



COMMUNITY  
COMPASSION  
JUSTICE



Community  
Legal Centres  
NSW

Annual Report | 2011/2012

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. CLCs promote human rights, social justice and a better environment by advocating for access to justice and equitable laws and legal systems. They work towards achieving systemic change through community legal education, and through law and policy reform.

# Community Legal Centres NSW

Community Legal Centres NSW Inc. (CLCNSW) is the peak body for CLCs in NSW. It is resourced by a small State Office which is funded by the NSW Government and Public Purpose Fund. CLCNSW has 40 member organisations including generalist and specialist CLCs.

CLCNSW acknowledges the Traditional Custodians of the land on which it works: the Gadigal People of the Eora Nation. CLCNSW also acknowledges the Traditional Custodians of the lands on which CLCs work throughout NSW and thanks them for their custodianship of country.

## About this report

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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

Access to justice for all in a fair and inclusive community.

## Purpose

CLCNSW leads and supports Community Legal Centres to deliver access to quality legal services and champion social justice.

# Chairperson's Report

## Anna Cody



**Anna Cody, CLCNSW chairperson, chairing the opening plenary, 2012 State Conference. Photo: David Otott**

In the past year we have seen a wide range of challenges and opportunities for community legal centres (CLCs) around NSW. Both the Australian and NSW Governments have taken great interest in the work of CLCs. One of our key activities is raising our profile in the wider community through the launch of a national CLC campaign about the work we do. We have also completed a planning process to produce a new strategic plan that will inform our work for the next three years. These and many other activities have resulted in yet another busy year for CLCs and the State Office.

### **Review of CLCs and other public legal assistance providers**

In August 2011, the NSW Attorney General, the Hon. Greg Smith SC MP, announced a review of the delivery of legal assistance services to the NSW community. This review was to consider whether there is evidence of unmet legal needs in the community, particularly in rural and regional areas and for vulnerable or disadvantaged groups, and whether current legal assistance services adequately meet these needs. CLCNSW was invited to be a member of the consultative committee which was established to facilitate stakeholder input for the review. CLCNSW, along with a number of CLCs, provided written submissions to the review. A report was expected to be provided to the Attorney General in mid 2012; at the time of this report, we understand that a report has been written, however we have not been advised of any further developments in this regard.

At the federal level, the Australian Government commenced a review of the National Partnership Agreement (NPA) on Legal Assistance Services. The NPA provides Commonwealth funding to public legal services, including community legal centres, legal aid commissions, Family Violence legal prevention services and Aboriginal and Torres Strait Islander legal services. The review is considering legal assistance as a national system as well as the progress made by legal service providers towards achieving the specific performance indicators set out in the NPA. CLCNSW provided a response to the draft Evaluation Framework developed by the consultants undertaking the review. CLCs are represented on the Advisory Committee by NACLC. We look forward to seeing the final report in mid-2013.

### **National campaign to raise awareness of CLCs**

Community Law Australia is the name of the national campaign launched by NACLC and State/Territory CLC Associations. This campaign seeks to improve access to legal help in Australia, by calling for a major increase in CLC funding to extend the impact and reach of CLCs to help our clients and communities. CLCNSW is part of the steering committee that is overseeing the campaign.

## New strategic plan

CLCNSW's new strategic plan for 2012–2015 commenced in July 2012. We undertook an extensive process of consultation to develop this plan, with the assistance of an external consultancy. CLC members were invited to provide input through both a session at the February quarterlies and an online survey. Board and staff also met several times to develop the plan. External stakeholders were also asked for their views on CLCNSW and its strategic directions. We believe the new plan reflects what our members and stakeholders want to see CLCNSW undertake for the next three years. We thank everyone for their contributions to this process and look forward to working with our member CLCs as we strive for a vision of access to justice for all in a fair and inclusive community.

## Movements at Legal Aid NSW

In September 2011, Alan Kirkland resigned as Chief Executive Officer of Legal Aid NSW. CLCNSW acknowledges Alan's contributions to the legal assistance sector, noting in particular his commitment to CLCs in NSW. A significant achievement for the CLC sector during Alan's time included the establishment of the Legal Aid/CLC partnerships program, which has since seen the creation of a number of successful projects.

In turn, CLCNSW welcomed the appointment of Bill Grant OAM as the CEO of Legal Aid NSW in December 2011. Bill was previously CEO of Legal Aid NSW from 2001 to 2007. We acknowledge his contributions to CLCs and look forward to continuing to work with him on issues concerning public legal services.

## State Office

It has been yet another busy year for the state office. Detailed reports and highlights for the State Office and its committees and networks are found elsewhere in this report.

In December, the State Office re-located from its premises in Jones Street, Ultimo, to a larger office space in Foveaux Street, Surry Hills. The relocation was necessary because of the increase in staff and the need to provide more functional work and meeting areas for all staff, as well as being easily accessible via public transport to our members and other stakeholders.

I thank staff for their efforts supporting, coordinating and leading the sector through their work for CLCNSW. I particularly thank the Director, Alastair McEwin, for his leadership of the organisation. In looking ahead to 2012–13, it promises to be another busy and challenging year. We will continue to monitor and respond to the interest that the Australian and NSW Governments have in CLC activities, with particular regard to funding for CLCs. We also look forward to reporting to our members and stakeholders our activities under the new strategic plan. And lastly, but certainly not least,

we will continue to work at raising the profile of CLCs through the Community Law Australia campaign.

## Funding and support

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

- The Hon. Greg Smith SC MP, NSW Attorney General, for his interest in and support of CLCs;
- The Hon. Robert McClelland MP, former Federal Attorney-General, for his support of the CLC program;
- The Hon. Nicola Roxon MP, Federal Attorney-General, for her support of the CLC program;
- Mr Laurie Glanfield, Director-General, Department of Attorney General and Justice, for his support of the CLC program;
- Bill Grant, CEO of Legal Aid NSW, for his support of CLCs;
- Alan Kirkland, former CEO of Legal Aid NSW, for his support of CLCs;
- Bronwyn McCutcheon, CLC Funding Program Manager, Legal Aid NSW, and her team of Jane Cipants, Ben Dougall, Kirsty Harrison and Timika Williams, for their support of the State office and the community legal services program;
- Michelle Jones, Program Manager, Women's Domestic Violence Court Advocacy Scheme;
- The Trustees and Administrator of the NSW Public Purpose Fund;
- Geoff Mulherin, Jane Kenny and Judith Levitan from the Law and Justice Foundation of NSW; and
- Michael Smith, Convenor, and Julia Hall, Executive Director, of the National Association of CLCs.

My thanks also to my fellow Board members for their expertise and commitment to CLCNSW over the past 12 months. I would like to particularly thank and acknowledge the work of the convenors and co-convenors of the networks. Without your commitment and dedication, the sector would not be as informed and united as it is on the various issues that we work on.

Finally, I would like to thank the management committees, staff and volunteers of community legal centres in NSW.

**Anna Cody**  
**Chairperson,**  
**Community Legal Centres NSW**

# CLCNSW

## State Office Report

The State Office of CLCNSW had the following seven objectives under its 2009–2012 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

#### Supporting Aboriginal staff in CLCs

A key objective of the Aboriginal Legal Access Program (ALAP) is to provide support to Aboriginal staff in CLCs around NSW, with a particular emphasis on retention and professional development. CLCNSW has worked closely with Tranby Aboriginal College in the past year to provide access to the College's programs, including places in the National Indigenous Legal Advocacy (NILA) Diploma. Currently there is one ALAP staff member participating in this diploma course. CLCNSW intends to formalise its relationship with Tranby in early 2013 through a formal Statement of Cooperation.

#### Enhancing CLC service delivery to Aboriginal communities

CLCNSW worked with NACLCL to develop an optional standard for Cultural Safety and Awareness in the National Accreditation Scheme, which includes a quiz for CLCs. Culturally safe services aim to provide safe, accessible services that meet the needs and expectations of Indigenous clients from start to finish. Materials to support CLCs to provide culturally safe services are now being developed and CLCNSW looks forward to seeing the standard become part of the mandatory Accreditation standards. The ALAP Community Development Worker provided advice on culturally appropriate service delivery to CLCs that do not currently run Aboriginal legal access programs. This advice included sitting on interview panels, setting project objectives, setting strategies in recruitment and retention, and creating a culturally appropriate workplace. CLCNSW has drafted a Reconciliation Action Plan for its office and expects to release this early in 2013. We hope the sector gains many development benefits from this document.

#### Advocating for access to justice for Aboriginal communities

CLCNSW participated in a range of community initiatives that seek to improve access to justice for Aboriginal communities. CLCNSW conducted a special information session on the 'You Me Unity' consultations for Aboriginal constitutional recognition at the CLC quarterlies with National Congress Co-Chair Jody Broun, a member of the expert panel. Following internal CLC consultations, a set of guidelines was developed to assist CLCs with submissions to the process.

CLCNSW provided a submission in response to the passing of the *Stronger Futures in the Northern Territory Bill 2011*. This submission objected to the Bill and its resulting acts primarily due to: the lack of specific human rights scrutiny by Parliament in compliance with the requirements of the *Human Rights (Parliamentary Scrutiny) Act 2011*; serious concerns regarding the compatibility of the Bill with human rights; and a failure to conduct meaningful consultation around the Bill.

The ALAP Community Development Worker sits on the policy committee for the Justice Reinvestment Campaign for Aboriginal Young People. This campaign seeks the development of a model of justice and human service agencies working to reduce the number of young people in custody. It posits that there should be a diversion of funds spent on incarceration to education, programs and services that address the underlying causes of crime in high-risk communities. CLCNSW has assisted with the development of the campaign's policy and presentations to the NSW Government.

### National Accreditation Scheme

#### What is accreditation?

The National Accreditation Scheme was launched in October 2010 and is now well underway in NSW. The Scheme is a sector-led initiative designed to recognise, encourage and actively support good practice in the delivery of community legal services. It is a joint initiative between NACLCL and State/Territory CLC Associations. Full members of State and Territory Associations of CLCs must comply with the Scheme. To become accredited, a CLC must demonstrate compliance with the NACLCL Accreditation Criteria, or provide evidence that they are working towards compliance. The Accreditation Criteria incorporate current Community Legal Services Program Service Standards and the requirements of the NACLCL Risk Management Guide.

#### What are the steps to achieve accreditation?

The steps in Accreditation are:

- CLCs complete an online self-assessment, using the Standards



**Alastair McEwin, CLCNSW Director, chairing a session at the RRR Day, 2012 State Conference. Photo: David Ottott**

and Performance Pathway (SPP) developed by NACLC. CLCs upload evidence that it is meeting the Accreditation Criteria onto the SPP.

- The online self-assessment automatically generates a Workplan for addressing any areas where work is needed; online tools, templates and guides are provided to help complete this work.
- Following the online self-assessment, the CLCNSW Regional Accreditation Coordinator (RAC) reviews the results of the CLC's self assessment and visits the centre to meet with management and staff representatives, review additional documentation and see how policies and procedures are applied in practice.
- The RAC provides a report to the CLC, which is agreed along with the guiding Workplan. CLCs are required to report six-monthly to the RAC on implementation of their Workplan, who will monitor progress and provide support and assistance.
- When the assessment process has been completed the RAC will provide a report to CLCNSW, with a recommendation for accreditation of the CLC, and CLCNSW will make a determination about Certification. The Scheme has three tiers of accreditation and it is possible for a CLC to achieve accreditation and certification even if it does not meet all the required Accreditation Criteria, as long as it can demonstrate that it is actively working towards compliance.

## **Progress in NSW**

The RAC has been busy assisting CLCs in completing their self-assessment and coordinating and undertaking further Site Visits. Nine Site Visits were completed in 2011–12, with a total of 20 expected to be completed by December 2012. Overall, CLCs have found it a positive and useful process, enabling them to review the systems and policies they had in place and highlight any areas for improvement.

## **Advocacy and Human Rights program**

### **Lobbying for improvements to the NSW Police complaints system**

This project, initiated in 2009, is designed to develop recommendations and lobby for changes to the NSW police complaints system. Highlights from this year's activities included CLCNSW's recommendations for reform and also the release of the findings from the survey of solicitors' and client advocates' perceptions and experiences of the police complaints system, which was commissioned by CLCNSW and conducted by Charles Sturt University.

The survey received 378 responses. Some of the key findings of the survey were that the time it took to resolve a complaint was between 1–18 months, 76 per cent of users were dissatisfied with the complaint process, and 75 per cent of users were dissatisfied with the outcome. The report found, in relation to complaints, consensus that the NSW police force do not apply the law in an even-handed manner, treat members of certain vulnerable groups more harshly than others, lack integrity and trustworthiness, protect their colleagues before being honest about the incident, and display low levels of neutrality and respect in dealing with the public. These findings strongly support CLCNSW's recommendations for reform.

### **Monitoring and responding to changes to Victims Compensation legislation**

The Program continued to support the Domestic Violence/ Victims Compensation Subcommittee with advocacy around the recent changes to Victims Compensation law. A review of the Victims Services scheme was conducted in 2012, which CLCNSW monitored and participated in, along with seven other CLCs. A highlight for this year was an open letter, coordinated by CLCNSW which comprised of eighty leading legal, human rights, health, community and women's organisations calling on the NSW Attorney General to retain and strengthen the NSW compensation scheme for victims of violent crime.

The letter was signed by a wide range of organisations, including CLCNSW, Unions NSW, Australian Lawyers for Human Rights,

# CLCNSW

## State Office Report (cont.)

Australian Women Against Violence Alliance, People with Disability Australia, and Project Kidsafe Foundation. The letter expressed concerns that changes to the NSW Victims Compensation scheme may limit victims' access to compensation.

### Responding to other law reform processes

CLCNSW responded to a range of law reform processes during the year. This included submissions and letters to:

- The You Me Unity consultations on Aboriginal recognition in the Australian Constitution.
- The Australian Communications and Media Authority about Fair Calls for All (1800, 1300 and 13 numbers).
- The Australian Law Reform Commission's *Discussion Paper: Family Violence and Commonwealth Laws*, addressing accessibility of the Migration Review Tribunal for victims of family violence.
- The Senate Committee on Regulations and Ordinances, the Federal Attorney-General, and the Minister for Immigration regarding the abolition of fee waivers in the Migration Review Tribunal.

## Sector Development program

### Quarterly meetings

The regular annual program of Quarterlies (February/May/July/November) continued for 2011–12, with the exception of May 2012 when CLCNSW hosted the biennial State Conference that month.

Generally, the strong attendance pattern at the Quarterlies has continued, with good support from the sector as participants, speakers and delegates. In particular the working parties, committees and forum groups continue to generate their own energy and are very much self managed and directed. They continue to provide good feedback and support to the Sector Development program in terms of ideas and information. Speakers and presenters from the sector continue to generously donate their time and knowledge, and the training sessions continue to receive positive evaluations.

### Practice Management Course

CLCNSW, in conjunction with the College of Law, ran a three-day Practice Management Course for CLC lawyers in September 2011. This is the only course of its type offered in NSW and is a significant strategy under the CLCNSW Sector Development Program to provide skills and information to CLC solicitors who wish to act (or act up) as a principal and/or solicitor on the record for a CLC. This course followed a highly successful pilot that was

run in 2010 and has been developed in response to consistent feedback over the years from CLC lawyers that existing legal practice management courses lacked community-based content that was relevant to CLCs.

21 CLC workers attended the 2011 course. Participants heard from a range of presenters, including specialists who work in CLCs or have experience in community-based organisations. Participants had the benefit of learning directly from their peers and colleagues in the sector. Topics included strategic planning and financial management for CLCs, dealing with difficult clients, cooperative legal service delivery, and avoiding or reducing the risk of burnout. Feedback from participants was overwhelmingly positive, with all participants stating the College of Law/CLCNSW collaboration has been beneficial to the sector. Comments included: "The course exceeded my expectations! It was interactive and used so many relevant case studies/examples"; "One of the reasons I found the course so useful was because the majority of the presenters were from CLCs and/or have extensive experience in the community sector"; and "I am grateful for the tailoring of this course to our sector."

### Mentoring Project

Following a small trial in the early part of 2012, a larger pilot with five mentoring pairs is being launched in November 2012 to run during the balance of the financial year 2012/13. Mentoring is seen as a workforce planning strategy to improve recruitment and retention of CLC staff, and assist those being mentored to better manage their roles, including their own resilience. The project will have a particular focus on RRR CLCs, given the professional and personal isolation that many RRR staff experience. The pilot will be supported from existing Sector Development Program resources, with resources such as mentoring plan templates and guidelines.



# CLCNSW's 2012–15 Strategic Plan

In early 2012, CLCNSW undertook a consultation process with its members, board, staff and external stakeholders to develop a new strategic plan for the 2012–2015 period.

## Vision

Access to justice for all in a fair and inclusive community.

## Purpose

CLCNSW leads and supports Community Legal Centres to deliver access to quality legal services and champion social justice.

## Key Result Areas

### Key Result Area 1

#### Promoting Community Legal Centres

Increased awareness and recognition of Community Legal Centres as unique and valuable contributors to the justice system.

We will:

- Discuss, identify and promote common features and characteristics unique to Community Legal Centres.
- Promote Community Legal Centres to the broader community.
- Be a leading public commentator on the value of Community Legal Centres.
- Raise awareness of Community Legal Centres to communities of most need.

### Key Result Area 2

#### Raising awareness of access to justice issues

CLCNSW increases awareness of, and provides strategic responses to, issues concerning access to justice.

We will:

- Collaborate with our partners to identify and work on issues of access to justice.
- Facilitate research into unmet legal needs.
- Promote and facilitate innovative projects to increase access to justice.
- Be a leading public commentator on access to justice issues.

### Key Result Area 3

#### Building the organisational capacity of Community Legal Centres in NSW

Community Legal Centres have increased capacity and growth to deliver services.

We will:

- Work with Community Legal Centres to continually improve the viability and quality of their services, including through the National Accreditation Scheme.
- Provide professional development opportunities based on sector-identified needs.
- Identify and deliver specific projects to increase capacity of staff and volunteers.
- Provide support, information and facilitate forums for Community Legal Centres in NSW.
- Maintain avenues for funding and develop strategies to diversify sources of funding.
- Maintain and grow the operations of the State Office of CLCNSW through best practice methods.

### Key Result Area 4

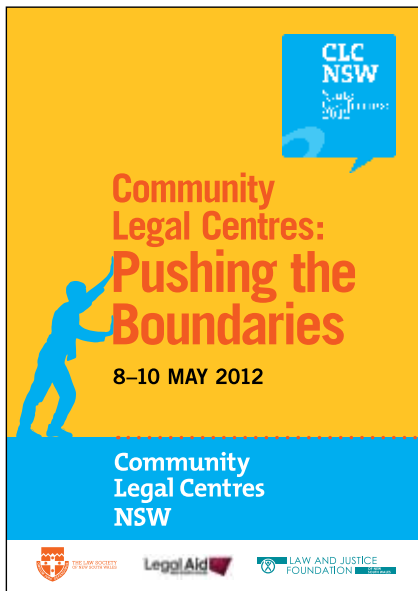
#### Leading and advocating for social justice

CLCNSW and Community Legal Centres actively participate in law reform and strongly advocate for social justice on issues affecting CLC clients.

We will:

- Undertake and collaborate on specific sector-identified campaigns on law reform and policy.
- Respond to law reform issues of significant injustice for communities of most need, especially Aboriginal communities.
- Position ourselves strategically to ensure the community legal sector's views are included in law reform and policy processes.
- Increase awareness amongst all Community Legal Centre staff and management, of the importance and value of systemic advocacy by Community Legal Centres.

# State Conference 2012



CLCNSW hosted its biennial state conference from 8–10 May 2012.

The conference commenced with a RRR Day, held at the Law Faculty of Sydney University. This was a closed day for delegates living and working in rural, regional and remote areas. Sessions focused on training and information-sharing for issues that are specific to RRR needs, as well as network building

between RRR and Specialist centres. Highlights of this day were an opening panel of speakers who discussed the particular challenges of working in a rural practice and a closing plenary with Helen McGowan, who explored models of justice dialogues for RRR access to justice.

Days Two and Three were held at Rydges World Square Hotel, Sydney CBD. Sessions were open to the whole justice sector and examined a range of current policy, reform and general legal issues. Day Two commenced with Ron Merkel QC's opening plenary address, which was very well-received and many found inspiring. The Attorney General, the Hon. Greg Smith SC MP also provided a short welcome address, interspersing his points with the odd humorous anecdote, including one where a constituent arrived on his doorstep at home one day. The Hon. Michael Kirby AC's speech at the conference dinner was also very well-received. Day Three commenced with an inspiring panel of three speakers who discussed current issues in systemic discrimination, including women in the defence force, people with disability and Aboriginal people. The closing plenary saw a panel of speakers from Australian Marriage Equality, Amnesty International Australia and ACCAN, who spoke on the changing nature of activism.

A wide range of topics were covered in the concurrent sessions held throughout the conference. These included animal law, hate crimes against people with disability, innovative approaches in CLC work, and working with the media.

CLCNSW thanks all attendees, conference organisers and sponsors for their support of the 2012 state conference.



RRR Day at State Conference. Photo: David Otott



State Conference opening plenary. L–R: Alastair McEwin, Donna Ingram, Greg Smith SC MP, NSW Attorney–General, Ron Merkel QC, Anna Cody. Photo: David Otott



State conference table displays. Photo: David Otott

# Community Law Australia

Community Law Australia is a campaign by a coalition of CLC bodies led by the National Association of Community Legal Centres (NACLC). The campaign arose out of a belief that all Australians should be able to access the law, regardless of their financial or social circumstances, or their geographic location. It is estimated that each year 500,000 Australians miss out on legal help for financial reasons or lack of knowledge.

The campaign has called for far greater investment in programs that provide people with the information and advice they need at an early stage to prevent legal problems from escalating and to keep people out of court where possible. The campaign calls for a doubling of the current Federal Government legal assistance spend and believes this is achievable, particularly given the Federal Government currently spends around twice as much on its own lawyers as it does for Australians who cannot afford a lawyer.

To date, the campaign has undertaken extensive media work to raise awareness of the issues; this has resulted in a wide range of mentions in the media, including print and television. There is a website that contains facts and figures on access to justice issues, information on CLCs and other legal assistance providers, and information on how to support the campaign. CLCNSW is on the national steering committee which meets regularly to provide oversight of the campaign.

[www.communitylawaustralia.org.au](http://www.communitylawaustralia.org.au)



## At a glance:

### The work CLCs did in 2011–12

In 2011–12, community legal centres in NSW:

- Provided a total of 43,640 instances of legal information
- Provided a total of 56,176 instances of legal advice
- Opened 8,479 new cases
- Completed 9,032 cases
- Made 2,069 court representations
- Provided 1,147 community legal education programs
- Undertook 439 instances of law reform/legal policy work

# CLC Awards and Commendations

CLCNSW extends its congratulations to the following people and member Community Legal Centres for their awards or commendations.

## KLC solicitor wins Women Lawyers Association award

Emma Golledge, Principal Solicitor of Kingsford Legal Centre, won the 2011 Woman Lawyer of the Year in a Community Organisation award. This award, along with a number of others, is presented annually by the Women Lawyers Association of NSW. The Awards recognise outstanding women lawyers who have achieved excellence in their area of practice, while advancing opportunities for women in the law. Emma works primarily in discrimination law. Her role also includes teaching law students practical skills and undertaking law reform and policy work with a human rights focus. Prior to this, she worked in the United Kingdom in the community legal centre and government sectors. She has a passion for social justice and has worked extensively in community legal centres for the past 10 years. Emma was a co-convenor of the CLCNSW Law Reform and Policy committee.

## IARC Volunteer wins Young Volunteer Award

Ji-Boem Jang was awarded the Young Volunteer Award for his services to the Immigration Advice & Rights Centre (IARC) by the then Federal Minister for Human Services and Social Inclusion, Tanya Plibersek, at a ceremony on 5 December to mark International Volunteer Day.

## Redfern Legal Centre volunteer wins award

International Volunteer Day 2011 was a busy day for Margaret Jones, volunteer at Redfern Legal Centre. She was presented with the 2011 Senior Highly Commended Volunteer of the Year Award at NSW Parliament House by the Hon. Victor Dominello, Minister for Volunteering. Later she was presented with the MP's Volunteer of the Year Award by the Hon. Tanya Plibersek. Part of Margaret's prize included nominating a not-for-profit to receive \$500 which she chose to give to RLC. This \$500 came on top of \$200 Margaret had already been able to give to the Centre as a reward for coming runner-up in another volunteer award.



Launch of the refurbished Kingsford LC offices, launched by Peter Garrett. L-R: Laura Heaney, Denise Wasley, Laura Brown, Dianne Anagnos, Anna Cody, Edwina MacDonald, Liz Meyer, Jenn Lam and Murray Baker with the Hon. Peter Garrett MP. Photo: Kingsford Legal Centre.

# CLCs Advancing Human Rights

## Redfern LC's tenancy team wins TAAP awards

RLC's Inner Sydney Tenants' Advice and Advocacy Service (ISTAAS) won several awards at the Tenants' Advice and Advocacy Program Network Meeting. Phoenix van Dyke won the TAAP Policy Award for her contributions to policy work and the TAAPSTAR Award for work at the Consumer, Trader and Tenancy Tribunal. Natalie Bradshaw won the People's Choice Award for casework.

## 2011 Justice Awards

The annual Justice Awards, hosted by the Law and Justice Foundation of NSW, recognise and honour the contributions and achievements of individuals and organisations to improving access to justice, particularly for socially and economically disadvantaged people.

## CLCNSW award

The 2011 CLCNSW Award recognised an individual or a group of individuals who, in a voluntary capacity in a NSW community legal centre, have demonstrated outstanding commitment to improving access to justice in NSW, particularly for socially and economically disadvantaged people. This may have been demonstrated in a range of activities over an extended period, or in a single significant activity.

The 2011 winner was Michael Steinfeld. Michael has been volunteering at Kingsford Legal Centre on a fortnightly basis for its evening advice clinic for 27 years. Over his volunteer years he has assisted thousands of disenfranchised clients. Through the clinical legal education program at KLC, Michael has worked with many students on the Centre's advice nights and has shown himself to be a patient and experienced mentor. Over the years he has made many trips to Long Bay Gaol to provide pro bono advice to prisoners. He also is a source of advice and help to the centre's solicitors if a client comes in for help in an area which the centre does not practice in.

CLCNSW congratulates Michael on his win and his commitment to Kingsford LC's clients. We also congratulate the other two nominees for the award: Jules Munro (volunteer for Arts Law Centre) and Michael Windsor SC (volunteer for Redfern LC).

## Housing NSW tenancy saved through negotiated repayment plan

Paul, a Housing NSW tenant, had been visiting family overseas. On his return to Australia, he found that the Consumer, Trader & Tenancy Tribunal (CTTT) had made an order for termination of his tenancy for rent arrears. Paul dropped in to Redfern LC's Inner Sydney Tenants' Advice and Advocacy Service (ISTAAS) two days before he was to give vacant possession. Paul was confused as he normally paid his rent by direct debit, and did not understand how he could have fallen into arrears. He found out that he had incurred them due to a fault with Housing NSW computers whereby the rent had not been deducted from his account as usual.

The tenant advocate helped Paul to decide how much of his arrears he could pay off every fortnight without falling into hardship. The advocate then rang Housing NSW and made the offer of a repayment plan. The new Residential Tenancies Act 2010 says that any termination solely on the ground of non-payment of rent cease to have effect if the tenant pays all the rent owing, or enters into, and fully complies with, a repayment plan agreed with the landlord.

Housing NSW was not aware of these changes and insisted that Paul would have to lodge a rehearing application as the tenancy had been terminated. After the advocate pointed out the relevant sections of the Act, Housing NSW agreed to the repayment plan. Paul's tenancy was saved.

## Discrimination Commissioner takes RailCorp to Court

The Public Interest Advocacy Centre (PIAC) is representing Mr Graeme Innes AM who is suing RailCorp for disability discrimination. He alleges that RailCorp has failed to consistently provide audible announcements on trains, in breach of the Disability Discrimination Act 1992 (Cth).

Mr Innes, who has been blind since birth, lodged 36 complaints with the Australian Human Rights Commission between March and September 2011 regarding failures by RailCorp to have audible announcements on trains. These announcements are crucial because they allow passengers with vision impairment to know that they are getting off at the right station.

PIAC lodged proceedings on behalf of Mr Innes in the Federal Magistrate Court in November 2011. A mediation hearing in February was unsuccessful. The matter proceeded to a hearing in mid 2012. At the time of this report, the Court had yet to report its decision.

# Law Reform and Policy Committee Report

## Nassim Arrage and Edwina MacDonald, co-convenors

Emma Golledge and Lizzie Simpson stepped down from convening at the February 2012 Quarterly meeting and Nassim Arrage (Mid North Coast) and Edwina MacDonald (Kingsford) were appointed the new convenors. The Committee met in August, November and February at the CLC Quarterlies and meetings were well attended. The Committee reviewed the way it works and changed the format of the meetings in late 2011 to include a short presentation on a current CLC law reform activity as part of the meeting. In November, the co-convenors led a discussion on the proposed consolidation of federal anti-discrimination laws. In February, Redfern Legal Centre presented on its Housing Repairs Campaign. The meetings continued to be used to share information about law reform and policy projects and opportunities that CLCs and/or the state office were working on. Discussions about law reform priorities provided guidance to the CLCNSW Advocacy & Human Rights Officer.

The Committee's working groups on Indigenous Rights and Police Accountability and Prisoners Rights continued throughout the year. Other issues considered by the Committee during the year included:

- Policy Accountability Project: work around systemic reform of the police complaints system, including participation in a survey designed to collect NSW-specific data about experiences and perceptions of the police complaints system.
- Constitutional recognition of Aboriginal and Torres Strait Islander Australia
- National Human Rights Framework
- Review of Victims Compensation
- Family law reform
- Legal Aid Means Test Review
- Migration Review Tribunal fee waiver abolition
- Using the *Government Information (Public Access) Act 2009* for law reform
- Parents listed on birth certificates



The Aged-care Rights Service at a community event. Photo: The Aged-care Rights Service.

# Educating the Community About its Legal Rights

## **Cultural Awareness Training a Great Success**

Shoalcoast CLC organised, through the CLSD network, Cultural Awareness Training held at the Shoalhaven Arts Centre. 25 participants were treated to an enthralling and, at times somewhat disturbing, account of life on Aboriginal missions of old, by Aunty Kate Davis and Gail Wallace. Both presenters were the originators of Circle Sentencing, which commenced in the Local Court at Nowra in 2002 and successfully continues today and has been extended to a number of other local court regions.

In addition, both presenters participate in Circle Care, which operates in conjunction with the Department of Family and Community Services with the aim of placing Aboriginal children in need of care, within the family structure of the relevant aboriginal community. Three years and as yet they have not failed in finding a suitable placement. Many helpful hints as to how to deal with Aboriginal clients were also forthcoming and all participants agreed that it was a very worthwhile session.

## **Equipping lawyers to run LGBTI discrimination and vilification complaints**

Over two days in March 2012, the Inner City Legal Centre conducted a CLE program to equip lawyers to run LGBTI discrimination and vilification complaints in the Anti-Discrimination Board (ADB) and Administrative Decisions Tribunal (ADT). Twenty-four lawyers from CLCs and private firms attended the training, which was hosted by Gilbert + Tobin. The aim of the training was largely to increase the capacity of ICLC to run discrimination and vilification matters by having a trained group of lawyers the Centre can approach from time to time who can assist with such matters on a pro bono basis.

The training commenced with all participants receiving a kit containing precedents, case studies, pro forma letters and relevant forms. Everyone also received an electronic version of the kit on ICLC's funky new USB drives! Amy McGowan gave an introductory insight into the language that may be used when talking about LGBTI discrimination and vilification.

On day one, Tory Maguire, an ADB Conciliation Officer, took participants through the step-by-step process of lodging complaints, and provided tips about procedure and conciliation. Following on from this Deputy President of the ADT, Magistrate Nancy Hennessy, led a session about the procedure involved in running discrimination and vilification matters once they are referred to the ADT. Both speakers gave participants the opportunity to ask questions which contributed to the very engaging sessions.

The second day of the training was run by renowned human rights Barrister, Kate Eastman. Ms Eastman has been involved in a number of landmark discrimination and vilification cases, including that of the Carter Case, in which ICLC were the instructing solicitors. Ms Eastman provided a unique insight into the practicalities of the Anti Discrimination Act 1977 (NSW), international cases about hate speech, managing client expectations and also went through some case studies based on past cases. It was a most dynamic session.

# Community Legal Education Workers (CLEW) Group Report

## Dianne Anagnos and Natalie Neumann, co-Conveners

The CLEW group holds meetings at every CLCNSW quarterlies to discuss new innovations in community legal education (CLE), share our collective knowledge and participate in training relevant to CLE. The meetings are open to any community legal centre workers who are interested in CLE and attendees include dedicated CLE workers, as well as co-ordinators and solicitors who perform CLE as part of their jobs.

This year we have had an average attendance of 20 participants at each meeting. Workers from most of the CLCs in NSW have been represented at CLEW meetings including workers from RRR centres, specialist and generalist CLCs. CLE workers from other organisations such as Legal Aid NSW, NLAf and the Law and Justice Foundation of NSW also regularly attend our meetings.

## Training

The meeting generally includes a training component. This year we have had presenters including:

### *CLE resources*

- Legal Aid CLE workers updating the group on their projects from civil law, family law and the Children's Legal Service, including a demonstration of the 'Best for Kids' website by Jenny Hansen.
- Judith Levitan from NLAf discussing resources for newly arrived migrants and refugees and discussion of a more coordinated approach to the provision of legal services by CLCs and Legal Aid.

### *CLE in prisons*

- Carolyn Jones from Women's Legal Services NSW spoke about the Legal Education and Advice for women in Prisons project (LEAP) and about discussions with Corrective Services to implement legal literacy into the Adult Learning Program literacy curriculum.
- Joanne McAlpin, Executive Officer, Assistant Commissioner Offender Services and Programs at Corrective Services NSW spoke to the group about accessing prisons for CLE including taking us through required forms and procedures.

## Using technology in CLE

This has been identified by many CLCs as a growing area and an area in which CLEW will seek to provide training in during 2012–13. Examples and ideas for training requested by the CLEW group are: using websites as a tool for CLE; using Facebook and Twitter; Webinars; and using smartboards.

## CLC State Conference CLE report

The CLEW group planned a very well attended and well received session at the 2012 State Conference in May called "CLE: What works when?". The session included a panel discussion about research done by the Law and Justice Foundation and CLE workers from CLCs and the Legal Aid Commission speaking about their experiences delivering innovative CLE and the lessons they have learned from their CLE projects. The types of projects discussed including radio programs, CLE "road shows" and surveying CLE participants to find out what worked for them, and covered CLE projects delivered to RRR communities, Aboriginal communities and newly arrived migrants.

## Other meetings

The NSW CLEW co-conveners participate in the following external meetings to represent CLCNSW CLE:

- Legal Information and Referral Forum (LIRF), which aims to improve referral pathways and access to legal information and reports to the NSW Legal Assistance Forum on a quarterly basis.
- Legal Aid quarterly CLE meetings (by invitation from Legal Aid in February 2012).
- NLAf training and development group.
- National CLEW network.



**Women's Legal Services NSW stall at a community event, White Ribbon Day.**  
Photo: Women's Legal Services NSW.

Finally, the NSW CLEW Group continues to provide a forum for CLC workers to share their CLE experiences and resources. The 'round-up' at each CLEW meeting is a very useful exercise for all CLCs and other organisations to share new innovations, projects and publications and to find out what everyone else is up to! The co-conveners would like to thank all participants for making this such a supportive and proactive group.



# Improving Access to Justice for Aboriginal People and Communities

## Members of local Aboriginal Land Councils found to have control over their tenancies

The Tenants' Union acted for two tenants who were each given a termination notice by their landlord, a local Aboriginal Land Council (LALC). The case centred on the provisions in the NSW Aboriginal Land Rights Act 1983, which requires a LALC to pass a resolution of the voting members concerning any "dealing with land". The Land and Environment Court held that the function of terminating a residential tenancy agreement is 'a dealing with land'. As such, a LALC may only take steps to terminate a tenancy if that course is approved by the voting membership of the council. This decision cannot be delegated to internal or external management. The judgement was reported in the Local Government and Environmental Reports of Australia. It has been used successfully by tenant advocates to save their clients' tenancies. It is currently subject to appeal and may lead to amendment of Aboriginal land rights legislation.

## Bush Bands Business

If you don't understand what it means, don't sign it! How often do legal advisers give that advice? How often do lawyers wish clients had followed that advice before plunging headlong into a contractual relationship that ended in tears? It's a simple but important message and it was the focus of the workshops delivered by the Arts Law Centre of Australia at the 2011 Bush Bands Business conference held at Ross River south of Alice Springs in September.

Bush Bands Business is held annually as part of the Alice Springs Desert Festival. It's a three-day intensive mentoring and professional development program for six emerging Indigenous bands from desert communities in Central Australia which culminates in the Bush Bands Bash concert staged in Alice Springs during the Festival.

Arts Law, together with mentors from the national music industry, worked with Narbelek (Arnhem Land), Tableland Drifters (Barkly Region), Sunshine Reggae Band (Western Desert), Blackstone (NG Lands), South East Desert Metal (Arrernte) and Yatulu Yatulu (Warlpiri). In addition to basic contract law, the Arts Law workshops covered music copyright fundamentals.

The workshops were part of Arts Law's Musicians in the Black program, which is generously funded by the Sidney Myer Foundation, APRA and PPCA and is specifically developed and geared toward Indigenous musicians. It is designed around a workshop program and includes the development of online information sheets and resources. The workshops are designed to be inclusive and participatory, introducing musicians to some of the

legal issues relevant to their creative activities, and helping them to understand their rights. Such issues include music copyright, being in a band, public performances, traditional cultural issues, making recordings and dealing with third parties such as managers, venue operators and recording studios. As many of the participants have limited English literacy skills, the workshops use stories, case studies and visual images rather than text.

## Aboriginal Advisory Group report

### Donna Hensen, convenor

The Aboriginal Advisory Group (AAG) meets at the Quarterlies throughout the year and continues with projects while feeding into the NACLCLC ATSI Women's network. The AAG Convenor is Donna Hensen, Coordinator, Indigenous Women's Legal Program at Women's Legal Services NSW.

### Constitutional Recognition

The AAG:

- Conducted consultations with Aboriginal CLC staff
- Distributed information throughout the CLC sector and the communities we support
- Conducted a special information session at the CLC quarterlies with Jody Broun (Co-Chair, Congress) from the expert panel
- Conducted a special information session with members from the Indigenous Law Centre
- Developed guidelines for CLCs to develop their own submissions

### "Tools and Techniques for Managing Emotional Strain and Avoiding Burnout" workshop

This workshop was in response to Aboriginal workers feeling a bit burnt out and concerned with balancing their work commitments with their community commitments.

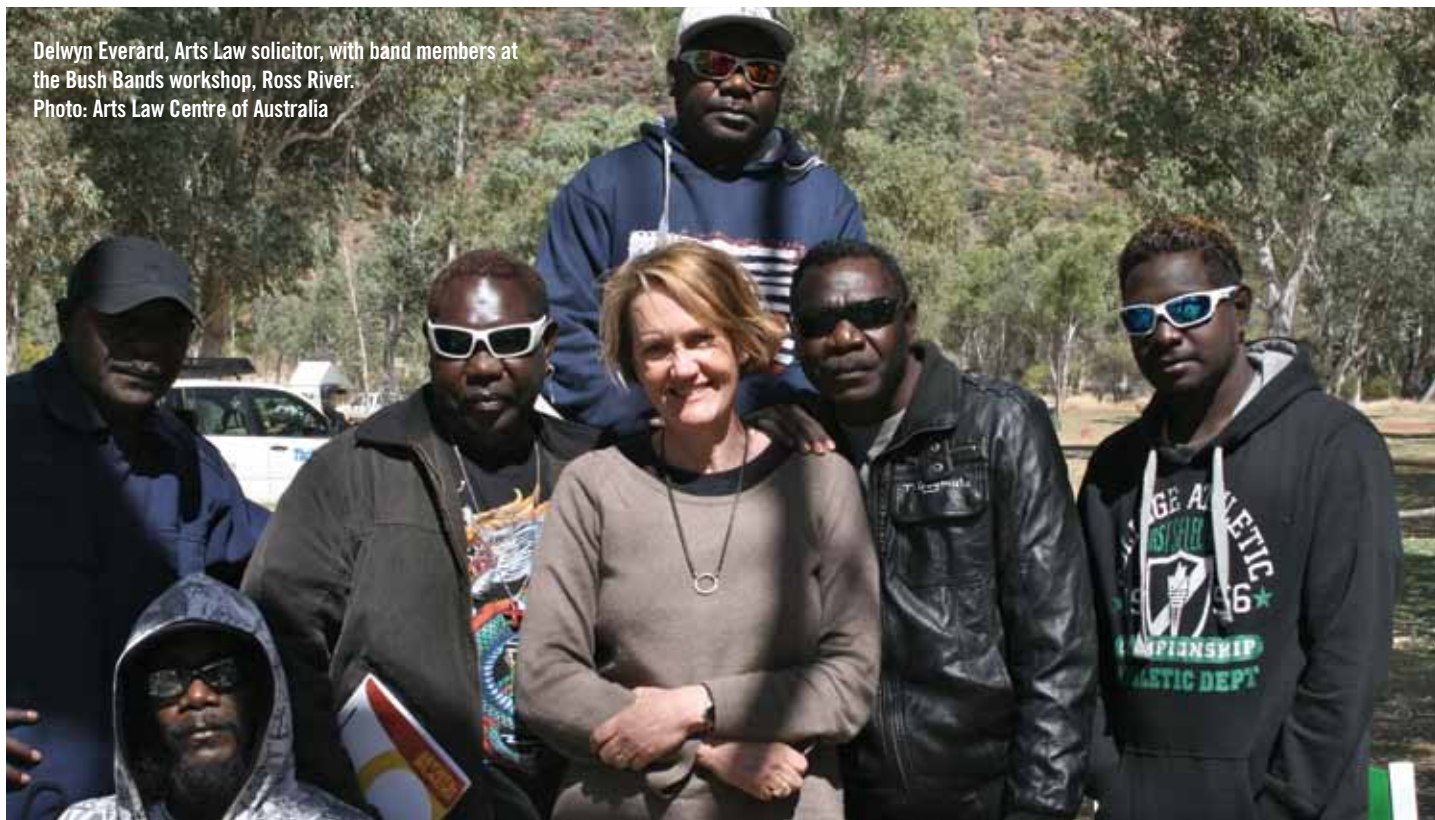
It was well attended and all participants left with effective strategies to avoid burnout.

### Stronger Futures Position Statement

The AAG's advice and valuable input was sought for the Stronger Futures Position Statement which is posted on the CLCNSW website. It outlines the objection of 'Stronger Futures Bills' by way of:

1. It is most unfortunate that the *Stronger Futures* bills have not been subject to specific human rights scrutiny by Parliament in compliance with the requirements of the *Human Rights (Parliamentary Scrutiny) Act 2011* ("the HRPS Act"). In particular, a statement of compatibility has not been prepared in respect to this bill.
2. There are serious concerns regarding the compatibility of the bills with human rights.

# Improving Access to Justice for Aboriginal People and Communities (cont.)



Delwyn Everard, Arts Law solicitor, with band members at the Bush Bands workshop, Ross River.  
Photo: Arts Law Centre of Australia

3. That for want of compatibility and for other reasons, including but not limited to, a failure to conduct meaningful consultation, abandonment of the principles of self-determination, and a lack of local ownership and engagement, the *Stronger Futures* legislation constitutes an ineffective policy solution for strengthening Aboriginal and Torres Strait Islander communities.

## Reconciliation Action Plan

The CLCNSW Reconciliation Action Plan (RAP) has undergone significant development, including a statement of commitment from the CLCNSW Director, and consultation from Reconciliation Australia. The RAP is expected to be released in early 2013. The AAG also contributed to the development of the NACLRC RAP.

## Tranby Statement of Cooperation

Zac Armytage, ALAP Community Development Worker, led the negotiations with Tranby Aboriginal College in Glebe to develop training activities for Indigenous workers in CLCs. This led to the development of a Statement of Cooperation.

Over the coming year we will be providing special training days for all Indigenous CLC staff in NSW. These days will include debriefing

opportunities, training and development. NACLRC offered a small budget to help with travel costs as it is important for workers to attend. If you have any Indigenous staff that have not attended the AAG meetings at the Quarterlies please email me their details as we would love to meet them at our training days; email [Donna\\_Hensen@clc.net.au](mailto:Donna_Hensen@clc.net.au)  
We would like to encourage more Indigenous staff to join our AAG meetings in the coming year.

# Ensuring Access to Justice for People in Rural, Regional and Remote (RRR) Areas

## Mogo Wills Day

At the invitation of the Moruya Aboriginal Legal Service, Shoalcoast CLC, in conjunction with Legal Aid NSW (Nowra Office) and Blake Dawson, conducted a CLE on Wills, Power of Attorney and Enduring Guardianship at the Boomerang Centre in Mogo. Anne Cregan, National Pro Bono Manager for Blake Dawson, delivered the bulk of the CLE and was assisted in question time by other solicitors who were present. A light lunch was provided after the CLE and instructions were obtained from 20 individuals and 39 documents prepared for signature.

## Rural, regional and remote CLCs network report

### Angela Pollard, Convenor

The Rural, Regional and Remote (RRR) Network meetings were well-attended again this year. RRR workers say they look forward to engaging in face to face conversations with their rural peers. For most of us, spread thinly around country NSW, it is a welcome chance to share expertise and trade tips on how to manage the tyranny of distance in providing services to our more remote communities.

The meetings also provide access to city-based services and agencies. This year we had guest speakers such as Liz Snell, Senior Policy Advisor, and Erin Turner, Policy and Campaigns Officer, from the Australian Communications Consumer Action Network (ACCAN) to discuss ACCAN's Fair Calls for All Campaign which is particularly relevant to rural clients who may rely upon mobile telephones to contact city-based agencies for advice and assistance.

Judith Levitan, Project Manager for NSW Legal Assistance Forum (NLAFF), gave several presentations on the progress of research undertaken by NLAFF's RRR Working Group concerning the difficulties of recruiting and retaining lawyers in RRR areas. RRR Centres continue to report a decline in the number of solicitors prepared to work in rural areas. At the February meeting, Simon Howard, Employment Law Solicitor at NSW Legal Aid was invited to provide an overview of employment law regarding casual employees, after several RRR Centres reported concerns about the increased casualisation of employment in rural areas.

The RRR Network Day was held as part of the biennial CLCNSW Conference. The Day commenced with an engaging panel of speakers talking about their experiences working as rural practitioners, followed by a series of workshops as diverse as Animal Law & Farming Practice Coal Seam Gas: Lessons for landholders, Connecting Migrants in the Bush, Working Safely in Remote or Outreach Situations, Staying on Top of Your Game: Cultivating Your Justice Mojo, and Complex & Strategic Litigation in a rural Context, with a final thought-provoking plenary: "Justice Dialogue in the Bush: What works?"

The RRR Network also provides a forum for peer support between meetings and gives a voice for RRR issues within the CLC sector.

# Network and Working Group Reports

## Domestic Violence and Victims Compensation Subcommittee Report

### Rebecca Frost and Rachael Martin, co-Convenors

It was a tumultuous year for both Victims Compensation and Domestic Violence. Highlights are undoubtedly the announcement of the review of Victims Services and the Domestic Violence Trends and Issues in NSW Inquiry.

In August 2011 the NSW Attorney-General, Greg Smith, announced an independent review of the NSW Victims Compensation Scheme. The Government engaged the firm PricewaterhouseCoopers (PwC) to conduct the review. In March 2012, PwC released an Issues Paper and conducted some minimal face-to-face consultations. The subcommittee was a valuable source of information, updates and coordination for CLC's to cohesively respond to the review. CLCNSW made a lengthy written submission to this review.

CLCNSW also created a page on its website dedicated to the review of the Victims Compensation Scheme. This page includes information about the review and the principal concerns of CLCNSW. CLCNSW's submission, together with submissions made by other CLCs and organisations, have been posted to the website. The Parliamentary Inquiry into Domestic Violence Trends and Issues in NSW was an important investigation from the NSW government into current law, policy and practice in NSW. Several members of the Committee gave evidence at the Inquiry in addition to making written submissions. The final report was issued by the Standing Committee on Social Issues in August 2012 and references many CLC members in the report and recommendations. The report and its 89 recommendations are now with the government for consideration.

The subcommittee was also a useful space for the discussion and updates on the review of the *Crimes Domestic and Personal Violence Act*. The subcommittee also organised training on the new Sexual Assault Communications Privilege Unit at Legal Aid. We also collaborated with several CLCs to produce the *Living Without Violence Toolkit*, with the assistance of an Australian Human Rights Framework Education Grant from the Australian Government. The fact sheets included a number of plain language double-sided facts sheets on several topics of relevance to women just separating after domestic and family violence. These fact sheets are being distributed to women at court and can be downloaded from the CLCNSW website under publications.

In May 2012 we saw the introduction of the AVO Practice Note across NSW and the DV VC Subcommittee organised training for all solicitors and other relevant staff at the quarterly meeting in July 2012, which was very well attended.

## Practice and Indemnity Insurance (PII) Committee Report

### Janet Loughman and Katrina Ironside, co-Convenors

The Practice and Insurance Committee is made up of representatives from all CLCs in NSW and meets at each of the quarterly meetings. Attendance rates have been excellent. Thank you to everyone who attends and contributes to these meetings. All 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.

In November 2011 the new national Risk Management Guide was published and the associated peer review (Cross Check) was carried out under the revised standards in 2012. Members of the Committee, including the Convenors presented education sessions to CLC staff to enhance understanding of the standards and the required legal professional standards of practice in CLCs.

Pip Davis and Kat Lane stepped aside as co-convenors during the course of the year after several years of hard work on our behalf. The Committee extended its sincere thanks to them both for their considerable contributions.

Work carried out by the co-convenors this year has included:

- Review of the updated national practice management standards including developing a decision making mechanism for the national committee
- 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 and attending national PII meetings
- Presenting sessions at the Practice Management Course on PII and risk management issues for CLCs
- Overseeing the annual cross check of all centres in NSW
- Supporting individual centres in practice management issues

## Coordinators/Directors/Sector Development Network

### Daniel Stubbs and Kerry Wright, co-Convenors

The Coordinators/Directors/Sector Development network continued strongly through 2011–12. Meetings of the network included training, resource sharing, development of strategic advocacy, and presentations from Legal Aid. Bronwyn McCutcheon and Jane Cipants, Community Legal Services Program, have been very helpful in keeping the Network up to date on funding developments, opportunities and reporting issues.

The activity we will, I hope one day, be most proud of in this year is the commencement of development of a Multi-enterprise agreement (MEA) for the NSW CLC sector. This is only the beginning of a long and complex process. It is nevertheless important to recognise that an MEA for NSW CLCs is well overdue and will benefit CLCs and their clients into the future. Thank you to Angela Pollard for driving this process.

The Network, and therefore the sector generally, benefitted from a range of other discussions and activities including:

- Effect of changes to Work Cover legislation with respect to CLC officers' liabilities.
- Implementation of the SCHADS award, financial and other implications for CLCs.
- CLSIS tips, tricks and training requirements.
- Experiences and results of the National CLC Accreditation process.
- How to reclaim payments for copyright on CLC-produced publications.

The network was convened by Daniel Stubbs (Inner City Legal Centre) and actively assisted by Kerry Wright (Shoalcoast Legal Centre) and Joanna Mantziaris. Joanna resigned from her position in June. We thank her for the work she undertook as Sector Development Coordinators and in being the main staff support for the Network.

## Administrators and Finance Officers Working Group Report

### Graeme Chambers, Convenor

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 over the past year was to continue encourage non-legal workers to attend our meetings, to expand our numbers and ultimately our topics and special guests.

Over the past year various agenda items were discussed, including MYOB accounting and payroll matters, including the transition into the new Modern Award, costs of audit and other operational expenses, budgets, IT, project reporting in MYOB, and the like. We had special guests from Legal Aid: State Program Manager Bronwyn McCutcheon, Jane Cipants, and Michelle Jones attended our meetings; and the Mercer representative who had completed the salary benchmarking survey nationally. They provided the opportunity to ask questions in relation to CLSIS and financial reporting requirements, excess surplus templates, carried forward surpluses, standard chart of accounts, etc.

Linda unfortunately has to leave the sector after moving to Queensland. Linda has made a great contribution to the sector and will be missed. Graeme has continued on as Co-Ordinator as well as Convenor of the National Admin & Finance Network. The National Network meeting in Adelaide went really well with 25 people attending. Graeme was involved with three other CLC representatives from Canberra/Melbourne in doing a joint presentation at the National Conference on financial management/ budgeting and how to use MYOB for project reporting. The national survey of non-legal support (Finance/Administration/IT support) completed in September 2011 is proving useful for CLC's nationally in benchmarking their support services.

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's Report

## Maria Girdler, Legal Aid Commissioner (Alternate Legal Aid Commissioner: Patrick O'Callaghan)

During the year we spent a lot of time trying to find ways of running services with less money. Legal Aid along with all government departments has been required to find 3 per cent savings this year and 4 per cent next year. It is hard to see services being reduced at a time when unmet legal need is still very apparent.

One significant new service discussed at the Board was the Sexual Assault Communications Privilege Specialist Unit.

The establishment of the unit in LAC was the result of successful lobbying including by the Women's Legal Services, which had developed a pilot project in partnership with the Office of the Director of Public Prosecutions (DPP) and a number of pro bono law firms to assist women wishing to resist subpoena applications. The pilot operated in the Sydney District Court only and assisted a small number of complainants to assert the sexual assault communications privilege.

The Board discussed how best to establish the Unit in Legal Aid and what changes would be needed to policy as a result of the Unit's establishment.

Throughout the year the Board also dealt with a restructure within the Executive of Legal Aid, the LAC financial and service reports, and reports from the Board sub-committees. Other regular issues discussed at the Board were plans for service delivery including how best to deliver services in partnership with other agencies and how to best assist disadvantaged groups.

In 2011 Mr Alan Kirkland, the Chief Executive Officer (CEO) left the Commission and was replaced by Mr Bill Grant, the previous CEO. As in previous years I have been on the CLC Funding Committee, the Civil Committee and the Women's Domestic Violence Court Assistance Program (WDVCAP) Advisory Committee.

The CLC Funding Committee membership has included the Rev. Harry Herbert (Chair), Barbara Ramjan, representatives of the Board, Richard Funston, Executive Director Grants and Community Programs, Associate Professor Anna Cody (Chairperson of the CLCNSW Board), and Mr Alastair McEwin, Director of CLCNSW. The Committee has been very ably assisted by Ms Bronwyn McCutcheon, State Program Manager, Ms Jane Cipants, Special Projects Officer and Mr Benjamin Dougall, Projects and Policy Officer.

The CLC Funding Committee has met on a regular basis and played an important role in assessing CLC/LAC partnership applications. The Civil Sub-Committee has only met a few times this year. Women's Domestic Violence Court Assistance Program (WDVCAP) Advisory Committee met regularly and provided a useful forum to discuss program-wide issues.



Legal Aid NSW's new-look website.

## Living Without Violence toolkit



The Living Without Violence toolkit is a series of information sheets, designed for people in NSW who have experienced domestic violence and are in the process of separating, or have recently separated from their partner. The information sheets provide practical information about rights in relation to domestic violence and: Centrelink, debt, fines, immigration,

divorce, property and parenting.

There is an introductory page, with a definition of domestic violence, highlighting relevant human rights issues, including the right to live without violence. A promotional poster is also available. The development of the toolkit was coordinated by CLCNSW and the National Association of Community Legal Centres, with content provided by a number of community legal centres in NSW. The project also received assistance in the form of:

- An Australian Human Rights Framework – Education Grant from the Australian Government, which was primarily used for printing.
- Artwork contributed by the Sista Girl Yarnz Group at Campbelltown.
- Pro bono design assistance from Ashurst law firm (formerly Blake Dawson).

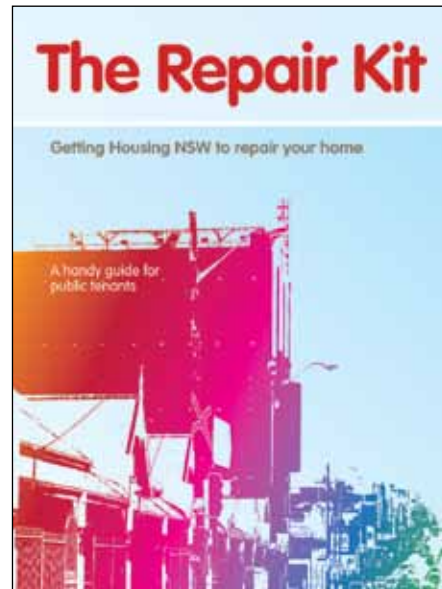
Download information sheets at:  
[www.clcnsw.org.au/livingwithoutviolence](http://www.clcnsw.org.au/livingwithoutviolence)

## Family Safety in Auslan – Domestic Violence



Women's Legal Services NSW worked closely with the Deaf Society of NSW as legal and advisory consultants for the Deaf Society's web-based video on family and domestic violence. The videos provide

information about domestic violence and an awareness of support services for members of the deaf community who use Auslan. The web-based video consists of nine separate clips with narration and scenarios acted out on different topics related to domestic violence. The clips are in Auslan with the script written below. Watch video at: [http://www.deafsocietynsw.org.au/domestic\\_violence](http://www.deafsocietynsw.org.au/domestic_violence)



## The Housing NSW Repair Kit

The Inner Sydney Tenants' Advice and Advocacy Service at Redfern LC has produced a step-by-step guide for public tenants to assist them to get repairs done. Housing NSW tenants and community workers have been complaining for some time about the difficulties in getting repairs done and see

this as a priority issue. This handy kit comes with sample letters and shows tenants how to take the matter further, such as applying to the Consumer, Trader and Tenancy Tribunal (CTTT). As Housing NSW often does not comply with Tribunal orders to do repairs, the kit also advises tenants to request the CTTT Chairperson to refer matters of non-compliance for investigation and prosecution by the Office of Fair Trading.

Download the kit at:  
<http://www.rlc.org.au/admin/spaw2/uploads/files/RLCRepairKitline.pdf>

## 2012 HIV and Society Guides

Federal Minister for Health, Tanya Plibersek, launched the HIV/AIDS Legal Centre (HALC) 2012 HIV and Society Guides in June 2012. The Guides include:

- *Unravelling the Law*, a guide for women living with HIV/AIDS;
- A guide to immigration for HIV positive people;
- A guide for probate and estate administration;
- Posters on issues of HIV disclosure for insurance purposes, immigration, wills, discrimination and privacy.

Resources such as these, which explain crucial and often complex HIV-related legal issues in straightforward language, form a valuable part of the response to HIV. They dovetail with the National HIV Strategy 2010–2013, which identifies people living with HIV as priority populations whose needs and human rights are of central concern in the strategy, and the NSW HIV/AIDS Strategy (2006–2009), which stresses the need for education for people affected by HIV as part of creating an enabling environment.

Download resources at: [www.halc.org.au](http://www.halc.org.au)

## New media kit “Speaking Wisely” launched



“Speaking Wisely” is a kit developed by Redfern Legal Centre aimed at community organisations, that wish to speak publicly about their services, the experience of their members and clients and what may need to be changed to achieve a just or sustainable society and environment. Such organisations do not want to spend time dealing with the fallout from speaking unwisely. The kit has

checklists, background explanations, some illustrative case summaries and scenarios as well as suggestions for policy and procedures, and some handy how to guides. The purpose is for community organisations to feel confident they are on solid ground and well prepared to speak wisely and boldly.

Download kit at: [www.rlc.org.au/admin/spaw2/uploads/files/Speaking%20Wisely%20-%20May%202012.pdf](http://www.rlc.org.au/admin/spaw2/uploads/files/Speaking%20Wisely%20-%20May%202012.pdf)



Launch of 2012 HIV & Society Guides. L–R: HALC President Althea Mackenzie, Ian Walker, Nadine Behan, Minister Tanya Plibersek MP, Alexandra Stratigos, Robert Mitchell and Sonny Williams. Photo: Ann-Marie Calihanna



# Membership, Governance and Operations

## CLCNSW Member Centres 2011/12

### FULL MEMBERS:

Generalist Centres	Specialist Centres
Central Coast Community Legal Centre	(The) Aged-Care Rights Service
Elizabeth Evatt Community Legal Centre	Arts Law Centre of Australia
Far West Community Legal Centre	Australian Centre for Disability Law
Hawkesbury Nepean Community Legal Centre	Consumer Credit Legal Centre (NSW)
Hume Riverina Community Legal Service	Environmental Defenders Office NSW
Hunter Community Legal Centre	HIV/AIDS Legal Centre (NSW)
Illawarra Legal Centre	Immigration Advice and Rights Centre
Inner City Legal Centre	Intellectual Disability Rights Service
Kingsford Legal Centre	National Children's and Youth Law Centre
Macarthur Legal Centre	Public Interest Advocacy Centre
Macquarie Legal Centre	Public Interest Law Clearing House NSW
Marrickville Legal Centre	Refugee Advice and Casework Service (Australia)
Mid North Coast Community Legal Centre	Tenants' Union of NSW
Mt Druitt & Area Community Legal Centre	Thiyama-Li Indigenous Family Violence Prevention Unit
North & North West Community Legal Service	Welfare Rights Centre (NSW)
Northern Rivers Community Legal Centre	Wirringa Baiya Aboriginal Women's Legal Centre
Redfern Legal Centre	Women's Legal Services NSW
Shoalcoast Community Legal Centre	
South West Sydney Legal Centre	
Western NSW Community Legal Centre	

### ASSOCIATE MEMBERS:

Court Support Scheme	
National Pro Bono Resource Centre	
University of Newcastle Legal Centre	

# CLCNSW Board 2011/12

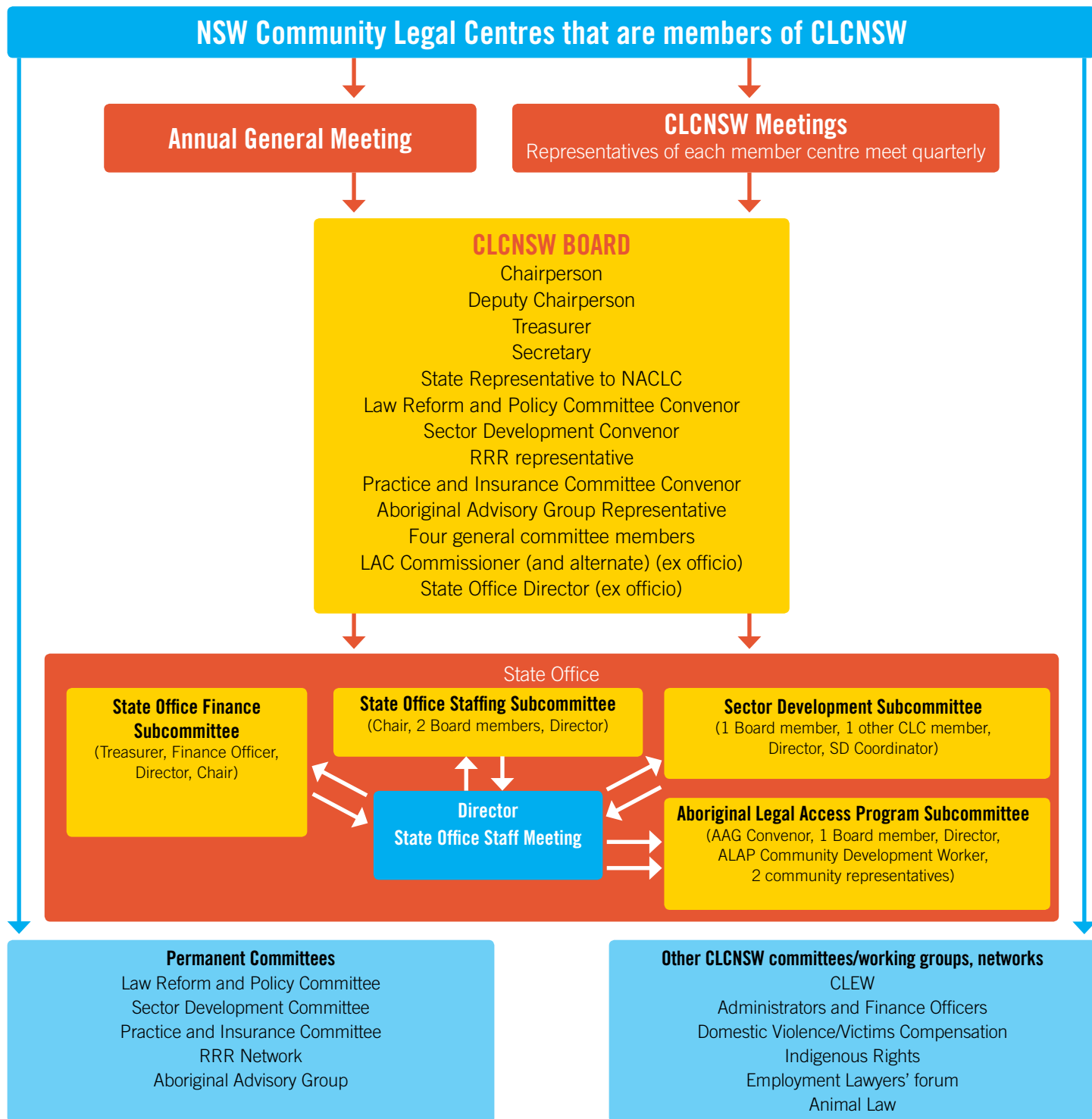
Name	Member centre	Position	No. of board meetings attended	No. of board meetings eligible to attend
<b>Anna Cody</b>	Kingsford Legal Centre	Chairperson	7	7
<b>Robyn Ayres</b>	Arts Law Centre	Deputy Chairperson	4	7
<b>Hilary Chesworth</b>	Redfern Legal Centre	Treasurer (until November 2011)	2	2
<b>Rachel Burns</b>	Tenants' Union	Treasurer (from November 2011)	4	5
<b>Philippa Davis</b>	Hawkesbury Nepean CLC	Practice & Insurance Committee Convenor (June – November 2011) Secretary (from November 2011)	7	7
<b>Katherine Lane</b>	Consumer Credit Legal Centre	Practice & Insurance Committee Convenor (November 2011 – February 2012)	0	0
<b>Janet Loughman</b>	Women's Legal Services NSW	Practice & Insurance Committee Convenor (from February 2012) General board member (June – November 2011)	6	7
<b>Kim Price</b>	Hawkesbury Nepean CLC	State representative to NACLC	6	7
<b>Donna Hensen</b>	Women's Legal Services NSW	Aboriginal Advisory Group Convenor	3	7
<b>Daniel Stubbs</b>	Inner City Legal Centre	Sector Development Convenor	7	7
<b>Elizabeth Simpson</b>	Public Interest Advocacy Centre	Law Reform & Policy Convenor (until May 2012)	5	6
<b>Nassim Arrage</b>	Mid North Coast CLC	Law Reform & Policy Convenor (from June 2012)	1	1
<b>Angela Pollard</b>	Northern Rivers CLC	Rural, Regional & Remote Convenor	7	7
<b>Maria Girdler</b>	Macquarie Legal Centre	Legal Aid Commissioner (ex officio)	4	7

Name	Member centre	Position	No. of board meetings attended	No. of board meetings eligible to attend
<b>Patrick O'Callaghan</b>	Western NSW CLC	Alternate Legal Aid Commissioner (ex officio)	4	7
<b>Prue Gregory</b>	Macarthur Legal Centre	General member	7	7
<b>Jacqui Swinburne</b>	Redfern Legal Centre	General member	4	7
<b>Ken Beilby</b>	Northern Rivers CLC	General member (appointed February 2012)	5	5
<b>Alastair McEwin</b>		State Office Director (ex officio)	7	7



Kingsford LC's Pop Up Clinic at the South Coogee Housing Estate in May. The Pop-Up Clinics are run to provide outreach to clients who find it difficult to travel in to the centre. L-R: UNSW Law Students, Edwina MacDonald and Denise Wasley. Photo: Kingsford Legal Centre

# Organisational Structure of Community Legal Centres NSW



# CLCNSW Sub-committees and Working Groups 2011/12 (as at 30 June 2012)

Sub-committee or Working Group	Convenor/s	Member centre
Aboriginal Advisory Group	<b>Donna Hensen</b>	Women's Legal Services NSW
Administrators	<b>Graeme Chambers</b>	Macarthur Legal Centre
Community Legal Education Workers Group	<b>Dianne Anagnos Natalie Neumann</b>	Kingsford Legal Centre Women's Legal Services NSW
Coordinators/Directors/Sector Development	<b>Dan Stubbs Kerry Wright</b>	Inner City Legal Centre Shoalcoast CLC
Domestic Violence & Victims Compensation Subcommittee	<b>Rebecca Frost Rachael Martin</b>	Women's Legal Services NSW Wirringa Baiya Aboriginal Women's Legal Centre
Law Reform & Policy	<b>Nassim Arrage Edwina MacDonald</b>	Mid North Coast CLC Kingsford Legal Centre
Practice and Insurance Committee	<b>Janet Loughman Katrina Ironside</b>	Women's Legal Services NSW PILCH
Rural, Regional & Remote	<b>Angela Pollard</b>	Northern Rivers CLC

# CLCNSW State Office Staff

Name	Position
<b>Norico Allen</b>	Finance Officer
<b>Zachary Armytage</b>	ALAP Community Development Worker
<b>Greg Dwyer</b>	Sector Development Coordinator (commenced June 2012)
<b>Meg Houston</b>	Regional Accreditation Coordinator (commenced October 2011)
<b>Joanna Mantziaris</b>	Sector Development Coordinator (resigned June 2012)
<b>Alastair McEwin</b>	Director
<b>Ann Petrou</b>	Administrator
<b>Roxana Zulfacar</b>	Advocacy and Human Rights Officer

## Interns and Volunteers:

Rawan Abdul-Nabi (PLT student)

Michelle Blewett (Sydney University Intern)

Joe Rattray (Aurora intern)

Amy Williams (Volunteer)

# Community Legal Centres NSW Inc ABN: 22 149 415 148

## Financial Report for the Year Ended 30 June 2012

### Committee's Report

The committee members present their report together with the financial report of Community Legal Centres NSW Inc. for the year ended 30 June 2012 and auditors report thereon. This financial report has been prepared in accordance with Australian Accounting Standards.

### Committee Members' Names

The names of the committee members in office at any time during or since the end of the year are:

Nassim Arrage (appointed June 2012)	Katherine Lane (appointed November 2011; resigned February 2012)
Robyn Ayres	Janet Loughman (retired November 2011; appointed February 2012)
Ken Beilby (appointed February 2012)	Alastair McEwin
Rachel Burns (appointed November 2011)	Patrick O'Callaghan
Hilary Chesworth (retired November 2011)	Angela Pollard
Anna Cody	Kim Price
Philippa Davis (resigned July 2012)	Elizabeth Simpson (leave of absence May–November 2012)
Prue Gregory	Daniel Stubbs
Maria Girdler	Jacqui Swinburne
Donna Hensen	

The committee members have been in office since the start of the year to the date of this report unless otherwise stated.

### Results

The loss of the association for the year amounted to \$13,538.

### Review of operations

The association continued to engage in its principal activity, the results of which are disclosed in the attached financial statements.

### Significant changes in state of affairs

There were no significant changes in the association's state of affairs that occurred during the financial year, other than those referred to elsewhere in this report.

### Principal Activities

The principal activity of the association during the year was to assist disadvantaged and marginalised people in the NSW 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.

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

Signed on behalf of the members of the committee.



### Chairperson

Anna Cody

Dated this sixth day of November 2012



### Treasurer

Rachel Burns

### 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 3 – 12:

1. Presents fairly the financial position of Community Legal Centres NSW Inc. as at 30 June 2012 and 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 become due and payable.

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



### Chairperson

Anna Cody

Dated this sixth day of November 2012



### Treasurer

Rachel Burns

# Income Statement and Balance Sheet

## STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2012

	Note	2012 \$	2011 \$
<b>Revenue</b>			
Operating grants	2	638,282	625,359
Other income	2	159,542	108,371
	2	<u>797,824</u>	<u>733,730</u>
<b>Less: expenses</b>			
Depreciation and amortisation expense	3	(16,821)	(4,741)
Employee benefits expense		(423,714)	(349,766)
CLCNSW expense		(37,377)	(26,661)
Program and planning expenses		(129,558)	(153,917)
Conference expense		(2,193)	–
Office overhead expense		(82,089)	(77,837)
Rental expense premises		(43,113)	(31,500)
Other employees expense		(24,210)	(22,458)
Consultants and contractors expense		(39,239)	(59,593)
Other expenses		(13,048)	(4,521)
		<u>(811,362)</u>	<u>(730,994)</u>
<b>Surplus / (deficit)</b>		(13,538)	2,736
<b>Total comprehensive income</b>		<u>(13,538)</u>	<u>2,736</u>

## STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2012

	Note	2012 \$	2011 \$
<b>Current assets</b>			
Cash and cash equivalents	4	145,027	234,042
Receivables	5	6,519	16,038
Other financial assets	6	209,601	60,377
Other assets	8	7,459	7,540
<b>Total current assets</b>		<u>368,606</u>	<u>317,997</u>
<b>Non-current assets</b>			
Property, plant and equipment	7	37,380	9,160
Other assets	8	11,613	11,385
<b>Total non-current assets</b>		<u>48,993</u>	<u>20,545</u>
<b>Total assets</b>		<u>417,599</u>	<u>338,542</u>
<b>Current liabilities</b>			
Payables	9	36,248	11,118
Provisions	10	42,061	36,061
Other liabilities	11	91,109	35,000
<b>Total current liabilities</b>		<u>169,418</u>	<u>82,179</u>
<b>Non-current liabilities</b>			
Provisions	10	17,326	11,970
<b>Total non-current liabilities</b>		<u>17,326</u>	<u>11,970</u>
<b>Total liabilities</b>		<u>186,744</u>	<u>94,149</u>
<b>Net assets</b>		<u>230,855</u>	<u>244,393</u>
<b>Members funds</b>			
Accumulated surplus / (losses)	12	230,855	244,393
<b>Total members funds</b>		<u>230,855</u>	<u>244,393</u>



# Notes to the Financial Statements for the Year Ended 30 June 2012

## NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial report preparation requirements of the *Associations Incorporation Act 2009 (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, which do not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

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

### (a) Revenue

Revenue is measured at the fair value of the consideration received or receivable.

Interest revenue is recognised when it becomes receivable on a proportional basis taking in to account the interest rates applicable to the financial assets.

Grant income, is recognised as revenue in the year to which the associated expenditure and grant funding agreement relates.

Accordingly, this income received in the current year for expenditure in future years are treated as grants in advance.

Unexpended specific grant income at 30 June each year is disclosed as a liability. The amount brought to account as income is equivalent to that amount expensed by the Association during the financial year. Where surplus funds are required to be repaid, they will remain as a liability in the accounts until repayment.

All revenue is stated net of the amount of goods and services tax (GST).

### (b) Income tax

No provision for income tax has been raised as the association is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

### (c) Cash and cash equivalents

Cash and cash equivalents include cash on hand and at banks, short-term deposits with an original maturity of three months or less held at call with financial institutions, and bank overdrafts. Bank overdrafts are shown within borrowings in current liabilities on the statement of financial position.

### (d) Financial instruments

#### Classification

The association classifies its financial assets into the following

categories: financial assets at fair value through profit and loss, loans and receivables, held-to-maturity investments, and available-for-sale financial assets. The classification depends on the purpose for which the instruments were acquired. Management determines the classification of its financial instruments at initial recognition.

#### Held-to-maturity investments

Fixed term investments intended to be held to maturity are classified as held-to-maturity investments. They are measured at amortised cost using the effective interest rate method.

#### Loans and receivables

Loans and receivables are measured at fair value at inception and subsequently at amortised cost using the effective interest rate method.

### (e) Property, plant and equipment

Each class of plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and any accumulated impairment losses.

#### Plant and equipment

Plant and equipment is measured on the cost basis.

The carrying amount of plant and equipment is reviewed annually by committee to ensure it is not in excess of the recoverable amount from those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have been discounted to present values in determining recoverable amounts.

#### Depreciation

The depreciable amount of all fixed assets are depreciated over their estimated useful lives commencing from the time the asset is held ready for use.

Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

Class of fixed asset	Depreciation rates	Depreciation basis
Leasehold improvements at cost	50%	Straight line
Office equipment and computer equipment at cost	25%–33%	Diminishing value/ Straight line

### (f) Impairment

Assets with an indefinite useful life are not amortised but are tested annually for impairment in accordance with AASB 136. Assets subject to annual depreciation or amortisation are reviewed for impairment

# Notes to the Financial Statements for the Year Ended 30 June 2012 (cont.)

whenever events or circumstances arise that indicates that the carrying amount of the asset may be impaired. An impairment loss is recognised where the carrying amount of the asset exceeds its recoverable amount. The recoverable amount of an asset is defined as the higher of its fair value less costs to sell and value in use.

## **(g) 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 out flow of economic benefits will result and that outflow can be reliably measured.

## **(h) Leases**

Leases are classified at their inception as either operating or finance leases based on the economic substance of the agreement so as to reflect the risks and benefits incidental to ownership.

### *Operating leases*

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are recognised as an expense on a straight-line basis over the term of the lease.

Lease incentives received under operating leases are recognised as a liability and amortised on a straight-line basis over the life of the lease term.

## **(i) Employee benefits**

### *(i) Short-term employee benefit obligations*

Liabilities arising in respect of wages and salaries, annual leave, accumulated sick leave and any other employee benefits expected to be settled within twelve months of the reporting date are measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled. The expected cost of short-term employee benefits in the form of compensated absences such as annual leave and accumulated sick leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

### *(ii) Long-term employee benefit obligations*

Liabilities arising in respect of long service leave and annual leave which is not expected to be settled within twelve months of the reporting date are measured at the present value of the estimated future cash outflow to be made in respect of services provided by employees up to the reporting date.

Employee benefit obligations are presented as current liabilities in the balance sheet if the entity does not have an unconditional right to

defer settlement for at least twelve months after the reporting date, regardless of when the actual settlement is expected to occur.

## **(j) 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 statement of financial position are shown inclusive of GST.

## **(k) Comparatives**

Where necessary, comparative information has been reclassified and repositioned for consistency with current year disclosures.

	2012	2011
Note	\$	\$
<b>NOTE 2: REVENUE</b>		
Operating grants		
LAC grant	274,478	270,769
PPF ALAP	106,438	110,000
PPF training	213,489	244,590
RACS accreditation	43,877	–
	<u>638,282</u>	<u>625,359</u>
Other Income		
Conference income	63,396	–
CLCNSW group levy	23,213	16,949
PII	45,582	42,588
Interest income	21,522	15,774
Sundry income	5,829	33,060
	<u>159,542</u>	<u>108,371</u>
Total revenue	<u>797,824</u>	<u>733,730</u>

#### NOTE 3: OPERATING SURPLUS

Surplus / (deficit) has been determined after:

Depreciation		
- office equipment and computer equipment	4,502	4,741
Amortisation of non-current assets		
- leasehold improvements	12,319	–
	<u>16,821</u>	<u>4,741</u>

#### NOTE 4: CASH AND CASH EQUIVALENTS

Cash on hand	200	159
Cash at bank	144,827	233,883
	<u>145,027</u>	<u>234,042</u>

#### NOTE 5: RECEIVABLES

<b>CURRENT</b>		
Trade debtors	4,246	6,758
Interest receivable	2,273	–
GST receivable	–	9,280
	<u>6,519</u>	<u>16,038</u>

#### NOTE 6: OTHER FINANCIAL ASSETS

<b>CURRENT</b>		
<i>Held to maturity financial assets</i>		
Term deposits	209,601	60,377
	<u>209,601</u>	<u>60,377</u>

	2012	2011
Note	\$	\$
<b>NOTE 7: PROPERTY, PLANT AND EQUIPMENT</b>		
<b>Leasehold improvements</b>		
At cost	42,236	–
Less accumulated amortisation	(12,319)	–
	<u>29,917</u>	<u>–</u>
<b>Plant and equipment</b>		
Office equipment and computer equipment at cost	24,272	26,062
Less accumulated depreciation	(16,809)	(16,902)
	<u>7,463</u>	<u>9,160</u>
Total property, plant and equipment	<u>37,380</u>	<u>9,160</u>

#### NOTE 8: OTHER ASSETS

<b>CURRENT</b>		
Prepayments	7,459	4,040
Bonds and deposits	–	3,500
	<u>7,459</u>	<u>7,540</u>
<b>NON CURRENT</b>		
Term deposits - bank guarantees	11,613	11,385
	<u>11,613</u>	<u>11,385</u>

Term deposits totaling \$11,613 are held as bank guarantees in relation to the Association's credit card and the office lease agreement for Level 8, 28 Foveaux Street, Surry Hills.

#### NOTE 9: PAYABLES

<b>CURRENT</b>		
<i>Unsecured liabilities</i>		
Group tax payable	11,942	6,698
Superannuation payable	220	–
GST credits	4,010	–
Other payables	12,392	1,257
Accrued expenses	7,684	3,163
	<u>36,248</u>	<u>11,118</u>

#### NOTE 10: PROVISIONS

<b>CURRENT</b>		
Annual leave	(a) 42,061	36,061
	<u>42,061</u>	<u>36,061</u>
<b>NON CURRENT</b>		
Employee benefits	(a) 12,326	11,970
Make good	5,000	–
	<u>17,326</u>	<u>11,970</u>
(a) Aggregate employee benefits liability	54,387	48,031

# Notes to the Financial Statements for the Year Ended 30 June 2012 (cont.)

	2012	2011
Note	\$	\$
<b>NOTE 11: OTHER LIABILITIES</b>		
CURRENT		
Deferred income	5,260	–
Unexpended grants	85,849	35,000
	<u>91,109</u>	<u>35,000</u>

<b>NOTE 12: ACCUMULATED SURPLUS / (LOSSES)</b>		
Accumulated surplus at beginning of year	244,393	103,249
Surplus / (deficit)	(13,538)	2,736
Transfers (to) / from reserves	–	138,408
	<u>230,855</u>	<u>244,393</u>

#### NOTE 13: RELATED PARTY TRANSACTIONS

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

#### NOTE 14: CAPITAL AND LEASING COMMITMENTS

(a) Operating lease commitments		
Non-cancellable operating leases contracted for but not capitalised in the financial statements:		
Payable		
- not later than one year	34,613	2,959
- later than one year and not later than five years	12,691	7,646
- later than five years	–	–
	<u>47,304</u>	<u>10,605</u>

	2012	2011
Note	\$	\$

The property lease is a non-cancellable lease with a two-year term commencing 3 October 2011, with rent payable monthly in advance. Contingent rental provisions within the lease agreement require that the minimum lease payments shall be increased by 5% per annum.

The photocopier is a non-cancellable lease with a five-year term commencing 5 March 2009, with payments made monthly in advance.

The phone system is a non-cancellable lease with a two-year term commencing 15 November 2011, with payments made monthly in advance.

#### NOTE 15: ASSOCIATION DETAILS

The registered office and principal place of business of the association is:

Suite 805, Level 8  
28 Foveaux Street  
SURRY HILLS NSW 2010



Level 22 MLC Centre  
19 Martin Place  
Sydney NSW 2000  
Australia

Postal Address:  
GPO Box 1615  
Sydney NSW 2001  
Australia

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**Community Legal Centres NSW**  
**ABN 22 149 415 148**

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

We have audited the accompanying financial report, being a special purpose financial report, of Community Legal Centres NSW Inc., which comprises the statement of financial position as at 30 June 2012 and the statement of comprehensive income for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the governing committee's declaration.

**Responsibility of Those Charged With Governance**

The governing committee is responsible for the preparation and fair presentation of the financial report and has determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the requirements of the *Associations Incorporation Act 2009 (NSW)* and financial reporting needs of the members. The governing committee's responsibility also includes such internal control as the governing committee determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

**Auditor's Responsibility**

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about 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 judgement, 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 association'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 association's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by those charged with governance, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Community Legal Centres NSW  
ABN 22 149 415 148

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

**Independence**

In conducting our audit, we have complied with APES 110 *Code of Ethics for Professional Accountants*.

**Opinion**

In our opinion, the financial report presents fairly, in all material respects, the financial position of Community Legal Centres NSW Inc. as at 30 June 2012 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial report and the financial reporting requirements of the *Associations Incorporation Act 2009 (NSW)*.

**Basis of Accounting**

Without modifying our opinion, we draw attention to Note 1 in the financial report, which describes the basis of accounting. The financial report has been prepared to assist Community Legal Centres NSW Inc. to meet the requirements of the *Associations Incorporation Act 2009 (NSW)* and the financial reporting needs of the members as determined by the governing committee. As a result, the financial report may not be suitable for another purpose.

**Association's Financial Records**

The Association has kept such financial records as are necessary to enable financial statements to be prepared in accordance with the Australian Accounting Standards.



**Mark Godlewski**  
Partner

Registered Company Auditor No. 172348  
7 November 2012



PITCHER PARTNERS  
SYDNEY



# Community Legal Centres NSW

## State Office

Suite 805, Level 8, 28 Foveaux Street Surry Hills NSW 2010

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