm and the threads of its stories.

The land and the people that desire the telling.

Now I am the sea and the sky, the land and the trees.

The reef is bleached.

The earth is saline.

The rivers run dry.

The desert is come.

Fogs and smog engulf the city.

This land is cursed.

Each name a whisper on the wind.

Every breath a feather's touch.

Listen to the trees and stars.

For they show us how and why.

#### Cleaning up the mess

by Anonymous

My life was a mess, a shambles. I'd been caught up in the madness of daily dependant drug using for longer than I cared to remember. There wasn't an area of my life that wasn't adversely impacted by my drug use and this, of course, included my finances.

I'd been in trouble with the law and had outstanding court issued fines, I'd gotten way behind with a loan repayment and eventually stopped paying it at all, and I had a heap of road and public transport fines – standard drug addict stuff.

I wasn't working at the time and, to be honest, I wasn't really employable either. I was just scraping through with my Centrelink payment, and my strategy in dealing with my financial mess was to ignore it for long enough and hope it would all just go away – deluded wishful thinking.

Anyway, I eventually started to engage with some services and programs to get support with my drug use. This process led me into the office of a financial counselor who was able to sort through the madness of my financial situation and together we formulated a workable strategy to help untangle the mess.

First I approached Centrelink and arranged to have a small amount taken out of my benefit each fortnight and slowly began to chip away at some of my outstanding fines. Being unemployed gave me the opportunity to do some community hours, so I applied

to the courts to have my court issued fines converted to work hours, and thus began my time of cleaning up rubbish and graffiti in the local area with an assorted bunch of addicts, petty crims and fine defaulters on the work hours detail. I completed 200 hours over a few months, and at the end was greatly relieved to have avoided doing any jail time.

Lastly my financial counselor was able to advocate on my behalf with the debt collection agency which, as I was very interested to learn, had purchased my outstanding debt from a finance company. She was well versed in dealing with debt collectors and basically told them that they wouldn't get any more money out of me, to please direct any further correspondence through her office and stop the relentless harassment over the phone – cop that! They've left me alone ever since.

That's a little snapshot of some of the steps I took to regain some control over my finances. Obviously, I had to make some meaningful change in terms of my drug use as that was the root cause of all the financial problems and I'm happy to tell you that today I'm in recovery, I'm clean, I'm debt free, I'm employed and the cops, the courts and the correction workers aren't the slightest bit interested in me.



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<sup>\*</sup> This is an excerpt from the short story 'Stolen' by George Hall

#### Getting to a clean slate

by Anonymous

Once I had stopped using I knew I had to confront my finances. I had no savings, but I had lots of unpaid and overdue utility bills (gas, electricity, telephone), late fines, plus money borrowed from family and friends.

I needed support so I went to my local community house to see what services they provided.

This was the result: I was referred to a financial counselling service. I made an appointment with a financial counsellor who not only wiped my utility bills under the hardship arrangement, but advised me how to best manage my future finance. For example, having my rent deducted fortnightly from my pension using Centrepay, or contributing a small sum each fortnight to my utility service providers, so that when the actual bill arrives it already has part or full payment benefits.

I was referred to legal aid in relation to my fines. They were also wiped, due to my addiction at the time. I was also given a list of service providers where I could go for a free or cheap meal daily and also groceries and food vouchers for the major supermarkets. With all this support I was quickly back to a clean slate with my finances and I am still managing well today, with no monies owing.



'My brother' by Shane

#### Information

MoneyHelp tel. 1800 007 007 www.moneyhelp.org.au

MoneyHelp offers free financial counselling service over the phone, as well as range of information regarding the management of finances and debts. MoneyHelp will also indicate your closest financial counselor.

MoneyHelp website is designed to allow you to find information of specific relevance to you. If you want to know your options with credit card debt or mortgage payments, your rights regarding child support payments, or your utility bills you can go directly to these sections.

Your credit file - VEDA Advantage tel. 1300 762 207 www.mycreditfile.com.au/home/free-credit-file.dot

You can obtain a free copy of your personal credit record from VEDA Advantage. You can call VEDA or visit the above webpage to find out exactly what you need to do, what information and what documents are required. This service is completely free and it takes approximately 10 working days.

Good Shepherd Microfinance tel. (03) 9495 9600 goodshepherdmicrofinance.org.au

Good Shepherd offers small loans with low or no interest to people on low income. These loans aim to provide relief to people in times of emergency and can be used for a range of necessities, such as household items or medical expenses. Repayments are arranged in affordable amounts. Call Good Shepherd or visit their website to find out more.

Debtors Anonymous tel. (03) 9513 3008 www.debtorsanonymous.org.au

Twelve-step fellowship for people who struggle with compulsive debting.





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