



Combined Community Legal Centres
Group (NSW) Inc.

Human Rights & Social Justice Annual Report 2001-2002

The Combined Community Legal Centres' Group

Generalist Centres

Blue Mountains Community Legal Centre
Central Coast Community Legal Centre
Community Legal Service for Western NSW
Far West Community Legal Centre
Hawkesbury/Nepean Community Legal Centre
Hunter Community Legal Centre
Illawarra Legal Centre
Inner City Legal Centre
Kingsford Legal Centre
Macarthur Legal Centre
Macquarie Legal Centre
Marrickville Legal Centre
Mt Driutt and Area Community Legal Centre
Newcastle Legal Centre
North and North West Community Legal Service
Northern Rivers Community Legal Centre
Redfern Legal Centre
Shoal Coast Community Legal centre
South West Sydney Legal Centre

Specialist Centres

The Aged-Care Rights Service
Arts Law Centre of Australia
Communications Law Centre
Consumer Credit Legal Centre NSW Inc.
Court Support Scheme
Disability Discrimination Legal Centre (NSW)
Domestic Violence Advocacy Service
Environmental Defenders Office
HIV/AIDS Legal Centre
Immigration Advice and Rights Centre
Intellectual Disability Rights Service
National Children's and Youth Law Centre
Public Interest Advocacy Centre
Redfern Legal Centre Publishing
Refugee Advice and Casework Service
Tenants' Union of NSW
Welfare Rights Centre
Wirringa Baiya Aboriginal Woman's Legal Centre
Woman's Legal Resources Centre
The NSW Working Woman's Centre

Combined Community Legal Centres' Group
(NSW) Inc.

State Office

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Surry Hills 2010

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Our Mission

NSW Community Legal Centres work for the public interest, particularly for disadvantaged and marginalised people and communities. We promote human rights, social justice, and a better environment by advocating for access to justice and equitable laws and legal systems, and through the provision of legal services including strategic case work, community legal education and law reform campaigns.



Chairperson's Report

It is with great pleasure that I introduce the 2002 Annual Report of the Combined Community Legal Centres' Group (NSW). The report documents an energetic year of activity – the collaborative efforts of many people engaged in sector wide issues of interest to ourselves as legal centres, and the communities and clients we represent.

As Chairperson it's a privilege to be asked to participate in a variety of activities on behalf of the Group – some of them more enjoyable than others, of course! One fine task was presenting the Law Society Pro Bono CLC Volunteer Award to Barbara Garrick, a volunteer solicitor with Hunter Community Legal Centre. Congratulations also goes to Jennifer Neilsen of the Northern Rivers Community Legal Centre who won the Law and Justice Foundation's "Volunteer of the Year Award". Their work with Community Legal Centres is an example of the dedication to community legal centres that was revealed in the volunteer research that we finalised during the year.

The research report, *Our Time is Not a Gift to Government*, documents quite clearly that volunteers volunteered in CLCs because the centres were local to where they lived or worked and they had a strong sense of community, sometimes expressed as putting something back into their communities. Most noticeably though, volunteers expressed a strong commitment to social justice issues and support for the law reform and policy work that CLCs do.

Governments however, are quick to challenge this core role of CLCs. As a sector heading into a review of the funding program (although the long awaited review is still just that) it's been essential that we rally for our long held core values – in essence that we combine casework, community legal education and law reform work - all as essential and inter-related parts of the whole way of being a CLC. The origins of community legal centres can be found in the need for constructive and positive change – maintaining a commitment to this is arguably a key to survival.

A sincere thank-you to our committed and talented staff Brigid Inder, Elaine Fishwick, Julie Smith and Carol Roberts; Board members, committee convenors and other CLC workers who make a contribution to our combined work and who have positioned us well to move with confidence into 2003.

Janet Loughman
Chairperson

Director's Report

The last 12 months have been a time of significant development and success for the NSW sector.

We have undertaken a major funding campaign, developed strategic directions for the sector as a whole for the next three years, participated in a successful state-wide community campaign to have the SACs Award funded, written and printed brochures and publications promoting the sector, and undertaken several policy and human rights initiatives.

The State Office provides a busy referral service for over 1,000 callers per year to Community Legal Centres (CLCs) as well as other legal services primarily Law Access. During the year we posted the new 2002 CLC Directory on our website. We plan to update and re-design the website to make it an accessible site for people wanting to find and contact their local CLC. In addition, we have distributed 1000 copies of the CLC Directory to services throughout NSW. In June we re-wrote, designed and printed 5000 copies of a new CLC brochure explaining the CLC services and contact details as well as other key legal service providers in NSW.

In February we moved into a new office in Surry Hills. This provided an opportunity for us to rationalise files and materials at the state office and move to a space better suited to our needs. Our new location is closer to many of the organisations we work closely with, a number of community legal centres, our funders and NSW Parliament.

The sector is also undergoing key financial reporting, administrative and managerial change. The Commonwealth is negotiating with Community Legal Centres to establish a new Model Service Agreement, a new reporting program, a package of Service Standards and Performance Indicators (SSPI) and a new statistics and information gathering package (CLCIS).

Funding Campaign

During the year Community Legal Centres worked closely with the Legal Aid Commission to develop a sector-wide approach to address the funding issues for Community Legal Centres. Over a long period of time Community Legal Centres have received inadequate core funding which until recently has been absorbed in various ways by centres, in part through low salaries. In addition to long term inadequate core funding, other factors such as the SACs Award and the Commonwealth Government's refusal to pay its portion, increased insurance costs over the past few years and ongoing increases in overheads, converged to create a serious funding crisis.

During the last 12 months we have worked with the Legal Aid Commission and the Attorney General's Office to develop a practical, realistic approach to address the funding issues for the lowest funded centres.

Despite our efforts, the 2002 State Budget failed to provide any additional funding for CLCs. In light of this we re-focused our funding campaign towards the State Election. Since July this has involved developing position papers and an *Audit of Impact*, quantifying the cutbacks and reductions centres have made in response to the funding situation. In addition we mapped the location of centres and our outreach services with electorates and found much of our work crossed over to marginal electorates important for the Government's re-election. Centres have been lobbying local MPs, writing to the Premier, Treasurer and Attorney General raising awareness of the funding crisis. Rural and regional centres, as well as outer metropolitan centres are hardest hit.

Director's Report

In addition we successfully lobbied the Federal Government to secure Commonwealth funding for CLCs to meet the 1% increase in employer superannuation contributions for 2002-2003.

SACS Campaign

During the year we worked closely with the New South Wales Council of Social Services, and the Australian Services Union, on a state-wide campaign lobbying the Federal Government to pay their portion of the SACs Award of funding to the community sector in NSW. In November 2001, NCOSS and the ASU convened a campaign committee of peak community organisations, including CCLCG.NSW, to co-ordinate our efforts in lobbying government to fund SACS. Our work involved letters and petitions, community forums and consultations, protests, meetings with Federal and State MPs, and the media. We documented the impact of under-funding on CLCs and quantified the sorts of reductions and cuts centres have had to make.

The result was not forthcoming in the financial year (2001-2002) however at the time of writing this report the State Government had announced a package that included funding across the community sector for the SACs Award on Federal funding. This covers all CLCs, including Commonwealth only funded centres, and provides much needed relief. A great outcome.

Strategic Directions

At the beginning of 2001 the Combined Group of Community Legal Centres developed forward-looking strategies and directions for the sector 2002-2005. This is the first time the sector has undertaken sector-wide long-term strategic directions planning. The sector engaged in a process of identifying key issues affecting the clients, individuals and communities we work with, as well as issues impacting on individual legal centres and the sector as a whole. This was an innovative and exciting planning exercise involving community legal centres throughout the State. Through discussion and briefing papers, we identified a number of priority areas to focus on over the next three years. These include:

1. Funding
2. Human Rights
3. Legal access/needs and gaps in legal services
4. Strategic Service Delivery
5. Capacity Building

One of the key issues the sector identified in the strategic planning process was capacity building. With this in mind we re-designed the Quarterly Meetings to include training for the sector, as well as information sessions from organisations relevant to CLCs. We piloted this new format in May 2002 with two training opportunities. These were - training in the use of the BBS for internal electronic communication; and Human Rights training including the use of the National Human Rights Register conducted by the Catholic Commission for Justice Development and Peace. In addition we have had information sessions on CLSIS, and from the NSW Ombudsman's Office. We have a training program planned until early 2003.

Director's Report

In addition we facilitated a meeting of all CLC Convenors of sub-committees to discuss the structure and effectiveness of the Quarterly Meetings. In collaboration with the convenors we developed a new meeting schedule to address clashes in meeting times and simultaneous programming of committee meetings.

Review

In November 2001 the Commonwealth Government provided us with the Terms of Reference for the Review. These are:

1. Identification of funding distribution models which ensure Community Legal Services (CLS) are equitably located in areas of highest need throughout NSW, including consideration of:

- ◆ regional models for generalist CLS
- ◆ options for setting geographical catchment areas for metropolitan CLS
- ◆ the relationship between CLS and other legal service providers
- ◆ co-ordination and planning requirements to avoid service duplication
- ◆ the relationship between specialist and generalist CLS

2. Identification of core services and eligibility criteria, including consideration of:

- ◆ service outcomes
- ◆ the role of CLS in the context of other service providers
- ◆ consistency and co-ordination in provision of core services
- ◆ regional factors in the provision of core services

3. Enhancement of corporate governance of CLS

4. Enhancement of the role of volunteers.

These terms are similar to those used for the Queensland Review and were along the lines we were expecting. We met with the Legal Aid Commission informally to discuss the Terms and to reach a common understanding of some of the apparent ambiguities in the objectives of the Review.

Early 2002, the CLC Committee of the Legal Aid Commission met for half a day to discuss and clarify a shared understanding of the purpose of the Review, possible models for proceeding with the Review along with the timeframe, and our mutual expectations and concerns.

In February the CLC Committee, met with Gary Burlingham, Commonwealth Attorney General's Department, in what has proved to be the only official meeting held to date with all parties regarding the Review. At that meeting we reached verbal agreement on the composition of the Advisory Committee for the Review as well as the role of the CLC representatives on the committee which is to include liaison and consultation with the sector as the review proceeds. Since that meeting there has been no progress on the review and we continue to wait to hear from the Commonwealth.

Director's Report

In July we published a major report on volunteers in community legal centres, *My Time Is Not a Gift to Government* which was commissioned as part of our preparations for the review. The report was produced by the Institute of Social Change and Social Inquiry at the University of Wollongong, Illawarra Legal Centre and the Combined Community Legal Centre's Group State Office.

It provides an invaluable insight into volunteering and the attitudes of volunteers in our sector to the work that they do. Perhaps this provides a good opportunity to thank every volunteer for their commitment and contribution to the provision of legal services to disadvantaged people in NSW.

Legal Needs and Access to Services Research

The purpose of the research is to assess access to legal services and unmet legal needs, to develop responses in relation to those gaps in access to legal services, to collaborate with key providers of legal services (including Legal Aid Commission, Law Society, Aboriginal Legal Services, Community Justice Centres, amongst others) to assess and develop strategic and considered responses to the gaps in access. Our intention is that this research will provide the basis for long term planning for legal services in NSW, and that we will be partners along with the Government and other providers in the planning and development of legal services for the people of NSW.

The Combined Community Legal Centres' Group.NSW has prioritised identifying and better understanding the location, and spread of legal needs in relation to access to legal services in New South Wales. we want to assess and identify legal needs in NSW in terms of geographical areas, communities of need in relation to legal services, as well as identifying in broad-brush terms the 'types' of legal issues emerging from those communities with diminished access to legal advice, services and information.

We have decided to explore, based on social disadvantage data, how and where legal disadvantage is located and spread across NSW. We are mapping existing resources and services currently available in relation to addressing the communities access to legal services, and subsequently identify gaps in access to the network of legal services.

Neither the CCLCG, nor our partners in the provision of accessible legal services, namely the NSW Legal Aid Commission and the NSW Law Society, through the provision of pro bono services, have undertaken the type of research we propose with the 'mapping' of existing legal services and investigation into legal issues and unmet legal needs. We anticipate collaborating with the Legal Aid Commission, NSW Law Society (and others) in this research, particularly as it is from these partners and partnerships that solutions to unmet legal need are likely to emerge.

To date we have undertaken a mapping process identifying legal services providers in NSW, legal infrastructure, community infrastructure and mapped these against population data and social need indicators.

Human Rights

Human Rights has been identified by the sector as one of our key strategic directions over the next 3 years. We have prioritised training for the sector around human rights, and developing our sense of what it means for us as an organisation and how to most effectively engage with human rights. We have asked ourselves what could a human rights framework offer our clients in terms of legal and justice outcomes, how would using a human rights framework change or influence our work as legal advocates, and how do we re-frame our social justice activities as human rights activism.

Director's Report

During the year NSW CLCs have been active in the CLC National Human Rights Network, currently co-convened by Brigid Inder (Director, CCLCG.NSW) and Cassandra Goldie (Northern Territory).

In addition, CCLCG.NSW has endorsed the following human rights actions and activities including:

- ◆ Endorsement of Women's Rights Action Network of Australia (WRANA) 2001 election campaign seeking commitments from the parties in support of Australia signing the Optional Protocol to CEDAW.
- ◆ Attendance at the HREOC Bill of Rights Round Table.
- ◆ Participation in the inaugural NSW Human Rights Alliance meeting.
- ◆ Supported the Refugee Action Collective rallies and petitions calling for justice for refugees in detention centres and a reform of policies in relation to refugees and asylum seekers.
- ◆ Successfully lobbied the Australian Government to take strong human rights positions at the UN Special Session on Children.
- ◆ Attendance at a meeting of members the CLC National Human Rights Network in Sydney.
- ◆ Participation in ALHR/NHRN Human Rights On-Line Training Project Sub-Committee.
- ◆ Successfully lobbied the Government regarding immediate Australia's ratification of the International Criminal Court.

United Nations Accreditation

Kingsford Legal Centre and the NSW State Office developed an application for Community Legal Centres (throughout Australia) to have accreditation to the United Nations. We have monitored the progress of this application over the past 18 months. In June we received confirmation that the CLC application for consultative status with the Economic and Social Council of the United Nations, will be considered at the December 2002 session of the Committee.

Law Reform and Policy

Submissions

This year we produced four major submissions providing detailed analysis of legislation and related policies and procedures including:

- ◆ *Submission to HREOC on Racism in Australia*

This Inquiry into Racism in Australia was a precursor to the World Conference Against Racism. Our submission highlighted issues including the manifestations and causes of racism in society including institutional and street racism, how CLCs address these issues and the victimisation of children and young people and how we can combat racism in our community.

Director's Report

◆ *Submission to the NSW Standing Committee on Law and Justice Inquiry Into Sexual Assault Matters*

Our submission took case studies from centres and used them to analyse sexual assault legislation, policies and practices. It provided a critique of the ways in which government agencies handle sexual assault matters and child sexual assault in particular.

The submission made a number of recommendations for legislative, policy and procedural change and the Combined Group was invited to give evidence at the inquiry.

Gabrielle McKinnon children's solicitor with Marrickville Legal Centre and Rachael Martin from Wirringa Baiya Aboriginal Women's Legal Centre represented the Group at the Inquiry.

◆ *Attorney General's Review of the Victim's Support and Rehabilitation Act 1996 and the Victim's Rights Act 1996*

The Victim's Compensation Sub-committee in association with the Law Reform and Policy Committee and other contributions from the sector, produced a substantial submission to the Attorney-General's Review.

In a detailed examination of the legislation, policy and procedures the sector provided an extensive review with recommendations.

◆ *NSW Parliament Standing Committee on Social Issues Inquiry into Child Protection Services*

In May 2002 as a response to increasing concerns about the work of the Department of Community Services the NSW Parliament Standing Committee on Social Issues Established an Inquiry into Child Protection Services.

A working group was established to develop a submission focusing on a number of key areas;

- ◆ Accountability
- ◆ Comparison with the UK Children's Act 1989
- ◆ Impact and constitutional implications of the unproclaimed sections of The Children and Young Persons (Care and Protection) Act 1998
- ◆ Compliance of child protection legislation, policies and services with the UN Convention on the Rights of the Child
- ◆ Participation of children and parents in decision-making and planning
- ◆ Advocacy for children

Director's Report

In addition, we also provided feedback and comments on the following:

◆ *Inquiry into Migration Zone Excision and the Migration Legislation Amendment (Further Border Protection) Bill 2002*

In June the Australian Senate Legal and Constitutional References Standing Committee invited us to make a submission to their Inquiry Into the Migration Zone Excision and Further Border Protection Bills. Our submission concentrated on the potential abuse of human rights law and refugee law that the proposed legislation entailed.

◆ *Anti-Discrimination Amendment Drug Addiction Bill (2001)*

In November 2001 the NSW Government introduced amendments to the Anti-Discrimination Act which would allow for employers to discriminate on the grounds of drug addiction.

The Combined Group in association with the Hepatitis C Council and the NSW Users and AIDs Association submitted joint comments, objecting to the proposed changes. The submission argued that the proposed amendments were unnecessary, created job insecurity, were ill considered and contrary to the spirit of the Federal Disability Discrimination legislation.

◆ *Development of Domestic Violence Inter-Agency Guidelines*

We were invited to provide comments on the draft on-line Domestic Violence Inter-Agency Guidelines developed for the Violence Against Women Unit of the Attorney General's Department. On behalf of the sector detailed comments were submitted.

Universities Partnership Program

To facilitate our research work and commentary on law reform and policy we wrote to several law schools around NSW. Individual academics were invited to be part of an advisory group who could be called upon to offer their knowledge and expertise. To date, academics have been contacted for advice on family law, constitutional and human rights law.

Campaign

◆ *State Debt Recovery Campaign*

In 2001 the Committee developed and co-ordinated a campaign to amend legislation, policy and procedures relating to the recovery of debts incurred as a result of the non-payment of fines. The committee submitted a detailed report to the Attorney-General's Department and followed up with meetings with the Attorney General and the State Debt Recovery Office.

Director's Report

Convenors

Thanks to all the Committee Convenors this year particularly:

Jane Cipants & Katrina Harris

Co-convenors, Sector Development Committee

Caitlin Perry (to Nov 2001), Cavell Warren (from Nov 2001 - June 2002) & Fran Gibson

Co-convenors, Law Reform & Policy Committee

Danaë Harvey & Cathrine Carney

Co-convenors, PII Committee

Thanks also to all sub-committee convenors and members for your work throughout this year.

Brigid Inder

Director

Report from the State Representative

NSW has traditionally seen NACLCL as an essential forum for determining national strategies and generating campaigns to build the sector, as well as providing core services like professional indemnity insurance and the BBS. This year, we maintained our strong and hopefully constructive involvement in NACLCL affairs.

Human rights

NACLCL's commitment to human rights activism continues to develop, and NSW has actively supported this development.

The human rights focus has been obvious at recent national conferences and increasingly in NACLCL media comments and policy decisions.

A national Human Rights Network was launched at the 2001 National CLC Conference in Fremantle, with over 50 people attending the initial meeting. The network maintains a lively email newsletter, and liaises with other CLC and external networks and organisations. Key issues for the network continue to be Australian treatment of asylum seekers, building genuine commitment to international human rights standards, and support for East Timor social reconstruction.

Brigid Inder, NSW CCLCG Director, is co-convenor of the network.

PII

The national insurance "crisis" impacted on NACLCL again this financial year.

Following the collapse of HIH in early 2001, NACLCL engaged US-based St Paul to provide professional indemnity cover for 2001-2002. However, towards the end of the financial year, St Paul decided to withdraw from the Australian market, requiring NACLCL to once again find a new insurer. NACLCL then engaged CGU to provide cover at a significantly higher premium, but we were able to secure financial assistance from the Commonwealth to cushion the price increase.

During the course of the reporting period, NACLCL considered proposals from the national PII committee to effectively adopt a national PII scheme (with some allowance for State/Territory variations to detail). The NSW PII Manual and guidelines formed the basis for the development of the national scheme.

NACLCL also began to explore the viability of creating a CLC "sector fund" to replace the existing commercial insurance arrangements.

MSA

Discussions with the Commonwealth over the scope and detail of a 3 year Model Service Agreement (MSA) continued throughout the year. Key issues included the frequency and manner of reporting, processes to deal with any alleged under-performance, and entitlements to retain "Centre-generated" income (such as court-ordered costs).

Report from the State Representative

There was also disagreement over the shape of the agreement, with NACLC developing its own draft as the basis for negotiation.

NSW was actively involved in these sometimes tense and often complicated negotiations. Michelle Burrell, Katrina Harrison and Simon Moran made important contributions.

The importance of having clear contractual arrangements with Government funding bodies was highlighted by the Commonwealth's decision to cease its funding for the WA Women's Legal Service and to open that funding to alternative tender. NACLC was very critical of the Commonwealth's decision and its failure to follow due process (not putting any specific complaints to the Centre and then unilaterally withdrawing funding without following the disputes resolution procedure).

Data Collection

Work continued on developing and testing the new data collection system (CLISIS) intended to replace NIS. The timetable is well overrun, but by the end of the financial year, some progress was evident. Many of the delays were due to issues between the Commonwealth and the software developers, and pressure to keep the hardware requirements manageable. Apart from the delay in implementation, feedback from Centres involved in testing the new data system was generally positive.

NACLC processes

NACLC made a number of significant decisions about its decision-making and other structural issues.

A comprehensive network support policy was adopted, attempting to determine what financial support should be provided to each network.

A new process was determined for electing the NACLC Convenor. The election process now involves calling for nominations from Centres and advising the nominations received to the sector, before a vote (if necessary) by State/Territory representatives at the AGM.

After considerable discussion, a new, more equitable formula for determining fees payable to NACLC was adopted.

These issues are not without controversy, particularly the change to the fee formula that will require some Centres to contribute at a higher rate – although some Centres will of course pay less. We consider important that NACLC's internal processes – including about decision-making and the fee formula – are soundly based on principles which encourage participatory democracy, and which treat member State/Territory Associations equitably.

Report from the State Representative

National Pro Bono Resource Centre

NACLC joined a consortium tender (with PIAC and others) for this Commonwealth initiative. In particular, we wanted to discourage an East Coast, capital city, big end of town conception of pro bono work in favour of a more national approach, looking to fill gaps in service provision where possible, including in rural, regional and remote areas.

It is not clear which vision for the Pro Bono Resource Centre will prevail.

Consortium purchase on subscriptions

NACLC developed proposals with two major legal publishers (CCH and Butterworths) for a national consortium purchase of their electronic “loose-leaf” family law services at a discount price. Unfortunately, while a number of Centres expressed interest, we were unable to negotiate an arrangement which was financially acceptable to the publishers and Centres.

Steve Bolt

Report from the Legal Aid Commissioner

The Combined Community Legal Centres Group continues to have a strong and productive relationship with the Commission. There are many ways in which CLCs interact with the Commission, including through local and regional networks, community legal education and through representation on the Legal Aid Commission Board's formal Committees. Fran Gibson (Kingsford Legal Centre), Catherine Carney (Women's Legal resource Centre) and Gabrielle McKinnon (Marrickville Legal Centre) are the CLC representatives on the Civil, Family and Criminal Committees respectively. In addition, Janet Loughman, Chair of the CCLCG, Brigid Inder, Director of the State Office and Danaë Harvey (Commissioner) attend the CLC Committee which is chaired by The Reverend Harry Herbert, a Legal Aid Commissioner.

The Legal Aid Commission has restructured its Grant Department, with all in-house and assigned grants of aid being determined centrally by the grants section; implementation of electronic lodgement of applications for legal aid and panels of solicitors who are entitled to do legal aid work.

One of the most significant challenges the Commission has faced over the last two years is the ever-declining number of private solicitors willing to undertake legal aid work in family law and criminal matters. The Legal Aid Commission is has implemented numerous strategies to address this issue, including publications, increasing the number of (temporary) positions in the family law section, increasing professional fees in criminal and family law and opening a new regional office in Dubbo which will have both criminal and family law solicitors.

Finally, the Commission has reiterated its continuing support for a Civil Section with a slight increase in the Civil section budget. Given that NSW is the only State or Territory Legal Aid Commission that has a Civil Section, the Government, the Board of the Legal Aid Commission, Bill Grant, the Chief Executive Officer of the Commission, and all the staff of the Legal Aid Commission are to be applauded.

Danaë Harvey

Practice & Insurance Committee Report

This has been an eventful year. No sooner had we dealt with the HIH collapse and finalised arrangements with a new Professional Indemnity Insurance underwriter, St Paul's, then we were advised by St Paul's that they were pulling out of the Australasian insurance market in the 2002-2003 financial year.

The options for new insurers were few; with CGU making the best offer with a national CLC premium of \$193,600 and an excess of \$10,000. The previous year's premium was \$98,000 with an excess of \$1000. Needless to say, this dramatic premium and excess increase has caused considerable concern. This is especially so given that:

- 1 The NSW share of the premium this year was \$62,204; whereas, the total amount of claims paid out in NSW over the last 17 years was \$46,658.
- 2 The excess of \$10,000 is more than the majority of individual claims paid out in relation to CLCs

The Commonwealth Government came to the rescue with a one-off payment of \$105,000 (\$30,000 towards Centres who can not afford the excess and \$75,000 towards the premium). However, in 2003/2004 CLCs will be faced with the entire premium and, likely, an increase in that premium.

In response to the above situation, NSW is seeking legal advice from Blake Dawson Waldron in relation to the possibility of CLCs establishing a "self-insurance" model of PII. The goal is that CLCs continue to pay a premium into a PII fund with the government underwriting the scheme.

Finally, this year the NSW PII documents - the Practice Guide, the PII Compliance Manual and the Cross Check Questionnaire - were rewritten by Lauren Finestone and Danaë Harvey. These best practice and risk management tools contribute to the palatability to government of a "self insurance" PII model; especially since the National Association of CLCs adopted a uniform PII Scheme based on the NSW PII structure, PII Compliance Manual and PII Cross Check Questionnaire.

**Catherine Carney &
Danaë Harvey**

Independent Audit Report

Scope

I have audited the financial report of the Combined Community Legal Centres' Group (NSW) Inc. for the financial year ended 30 June 2002. The Members of the governing body are responsible for the financial report. I have conducted an independent audit of the financial report in order to express an opinion on it to the members.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Australian Accounting Standards and other mandatory professional reporting requirements and relevant statutory and other requirements, so as to present a view which is consistent with my understanding of the Organisation's financial position and the results of its operation.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In my opinion, financial report presents fairly, in accordance with applicable Accounting Standards, other mandatory professional reporting requirements and the Funding and Performance Agreements the financial position of the Combined Community Legal Centres' Group (NSW) Inc. as at 30 June 2002 and the results of its operations for the year then ended.

Dated at Hurstville this 18th day of July 2002.

Sandra Grollmus
Registered Company Auditor
Registered No. 1254

Independent Audit Report

Balance Sheet as of June 2002

Assets

Cash on Hand			
CBA Cheque Account	3,897.92		
Cash Management Account	121,782.01		
Fixed Deposit	30,655.20		
Petty Cash	100.00		
Total Cash on Hand		156,435.13	
Interest Receivable		510.79	
Prepaid Expenses		932.40	
Bonds-electricity		200.00	
Non-current Assets			
Office Equipment	9,679.79		
Bond premises – Elizabeth St	5,000.00		
Total Non-current Assets		14,679.79	
Total Assets			172,758.11

Liabilities

Current Liabilities			
Sundry Creditors	300.00		
Group Tax Payable	3,853.00		
Accrued expenses	3,147.40		
Holiday Pay accrual	5,021.43		
GST Liabilities	2,414.47		
Total Current Liabilities		14,736.30	
Other Current Liabilities			
CLEW Training Money	136.36		
Wage Packaging Accounts	3,591.59		
Combined Group Funds	55,545.90		
LAC-MSP project funds	22,059.00		
Provisions	30,054.01		
Total Other Current Liabilities		111,386.86	
Total Liabilities			126,123.16

Net Assets 46,634.95

Equity

Accumulated Surplus		41,174.85	
Accumulated Surplus – MSP		5,523.24	
Current Year Surplus		-63.14	
Total Equity			\$46,634.95

Independent Audit Report

Profit & Loss Statement - 1/7/01 through 30/6/02

Income		
Core Funding Received	195,529.00	
Bank Interest Received	7,365.50	
CCLCG Group Levy	3,527.99	
Release of Provisions	9,428.98	
Total Income		<u>215,851.47</u>
Expenses		
Staffing Expenses		
Salaries	92,555.06	
Salary Sacrifice Expense	18,028.26	
GST Credits on Wage Packs	-224.77	
Salary On-Costs	10,324.91	
Staff related expenses	2,408.84	
Total Staffing Expenses	<u>123,092.30</u>	
Operating Expenses		
Rent	17,234.50	
Other Premises Costs	7,195.08	
Office Overheads	11,742.91	
Communication	9,204.62	
Financial & Accountability	21,344.31	
Library, Resources and Subs	1,114.33	
Travel	4,905.70	
Program & Planning	9,472.24	
Office Assets	2,857.13	
Depreciation/capital equipment	5,290.94	
Total Operating Expenses	<u>90,361.76</u>	
Total Expenses		<u>21,3454.06</u>
Operating Profit		<u>2,397.41</u>
Other Income		
Other Expenses		
Other Expenses (Program)		
Publicity & Information	2,460.55	
Total Other Expenses (Program)	<u>2,460.55</u>	
Total Other Expenses		<u>2,460.55</u>
Net Profit/(Loss)		<u><u>-\$63.14</u></u>

CCLCG Board & Staff

July 2000 - November 2001

Janet Loughman	Chair
Danae Harvey	Legal Aid Commissioner, PII Convenor
Steve Bolt	State Representative
Michelle Burrell	State Representative
Caitlin Perry	Law Reform & Policy Co-convenor
Frances Gibson	Law Reform & Policy Co-convenor
Maria Girdler	Sector Development Convenor
Kate Jarzabek	RRR Representative
Simon Moran	General Member

November 2001 - June 2002



Janet Loughman	Chair
Deborah MacDonald	Treasurer
Danae Harvey	Legal Aid Commissioner, PII Convenor
Steve Bolt	State Representative
Frances Gibson	Law Reform & Policy Co-convenor
Cavell Warren	Law Reform & Policy Co-convenor
Meredith McLaine	RRR Representative
Jane Cipants	Sector Development Co-convenor
Katrina Harrison	Sector Development Co-convenor
Simon Moran	General Member
Caitlin Perry	General Member

State Office Staff

Brigid Inder	Director
Elaine Fishwick	Policy Officer
Carol Roberts	Financial Administrator
Julie Smith	Admin & Information Officer



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