

# COMMUNITY COMPASSION JUSTICE



Community Legal Centres NSW  
2009/2010 Annual Report

# Community Legal Centres NSW

Community Legal Centres (CLCs) are independent community organisations providing equitable and accessible legal services. NSW CLCs work for the public interest, particularly for disadvantaged and marginalised people and communities. CLCs not only provide legal advice and assistance, but also encourage and enable people to develop skills to be their own advocates. We promote human rights, social justice and a better environment by advocating for access to justice and equitable laws and legal systems. Centres work towards achieving systemic change through community legal education, and through law and policy reform.

Community Legal Centres NSW Inc. (CLCNSW) is the peak body for CLCs in NSW. We are resourced by a small State Office which is funded by the NSW Government and Public Purpose Fund. CLCNSW has 39 member organisations including generalist and specialist CLCs. For more information on CLCNSW go to [www.clcnsw.org.au](http://www.clcnsw.org.au) or call (02) 9212 7333.

## Annual report 2009/2010

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## Who we are

The State Office of Community Legal Centres NSW Inc. (CLCNSW) plays a critical role in the law and justice sector in NSW. As the peak body for community legal centres (CLCs) in New South Wales, CLCNSW supports and represents CLCs in a range of government and community forums. The State Office works with the NSW CLC sector to advance the work of CLCs.

## Vision

CLCNSW aims to be an innovative, dynamic and effective provider of support services to CLCs in New South Wales, and to assist the community legal centre movement to achieve equitable access to justice for all citizens.

## Purpose

CLCNSW, through its State Office, provides services to community legal centres as a group and to individual centres, in the areas of network maintenance and development, communications and information, legal policy development and advocacy, and sector maintenance and development. CLCNSW coordinates strategic direction and development for the sector as a whole, liaises and negotiates with Government on relevant legal and equity issues as well as funding and program issues.

# Chairperson's report

## Helen Campbell, Chairperson CLCNSW

### Acknowledgement of country

May I start by acknowledging the Traditional Owners of the land on which we work in the state office of Community Legal Centres NSW: The Gadigal People of the Eora Nation. We also acknowledge the Traditional Owners of the lands on which community legal centres work throughout NSW and thank them for their custodianship of country.

### Movements in the sector

This has been a year of mixed fortunes for community legal centres in NSW. The mid-north coast region attracted funding to establish a new community legal centre, the first such expansion in over 10 years. We congratulate the dedication of the community groups who conducted a needs analysis and advocated successfully for a grant. However we are disappointed to note that the amount involved does not in our view reach the minimum required for a properly viable community legal centre, and indeed, that many of our long established member centres are funded at a lesser level.

While all sources of support for CLCs are welcome, it is now some time since the Commonwealth and state reviews were completed and no sign yet of a transparent and equitable funding formula being put into place.

Without a comprehensive approach we are vulnerable to the unexpected. One such development was the funding that has been made available to provide legal services to assist separating families in mediation through family relationships centres. CLCs are keen to undertake this work but the amount of funding available does not enable us to meet the needs of the clients and the expectations of the service. Although we are pleased that the scheme has now been put onto a three-year basis we are disappointed that this occurred before the evaluation of the pilot had been completed and without any allowance for growth to keep up with demand.

### Aboriginal Legal Access Program

This ambitious attempt to improve the accessibility and appropriateness of CLCs for Aboriginal people has had a time of struggle. After intense effort on evaluation, where demonstrated achievement was difficult so early in the life of the program, we then had a long period of uncertainty about its funding resources, made available through the Public Purpose Fund. As a result of this the state office was forced to reduce staff, and staff in many centre-based projects also moved on because of

the lack of job security.

We were sad to lose Renee Williamson, our Aboriginal Legal Access Program Co-ordinator, and also Jean Parker, our Information and Resources Officer.

Fortunately there will be new funds available in the year ahead, administered through Legal Aid but including a community development component which will enable the state office to continue its role supporting CLCs to improve accessibility for Aboriginal clients and communities. In the interim Hawkesbury-Nepean CLC has generously assisted with hosting some state-wide activities.

Several centres have taken innovative and sustainable initiatives despite the uncertainties of this program to better integrate Aboriginal access into their core activities. We will build on these successes to continue to improve our services for Aboriginal communities.

### Strategic Service Delivery

We have continued our work developing a tool to assist in planning for strategic service delivery with the Legal Needs research and strategic planning project completing its trial phase.

It is becoming a highly regarded and robust analysis tool, and has been promoted at both national and international conferences. It is attracting a great deal of interest.

### Some highlights of the year

Once again the state conference was a great success, with high levels of participation by CLC staff. Justice Virginia Bell was inspiring as our keynote speaker. Thanks to Chloe Wyatt, state office staff and the organising committee for a job well done.

The Legal Education and Advice in Prison (LEAP) for Women project, a collaboration of three CLCs, Women's, Hawkesbury-Nepean and Warringa Baiya to provide legal services to women in prison, was the worthy recipient of the Law and Justice Foundation Award this year. Women in prison are among the most disadvantaged of our clients and these CLCs are stretching very scarce resources to provide this service. Highly commended was the Domestic/Family Violence Project run by the Immigration Advice & Rights Centre.

CLCNSW played a leading role in consultation and advocacy for a Human Rights Charter, enabling many Australians to have a say about protecting our rights. It also enabled us to spread community awareness of the United Nations Declaration and its applicability to our society.



Helen Campbell at the 2010 state conference  
© David Ott

## State Office news

This year we completed and registered an Enterprise Agreement underpinning our above-award terms and conditions. Thanks to Janet Loughman and Anna Cody of the Staffing sub-committee for many additional hours of very detailed work to get this completed.

We farewelled Pauline Matthews and welcomed Julian Laurens as Administrator. Ellen Davis still does some casual work for us while completing her legal qualifications.

My very great thanks to all the staff, Alastair McEwin, Joanna Mantziaris, Roxana Zulfacar, Norico Allen and Julian Laurens for their commitment and dedication to making our association productive and harmonious.

## Funding and support

On behalf of the Board, I would like to thank the following individuals and organisations for their support during 2009/10:

- The Hon. John Hatzistergos, NSW Attorney-General, for his continuing interest in and support of CLCs;
- The Hon. Robert McClelland, Federal Attorney-General, for his support for the CLC program;
- Alan Kirkland, CEO of Legal Aid NSW, for his support of CLCNSW and his willingness to collaborate with CLCs;

- Dennis Roach, CLC Funding Program Manager, Legal Aid NSW, for his support of the State office and the community legal service program. Dennis retired this year and we are pleased to welcome Bronwyn McCutcheon in his place.
- Michelle Jones, Program Manager, Women's Domestic Violence Court Advocacy Scheme
- The Trustees and Administrator of the Public Purpose Fund;
- Geoff Mulherin and Sue Scott from the Law and Justice Foundation of NSW; and
- Julia Hall, Director of National Association of CLCs.

Thanks to my fellow Board members for their expertise and commitment to the State Office over the past 12 months. This is my final year as Chair of CLCNSW, and I will be stepping down from the Board as well. I am proud of what we have together achieved during my tenure, and wish you all the best for a flourishing future.

Finally, I would like to thank the management committees, staff and volunteers of community legal centres in NSW. You are what makes our commitment to "Community, Compassion, Justice" a reality.

# CLCNSW State Office report

The State Office of CLCNSW has the following seven objectives under its strategic plan:

1. Maintain a functional, collaborative and effective network of CLCs in NSW
2. Develop, preserve and promote a clear identity for CLCs and our unique place in the justice sector
3. Build the organisational capacity of CLCs to operate effectively and deliver quality services
4. Advocate for appropriate law reform and effectively promote respect for Human Rights
5. Improve funding for CLCs
6. Increase access to justice and legal services
7. Operate an efficient, effective and best-practice office

## Aboriginal Legal Access Program

In 2009/10, CLCNSW continued to receive funding from the Public Purpose Fund to run the Aboriginal Legal Access Program (ALAP). ALAP has as its prime aim the improvement of access by Aboriginal people to CLC services. The funding for this year was reduced, which meant that CLCNSW was only able to provide limited funding to a smaller number of CLCs, as well as run a reduced sector-wide program. As part of its sector work, CLCNSW entered into a partnership with Hawkesbury Nepean CLC to undertake joint initiatives under the ALAP.

In 2009/10, CLCNSW provided grants to the following CLCs for Aboriginal legal access programs:

- **Hawkesbury Nepean CLC:** Aboriginal Legal Access Service
- **Northern Rivers CLC:** Mirrung Ngu Wanjarri Program
- **Warringa Baiya Aboriginal Women's Legal Centre:** Creating Spaces Program
- **Illawarra Legal Centre:** Aboriginal Legal Access Worker
- **Macarthur Legal Centre:** Indigenous Legal Outreach Project
- **Shoalcoast Community Legal Centre:** Indigenous Legal Access and Violence Prevention
- **Environmental Defender's Office NSW:** Caring for Country

## Advocacy and Human Rights program

### Police accountability

The Advocacy and Human Rights program focussed on police accountability issues, which was an issue of concern identified by the NSW CLC sector. A draft set of recommendations has been produced, further information has been sought through an Access to Information application, and an information session was held for CLC staff about the police complaints system.

### Responding to law reform inquiries

On other issues, a workshop was organised for CLCs in Western Sydney to participate in the Family Violence inquiry. CLCNSW made a number of submissions to parliamentary or government inquiries, including a submission on the Australian Public Service Values and a submission to the Inquiry into Scrutiny of Bills. The Advocacy and Human Rights Officer has assisted a number of individual CLCs with strategies to pursue law reform or policy reform.

### Other activities

The Advocacy and Human Rights Officer assisted with organising various advocacy / law reform sessions for Quarterlies, and for the CLCNSW State Conference. Support for the Law Reform and Policy Committee and the law reform working groups is ongoing. The new CLC Human Rights poster was finalised and distributed. A centralised collection of CLC case studies is underway, and has already been useful for supplying relevant case studies for UN shadow reports.

## Learning and Development (L&D) program

2009-2010 completes the second year of the three-year PPF funding period for the L&D Program. In this period of time, there has been an increased amount of activity happening through the L&D program at and around the Quarterlies as well as its involvement in the State Conference and other projects outlined below.

The highlights of the L&D program were:

- Legal Training Program
- Management Training Program
- Development of a CLC-specific Practice Management Course with the NSW College of Law
- Involvement in the planning of the 2010 State Conference
- Development of a Mentoring Program
- Convening the NSW L&D Group

### Legal training days, November 2009 and March 2010

This training covered the new mandatory training (MCLE) areas for all solicitors as well as two sessions on highly requested areas of law being Criminal Law and Employment Law, Apprehended Violence Orders and the Mandatory 176 module. The areas covered are based on the results of the Legal Training Needs Analysis, which was conducted over September - October 2009. The response of participants was overwhelming with approximately 140 CLC solicitors attending the training over the two days.

### Management training day, February 2010

A pilot Management training day took place in February after the Quarterlies with the topic of 'Governance from the point of view of Directors / Coordinators'. As many CLCs have undertaken Governance training for their Management Committees / Boards, it was an opportunity to look at the Coordinator's / Director's responsibilities and issues in terms of governance.



CLCNSW and Marrickville LC stall at Mardi Gras Fair Day, February 2010 © CLCNSW

# CLCNSW State Office report continued ...

## Legal needs research and strategic planning project

CLCNSW continues to make great progress with its Legal Needs research model and toolkit. The process started in September 2008, with the commencement of Phase 1 (as it then became known). This phase developed and trialled a model of evidence-based legal needs research and strategic planning for community legal centres. CLCNSW worked closely with a consultancy, Judith Stubbs & Associates, and two pilot CLCs, Women's Legal Services and Western NSW, to develop the Legal Needs Assessment Framework (LNAF), comprehensive reports (with mappings) and a data analysis and strategic planning toolkit.

Following the completion of Phase 1 in October 2009, the state office proceeded to implement Phase 2 over a five-month period, February to June 2010. The aim of Phase 2 was to undertake a supported roll out of the toolkit with four Centres: Elizabeth Evatt CLC, Inner City LC, Marrickville LC and North and North West CLS. It was an opportunity to trial the toolkit with these Centres whilst also providing support and assistance to the Centres throughout the process.

CLCNSW is now working on a revised edition of the Toolkit, with the view to rolling it out to all NSW CLCs in 2010/11.

Reports from both Phases and the Toolkit can be downloaded from the CLCNSW website, under Publications: Legal Needs Project.

## CLCNSW State Conference 2010

From 4 to 6 May 2010, CLCNSW hosted its biannual state conference. With over 175 people attending across the three days, the conference was an invaluable opportunity for people to reflect on and celebrate the achievements and work of the NSW CLC sector. Based on feedback, the event was a great success, with 98% of delegates who provided feedback agreeing that they were more informed about the current issues facing CLCs.

The conference began on 4 May with a day for those CLCs that work or specialise in regional, rural and remote (RRR) areas. Held in the surrounds of the University of Sydney Law School, delegates heard a range of speakers outlining issues facing RRR community legal services. The program commenced with a Welcome to Country from Jacinta Tobin. This was followed by a call from the keynote speaker, Dr Jennifer Nielsen, for CLCs to take control of the agenda when lobbying for RRR issues with government. "Only you can put RRR issues on the agenda in a meaningful way" she stated. Dr Nielsen, head of School of Law and Justice at the Southern Cross University, spoke about the important role CLCs play in providing accessible and equitable legal services to RRR areas yet they face significant challenges. Such challenges include rising operational costs, increasing reliance on sometimes inappropriate or inaccessible communications technology, and a decline in the number of legal practitioners with expertise in RRR issues. Despite these challenges, Dr Nielsen noted that the issue of access to justice has found its way back onto the national agenda, thanks in part to the 2009 report from the Access to Justice Taskforce and the one-off \$10 million injection of funds by the Federal Attorney General.

Following Dr Nielsen's presentation, delegates heard from speakers on topics ranging from elder law, legal needs, prisons and specialist CLC work.

Day 2, held at the Crowne Plaza Darling Harbour, commenced with a Welcome to Country, again provided by Jacinta Tobin. This was followed by a welcome address by the NSW Attorney General, The Hon John Hatzistergos. He was followed by Justice Virginia Bell, who delivered the conference's keynote address. Justice Bell, a justice of the High Court of Australia, spoke about the question of what human rights form part of the rule of law. Interweaving her speech with quotes from both Australian and international jurists, Justice Bell discussed how judges over the years have interpreted the notion of the protection of human rights within the overarching concept of the rule of law.

Following the plenary, delegates attended presentations and workshops on topics ranging from social security, environmental,



Justice Virginia Bell, Justice of the High Court of Australia and Helen Campbell, CLCNSW Chairperson at 2010 state conference  
© David Ott





Opening plenary, Day 2,  
2010 state conference  
© David Ottott



Indigenous and care and protection law. At the conclusion of Day 2, delegates had the opportunity to mingle and network with their colleagues over drinks, with gentle background music provided by a small band. Following this, delegates attended the conference dinner, held at Jordons restaurant, Darling Harbour.

On Day 3, Associate Professor Eileen Baldry, Associate Dean (Education), Faculty of Arts and Social Sciences, UNSW, gave a plenary keynote presentation on social justice, disability and the criminal justice system. A/Professor Baldry said that a human rights framework helps provide the legal and structural requirements to meet social justice, but noted that people have to be participants in a socially just society in order to access their human rights. Drawing on research into pathways into prison, she presented evidence of the negative and compounding effect of inequitable social institutions, policies and treatment on disadvantaged persons with mental health issues and other complex needs. She stated: "Diversion does not work when you don't have a broad and socially just structure to support it. It just keeps people out for a couple more months."

Delegates then heard from Pip Davis and Thea Deakin-Greenwood, who outlined the work of the Legal Education and Advice in Prison (LEAP) for women project. They were followed by Kat Armstrong, who spoke about the work of Women In Prison Advocacy Network (WIPAN).

The conference ended with a panel of former CLC workers, speaking about their experiences whilst in CLCs and how they've valued that time in their careers since. Chaired by Associate Professor Simon Rice, the panel was made up of Betty Hounslow, Michelle Jones and Ben Slade. All four entertained the crowd with reflections, some humorous, of the challenges of working in CLCs, particularly in managing cases on small budgets. At the conclusion of the panel session, CLCNSW launched the DVD *Achieving Social Justice: Working in NSW Community Legal Centres*.

CLCNSW thanks all those involved in the planning of the conference, as well as the conference sponsors. A particular note of thanks to all delegates and speakers for attending and participating in discussions that promote the valuable work of community legal centres around NSW.

# CLC awards and citations

## 2009 Justice Awards (Law and Justice Foundation of NSW)

### CLCNSW award

This award aims to highlight the range of activities devised and deployed by NSW CLCs to provide effective and appropriate services to people and increase their awareness of their legal rights and the legal resources available to help them resolve legal issues.

The winner was the Legal Education and Advice in Prison (LEAP) for Women project, run by Women's Legal Services, Warringa Baiya Aboriginal Women's Legal Centre and Hawkesbury Nepean Community Legal Centre.

LEAP was set up to address high levels of unmet need amongst prisoners for civil and family law services. The project aims to facilitate access to these legal services for incarcerated women, in particular Aboriginal women. The three CLCs provide regular free legal advice and community legal education workshops at the three women's correctional centres in metropolitan Sydney – Dillwynia, Emu Plains and Silverwater. Where resources and expertise allow, the CLCs also provide ongoing casework and representation.

### Highly commended was the Domestic/Family Violence Project, run by the Immigration Advice and Rights Centre

The Domestic/Family Violence Project was established to guide victims of domestic violence through the complexity of Australian immigration legislation. The project developed a plain English guide to how the legislation operates and provides comprehensive guidance to victims of domestic/family violence, social workers, community workers, migration agents and others. It has been translated into 18 different community languages. The project also runs community information sessions about the Domestic/Family Violence provisions in Australian immigration law.

CLCNSW also extends its congratulations to Women's Legal Services NSW for their high commendation in the Pro Bono Partnership Award, for the Sexual Assault Communications Privilege Referral Pilot. This is a partnership between Women's Legal Services NSW, Blake Dawson, Clayton Utz, Freehills, the Bar Association and the Office of the Director of Public Prosecutions.



Katrina Wong, second on left, receiving her highly commended award at the National Children's Law Awards. Source: Marrickville LC

The staff and work of Community Legal Centres in NSW have been recognised in the following awards, for which CLCNSW extends its congratulations:

### Shoalhaven International Women's Day Celebrations

Meredith McLaine, former Principal Solicitor with Shoalcoast CLC, was cited for her years of community legal work in Nowra (and elsewhere in NSW and Queensland), commitment to social justice and human rights and particularly her dedication and interest in the areas of women's legal rights and the empowerment and self-determination of Aboriginal people.

### UNSW Vice Chancellor's Award for Teaching Excellence

Anna Cody, KLC Director (and Deputy Chairperson, CLCNSW), won this award for her passion and commitment to teaching UNSW law students, especially her focus on the impact of the law on the vulnerable and disadvantaged, and her dedication to ensuring all law students have some clinical legal experience during their studies.

### UNSW Law Faculty Award for Professional and Technical Staff

Anna Hartree, KLC Coordinator, was awarded this in recognition of her work updating student induction, and community work in conjunction with teaching students.

### Women Lawyers Association NSW Awards 2009

Woman Lawyer of the Year in a Community Organisation was awarded to Edwina MacDonald, Women's Legal Services NSW.

### National Children's Law Awards

Katrina Wong, Marrickville LC's Children's and Youth Solicitor, received an honourable mention for the National Award for Outstanding Contribution to Advocacy in Policy or Law Reform to Advance the Legal Rights and Interests of Children and Young People. This is in recognition of her remarkable achievements with the Marrickville LC's Children's Legal Service, a State-wide specialist legal service working with Under 18s.

## PIAC takes on Australia Post

While many rural and remote communities are striving to improve Internet access and electronic mail services, residents of Stanley Village, a remote Indigenous community in northern NSW, are celebrating the arrival of snail mail! Local residents had long asked Australia Post for a direct service to the township, as travel to the nearest Post Office in Moree was difficult because of limited public transport.

PIAC was approached by a determined local resident and intervened on his behalf to remind Australia Post of its Australia-wide community service obligations. Australia Post has now agreed to deliver mail to Stanley Village, and Moree Shire Council, also contacted by PIAC, will make a financial donation towards installing the new mailboxes. PIAC's involvement in the matter reflects its interest in ensuring the equal provision of services to remote Indigenous communities.

## Law Reform and Policy sub-committee report Natasha Case and Emma Golledge, Co-convenors

The Law Reform and Policy Sub-Committee continued to meet regularly with input from a diverse range of Centres on issues affecting their clients. In January 2010, Shirley Southgate resigned her position at Kingsford Legal Centre and as co-convenor of the Sub Committee. Emma Golledge from Kingsford Legal Centre was approved as new co-convenor by the Sub-Committee.

Selected highlights of the Sub-Committee for the year included:

### Police Accountability Project

Following feedback from members of the Committee about the current deficiencies in the police complaints systems

and concerns regarding police accountability, this was identified as a priority area. Committee members continue to contribute to the project which is designed to identify areas for systemic improvement.

### National Human Rights Consultation

CLCs were excited to see that submissions emphasising the importance of protecting human rights was reflected in the final report by the National Human Rights Consultation Committee. However, we were disappointed at the Government's response to the recommendations. The issue of ensuring adequate human rights protection in Australia remains and ongoing concern for the Committee and will continue to be a focus for the Committee into next year.

### Other submissions

Again CLCNSW continues to work collaboratively with other specialist organisations on key law reform and policy issues. Submissions this year also included:

- a joint submission on National Security Legislation in conjunction with NACLC and the Federation of CLCs Victoria;
- a submission to the Family Violence Inquiry; and
- a submission on Model Protection for Sexual Assault Counselling.

As well as regularly meeting together many CLCs continued to be active in areas of law reform and policy specific to the specialisation of their CLC or the experiences of their clients. This work is far too lengthy to document here. Special thanks to the committed CLC workers who continue to pursue law reform and policy work, despite significant demands on their time. A further special note of thanks to all convenors of the Law Reform working groups for their work.



Edwina Macdonald, Women's Legal Services NSW (back row, second on left), and Anna Cody, Kingsford Legal Centre (back row, far right), with members of the Australian NGO delegation to Australia's review under the CEDAW at the United Nations in New York, July 2010. Source: Kingsford Legal Centre

# Educating the community about its legal rights

## Project Blue: Mardi Gras CLE

During February, March and April, Inner City Legal Centre (ICLC) ran a CLE and legal advice project with New Mardi Gras, Gay Lesbian Rights Lobby and ACON.

Project Blue aimed to inform Mardi Gras participants of their legal rights and obligations about drug possession, sniffer dogs, search and related criminal law issues.

ICLC presented four CLE sessions on relevant aspects of the criminal law, and set up an information stand at two key Mardi Gras events, where staff and volunteers distributed postcards - created in partnership with ACON - with legal rights information on one side and safe drug use information on the reverse.

Event participants who had experienced an interaction with police were able to go to the ICLC stand and complete a form describing the incident and indicating whether they needed any further legal advice. About 20 people followed up for legal advice, mainly for small drug possession charges. Some needed more urgent advice, particularly international visitors required to attend Court. Most clients were able to represent themselves and were advised on procedures, how to plead, seek a Section 10, and possible fines/sentences.



**Richard Funston (Legal Aid NSW), Bran Black (volunteer solicitor, ICLC) and Dan Stubbs (Manager, Inner City LC) at the Mardi Gras Parade, 2010.**  
Source: Inner City LC

ICLC managed these activities with one staff member and hourly shifts of volunteers (mainly students) who were given free access to the events.

Following debriefs with volunteers and partner organisations, areas identified for future improvement include more training for volunteers, and more information on the postcards about legal rights and health and safety issues.

Overall, Project Blue was a success. ICLC also joined Legal Aid NSW and other CLCs on a Mardi Gras float and other Mardi Gras activities.

## Community Legal Education Workers (CLEW) Group Report

Susan Winfield and Anna Hartree, Co-Conveners

Membership of the NSW CLEW Network is open to everyone in the sector who participates in the organisation and delivery of community legal education. Conveners this past year have been Susan Winfield, Senior Solicitor at the Consumer Credit Legal Centre, and Anna Hartree, Coordinator from Kingsford Legal Centre. Members include dedicated CLE workers, solicitors and coordinators. One of the important focuses of the network meetings is the sharing of ideas, experiences and information on CLE activities undertaken in each CLC. The breadth of knowledge, innovation and creativity in the CLEW Network is truly inspiring.

The network continues to include training sessions at each quarterly meeting. This year the CLEW network has benefited from training sessions on International Human Rights Day – 60th Anniversary of the UN Declaration of Human Rights presented by Brenda Bailey from PIAC, the Guardianship Tribunal presented by Jill Forrester (pictured left) and on Legal Aid Commission's Older Person's Legal Service presented by Lauren Finestone.

NSW CLEW also participates in the National CLEW network. Regular national phone link ups have allowed State CLC workers to share ideas on education sessions, plan for the CLC National

Conference and look at the national guidelines for community legal education. As well as hearing about highlights in education there has been an emphasis on how programs have been developed and presented. This shared information has helped facilitate national projects around human rights as well as specialist creative learning activities in areas such as tenancy and credit and debt. The 2009 National CLC Conference gathering of workers doing CLE considered the proposal for a pilot national CLE coordination scheme.

The NSW CLEW conveners also participate in the Legal Information and Referral Forum (LIRF) which aims to improve referral pathways and access to legal information, and reports to NSW Legal Assistance Forum on a quarterly basis. This years' LIRF meetings concentrated on information and referrals in relation to credit and debt, domestic violence and the legal needs of older people.

Finally, the Network continues to acknowledge the significance of CLE in connection to all aspects of community legal centre work and continues to explore options to promote its importance.

# Improving access to justice for Aboriginal people and communities

## Aboriginal Women's Corroboree 2010

The Corroboree Alexandria 2010, held in June, was developed by Wirringa Baiya Aboriginal Women's Legal Centre in partnership with a range of other organisations to highlight, publicise and protest against the high incidence of violence, sexual assault and child abuse perpetrated against Aboriginal women and children. The Corroboree attracted over 200 women from across NSW and provided them with an opportunity to come together in a culturally appropriate and safe space, to be informed about the issues, to speak out against the violence and to celebrate the survivors. As part of the project, Wirringa Baiya launched a number of new factsheets with information on child protection.

Photo: KLC at NAIDOC © KLC



## Some reflections on working as an Aboriginal worker in the CLC sector

Melissa Stubbings, former Aboriginal Advisory Group convenor

The Aboriginal Advisory Group (AAG) has been providing information, advice and resources to Community Legal Centres of NSW for many years. The AAG membership is open to any Aboriginal person working in any CLC in NSW. There are no restrictions on gender or position. Even if an Aboriginal person is not in an identified position they are welcome to attend AAG meetings and participate as equal members. Managers of Aboriginal people, regardless of the position they hold, are encouraged to send Aboriginal workers along to the AAG meetings at the quarterly meetings.

So why send your Aboriginal workers along? Managers may ask this question. The answer is because the AAG provides excellent networking and information sharing opportunities. Many times there may be only one or two Aboriginal workers in a CLC. Aboriginal workers in these situations need support from each other and a chance to discuss issues affecting them and their communities. The AAG provides this through developing relationships among Aboriginal workers and working together on programs such as cultural awareness training for the sector. The State Office can even provide some financial support to assist Aboriginal workers attend the AAG meeting and other meetings of the quarterlies.

The AAG has a chairperson who also is a member of the

CLCNSW Board. This is a designated position of the Board and is provided with support from the state office. Being the chairperson of the AAG is a wonderful opportunity for Aboriginal workers to see and understand how the whole sector operates. As part of the Board the chairperson is able to develop skills in governance of organisations. The Board and State Office Staff are open and willing to assist the chairperson and the AAG.

In my time as a member of the AAG I have had the privilege to be the Chairperson on two occasions. Both these times have enabled me to see the workings of CLCNSW from a different level. As a member of the AAG I presented at the 2009 NACLC conference in Perth. The presentation was on the Aboriginal Legal Access Program (ALAP) implementation in NSW.

The AAG in 2009 – 2010 assisted with the 2010 State Conference through planning, organising the Welcome to Country and chairing sessions of the conference. The State Conference was a huge success and it was great to be a part of the program.

Over the years that the ALAP has been implemented in NSW CLCs there has been an increase in membership of the AAG. When AAG started there was no specific ALAP funding. It was the AAG members who assisted in ensuring this funding was made available. There have been many changes since that time. Some notable changes have been with the CLCs themselves. Some are very active in ensuring they have Aboriginal workers, others could improve.

If CLCs want to ensure:

- That their CLC is accessible to Aboriginal people;
- That Aboriginal people feel comfortable in using their CLC; and

■ That there are outcomes for Aboriginal people  
... then the best way is to employ Aboriginal people in an identified role to assist other Aboriginal people and then allow them to do the work they are employed to do. Trust is very important. In order to be trusted Aboriginal people need to feel that you trust their judgment on how to best interact with their community. Seems easy but not always put in practice.

The AAG is crucial to maintaining a point of contact for Aboriginal workers and to ensure they have networking and information sharing available. So please if you have any say in your organisation then support and encourage Aboriginal workers to attend meetings and continue to strengthen the AAG.



KLC, Redfern and Marrickville Legal Centres stall at Yabun 2010 © KLC

# Networks and working groups reports



RRR day, 2010 state conference  
© David Ottott

## Rural, regional and remote CLCs network report

Angela Pollard, Convenor

The issue of recruitment and retention of professionals in regional, rural and remote areas has been on the RRR network's agenda for some time. In 2008/09 we reported on Trish Mundy's report for the Northern Rivers Community Legal Centre on this topic. We also reported on the NSW Legal Assistance Forum (NLAF) submissions, both written and oral, to the *House of Representatives Inquiry into the impact of the global financial crisis on regional Australia and the role of the Commonwealth Government in ensuring that Australia is equipped to respond*.

In 2009/10, the Law and Justice Foundation of NSW, on behalf of the NLAF RRR Working Group, undertook a study on the recruitment and retention of public legal assistance lawyers in regional, rural and remote New South Wales. With the considerable assistance of all CLCs in NSW, this involved a point-in-time census of all solicitor positions in CLCs, Legal Aid NSW and Aboriginal Legal Services (vacant and filled), and a small scale survey of solicitors working in RRR areas.

The study found that problems associated with the recruitment and retention of solicitors in regional, rural and remote NSW are more nuanced than the broad 'city' versus 'country' divide commonly advocated. The census indicated that problems in recruiting and retaining solicitors for publicly

funded legal assistance work in RRR NSW were typically location specific and often position specific.

This study has indicated that the more remote the area, the higher the likelihood of recruitment and retention problems. Solicitors working in remote and very remote areas of NSW not only deal with extremely testing physical environments but also the smallest number of solicitors to residents, a highly disadvantaged client base and a general lack of professional support and office infrastructure. The poor salary packages for solicitors employed by the public legal assistance services operating in these areas further increases the likelihood of attracting only relatively inexperienced solicitors and keeping them for relatively short periods of time. The report is expected to be publicly available from the Foundation in late 2010.

RRR Centres also held a very successful RRR Network day at the 2010 NSW CLCs Conference. Jennifer Nielsen, Head of the Law & Justice School at Southern Cross University gave a keynote speech on the topic of "Social justice in a rural environment". Presentations were delivered on the topics of elder law, legal needs analysis and engaging with local goals, and ending with showcases from Specialist and RRR CLCs.

Many thanks to all in RRR CLCs for making this last year a very productive and engaging one for our sector.

# Networks and working groups reports continued ...

## Domestic Violence and Victims Compensation sub-committee report

Alicia Jillard and Rachael Martin, Co-convenors

The 'Domestic Violence and Victims Compensation Sub-Committee' consists of members from different community legal centres, and meets every three months to discuss various legal and policy issues that affect our clients and the way we provide our services to the community.

In addition to domestic violence and victims compensation it was decided to include the issue of sexual assault as a separate and permanent agenda item. A regular time slot was also created for the Same Sex Domestic Violence Working Group. Numbers of attendees at meetings were consistently between 20 and 30 people.

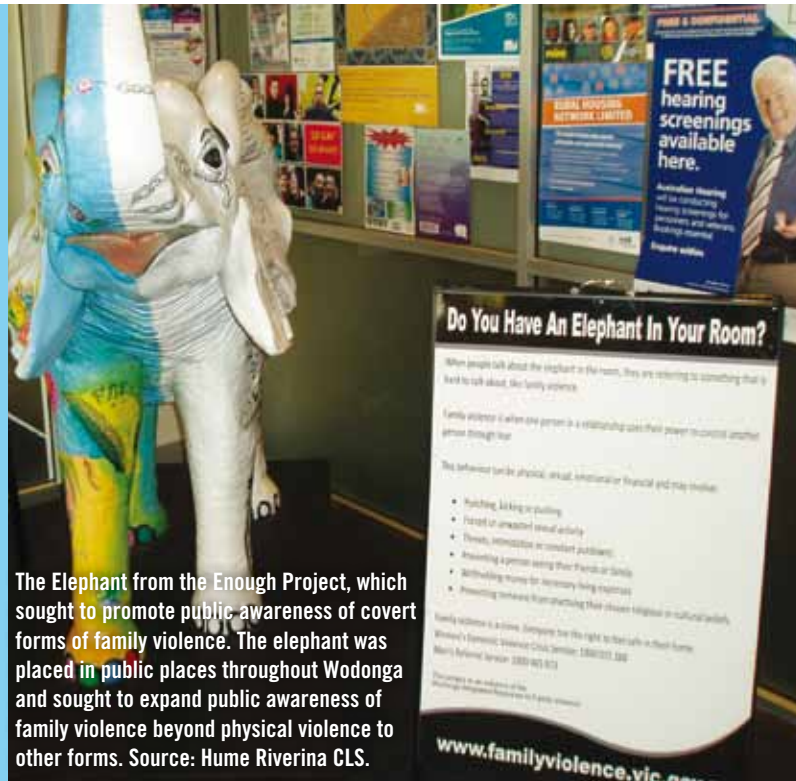
### Victims Compensation

The review of Victims Services and possible legislative amendment to the Victims Support and Rehabilitation Act 1996 continued to dominate much of the Sub-Committee's work:

- Representatives of the Sub Committee met with the Acting Director of Victims Services and the Assistant Director-General of the NSW Attorney-General's Department to be briefed on the review of Victims Services, in particular those issues relevant to victims compensation. It was also an opportunity for the Sub-committee representatives to put forward concerns about some of the reforms being considered, especially the reduced role of solicitors.
- The Sub-committee gave feedback to Victims Services about the lay-out and language used in its on-line application form.
- Community Legal Centres NSW continued to be represented on the Victims of Crime Interagency, the representative being selected from this Sub-committee. Rachael Martin, of Wirringa Baiya Aboriginal Women's Legal Centre, took over this position from Pip Davis, of Hawkesbury Nepean Community Legal Centre. Both Pip Davis and Rachael Martin attended a number of meetings during the financial year. Through this position, the Sub-Committee gave feedback to Victims Services as part of its review of the *Victims of Crime Interagency Protocol*.

### Domestic Violence

- Regular updates on changes to the law concerning apprehended violence orders (AVOs) and domestic violence were provided.



The Elephant from the Enough Project, which sought to promote public awareness of covert forms of family violence. The elephant was placed in public places throughout Wodonga and sought to expand public awareness of family violence beyond physical violence to other forms. Source: Hume Riverina CLS.

- Regular updates on relevant government inquiries were provided.
- Pip Davis was nominated as a Sub-committee representative for the Apprehended Violence Legal Issues Coordinating Committee, an interagency group that meets to discuss issues concerned with AVO legislation in NSW, and its administration.
- The Sub-committee was represented at the Ombudsman Community Stakeholders Forum on DV and Policing.
- There was representation of Sub-committee members' views at a NGO consultation by NSW Police regarding their proposal to issue on-the-spot AVOs.

### Presentations at the meetings

- Dianne Hamey (WLSNSW) gave a presentation about a Supreme Court appeal WLSNSW ran, which was concerned with the issue of seeking victims compensation for separate and unrelated acts of sexual assault committed by the same offender.
- Acting Director of Victims Services, Mandy Young, provided an update of the review of Victims Services.

Once again, we would like to thank the staff of the State Office of CLCNSW who through the year provided ongoing support to the convenors of this Sub-Committee in organising our meetings.



## PII sub-committee

Pip Davis and Kat Lane, Co-convenors sexual assault

The Practice and Insurance sub-committee is always a very busy group.

All NSW CLCs agree to comply with standardised practice management systems and the Committee performs an essential role in reviewing and discussing practice issues to improve risk management in NSW CLCs. Attendance at quarterly meetings is compulsory for all Principal

Solicitors of Community Legal Centres in NSW. Thank you to all the Principal Solicitors who contribute to these meetings.

The current PII Co-convenors are Pip Davis and Kat Lane. Kat replaced Mark MacDiarmid who left Elizabeth Evatt CLC to work in the private profession. Thanks to Mark for all his work in PII.

The highlights of this year for the Practice and Insurance co-convenors have been:

- Ongoing work and review of the practice management standards
- Drafting a Guide on how to do a cross check which forms part of the practice management standards
- Working through risk management issues associated with auspiced services
- Mentoring of new principal solicitors in risk management systems for CLCs
- Reporting to the Board of CLCNSW regarding PII issues
- Working with the National PII Committee
- Presenting a session at the National Conference on conflict of interest issues for CLCs.

## Coordinators and Directors Network

Amanda Smithers and Anna Hartree, co-convenors

The Coordinators and Directors network meetings continued to be well attended at the quarterly meetings with lots of good discussion on relevant issues and the generous sharing of information and resources by members. Most meetings had a guest speaker with presentations on a range of topics such as the research on the recruitment and retention of solicitors in rural and regional areas undertaken by the Law & Justice Foundation of NSW and an introduction to the Legal Aid's Learning Management System to which CLC workers now have access. Denise Roach, CLSP Manager also attended meetings to discuss current program issues and to answer questions. Other speakers included Caroline Seagrove from PILCH, who not only provided an overview of PILCH's work but its potential for supporting the work of the NSW community legal sector; and Judith Levitan spoke about the work of the NSW Legal Assistance Forum.

In partnership with the State Office the Coordinators and Directors Network developed and wrote the publication *Induction Kit: a guide to working with the NSW CLC sector*. The first edition was published in 2009 and following feedback from the sector a second, much improved edition was published in 2010.

Members of the network participated in the 2010 CLC NSW State Conference, on the organising committee, providing assistance at the conference and presenting workshops and papers.

The network was convened by Amanda Smithers from Illawarra Legal Centre and assisted by Anna Hartree, Kingsford Legal Centre, and Joanna Mantziaris, State Office.

# Network and working group reports continued ...

## Administrators and Finance Officers working group report

Linda Wall and Graeme Chambers, Co-convenors

The Quarterlies provide the opportunity for all Administrators from community legal centres throughout NSW to meet other colleagues and discuss various work practices and issues they have in common. Finance Officers, Front Desk, IT and Coordinators are most welcome. Our aim is to expand our numbers and ultimately our topics and special guests to include information on how Centres do their IT support, a listing of audit firms Centres can contact, and common issues for front desk staff such as accidental counselling. We have attendees from all around Sydney to Dubbo to Shoalcoast and we encourage new Administrators to join us.

Over the past year various agenda items were discussed, including MYOB accounting and payroll matters (including PowerPays being phased out), study and sick leave, budgets, advertising jobs. Also a standing agenda item is the Admin Mentoring List, which is a database of all our contact details and skills, which is available on the BBS.

We had special guest, Keith Godfrey from Jobs Australia, attend our meeting to provide advice as to how the new SACS Award modernisation affects everyone, by moving to Federal System at 1 January 2010. We waited with anticipation for the Henry Tax Review outcome, concerned as to the possibility of losing our ability to salary sacrifice, which fortunately did not eventuate.

We also bid farewell to Dennis Roach, State Program Manager of Legal Aid, due to his retirement. Dennis will be sadly missed and we thank him for his advice and support over these past years. We welcome his replacement SPM Bronwyn McCutcheon and look forward to getting to know her.

And special thanks to outgoing “Bunnies” (as Hilary likes to call us) ... Hilary Chesworth from Redfern Legal, Janna Taylor from TARS and Julianne Reilly from Tenants Union, for their contribution to convening our meetings. We welcomed incoming Bunnies, Linda Wall from Marrickville Legal and Graeme Chambers from Macarthur Legal.

We would like to thank all those, who not only attend our meetings, but who also contribute to the running of our meetings by offering agenda items and lively discussion.

## Legal Aid Commission representative report

Maria Girdler, Legal Aid Commissioner

(Alternate Legal Aid Commissioner: Patrick O’Callaghan)

I was appointed as a Legal Aid Commissioner in 2009. For the previous three years I have previously been the alternate Commissioner and attended meetings when Sara Blazey, the then Commissioner, was unavailable.

We started our term with an induction session for all new Board members from Legal Aid senior Staff. This was a useful way to start the year. In the last six months many of the discussions at the Board have been about the gap between the demand for services and the funds and how best to use the available resources.

I believe it is important to have a community legal centre ‘voice’ on the LAC Board. There are many areas where CLC are partnering with Legal Aid and areas where issues that CLCs face are common across the legal services sector.

Each meeting has considered detailed financial reports, operational reports, policy documents and considering issues papers on LAC programs.

As well as attending Board meetings I have taken a role on the CLC Funding, and the Civil Law, which are sub-committees of the Board. Both committees have met this year and have provided an opportunity to look at issues in more depth and refer matters to the Board. From November 2009 I have been a member of the Women’s Domestic Violence Court Advocacy Program (WDVCAP) Advisory Committee, which provides a useful forum to discuss the DV program.

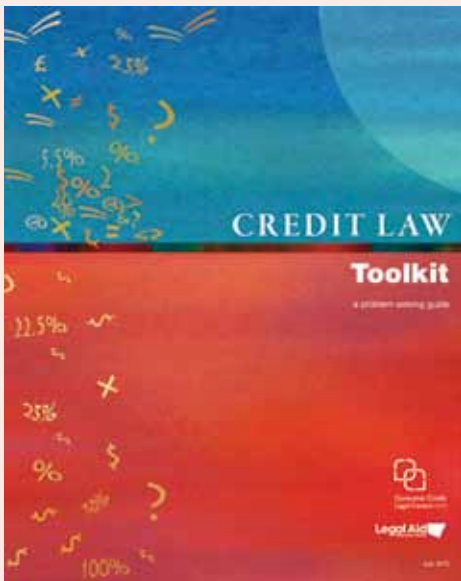
## ***The Credit Law Toolkit***

From 1 July 2010 new Commonwealth law governs all contracts formerly covered by the Uniform Consumer Credit Code, as well as any contract entered thereafter for the purchase of residential investment property.

The Consumer Credit Legal Centre and Legal Aid NSW – funded by the Federal Department of Families, Housing, Community Services and Indigenous Affairs - have produced a Credit Law Toolkit which covers important practical aspects of the credit law, including:

- A description of the law
- How-to guides
- Sample letters for dealing with common client problems.

[www.legalaid.nsw.gov.au/pubsonline](http://www.legalaid.nsw.gov.au/pubsonline)



## ***Bail Me Out – NSW Young People and Bail: latest research from Youth Justice Coalition***

The latest research report from the Youth Justice Coalition (YJC) – *Bail Me Out – NSW Young People and Bail* – is now available.

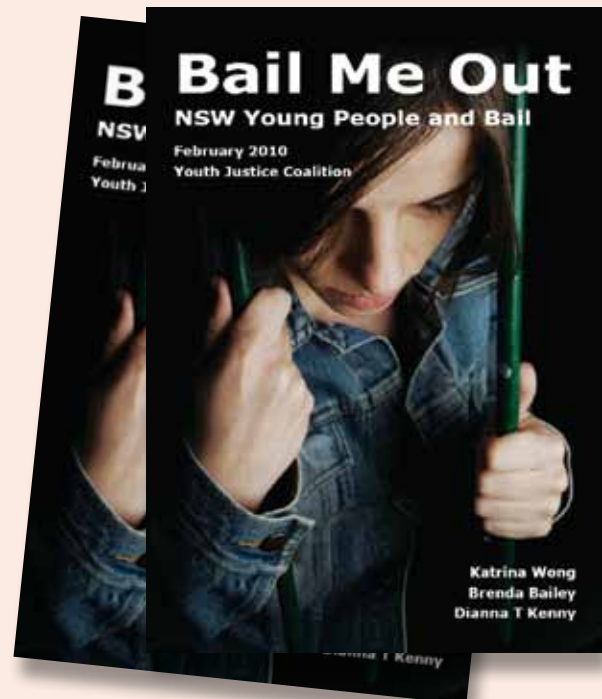
The YJC conducts research about juvenile justice and child welfare, and contributes to the development of legislation in those areas, to promote the rights of children and young people in NSW and across Australia.

The report shows that imposing bail conditions on young people is not serving the public interest. Rather, the imposition of onerous and ‘welfare focussed’ bail conditions, and breach of ‘technical conditions’ resulted in the unnecessary presence of young people in the courts.

The research also identified as areas for improvement:

- The need for bail conditions that are not onerous and easily understandable by young persons;
- Greater recognition of factors outside young people’s control that prevent them from complying with their conditions;
- Better communication between government entities to ensure that young people can comply with their bail conditions; and
- Police restraint in arresting young people for breach of bail conditions.

Copies are available from: [www.yjconline.net](http://www.yjconline.net)



# CLCNSW Membership

## CLCNSW Member Centres 2009/10

### Generalist Centres

Central Coast Legal Centre

Elizabeth Evatt Community Legal Centre

Far West Community Legal Centre

Hawkesbury Nepean Community Legal Centre

Hume Riverina Community Legal Service

Hunter Community Legal Centre

Illawarra Legal Centre

Inner City Legal Centre

Kingsford Legal Centre

Macarthur Legal Centre

Macquarie Legal Centre

Marrickville Legal Centre

Mt Druitt & Area Community Legal Centre

North & North West Community Legal Service

Northern Rivers Community Legal Centre

Redfern Legal Centre

Shoalcoast Community Legal Centre

South West Sydney Legal Centre

Western NSW Community Legal Centre

### Specialist Centres

(The) Aged-Care Rights Service

Arts Law Centre of Australia

Consumer Credit Legal Centre (NSW)

Court Support Scheme

Disability Discrimination Legal Centre NSW

Environmental Defenders Office NSW

HIV/AIDS Legal Centre (NSW)

Immigration Advice and Rights Centre

Intellectual Disability Rights Service

National Children's and Youth Law Centre

National Pro Bono Resource Centre

Public Interest Advocacy Centre

Public Interest Law Clearing House NSW

Refugee Advice and Casework Service (Australia)

Tenants' Union of NSW

Thiyama-Li Indigenous Family Violence Prevention Unit

Welfare Rights Centre (NSW)

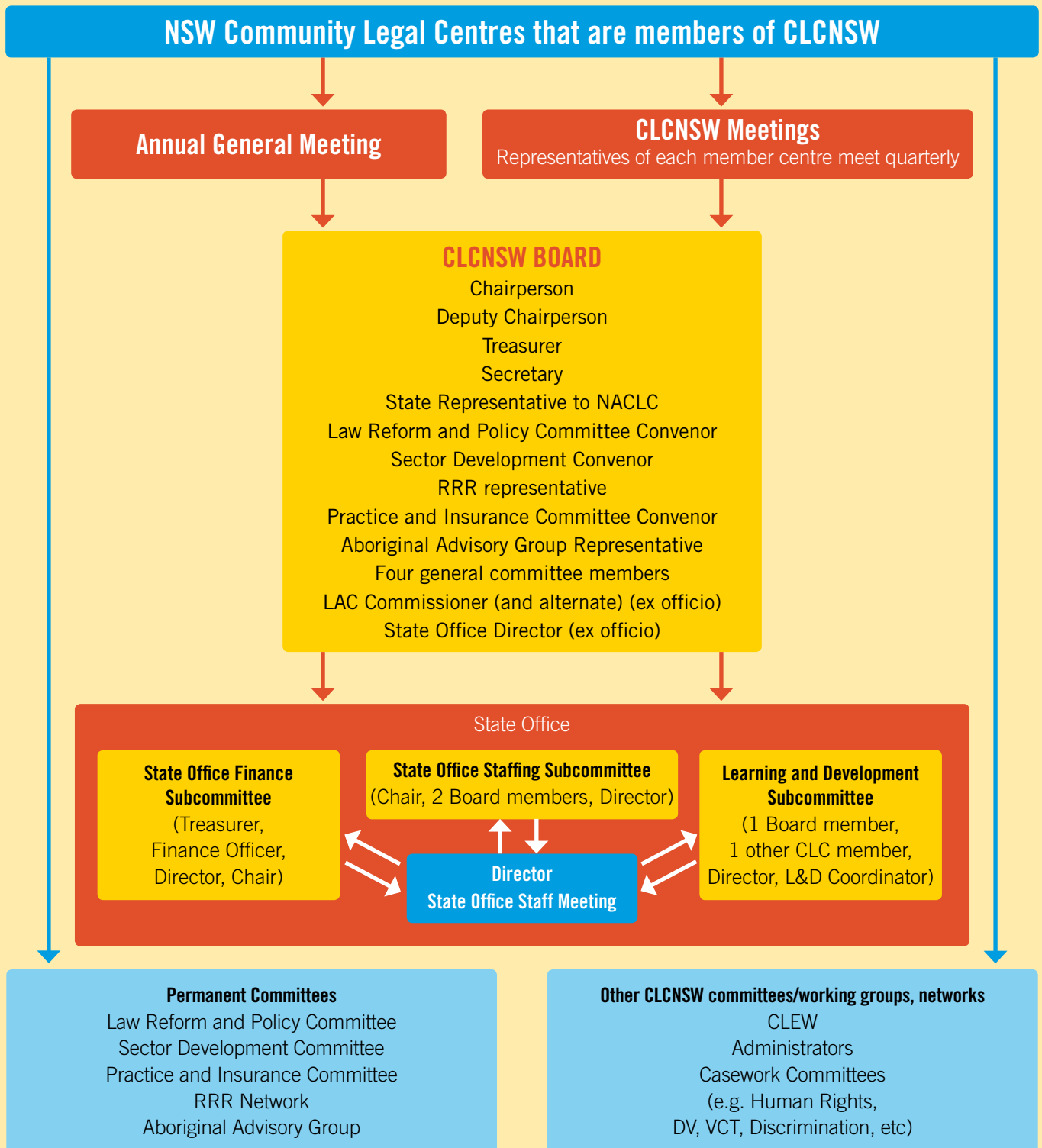
Warringa Baiya Aboriginal Women's Legal Centre

Women's Legal Services NSW

### ASSOCIATE MEMBER:

University of Newcastle Community Legal Centre

# Organisational structure of Community Legal Centres NSW



# CLCNSW Board

Position	Name	Member centre	No. of board meetings attended	No. of board meetings held during Board member's term
<b>Chairperson</b>	Helen Campbell	Women's Legal Services NSW	4	4
<b>Deputy Chairperson</b>	Anna Cody	Kingsford Legal Centre	4	4
<b>Secretary</b>	Mark MacDiarmid	Elizabeth Evatt CLC (resigned Sept. 2009)	0	1
	Robyn Ayres (from Nov. 2009)	Arts Law Centre	2	2
<b>Practice and Insurance Committee Convenor</b>	Philippa (Pip) Davis	Hawkesbury Nepean CLC	2	3
<b>Treasurer</b>	Hilary Chesworth	Redfern Legal Centre	4	4
<b>Legal Aid Commissioner (ex officio)</b>	Sara Blazey (until Nov. 2009)	Elizabeth Evatt CLC	1	1
	Maria Girdler (from Nov. 2009)	Macquarie Legal Centre	3	3
<b>Alternate Legal Aid Commissioner (ex officio)</b>	Maria Girdler (until Nov. 2009)	Macquarie Legal Centre	1	1
	Patrick O'Callaghan (from Nov. 2009)	Western NSW CLC	3	3
<b>State representative to NACLC</b>	Linda Tucker (resigned May 2010)	Kingsford Legal Centre	2	4
<b>Sector Development Convenor</b>	Kim Price (resigned July 2009)	Women's Legal Services NSW	0	0
	Amanda Smithers (from Nov. 2009)	Illawarra Legal Centre	2	2
<b>Law Reform and Policy Convenor</b>	Natasha Case	Public Interest Advocacy Centre	4	4
<b>Rural, Regional and Remote CLCs convenor</b>	Amanda Smithers (until November 2009)	Illawarra Legal Centre	2	2
	Angela Pollard (from Nov. 2009)	Northern Rivers CLC	2	2
<b>Representative, Indigenous Advisory Group</b>	Nancy Walke (resigned Aug. 2009)	Northern Rivers CLC	1	1
	Melissa Stubbings (appointed Feb. 2010)	Hawkesbury Nepean CLC	2	2

<b>General Member</b>	Robyn Ayres (until Nov. 2009)	Arts Law Centre	2	2
<b>General Member</b>	Janet Loughman	Women's Legal Services NSW	3	4
<b>General Member</b>	Jeff Smith	Environmental Defenders Office NSW	2	3
<b>State Office Director (ex officio)</b>	Alastair McEwin		4	4



# CLCNSW Sub-committees and Working Groups 2009/10 (as at 30 June 2010)

Sub-committee or Working Group	Convenor/s	Member centre
Aboriginal Advisory Group	Melissa Stubbings	Hawkesbury Nepean Community Legal Centre
Administrators	Linda Wall Graeme Chambers	Marrickville Legal Centre Macarthur Legal Centre
Community Legal Education Workers Group	Anna Hartree Susan Winfield	Kingsford Legal Centre Consumer Credit Legal Centre
Coordinators/Directors/Sector Development	Amanda Smithers Anna Hartee	Illawarra Legal Centre Kingsford Legal Centre
Domestic Violence and Victims Compensation Subcommittee	Alicia Jillard Rachael Martin	Women's Legal Services NSW Wirringa Baiya Aboriginal Women's Legal Centre
Employment, Human Rights and Discrimination Subcommittee	Linda Tucker (resigned May 2010)	Kingsford Legal Centre
Law Reform and Policy	Natasha Case Emma Golledge	Public Interest Advocacy Centre Kingsford Legal Centre
Practice and Insurance Committee	Pip Davis Kat Lane	Hawkesbury Nepean Community Legal Centre Consumer Credit Legal Centre
Rural, Regional and Remote	Angela Pollard	Northern Rivers Community Legal Centre



# CLCNSW State Office staff members

Name	Position
Norico Allen	Finance Officer
Ellen Davis	Administrative Assistant (casual)
Julian Laurens	Administrator (commenced October 2009)
Joanna Mantziaris	Learning and Development Coordinator
Pauline Matthews	Administrator (left July 2009)
Alastair McEwin	Director
Jean Parker	Information and Resources Officer (left September 2009)
Joe Payne	Locum Administrator (August – October 2009)
Renee Williamson	Aboriginal Legal Access Program Coordinator (left July 2009)
Roxana Zulfacar	Advocacy and Human Rights Officer

## Volunteers:

Natalie Dabarera (PLT student)

Paola Icaza (PLT student)

Joy Kirby (Aurora intern)

Fiona Raphael (law student)

# COMMUNITY LEGAL CENTRES NSW INC ABN: 22 149 415 148

## FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2010

### Committee's Report

Your committee members submit the financial report of Community Legal Centres NSW Inc for the financial year ended 30 June 2010.

### Committee Members

The names of committee members for the period 1 July 2009 to 30 June 2010 are:

Helen Campbell	Linda Tucker (resigned May 2010)
Anna Cody	Melissa Stubbings (joined Feb. 2010)
Hilary Chesworth	Philippa Davis
Robyn Ayres	Natasha Case
Jeffrey Smith	Amanda Smithers
Angela Pollard (joined Nov. 2009)	Janet Loughman
Maria Girdler	Patrick O'Callaghan (joined Nov. 2009)
Sara Blazey (resigned Aug. 2009)	Nancy Walke (left Oct. 2009)
Alastair McEwin	

### Principal Activities

The principal activities of the association are to assist disadvantaged and marginalised people in the Australian community obtain access to legal services by:

- Supporting and assisting community legal centres in NSW to provide these services and
- Providing a forum for community legal centres.

### Significant Changes

No significant change in the nature of these activities occurred during the year.

### Operating Result

The current year loss amounted to \$606 (2009: Surplus of \$47,262).

**Chairperson**

Helen Campbell

Dated this 21st day of October 2010



**Treasurer**

Hilary Chesworth



### STATEMENT BY MEMBERS OF THE COMMITTEE

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 2 to 10:

1. Presents a true and fair view of the financial position of Community Legal Centres NSW Inc as at 30 June 2010 and its performance for the year ended on that date.

2. At the date of this statement, there are reasonable grounds to believe that Community Legal Centres NSW Inc will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the committee by:

**Chairperson**

Helen Campbell

Dated this 21st day of October 2010



**Treasurer**

Hilary Chesworth



# INCOME STATEMENT AND BALANCE SHEET

## INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2010

	Note	2010 \$	Revised 2008 \$
<b>INCOME</b>			
Operating grant	2	757,042	917,438
Conference income		56,594	-
Other income	3	73,902	90,578
		887,538	1,008,016
<b>EXPENDITURE</b>			
CLCNSW expense	4	21,711	25,046
Program and planning expenses	5	291,943	431,375
Conference expense		50,843	-
Office overhead expense	6	82,931	61,706
Office assets expense		-	862
Depreciation		6,831	7,849
Rental expense premises		31,500	32,183
Employee benefits expense	7	313,586	330,495
Other employees expense		12,014	27,105
Consultants and contractors expense		73,269	32,852
Other expense		3,516	11,281
		888,144	960,754
Current year (loss) / surplus	2	(606)	47,262
<b>MEMBERS FUNDS AT THE BEGINNING OF THE FINANCIAL YEAR</b>			
		242,246	194,984
<b>MEMBERS FUNDS AT THE END OF THE FINANCIAL YEAR</b>			
		241,658	242,246

## ASSETS AND LIABILITIES STATEMENT AS AT 30 JUNE 2010

	Note	2010 \$	2009 \$
<b>ASSETS</b>			
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	8	210,480	219,693
Trade and other receivables		724	13,100
Prepayments		2,218	40,122
GST receivable		16,630	11,247
<b>TOTAL CURRENT ASSETS</b>		<b>230,052</b>	<b>284,162</b>
<b>NON-CURRENT ASSETS</b>			
Term deposit		57,405	55,414
Term deposit - bank guarantee		8,127	8,015
Property, plant and equipment	9	11,312	13,008
Bond - Electricity		350	350
Other non-current assets	10	7,457	8,659
<b>TOTAL NON-CURRENT ASSETS</b>		<b>84,651</b>	<b>85,446</b>
<b>TOTAL ASSETS</b>		<b>314,703</b>	<b>369,608</b>
<b>CURRENT LIABILITIES</b>			
Group tax payable		3,700	14,182
Superannuation payable		2,465	-
Accrued expenses		7,381	11,788
Grants received in advance	11	22,114	78,663
Provisions	12	36,670	22,730
Other current liabilities - Credit card	13	715	-
<b>TOTAL CURRENT LIABILITIES</b>		<b>73,045</b>	<b>127,363</b>
<b>TOTAL LIABILITIES</b>		<b>73,045</b>	<b>127,363</b>
<b>NET ASSETS</b>		<b>241,658</b>	<b>242,246</b>
<b>MEMBERS' FUNDS</b>			
Reserves	14	138,408	138,390
Retained profits		103,250	103,856
<b>TOTAL MEMBERS' FUNDS</b>		<b>241,658</b>	<b>242,246</b>

# NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

## NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Act 1984 NSW. The committee has determined that the association is not a reporting entity.

The financial report has been prepared on an accruals basis and is based on historic costs and does not take into account changing money values or, except where specifically stated, current valuations of noncurrent assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

### a. Income Tax

The association is exempt from Income Tax in accordance with the provisions of the Income Tax Assessment Act 1997

### b. Property, Plant and Equipment (PPE)

Office equipment is carried at cost less, where applicable, any accumulated depreciation. The depreciable amount of all PPE is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use. The depreciation rates and methods used for each class of depreciable assets are:

Class of Fixed Assets:	Depreciation Rate:	Depreciation Method:
Office Equipment	25%	Diminishing Value
Computer Equipment	33%	Straight Line

### c. Impairment of Assets

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the income statement.

### d. Employee Benefits

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

### e. Provisions

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured at the best estimate of the amounts

required to settle the obligation at the end of the reporting period.

### f. Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

### g. Revenue and Other Income

Revenue is measured at the fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. For this purpose, deferred consideration is not discounted to present values when recognising revenue. Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument. Dividend revenue is recognised when the right to receive a dividend has been established. Grant and donation income is recognised when the entity obtains control over the funds, which is generally at the time of receipt. All revenue is stated net of the amount of goods and services tax (GST).

### h. Leases

Leases of PPE, where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership, are transferred to the association, are classified as finance leases. Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for that period. Leased assets are depreciated on a straight-line basis over the shorter of their estimated useful lives or the lease term. Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

### i. Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the assets and liabilities statement are shown inclusive of GST.

NOTE 2: OPERATING GRANTS	2010	2009
	\$	\$
LAC Grant	293,270	221,618
PPF ALAP	261,758	465,000
PPF Training	200,014	200,000
One-off grants	2,000	30,818
	757,042	917,436

# NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

<b>NOTE 3: OTHER INCOME</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Bank interest Received	13,200	32,906
CLCNSW Group Levy	15,653	16,065
PII	39,600	41,158
Sundry Income	5,449	449
	<u>73,902</u>	<u>90,578</u>

<b>NOTE 4: CLCNSW EXPENSE 2010</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
LJF awards	1,415	1,759
NLAF	-	733
RRR quarterly attend	8,833	7,230
Venue hire	8,939	14,681
Other	2,524	643
	<u>21,711</u>	<u>25,046</u>

<b>NOTE 5: PROGRAM AND PLANNING EXPENSE</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Grant ALAP	171,000	325,201
Training program subsidy	5,628	15,692
Trainer cost	22,598	18,345
Board expense	9,393	11,251
Consultants research	-	3,000
Catering	17,966	9,945
Indigenous adv group	2,374	1,209
Cross checks PII	8,068	5,574
Web Development	12,860	-
Interpreters	8,183	-
NACLCL PII	33,873	41,158
	<u>291,943</u>	<u>431,375</u>

<b>NOTE 6: OFFICE OVERHEADS EXPENSE</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Heat, light and power	2,082	1,457
Postage and couriers	2,322	2,148
Printing and stationery	29,765	15,552
IT software	7,024	5,803
Office expenses	7,337	3,789
Telephone and fax	6,848	6,535
Library and resources	3,992	2,802
Travel/accommodation	11,903	18,620
Accounting & Audit fees	4,655	-
Other	7,003	5,000
	<u>82,931</u>	<u>1,706</u>

<b>NOTE 7: EMPLOYEE BENEFITS EXPENSES</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
SALARIES	270,578	294,988
Leave expense	16,057	2,435
Superannuation	23,074	28,828
Workers compensation insurance	1,349	1,518
Staff training and development	2,529	2,728
	<u>313,587</u>	<u>330,495</u>

<b>NOTE 8: CASH AND CASH EQUIVALENTS</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Cash at bank	210,321	219,534
Petty cash	159	159
	<u>210,480</u>	<u>219,693</u>

<b>NOTE 9: PROPERTY, PLANT AND EQUIPMENT</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Office equipment	31,204	28,062
Less accumulated depreciation	(19,892)	(15,054)
	<u>11,312</u>	<u>13,008</u>

<b>NOTE 10: OTHER NON-CURRENT ASSETS</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Rental bond	2,650	2,650
Key deposit	500	500
Lease incentive accrual	4,307	5,509
	<u>7,457</u>	<u>8,659</u>

<b>NOTE 11: GRANTS RECEIVED IN ADVANCE</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
LAC	2,525	33,900
Public purpose fund	14,984	40,158
Other	4,605	4,605
	<u>22,114</u>	<u>78,663</u>

<b>NOTE 12: PROVISIONS</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Holiday leave provision	31,794	22,730
LSL provision	4,876	-
Other	-	-
	<u>36,670</u>	<u>22,730</u>

# NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

<b>NOTE 13: OTHER CURRENT LIABILITIES</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Credit Card	715	-
	715	-

<b>NOTE 14: RESERVES</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
Pll reserve	41,575	41,557
Website reserve	11,969	11,969
Other leave reserve	15,973	15,973
Access and equity reserve	15,000	15,000
CLEW training money reserve	2,197	2,197
CLC group funds reserve	12,808	12,808
Recruitment reserve	2,000	2,000
Publications reserve	3,004	3,004
Capital equipment reserve	3,985	3,985
Other expenses reserve	4,897	4,897
Conference reserve	25,000	25,000
	<u>138,408</u>	<u>138,390</u>

<b>NOTE 15: LEASING COMMITMENTS</b>	<b>2010</b>	<b>2009</b>
	<b>\$</b>	<b>\$</b>
a. Operating Lease Commitments		
Being for rent of office		
Payable — minimum lease payments:		
— not later than 12 months	-	26,500
— between 12 months and five years		
— greater than five years		
	<u>-</u>	<u>26,500</u>

b. Operating Lease Commitments		
Being for rent of photocopier		
Payable — minimum lease payments:		
— not later than 12 months	2,959	1,233
— between 12 months and five years	10,605	13,164
— greater than five years - -		
	<u>13,564</u>	<u>14,397</u>

The photocopier lease is a non-cancellable lease with a five-year term, with payments made monthly in advance.

## **NOTE 16: RELATED PARTIES**

### **Interest in Contracts**

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

# INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF COMMUNITY LEGAL CENTRES NSW INC

## Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Community Legal Centres Inc (the association), which comprises the assets and liabilities statement as at 30 June 2010 for the year then ended, the income and expenditure statement, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

## Committee's Responsibility for the Financial Report

The committee of the association is responsible for the preparation and fair presentation of the financial report and has determined that the accounting policies described in Note 1 to the financial statements, which form part of the financial report, are consistent with the financial reporting requirements of the *Associations Incorporation Act NSW* and are appropriate to meet the needs of the members. The committee's responsibilities also include designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

## Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the

effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to members for the purpose of fulfilling the committee's financial reporting obligations under the *Associations Incorporation Act NSW*. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

## Auditor's Opinion

In our opinion, the financial report of Community Legal Centres NSW Inc presents fairly, in all material respects the financial position of Community Legal Centres NSW Inc as at 30 June 2010 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the *Associations Incorporation Act NSW*.



Mark Driessen, FCA  
Partner  
WalterTurnbull

Sydney, NSW  
22 October 2010

The logo for Community Legal Centres NSW is a white speech bubble with a blue tail pointing downwards and to the right. Inside the bubble, the text "Community Legal Centres NSW" is written in a bold, blue, sans-serif font, stacked in three lines.

# Community Legal Centres NSW

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