

Community
Legal Centres
NSW



Annual Report 2012/2013

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

About this report

Editor: Alastair McEwin, Director, CLCNSW

Design: ARMEDIA

Printer: Mutual Printing

Published by: Community Legal Centres NSW Inc.

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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 member 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 (R) with Dianne Anagnos, both staff at Kingsford Legal Centre, at a community event. Photo: Kingsford Legal Centre

In 2012/13, we have seen an almost unprecedented level of interest in the work of Community Legal Centres (CLCs), both in NSW and nationally. This interest has ranged from reviews of CLCs, government attempts to restrict our law reform work, widespread media interest in CLCs, funding cuts and new funding boosts for CLC programs.

Reviews of CLCs and other public legal assistance providers

At any point in time in the last decade, CLCs have been the subject of at least one review, sometimes multiple reviews. Whilst we welcome reviews in the spirit of continuous improvement, we are concerned that the vast majority of recommendations from review reports have rarely been implemented by governments. This year was no exception for reviews of CLCs and other legal assistance providers. In late 2012 the NSW Government's report on the delivery of legal assistance services to the NSW community was released. This review considered whether there is evidence of unmet legal need 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 a member of the consultative committee which was established to facilitate stakeholder input for the review.

The review report, unsurprisingly, found that there is still much to be done to support CLCs and other legal service providers to deliver appropriate legal services in NSW. Some of the recommendations included: the NSW Government should advocate for increased funding for NSW legal assistance services when a new funding agreement is negotiated with the Commonwealth Government; the NSW Legal Assistance Forum should continue to play a key

coordinating role in the legal assistance sector; publicly funded legal assistance services should, where appropriate, identify opportunities to develop and implement self-help strategies and resources to assist those members of the public with capacity to resolve their legal issues; and the Department of Attorney General and Justice should work with Commonwealth and NSW Government agencies that provide funding to non-government legal assistance services to identify ways to reduce red tape for these bodies. We understand that a number of recommendations are now being actioned by the NSW Government; for example, the Department of AG and Justice has set up a working party on reducing red tape.

At a federal level, it was a busy year for CLCs with reviews. The review of the National Partnership Agreement (NPA) on Legal Assistance Services continued into 2012/13. CLCNSW provided a response to the draft Evaluation Framework and participated in discussions with Commonwealth representatives, such as at Jurisdictional forums at the NLA Forum meetings. At the time of this report, we understand that a draft review report has been provided to the Attorney-General for his review and that it has not yet been released.

In June the Australian Government announced that the Productivity Commission will examine how to improve access to justice in Australia. Amongst its terms of reference, the Commission has been asked to look into an assessment of the real costs of legal representation and trends over time; an assessment of the level of demand for legal services; and the impact of the costs of accessing justice services, and securing legal representation, on the effectiveness of these services. In early July, CLCNSW met with the Commission to discuss the inquiry. We provided initial views on what the major issues for the inquiry were likely to be and what recent developments may have an impact on issues relating to access to justice. At the time of this report, CLCNSW was working with its member Centres, NALC and other State/Territory Associations to provide submissions to the inquiry.

Funding principles

Perhaps the biggest challenge for CLCs in NSW for 2012/13 has been what is currently known in the sector as the 'funding principles'. In December 2012, the NSW Attorney General, the Hon. Greg Smith SC MP, released a document entitled the 'Principles for Funding of Legal Assistance Services'. While the majority of the principles are consistent with the work CLCs do, we are concerned about the proposed prohibition on lobbying, public campaigning and advocacy, and on provision of legal assistance to activist, lobby or action groups. We believe this will restrict the legitimate public interest work of CLCs.

As we understand it, the 'funding principles' are not part of our service delivery currently.

Community Law Australia campaign

Community Law Australia is the name of the national campaign coordinated by NACLC and the State/Territory CLC Associations. This campaign seeks to raise awareness of the importance of 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. The campaign has been successful in raising awareness of the issues, through widespread media interest and an awareness amongst Federal and State Members of Parliament about access to justice issues.

Funding cuts and funding boosts

2012/13 was certainly a mixed bag when it came to funding for CLCs. In NSW, many CLCs rely on the Public Purpose Fund (PPF) to run programs, such as rural outreach and Aboriginal legal access programs. The PPF has advised CLCs and other justice sector organisations that its asset base has been declining. This has resulted in a range of cuts for CLCs, Legal Aid and other organisations. Some of the cuts have been significant for CLCs, resulting in reduction of casework and advice, as well as sector development activities run by the State Office. Whilst we appreciate the financial constraints the PPF is currently experiencing, we hope that the PPF Trustees appreciate the heavy reliance CLCs have on PPF funding.

At a Federal level, we were very pleased to see the funding allocations announced by the then Attorney-General, Mark Dreyfus QC MP, in May. Nationally, the funding is \$33.5m additional funding for CLCs over four years. The funding represents a 25% increase in Commonwealth funding. For NSW CLC recipients of the funding, it means some of them will be able to keep their doors open and maintain vital services. CLCNSW, along with NACLC, was encouraged by the confidence the then government showed in the work of CLCs.

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.

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 2013–14, 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 on a regular basis to our members and stakeholders about our activities under the 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. Nicola Roxon MP, former Federal Attorney-General, for her support of the CLC program;
- The Hon. Mark Dreyfus QC MP, former Federal Attorney-General, for his support of the CLC program, particularly through the allocation of new funding for CLCs in the 2013 Federal Budget;
- The Hon. Senator George Brandis SC, Federal Attorney-General, for his support of the CLC program;
- Mr Laurie Glanfield AM, former Director-General, Department of Attorney General and Justice, for his support for the CLC program;
- Mr Bill Grant OAM, CEO of Legal Aid NSW, for his support of CLCs;
- Ms Bronwyn McCutcheon, CLC Funding Program Manager, Legal Aid NSW, and her team of Mr Benjamin Dougall, and Ms Timika Williams, for their support of the State office and the Community Legal Services Program;
- Ms Michelle Jones, Program Manager, Women's Domestic Violence Court Advocacy Scheme;
- The Trustees and Administrator of the NSW Public Purpose Fund;
- Mr Geoff Mulherin and Ms Jane Kenny from the Law and Justice Foundation of NSW; and
- Mr Michael Smith, Convenor, and Ms 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.

This is my last year as Chair of CLCNSW. I have enjoyed the close working relationships with all the various stakeholders in the sector over the last three years. CLCs continue to play a key role in delivering justice to our community and I am honoured to have been a part of that in the role of Chair. There is still a great deal to do, clients and communities to work with, and a need for our constant commitment and work to improve our laws and legal system.

Finally, I would like to thank the management committees, staff and volunteers of CLCs in NSW without whom, many disadvantaged clients and communities would not get the legal help they need.

Anna Cody
Chairperson,
Community Legal Centres NSW

CLCNSW

State Office report

The State Office of CLCNSW has 4 key result areas under its current strategic plan. The following programs carry out activities under these areas, with support from the State Office Director:

- Aboriginal Legal Access Program
- Accreditation
- Advocacy and Human Rights
- Sector Development

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.

Community Law Australia

Community Law Australia is a campaign by a coalition of CLC peak bodies led by the National Association of Community Legal Centres (NACLC). 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. It is estimated that each year 500,000 Australians miss out on legal help for financial reasons or lack of knowledge.

Since commencing, the campaign has undertaken a wide range of activities to increase awareness of CLCs as valuable contributors to the justice system. Activities include: conducting research on public attitudes to CLCs to inform the campaign; preparing materials to raise awareness of the extent of unmet legal need and CLCs' role in attempting to meet that need, including *Unaffordable and Out of Reach: The problems of access to the Australian Legal System*; meeting with MPs, including the Commonwealth Attorney-General; and drafting and circulating media release templates for CLCs to issue themselves.

The campaign has a website, Facebook page and Twitter page. There have been over 700 tweets, over 900 followers and 470 Facebook "likes". The campaign has also featured widely in the media, including significant national media for the launch, which included Radio National, ABC, various Sydney radio, TV, and The Australian newspaper. A particular highlight was the appearance on The Project, a Channel 10 television show that screens in prime time evening hours during the week.

www.communitylawaustralia.org.au

Sector-wide discussion on CLC identity: what makes us unique?

CLCs have always faced challenges in providing access to justice

over the last four decades since their inception in the early 1970s. In May 2013, staff from CLCs discussed the concept of CLC identity at a sector-wide forum.

The forum noted the changing nature of CLC operations and management, noting the shift from small volunteer-run organisations to larger organisations with paid staff. CLC work is, in general terms, described as an attempt to intervene early in legal issues to prevent greater disadvantage and enable many legal disputes to be avoided. CLCs do this through: free legal services, including information, advice and strategic casework; legal education for organisations and communities across NSW; and law reform and policy work.

Attendees agreed that lobbying and campaigning are part of the law reform work that is central to CLC identity. Recent attempts to restrict this work were seen as a threat to the independence of CLCs. Further, it was recognised that it is important for the CLC sector to stand together to resist any government attempts to remove the independence of CLCs, including the freedom to advocate on behalf of their clients and communities.

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.

Researching the needs of those who lack capacity in the making of Apprehended Violence Orders (AVOs)

CLCNSW's research project for 2012/13 was to support the Intellectual Disability Rights Services (IDRS) to undertake research into the operation of the *Crimes (Domestic and Personal Violence) Act 2007* where the defendant lacks capacity. In the experience of IDRS and its Criminal Justice Support Network (CJSN), proceedings about the making of AVOs, and the operation of AVOs, pose many problems for defendants with impaired capacity. The issue of defendant incapacity is not adequately dealt with in the legislation or in proceedings with often dire consequences for defendants with intellectual and other disabilities.

The issue of defendant incapacity is relevant for many CLC clients in Apprehended Personal Violence Orders (APVOs) and Apprehended Domestic Violence Orders (ADVOs) matters and could arise from acquired brain injury, mental illness and a range of other cognitive conditions. The issue is relevant to Persons In Need of Protection (PINOPs) as well as defendants as an APVO or ADVO will often be ineffective in resolving the PINOP's concern if the defendant lacks



Image of poster from 1975 conference on legal services. Displayed at the sector-wide forum on CLC identity. Photo: CLCNSW

capacity to understand or comply with an order. The research involved looking at the impact on defendants who lack capacity due to disability; issues involved in balancing protection of PINOPs with fair process and implications of defendant incapacity; case law in relation to the *Crimes (Domestic and Personal Violence) Act 2007* and defendant incapacity; legislative and policy approaches to defendant incapacity in such matters; and proposals for law, policy and practice reform. IDRS will use this research to produce an issues paper and a journal article examining the issues in relation to defendant incapacity in ADV and APVO matters. IDRS will also convene a workshop with relevant government and non-government stakeholders, including Community Legal Centres, to canvass the issues identified and discuss recommendations in relation to this issue. IDRS will also present a session on the issue at a CLCNSW quarterly meeting.

CLCs responding to research into legal needs

In late 2012, the Law & Justice Foundation of NSW released its Legal Australia-Wide (LAW) Survey report. The report measured how many people resolve their legal problems, as

well as how many people fail to do so. It also provides evidence of the disadvantaged groups that are particularly vulnerable to legal problems. Many of the report's findings were of particular relevance to CLC work. At the February 2013 quarterlies, staff from staff from CLCs discussed the findings of the LAW Survey report at a sector-wide forum. The purpose of the session was to discuss the implications of the research for CLCs and how they deliver services. It was an opportunity to reflect on what CLCs have done to date and what they need to consider for the future, including CLCs' approach to law reform. The session included a presentation from the Foundation that summarised the key findings of the research. Participants at the forum observed that, in relation to the findings: social media may not always be effective for providing legal information/self-help materials to young people (even for clients who have Internet access); there was low awareness of CLCs and possible confusion between CLCs and Legal Aid; self-help resources are useful for people with literacy and confidence, however are only part of the bigger picture of legal capacity-building; and law reform appeared to be missing from the list of strategies involved in a holistic approach to justice.

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.

Accreditation

The National Accreditation Scheme, launched in October 2010, continues to make good progress. 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 NACL and State/Territory CLC Associations. Full members of State and Territory Associations of CLCs must comply with the Scheme.

At the time of this report, 18 out of 36 CLCs have been certified by CLCNSW as compliant with Accreditation standards. Of the remaining CLCs, all but 3 CLCs have had a site visit by the Regional Accreditation Coordinator. The process for site visits and development of workplans is expected to be completed by early 2014, with all CLCs certified by 30 June 2014. CLCNSW acknowledges the work of CLCs in NSW for their engagement with the process and congratulates those CLCs that have received certification.

CLCNSW

State Office report (cont.)

Leadership Development Project

The CLCNSW Leadership Development Program ran from August 2012 to August 2013, with 14 participants from CLCs around the state, about half of whom came from RRR areas. Developed in conjunction with SAL Consulting, the program consisted of a series of 1-day workshops over 13 months, scheduled to coincide with the CLCNSW Quarterlies, with participants receiving one-on-one coaching in between workshops. The program's aim was to assist CLC staff to develop and practice their leadership and management skills. The program was also designed to promote staff retention and succession planning strategies across the sector, and help to strengthen the work of the sector in supporting better outcomes for clients.

Practice Management Course

The CLCNSW Sector Development Program has again collaborated with the College of Law to conduct a Practice Management Course tailored to lawyers in the community legal sector. Completion of the 3-day course is a requirement of the Law Society of NSW for solicitors who wish to act (or act up) as a principal and/or solicitor on the record for a CLC. As the Law Society's Guidelines for the course have a private practice emphasis (referring to sole practitioners and partners), the content of the course is tailored to cover areas such as strategic management, governance, accounting, financial, risk and people management, clients, and ethics and professional responsibility from a CLC perspective, with presenters who have experience in the sector. In September 2012 there were 18 participants, and as in 2010 and 2011, the course received very positive evaluations.

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.

Justice Reinvestment Campaign

The ALAP has participated in, and contributed to, the Justice Reinvestment Campaign for Aboriginal Young People. The key message of justice reinvestment is to divert potential offenders from contact with the criminal justice system, without compromising public safety, and at the same time, reducing the taxpayer spend on public safety. The aim of the campaign is to have funds redirected from the correctional system into prevention

and diversion programs for communities where high rates of offenders originate. These programs often strengthen individuals, families and communities, by developing important skills such as literacy and effective communication between family members. CLCNSW's contributions to this campaign included research on justice reinvestment initiatives, particularly those in the USA, analysis of juvenile justice and Department of Community Services statistics, and developing strategies for a Justice Reinvestment program on a hypothetical NSW community. CLCNSW was also involved in a policy presentation to the Board of the Aboriginal Legal Services NSW/ACT and various stakeholders, in preparation for a presentation to government.

Victims Compensation

CLCNSW spent a significant amount of time working on the issue of victims compensation, particularly the changes to the NSW Victims Compensation Scheme, which came into effect in May 2013. Activities included participation in an open letter to the NSW Attorney General to retain and strengthen the scheme, signed by eighty leading legal, human rights, health, community and women's organisations; media releases to raise awareness of the issues; online tools and template letters; and submissions to the government advocating for changes to the proposed legislation. We were disappointed to see the legislation passed abolishing the Victims Compensation Scheme, which was replaced with a scheme that, in our view, fails victims of some of the most serious crimes, including sexual assault, child abuse and domestic violence. One of the biggest disadvantages of the new legislation was the decision to make the changes retrospective; this means that existing claimants would be significantly disadvantaged under the new scheme. At the time of the legislation passing, lawyers working in CLCs were representing over 1,500 claimants who had pending matters filed under the old scheme.

See also report from the Domestic Violence/Victims Compensation subcommittee for further information on this topic.

Supporting CLCs to enhance services to Aboriginal people and communities

CLCNSW/Tranby Statement of Cooperation

At the May 2013 General Meeting, CLCNSW and Tranby Aboriginal College signed a Statement of Cooperation between the two organisations.

This Statement formalised the relationship that CLCNSW has developed over the past few years with Tranby. This relationship has been part of CLCNSW's strategy to increase professional development opportunities for Aboriginal workers in the CLC sector, with the overarching objective of increasing CLCs' capacity to deliver culturally appropriate services to Aboriginal people and communities in NSW.



Signing of Statement of Cooperation between CLCNSW and Tranby Aboriginal College. (L-R): Belinda Russon, CEO of Tranby, Anna Cody, CLCNSW Chairperson, and Zachary Armytage, ALAP Community Development Worker. Photo: CLCNSW

Reconciliation Action Plan

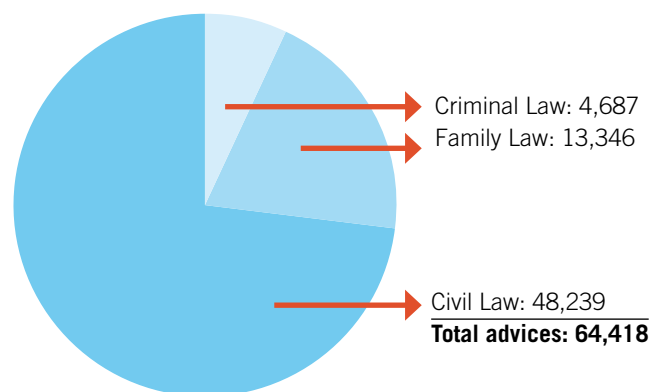
CLCNSW, through its Aboriginal Legal Access Program, is committed to enhancing the ability of CLCs to increase access to their services for Aboriginal people and communities in NSW. A key action under this objective is the development of a Reconciliation Action Plan (RAP). A RAP is a document that promotes a relationship of respect between Aboriginal and Torres Strait Islander peoples and other Australians. The CLCNSW RAP will formalise the organisation's contribution to reconciliation by identifying clear actions with realistic targets. It was developed in consultation with Aboriginal CLC workers, the Aboriginal Advisory Group and CLC stakeholders and is expected to be launched in early 2014.

At a glance: The work CLCs did in 2012/13

In 2012/13, Community Legal Centres in NSW:

- Provided legal services to 53,099 clients
- Provided 46,533 instances of legal information
- Provided 64,418 instances of legal advice
- Opened 9,320 cases
- Closed 9,667 cases
- Of the cases closed, 1,673 involved court representations
- Provided 1,378 community legal education programs
- Undertook 454 instances of law reform and legal policy work

Activities: number of advices by law type:



* Note: where an Advice has problem types across more than one Law Type, the Advice is counted once under 'Total Advices' and once under each of the applicable Law Types. Therefore the total number of advices across all law types may be greater than 'Total Advices', as it is in this case.

Top ten matters that CLCs did in 2012/13

No.	Matter type	Number of advices
1	Credit and debt*	12,928
2	Tenancy**	9,608
3	Contact and residency	7,075
4	Family/domestic violence	6,146
5	Consumer and complaints	5,716
6	Government pensions/benefits allowances	5,191
7	Motor vehicle	3,840
8	Employment	3,780
9	Offences against property and other offences	3,555
10	Immigration law	2,779

Notes:

* Approximately 60% of these advices were provided by the Consumer Credit Legal Centre (NSW).

** The Tenants Union of NSW provided about 15% of these advices, including advices to tenancy advocates; the rest of these advices were provided primarily by Tenancy Advice and Advocacy Services located in CLCs.

CLC assists client with credit and debt complaint

Redfern Legal Centre's client, Angela, migrated from Thailand to Australia with her husband Peter. Angela had limited English skills and Peter had always managed their finances. Peter became involved in an investment scheme and needed more money to invest further. Peter arranged with a mortgage broker for Angela to re-mortgage the family home and take out a loan in her name only in order to fund his investment scheme. Angela, whose English and experience of the Australian finance system was limited, knew little about the documents she signed and did not understand the financial arrangement that had taken place. At the age of 62, Angela was granted a 30-year loan for more than \$700,000. Theoretically, Angela would be paying off the loan (in monthly payments of more than \$4,500) until she was 92 years old. Angela was approved for a loan that she could not afford to pay. From the beginning she had difficulty making the monthly repayments. When interest rates increased, she defaulted on the loan. The bank foreclosed on the loan and the family home was sold. Even so, there was a shortfall of more than \$100,000. Peter had put all the borrowed money into the investment scheme. The investment scheme was unsuccessful and all the money was lost. Angela did not derive any financial benefit from the loan. Peter subsequently passed away.

When her financial counsellor referred Angela to Redfern Legal Centre (RLC), she was a widow in her late sixties with no home, assets or savings. Her only income was the aged pension and she was unable to make any payments towards the shortfall that was being sought by the credit service provider. Although this would seem like a clear case of mal-administration, the Financial Ombudsman was unable to assist because when Angela first defaulted on the repayments, the credit service provider obtained orders for her to repay the loan.

RLC assisted Angela to write a complaint to the credit service provider and request that the debt be waived. RLC highlighted:

- The circumstances in which the loan was established (which clearly involved mal-administration);
- That the debt should be waived on compassionate grounds, considering the hardship further proceedings would cause Angela; and
- That there was no real prospect of recovering the debt as Angela had already lost her home, had no assets and her only income was the aged pension.

RLC managed to negotiate a successful outcome for Angela and the credit service provider agreed to stop pursuing her for the debt.

Source: Redfern Legal Centre

CLCs and Legal Aid NSW working together

The Legal Aid NSW/CLC Partnership Program is a funding program for one-off projects which are undertaken in genuine partnership between at least one CLC and Legal Aid NSW. Funding is made available each financial year for innovative and responsive projects which aim to provide access to justice for disadvantaged people in NSW.

The 2012/13 projects were:

Linked In: Addressing young persons civil law needs

A partnership between Marrickville Legal Centre and the Children's Legal Service at Legal Aid NSW.

This will identify the civil law needs of young people who are in contact with the criminal justice system and implement a civil law referral service with the Youth Legal Service at Marrickville LC for civil law advice and case assistance.

Income Management Information and Advice Project

A partnership between the Welfare Rights Centre and the Government Law Unit within Legal Aid NSW.

The project will provide access to legal information and advice on income management and teen parent place based trials to vulnerable people within the Bankstown local government area. It will also provide advocacy to vulnerable people wishing to exercise their appeal rights in relation to decisions made under the trials and provide Community Legal Education on rights and obligations under social security law in relation to the trials. The project partners will work closely with South West Sydney Legal Centre in relation to income management work for which it received one off Commonwealth funding.

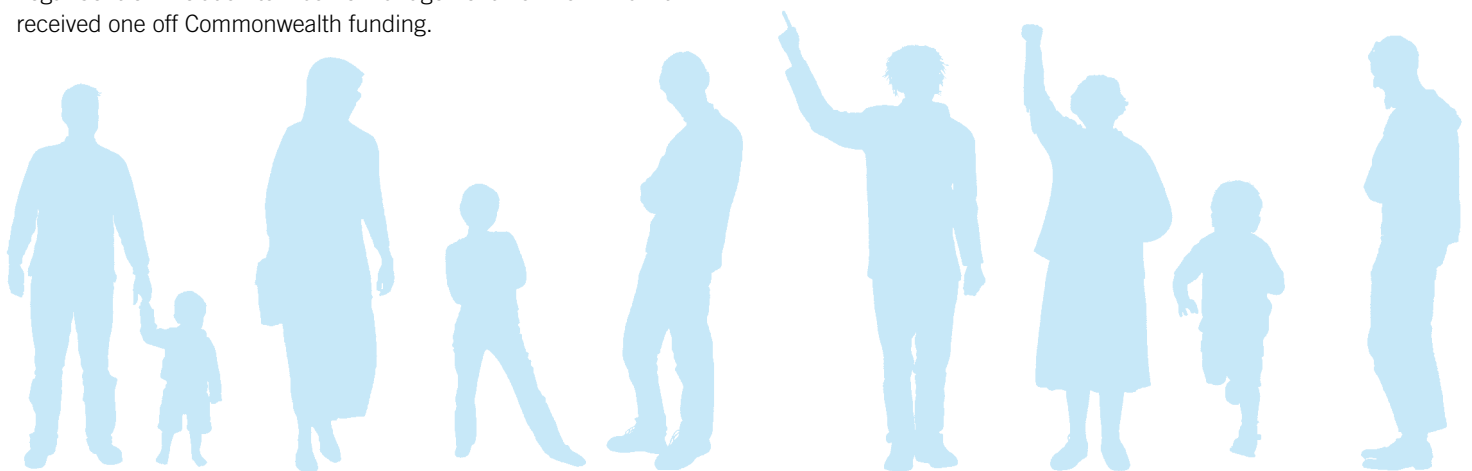
A project working with Aboriginal men in the Shoalhaven regarding family law matters

A partnership between Shoalcoast CLC and the Nowra Legal Aid Office. The project will involve working with Family Lawyers in the Shoalhaven to determine skills and knowledge regarding working with Aboriginal clients and barriers which exist. It will increase knowledge and skills amongst service providers working with Aboriginal men and provide opportunities for Aboriginal men to come together with Practitioners to talk about family law and related matters as a separating or separated parent.

Legal Literacy in Prison Project

A partnership between the Public Interest Advocacy Centre, Hawkesbury Nepean CLC, Women's Legal Services, Warringa Baiya Aboriginal Women's Legal Centre, NSW Corrective Services and the CLE Unit within Legal Aid NSW.

The project aims to provide a legal education program to inmates within the framework of the existing Adult Basic Education curriculum offered to prisoners in NSW Correctional Centres. The Project aims to equip both prisoners and teachers employed by NSW Corrective Services, with up-to-date and accurate legal information in areas of law relevant to prisoners. It will complement existing legal resources available to prisoners, such as the Back on Track DVD series and the Legal Information Portal, by integrating these resources into the courses.



CLC awards and commendations

CLC awards and commendations

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

Recognition of legal representation of young people

The Public Interest Advocacy Centre (PIAC) and PILCH NSW, along with Legal Aid NSW and Maurice Blackburn, won a 2012 Children's Law Award for outstanding legal representation of the rights and interests of children and young people.

The award, presented by the National Children's and Youth Law Centre, recognised PIAC's crucial work in instigating and managing the Children in Detention Advocacy Project. The award made special mention of a class action run by PIAC and law firm Maurice Blackburn, on behalf of Musa Konneh and other young people who claim to have been wrongly arrested and detained on the basis of out-of-date bail information.

Central Coast CLC staff member wins NSW 2012 Young Lawyer of the Year Award

Olenka Motyka, solicitor at Central Coast CLC, won this award for her innovative work providing legal services to people who are homeless on the Central Coast.

2012 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 2012 CLCNSW award recognised projects in CLCs that demonstrate outstanding commitment to improving access to justice in NSW, particularly for socially and economically disadvantaged people.

Winner

Domestic Violence Legal Outreach Project
Central Coast CLC

The project provides one-on-one legal advice and information to women and children who are affected by, or at risk of, domestic violence in the areas of Victims Services, Family Law, Tenancy and Apprehended Domestic Violence Orders. The project also conducts community legal education sessions to community groups on Domestic and Family Violence and its impact and legal implications.

Highly commended

Safe in Our Place
Women's Legal Services NSW

This is a community legal education project for women from emerging Culturally and Linguistically Diverse communities and community workers showing how to provide culturally appropriate services that address family violence. Its focus is on the most disadvantaged areas of NSW and regions with recently arrived communities. The workshops are also an opportunity for participants to meet local domestic violence service providers

Other nominees were:

- Hawkesbury Nepean CLC: Domestic Violence & Renting
- Kingsford LC: Education through Case Studies
- Redfern LC: RLC Unfair Dismissal Representation Scheme
- University of Newcastle LC: Law on the Beach – Taking the Law to Young People

Kingsford Legal Centre and Herbert Smith Freehills Secondee Programs wins Justice Award

The Law & Justice Foundation Pro Bono Partnership Award for 2012 was presented to the 20-year partnership between Kingsford Legal Centre and Freehills Foundation (part of Herbert Smith Freehills). Herbert Smith Freehills provides Kingsford Legal Centre with a secondee solicitor on a six-monthly rotation. This partnership has modelled pro bono services to future generations of lawyers, delivered long-term benefits to Kingsford Legal Centre in their provision of clinical legal education and services to disadvantaged clients, and set a benchmark for the evolution of pro bono work over the past twenty years.



Left: Olenka Motyka, Central Coast CLC, with her Young Lawyers award. Photo: Law Society.

Right: Kingsford Legal Centre and Herbert Smith Freehills, winners of the 2012 Pro Bono Partnership award. (L-R): Anna Cody, Kingsford Legal Centre, John Corker, National Pro Bono Resource Centre, and Annette Bain, Herbert Smith Freehills. Photo: Kingsford Legal Centre

Our supporters

CLCNSW acknowledges and thanks the following organisations for their support, including pro bono, of our work.

Organisation/individual	Support
Aboriginal Legal Services NSW/ACT	Ongoing collaboration and discussions on issues of mutual interest
Ashurst	Assistance with office lease arrangements
College of Law	Ongoing collaboration with the CLC Practice Management Course
Clayton Utz	Information and advice on sector issues
Gilbert + Tobin	Venue and catering on a regular basis for the Aboriginal Legal Access Program (ALAP) Yarn Up days
Henry Davis York	Venue and catering for legal training days
Herbert Smith Freehills	Printing of CLCNSW induction kit
LawAccess NSW	Access to orientation sessions for CLC staff; and access to LawPrompt
Law & Justice Foundation of NSW	Access to, and analysis of, legal data and information through the Data Digest Online
Law Society of NSW	Ongoing collaboration and discussions on issues of mutual interest
Legal Aid NSW	Access to the Learning Management System and professional development opportunities for CLC staff; and the Legal Aid/CLC partnerships program
SAL Consulting	Collaboration with CLCNSW on the Leadership course
Thomson Reuters	Royalty payments from sales of the Law Handbook to support activities of CLCNSW

We also acknowledge and thank, with much appreciation, those CLC staff and volunteers who provided assistance and support for the quarterlies, such as convening the networks/working groups and providing training sessions.



Hunter CLC staff at the PILCH Walk for Justice. (L-R): Melissa McCabe, Liz Pinnock, Luke Shearston, Veronica Pascoe, Amy Stewart, Ellie Ryan and Julie Vitnell. Photo: Hunter CLC

CLCs advancing human rights and justice

Inner City Legal Centre's Sex Workers Legal Service

The Inner City Legal Centre (ICLC) received funding from the City of Sydney for a Sex Workers Legal Service (SLS) to run for one year until November 2013.

ICLC is located in Sydney's Kings Cross, an area that is recognised for its vibrant sex industry. Over the years sex workers have continued to make up a proportion of the Centre's clients. ICLC has also provided some outreach work to clients through an organisation called SWOP (Sex Workers Outreach Project) based in Surry Hills. Experience has shown that sex workers face significant and complex legal needs as a result of the marginalisation they often experience.

The Sex Workers Legal Service is working together with organisations in the Sydney City area to provide access to legal advice for sex workers. These organisations include the City of Sydney, Kings Cross Police, SWOP, Scarlett Alliance, Kirketon Road Centre, Wayside Chapel and the Medically Supervised Injecting Centre.

The legal service is not limited to just providing legal advice relating to sex work. Sex workers experience a range of legal issues such as family law, housing, discrimination, criminal matters, wills, employment, AVOs and personal violence. The Centre is also providing community legal education sessions for community workers and sex workers from time to time.

RailCorp discriminates against blind people travelling on trains

In the 2011/12 report, we reported that the Public Interest Advocacy Centre (PIAC) was representing Mr Graeme Innes AM in his case against RailCorp for disability discrimination. For almost two years, Mr Innes AM had urged RailCorp NSW to get serious about its obligations towards Sydney's rail passengers with disability by ensuring that its trains provide audible 'next stop' announcements. After mediation with RailCorp failed, Mr Innes sued the state-owned rail corporation in the Federal Magistrates Court, alleging its failure to provide audible announcements breached Federal Disability Discrimination law.

In a landmark decision delivered in February 2013, the Federal Magistrates Court found that RailCorp had discriminated against Mr Innes. Federal Magistrate Kenneth Raphael ordered RailCorp to pay \$10,000 in compensation to Mr Innes. Magistrate Raphael said Mr Innes had suffered indirect discrimination, and RailCorp had been 'reactive and haphazard' in its response to Mr Innes' complaints.

Mr Innes, who is the Australian Disability Discrimination Commissioner, took the case in his private capacity. 'All I wanted was for RailCorp to do what they do for everyone who is able to read print. That is, tell me where I am,' he said.

Housing Repairs Campaign

The Kingsford Legal Centre (KLC) Housing Repair campaign seeks to improve the standard of housing for clients living in Housing NSW properties. KLC is continuing to work closely with Kooloora, Eastern Area Tenancy Service, and Working From the Ground Up to build the capacity of tenants groups on housing repairs issues and advocacy skills. As part of this KLC delivered two workshops at Kooloora on housing repairs applications and letter writing skills. KLC was also successful in getting a Member of Parliament to ask questions that it drafted on housing repairs in Parliament. KLC did this in order to find out more about what is happening in this area, and to raise the profile of the issue in Parliament. KLC continues to apply pressure and gather evidence through its casework, and has run a pop up legal clinic in one of its local housing estates focusing on housing repairs.

Law Reform and Policy Committee report

Nassim Arrage, Fia Norton and Martin Barker, co-convenors

The Law and Policy Committee has been extremely active over the last financial year and the following report provides an overview of some of those activities.

Edwina MacDonald (Kingsford) stepped down from convening at the May 2013 Quarterly meeting and Fia Norton (Northern Rivers) and Martin Barker (Marrickville) were appointed to join Nassim Arrage as new co-convenors. The Committee met in July 2012, November 2012, February 2013 and May 2013 at the CLCNSW Quarterlies and meetings were well attended.

The Committee recognised the need for regular training on law reform and agreed to have at least one training session per quarterlies. This proposal was endorsed by the CLCNSW Board and there has been a regular law reform training session offered at the Quarterlies since. Training provided this year was Law Reform – How to get started, Law Reform showcases, Engaging with your local community in law reform & policy discussions, and Interacting with politicians. These sessions were well-received and the Committee affirmed its commitment to ongoing training sessions.

The Committee continued with its meeting structure of inviting a guest speaker to give a short presentation on a current CLC law reform activity. In July 2012, the Tenants Union led a workshop

on Marginal Renters law reform. In November 2012, NACLCL led a session on CLEAR database and in February 2013, the Committee discussed the new funding principles. 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 Marginal Renters, Victims Compensation, Penalty Notices, Bail and Women AVO Defendants and Repairs in Public Housing continued throughout the year. Other issues considered by the Committee during the year included:

- Policy Accountability Project
- Provocation defence for Murder
- Silent phone numbers
- Domestic and family violence framework consultations
- National Human Rights Framework
- Victims Compensation
- Child Protection legislative reform
- GIPA Applications to NSW Police
- AVOs and condition 5

The Convenors would like to give special thanks to Kerry Nettle, the locum Advocacy and Human Rights Officer for providing practical support to the work of the Committee and its working groups, as well as her generosity in bringing her skills, knowledge and experience to law reform training.



Liz Pinnock, Managing Solicitor of Hunter CLC, meeting with State Member for Newcastle Tim Owen. Photo: Hunter CLC

knowmore

knowmore legal service is a free service for members of the public engaging or considering engaging with the Royal Commission into Institutional Responses to Child Sexual Abuse.

Established by the National Association of Community Legal Centres (NACLCL) Inc, with funding from the Australian Government, knowmore provides legal advice and practical assistance, information, referral and support services via a national hotline and face-to-face services. The service does not provide legal representation before the Royal Commission and works independently of the Commission.

knowmore's mission is to help each person who contacts the service to:

- Understand the powers and procedures of the Royal Commission
- Understand the legal issues and legal options relevant to him or her
- Feel supported to make an informed decision about interacting with the Royal Commission
- Be enabled to tell their story or provide information to the Royal Commission if they choose to do so.

knowmore's head office opened in Sydney in July this year. Interstate offices are planned for launch in December 2013.

www.knowmore.org.au

Free legal help to navigate the Royal Commission

knowmore is an independent service giving free legal advice to people who are considering telling their story or providing information to the Royal Commission into Institutional Responses to Child Sexual Abuse.

Our mission is to help each person who comes to us:

- understand the powers and procedures of the Royal Commission
- understand the legal issues and legal options relevant to him or her
- feel supported to make an informed decision about interacting with the Royal Commission
- be enabled to tell their story or provide information to the Royal Commission if they choose to do so.

Through this work it is our goal to help prevent child sexual abuse from occurring or re-occurring in the future.

Want to know more? [visit our website today](http://www.knowmore.org.au)

Do you want to talk to us?
Free advice line
 ☎ 1800 605 762
 Hours: Mon - Fri
 9am to 5pm (AEST)
 (Hours vary that there are not night hours, and will be reviewed in line with the needs of our clients)

NACLCL is a not-for-profit organisation. NACLCL is a registered charity. NACLCL is a member of the National Association of Community Legal Centres (NACLCL) a not-for-profit, non-government organisation that is the national peak body of community legal centres. All funding from the Australian Government is provided to the National Association of Community Legal Centres (NACLCL).

Educating the community about its legal rights

Legal Outreach services for young people in Gosford

The Central Coast Community Legal Centre provides community legal education and a drop-in advice clinic as part of its legal outreach at Regional Youth Support Services Inc. (RYSS) at Gosford. RYSS runs the “Rent It Keep It” tenancy programme and a related Living Skills programme for young people 16 to 21 years of age who are entering the rental housing market after leaving Juvenile Justice custody. Young people in this group face many challenges to living independently. As part of the Living Skills programme the Central Coast CLC provides legal advice and information about fines, minor criminal matters, complaints against police, debt matters, family law, AVOs and victim’s compensation.

Midnight Basketball in Katoomba

In June, Elizabeth Evatt Community Legal Centre (EECLC) attended the Midnight Basketball program at Katoomba Sports and Aquatic Centre in the Blue Mountains, NSW. Midnight Basketball is offered each Saturday night to young people at risk, aged between 12 and 18 years, who are referred to the program by local youth services. Participants are given a hot meal, provided by the local Rotary Club. They then play in a basketball competition on condition that they participate in workshops on a variety of topics aimed at being of use to them in their welfare and development. The program keeps to the motto ‘No workshop, no jumpshot’. Workshops are offered by representatives of local health, government and community services. Community volunteers also attend and assist with facilitation. EECLC’s workshop covered young people’s legal rights and focused on how young people can obtain legal assistance with various situations they might encounter. These situations included what to do in terms of seeking a change to living arrangements if the young person’s parents have split up, who to talk to if young people are experiencing domestic violence within the family, and what to do if a young person is approached by the police or taken into custody. There was the opportunity for lots of questions and participants were also introduced to the kind of work EECLC does and how community legal centres may be able to assist young people with their legal problems.

Community Legal Education Workers (CLEW) Group Report

Nalika Padmasena, Melanie Kallmier, Georgia Marjoribanks and Bronwyn Ambrogetti, co-convenors

Community Legal Education (CLE) is at the heart of what Community Legal Centres do, as we follow our shared vision to empower disadvantaged members of our community to



Solicitor Chris Owens from South West Sydney Legal Centre provides a seminar on “Driving and Traffic Offences” with an Arabic interpreter and translated material to members of the Mandaean community in Liverpool. Photo: South West Sydney Legal Centre

understand, protect and advance their rights. The CLEW network group is open to all community legal sector workers with an interest in community legal education, and is regularly attended by solicitors, CLE workers and Centre co-ordinators. We meet at the CLC Quarterlies to share ideas, inspiration and gain training to help make our CLE projects more effective.

The CLEW group saw a change in leadership this year, with the loss of previous co-convenors Dianne Anagnos and Natalie Neumann. Our thanks to them for the great job they did, along with thanks to Greg Dwyer of CLC NSW who cradled the CLEW baby until new co-convenors Nalika Padmasena (TARS), Melanie Kallmier (MNCCLC), Georgia Marjoribanks (Hunter CLC) and Bronwyn Ambrogetti (Central Coast CLC) took over in May. Nalika has attended NLAf meetings on behalf of the group, and acted as chair for the Quarterly meetings since May, with Melanie providing secretarial and administrative backup. Average attendance at meetings has been between 10 and 20 people, with representatives from the Law and Justice Foundation and Legal Aid joining tenancy services, generalist and specialist CLCs from across the state to discuss CLE matters.

The meetings have hosted guest speakers such as

- Alex Davis from Women’s Legal Services NSW introducing us to

AskLOIS, their innovative new online resource for women and their support workers

- Aimee Meers from Welfare Rights talking about CLE to Aboriginal clients in western NSW
- Peter Multari from SWSLC discussing a CLE program with the Mandaean community of Liverpool

The second two of these speakers were both interviewed by Jane Kenny of the Law and Justice Foundation, with the intention of highlighting what has worked (and what hasn't!) with CLE projects funded by the LJF through the year.

Some specific CLE projects that were highlighted during the year included

- An interactive theatre project run by Hunter CLC in conjunction with Legal Aid's Cooperative Legal Service Delivery program (CLSD) to demonstrate legal issues around sexting and family violence
- Far West CLC's new booklet "Ripped Off", which was developed with Legal Aid to highlight employment law matters
- Tenant's Union work on the new NSW Residential Parks Act, and publicising the changes to residents throughout the state
- Law and Justice Foundation's "Plain Language Law" newsletter, a regular update on new legal information that is available in plain English.

Training

Training for CLE workers has been a topic of considerable discussion at CLEW meetings, with training ideas suggested that the co-convenors will endeavour to facilitate at upcoming meetings. All the training ideas being considered revolve around making the work of CLE more engaging, interactive and effective, and learning from each other's efforts (and mistakes!). In particular, the issue of ethics has arisen in a number of contexts, including working with the people with reduced capacity or with young people, along with ethical issues that may come out of CLE projects and how to anticipate them. We are also looking forward to exploring how technology can better serve our needs, and using art and music to communicate in a more interactive way.

Other meetings

CLEW co-convenor Nalika Padmasena represents the CLEW network at a number of other meetings, including

- The Legal Information and Referral Forum (LIRF), a statewide network which aims to improve legal referral pathways and access, and reports to the NSW Legal Assistance Forum
- NLA training and development group
- National CLEW network at the Annual National Association of CLC's conference

Involvement in these networks maintains our connection to legal education that is happening across the country, delivered by other professionals in the field. This enables us both to provide feedback on CLE that has worked for us, and receive ideas and information from others on significant and emerging issues that may benefit from having a CLE focus.

Through its involvement with people at the forefront of CLE at many levels, the CLEW network acts as a link for workers in the public legal sector to gain skills and ideas, and to be inspired to continue working to promote access to justice for our communities. The Convenors this year are intending to broaden the network opportunities for all CLE staff, and welcome feedback and support from the sector.



Improving access to justice for Aboriginal people and communities

Intestate estates: achieving parity for Aboriginal people

Until recently, Western Australian law treated the management and distribution of intestate estates differently for Indigenous and non-Indigenous people. Under Part IV of the *Aboriginal Affairs Planning Authority Act 1972* (WA) (AAPA Act), the Public Trustee was automatically given the power to administer the intestate estates of Indigenous persons, thus denying their relatives the right to manage the estate. This limitation did not exist in relation to the estates of non-Indigenous people and was not the position in any other State.

From 2008, the Arts Law Centre of Australia (Arts Law) lobbied the Western Australian government to reform this legislation, on the grounds that it breached the *Racial Discrimination Act 1975* (Cth) by treating Indigenous people in a discriminatory way. Arts Law argued that Part IV of the AAPA Act should be repealed, so as to bring Indigenous and non-Indigenous intestate estates into parity under the law. Despite the recommendation in 2006 by the Western Australia Law Reform Commission to do so, no State government had acted on this issue. Arts Law collaborated with the Perth office of law firm Herbert Smith Freehills to prepare a constitutional challenge to the legislation. It was the threat of such a test case coupled with growing media attention that finally caused the Western Australian parliament to act.

The extensive advocacy efforts of Arts Law and Herbert Smith Freehills were met with success in November 2012, when the WA Parliament passed the *Aboriginal Affairs Planning Authority Act Amendment Bill 2012*. The Bill proposed the repeal of Part IV, in line with Arts Laws' submission.

'Blauwggammir ganna beh' in the Northern Rivers

The Northern Rivers Community Legal Centre (NRCLC) has been rolling out its Will drafting project for Aboriginal people: "Blauwggammir gannah beh", which roughly translates from Bundjalung to; "look, listen and understand". The project, funded by the Commonwealth Attorney General, was developed and implemented by the Aboriginal Legal Access Program team in the NRCLC and is being assisted by the Far North Coast Law Society and private practitioners. It was born from an expression of interest in Wills from the local Aboriginal community and research that showed that many Aboriginal people did not consider a Will to be important or necessary. To remedy this lack of access to information about future planning the project set out to provide legal outreaches around the Far North Coast region that catered specifically to Will drafting for Aboriginal people.

The project began with up-skilling the NRCLC staff and training conducted by Ashurst law firm for interested local private practitioners in November 2012. In February this year the Centre held information sessions to educate community service providers who could in turn encourage their clients to access our service. Service providers and attendees reported the session to be interesting and informative and needed within the Aboriginal communities. In February, there were further education and information sessions for local solicitors at the Far North Coast Law Society Annual Training Conference.

The first Will drafting day in Ballina was well attended and wills were drafted with 50% of clients being referred to the Centre for other legal matters that arose as a consequence of the CLE and discussions before drafting. Private practitioners who attended to draft the Wills were keen to participate and willing to be flexible for their clients.

Aboriginal Advisory Group report

Christine Robinson, convenor

The 2012/13 aims and key actions of the Aboriginal Advisory Group has been to:

1. Increase the capacity of AAG members through appropriate training and development opportunities.

AAG development themes include leadership and mentoring, AAG governance, sharing what works and what doesn't, and targeted training in the areas of:

- a) Making Wills for Aboriginal people – Prue Vines
- b) Consumer Credit – from ASIC
- c) Care and Protection form Cheryl Orr
- d) Royal Commission into Child Abuse from knowmore

Much, if not most, is taught and learnt by participants through in-depth discussions about challenges and achievements by AAG members in their respective program.

AAG members participating in the CLC Yarn-Up and Training Day engage in the AAG *Mentoring Through Leadership* program. So far there have been 2 sessions in this program. Aunty Nancy Walke facilitated one leadership workshop, and the other was a planning session to develop aims of the Mentoring Through Leadership program. The program is now a standing item on the Yarn-Up and Training Day agenda.

2. Assist in developing the capacity of the CLC sector to work with Aboriginal communities.

The AAG has done this by recognising the importance of CLCNSW having a Reconciliation Action Plan (RAP) so that all member CLCs could be encouraged to have their own RAP

modelled on the CLCNSW version. Extensive consultation took place to develop the RAP. This was approved by the CLCNSW Board at its May meeting. It is now being implemented by CLCNSW.

Further to the aim, through issuing 'AAG Position Statements' to the CLCNSW Board, the AAG continues to make calls to the sector to further engage in Aboriginal Cultural Awareness Training, as the development of Aboriginal Cultural Awareness by the CLC sector is intrinsically linked to increasing access to justice for Aboriginal communities.

The AAG has supported CLCNSW in developing a working relationship with Tranby Aboriginal College. The AAG done this through contributing in the consultation process to develop the Statement Of Cooperation between CLCNSW and Tranby. Further to this development, the AAG hosted Tranby's CEO to speak with, and hear from, AAG members about the mutual opportunities that Tranby and the CLCNSW can offer each other that result in creating better outcomes for Aboriginal communities. Tranby reserves 3 positions for CLCs Aboriginal and Torres Strait Islander staff to participate in Tranby's Diploma of National Indigenous Legal Advocacy (NILA).

3. Directly lobby of government to change laws that significantly impact Aboriginal communities.

The AAG has done this through contributing to law reform submissions, and by influencing the sector's law reform submissions by way of raising the awareness of the issues that effect Aboriginal communities.

Through its networks, the AAG aims to introduce experts to speak with, and influence the sector at the Quarterly meetings. For example, Cheryl Orr has provided the CLC sector with practice development opportunities and law reform leadership in the areas of Care & Protection and Family Law.

Other areas the AAG has been influential in law reform and/or community legal education is:

- Victims Compensation
- Royal Commission into Child Abuse [in institutions]
- Tenancy

The AAG continues to raise the awareness of issues that will significantly impact on Aboriginal communities. The AAG does this through identifying emerging issues and bringing them to the attention of the CLC sector and the broader community.



Redfern Legal Centre's Helen Shelton at the Aboriginal Medical Service for NAIDOC week. Photo: Redfern Legal Centre

The CLC Yarn-Up and Training Day:

The CLC Yarn-Up and Training Day (Yarn-Up) is a full day meeting, which is hosted by Gilbert + Tobin. G+T supply the meeting room and cover the cost of catering.

The Yarn-Up has become the key opportunity for CLC Aboriginal and Torres Strait Islander staff to:

- Teach and learn from one another by sharing achieves and challenges,
- Engage in strategic planning to assist the CLC sector meet its access to justice responsibilities,
- Develop the skills and capacities of AAG members, and
- Strengthen their network, the latter of which has positive effects on retention of Aboriginal and Torres Strait Islander staff across the CLC sector.

Ensuring access to justice for people in rural, regional and remote (RRR) areas

Connecting international students in Armidale with lawyers at Redfern Legal Centre

In February 2013, Redfern Legal Centre (RLC) launched its Legal Assistance Project in co-operation with the University of New England, Armidale and pro bono partners. The project connects international students at UNE with specialist volunteer solicitors at RLC. Users connect with their advisors over the National Broadband Network using web-conferencing software, which allows them to see their advisors, as well as being able to easily exchange and draft documents, despite being nearly 500 kilometres apart.

The launch was held on campus during UNE's O-week, with RLC's Jacqui Swinburne and UNE's Vice-Chancellor Professor Jim Barber opening the service.

New outreach Financial Counselling Services in the Illawarra region

The Illawarra Legal Centre's Illawarra Region Financial Counselling Service opened three new outreach services in Warilla, Corrimal and Wollongong. Maroun Germanos, a long time financial counsellor from Illawarra Legal Centre, said, "the need for this service is growing all the time and the new offices are a great step forward in meeting this demand throughout the Illawarra".

As part of the expansion, Lifeline South Coast Financial Counselling Services is contracted by Illawarra Legal Centre to provide financial counselling in Kiama, Nowra and Ulladulla.

Rural, regional and remote CLCs network report Kim Richardson, Convenor

The Rural, Regional and Remote (RRR) Network gives a voice for RRR issues within the CLC sector. RRR Network meetings at the Quarterlies have been well attended during the last 12 months, with lots of active discussion on the issues and difficulties facing RRR CLCs.

In particular the RRR Network Meetings have focused on knowledge sharing and providing a platform to members to promote their centres and activities.

March 2013 saw the Hunter Community Legal Centre hosting the inaugural RRR Roadshow. The RRR Roadshow was developed following the RRR Network Day at the 2012 CLCNSW State Conference.

The purpose of the RRR Roadshow was to promote an opportunity

for RRR CLCs to visit other RRR CLCs and see firsthand what they do and how they do it.

The RRR Roadshow was held over two days and was well attended. Not only did attendees have the opportunity to see how the Hunter Community Legal Centre operated, but attendees also had the opportunity to tour the University of Newcastle Legal Centre and learn about their innovative approaches to legal advice clinics.

A particular focus of the RRR Roadshow was how do RRR CLCs attract and retain law graduates and other professional staff. Sher Campbell from the University of Newcastle provided useful discussion on her role with the University of Newcastle and the steps that they are taking to attract students from RRR areas. The 2014 RRR Roadshow will be hosted by Northern Rivers Community Legal Centre.

A RRR Network Facebook group has been formed in an effort to harness the power of social media as a networking tool for RRR CLCs. Currently there are currently 25 members with membership continuing to grow. The Facebook group is a closed group and allows members to discuss relevant issues as they arise in real time.

Lastly, I would like to thank Angela Pollard, who resigned as the RRR Network Convenor in November 2012, for all of her hard work during her tenure. Angela always promoted the important role of RRR CLCs and advocated strongly on their behalf.



Network and working groups reports

Domestic Violence and Victims Compensation

Subcommittee report

Rebecca Frost and Rachael Martin, co-convenors

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

Victims Compensation

The introduction of the *Victims Rights and Support Bill 2013* (the Bill), which was passed on 3 June 2013, dominated much of the Sub-Committee's work. The legislation has created a new scheme significantly different from the old. The Sub-Committee have many concerns about the new scheme, which in short:

- Drastically reduced the awards for pain and suffering;
- Sets very specific time limits for when claims should be made with no discretion; and
- Requires the act of violence to be reported to police or government agency.

Our other main concern is that the changes in relation to the awards for pain and suffering are retrospective, which means it applies to the thousands of victims waiting for their claims to be assessed, including the many clients of community legal centres. In responding to the *Bill* the work of the Sub-Committee included the following:

- Sub-Committee members met with various members of parliament and/or their advisers to discuss their concerns about the Bill.
- Letters and emails were drafted and sent on behalf of CLCNSW to other legal service providers and victims support groups articulating its' concerns about the Bill.
- Media releases were drafted and sent to media outlets setting out CLCNSW's concerns about the Bill.
- Members of the Sub-committee were interviewed by media outlets in relation to concerns about the Bill.
- Members of the Sub-Committee drafted a complaint to the Special Rapporteur on Violence Against Women on behalf of CLCNSW arguing that the Bill violated human rights standards.

The one thing the Government agreed to amend was the time limit in relation to making claims for victims of child sexual assault. The *Bill* had initially stated that there was a 10 (ten) year time limit to make an application for a recognition payment for victims of child sexual assault, which we argued was completely inappropriate given how long it takes for victims of child sexual abuse to come

forward. There is now no time limit for victims of child sexual assault to make an application for a recognition payment and certain economic expenses.

Domestic Violence

A key focus of the Sub-Committee's discussions has been about the NSW Domestic and Family Violence Framework/Reforms Consultations. The DFV Reforms is the NSW jurisdictional response to the *National Plan to Reduce Violence against Women and their Children*.

Separate, but related was discussion about the *Crimes (Domestic and Personal Violence) Amendment (Information Sharing Act)* and proposed protocols. The Sub-Committee expressed concerns about inherent safety and breach of privacy risks which are not adequately addressed when informed consent is dispensed with (other than when there is an imminent serious threat). For example, victims of violence, especially in small communities, may not wish to engage with a service to whom the NSW Police has provided their personal information because a relative of the perpetrator works at that organisation or the organisation does not work in a culturally safe manner. The risk of outing through information sharing may create barriers for members of the LGBTIQ community to report violence to police. Additionally, there are concerns about how the legislation may impact women who are initially defendants to police ADVOs, but on further enquiry into their circumstances are victims of domestic violence – the primary aggressor being her partner and the person the police initially assessed as being the “person in need of protection”.

The Sub-Committee was a constructive space for discussing new local court practice directions from Chief Magistrate in relation to AVOs and children. The subcommittee also followed the effect of the Domestic and Personal Violence Proceedings Practice Note in local courts and monitored its effect on CLCs' workloads.

The Sub-Committee was made aware of media coverage surrounding the prosecution of women who retracted their statements in situations of domestic violence complaints. This issue disproportionately affects Aboriginal and Torres Strait Islander women, and may be occurring more often in regional, rural and remote areas. Continual monitoring from the subcommittee is important.

The legislative review of the *Crimes (Domestic and Personal Violence) Act* was discussed.

There was an inquiry into the partial defence of provocation. The defence applies in situations where an unlawful killing would otherwise be considered murder.

Concern was expressed about the gender bias in the law of provocation and that the partial defence of provocation is used to

Network and working group reports (cont.)

condone violence against women and, in the case of non-violent homosexual advance, sanctions discrimination and legitimises vilification. However, concerns were also expressed that the law of self-defence needs to be reformed to properly consider victims of serious domestic violence who ultimately kill their violent partner before the partial defence of provocation is completely abolished. Discussion centred on a phased approach to abolishing the partial defence with its immediate abolition in circumstances of a change in relationship, sexual jealousy or non-violent sexual advance and a referral to the NSW Law Reform Commission to undertake a more holistic and comprehensive inquiry into all homicide defences, including self-defence.

Several CLCs made submissions to the inquiry. Draft Exposure legislation is expected to be released this year.

Sexual Assault

The Sub-Committee was also a valuable space for discussing issues relating to sexual assault, including hearing an update from the Sexual Assault Communications Privilege Unit at Legal Aid NSW. This service becomes particularly relevant where counselling notes are sought in a sexual assault trial.



The staff of the South West Sydney Womens Domestic Violence Court Advocacy Service were consulted during the design of the new Liverpool courthouse. The new venue allows for a purpose build “safe room” for vulnerable women attending court for ADVO matters. (L-R): Maria Cosmidis, Executive Officer of SWSLC, Farah Assafiri SWSWDVCAS Coordinator, and Magistrate Gary Still in the new court room. Photo: South West Sydney Legal Centre

Thanks

We would like to thank the staff of the State Office of CLCNSW, in particular Roxana Zulfacar, and then Kerry Nettle, who throughout the year provided ongoing support to the convenors of this Sub-Committee. A special thank you also to Liz Snell of Women’s Legal Services for all of her great work assisting Rachael Martin when developing a response to the introduction to the *Victims Support and Rights Bill*.

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 at quarterly meetings by each CLC Principal Solicitor or their delegate is a condition of membership of CLCNSW. 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 legal practice issues to improve risk management in NSW CLCs. The National Risk Management Guide provides the standards and commentary for compliance, as well as the system for annual cross checks of CLC legal practice systems.

A sub-committee was formed during the year to help with the workload of the Convenors. Grant Arbutnot (Tenants Union), Nassim Arrage (Mid North Coast CLC), Ken Beilby (Northern Rivers CLC), Elizabeth Morley (Redfern legal Centre) and Rachael Martin (Wirringa-Baiya Aboriginal Women’s Legal Centre) formed the sub-committee in February 2014.

The PII Committee and the Coordinators and Directors Committee of CLCNSW improved their liaison to enhance understanding of common legal practice risk management issues that impact on centres.

Katrina Ironside (PILCH NSW) resigned from the role of Co-convenor in May and the committee extended its thanks to Katrina for her contribution especially to the main work carried out through the year on developing a guideline for assessing information barriers for CLCs that are part of multi-program agencies. Work carried out this year has included:

- Significant work was undertaken to analyse and assess particular issues for community legal centres that are part of larger multi program agencies in terms of legal practice risk management. In April a small delegation of CLCNSW representatives visited 3 CLCs in Victoria where CLCs in multi-program agencies are more

common and established. An information paper was developed and provided the basis for a consultation with the NSW sector in May 2013. From this, principles for information barriers were developed. Consultation with the national network is planned for 2013–14.

- 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, in particular to oversee the national insurance arrangements.
- 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

Coordinators/Directors network meetings were held quarterly convened by Dan Stubbs, Inner City Legal Centre. Attendance remained high with the majority of Centres represented at each meeting. Thanks to minute takers over this period. Meetings covered a broad range of issues and attendance by the State Program Manager for updates was appreciated in enabling open discussions about issues impacting on the sector.

Key issues discussed by Coordinators/Directors this year included:

- The translation of staff positions from the NSW SACS to Modern Award SCHADS. The Sector Development Sub-committee assisted in this process by undertaking a survey of Centres and sharing information across the sector. It was pleasing to see consistency across the sector.
- The SCHADS Award Equal Remuneration Order commenced on 1 December resulting in discussions between Centres and State and Federal AGs about supplementation required to meet the increase in wages.
- Funding of services, particularly the reduction in Public Purpose Fund (PPF) grants for many Centres and the publishing by the State AG of a set of proposed Funding Guidelines. Centres undertook extensive lobbying with State politicians and the community to raise awareness of both the impact of PPF reductions and the proposed Funding Guidelines on our sector.
- Accreditation was a big issue this year, with most Centres preparing for and participating in Accreditation visits and follow up requests during this year. We thank Meg Houston for her patience and guidance for Centres throughout this period.

Conversations have commenced about the sustainability of the work that has been undertaken as part of the Accreditation process, particularly how Coordinators/Directors can continue to support each other in maintaining Accreditation requirements. A key issue discussed was the NACLCL Risk Management Guide and how this is managed within Centres, particularly within Centres that offer a broad range of services, not just legal services. Discussions were had with the PII Convenors about options for including Coordinators/Directors in consultations about the RMG in the future.

Administrators and Finance Officers working group report

Rachel Burns (on behalf of Graeme Chambers, Convenor)

The Administrators and Finance Officers meetings at the Quarterlies provide an excellent opportunity for these staff to come together, exchange ideas, hear valuable speakers and find support in what can be isolated roles. Graeme Chambers acts as Convenor but attendees often set agenda items and contribute experiences and information which prove of great value to all. The meetings also serve as a prelude to the national meeting at the NACLCL conference.

This year the Equal Remuneration Order was a popular topic as well as audits, MYOB, ATO interfaces, insurance coverage, training opportunities and payroll matters, just to mention a few. We also had guest speakers on training needs, the accreditation process and funding.

As our regular attendees reach the twenty mark, we encourage all CLCs to send their administration and finance staff to our Quarterlies meeting. Front desk, clerical, bookkeeping and accounting staff will find a warm welcome and a great supportive and learning environment.

Thanks to all those who attend our meetings, contribute to agenda items and our lively discussions.

Ask LOIS

Women's Legal Services NSW has launched its new legal online information service Ask LOIS. This is a secure member only website for community workers who are responding to women experiencing domestic and family violence.

Ask LOIS provides:

- Online training through weekly webinars on legal issues and practical skills;
- Access to solicitors for advice and support through LOIS is IN;
- Access to case studies, resources, discussion forums and a DV services in NSW directory.

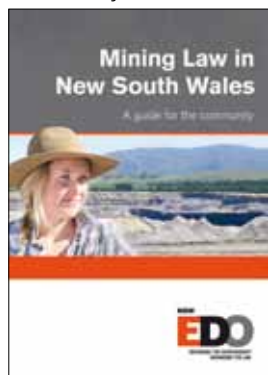
www.asklois.org.au



Mining Law in NSW

EDO NSW (Environmental Defender's Office) has released its latest plain English guide to the law called 'Mining Law in New South Wales: A guide for the community'.

With mining and coal seam gas (CSG) activities expanding rapidly throughout the State, and encroaching into areas that have traditionally been dominated by other industries, the community is



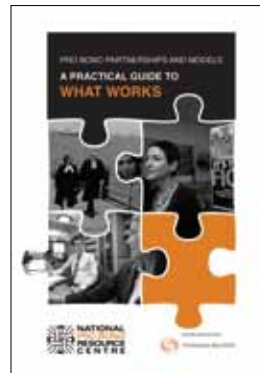
in urgent need of reliable information on how mines and CSG developments are regulated. This booklet seeks to educate the community about the law around mining and coal seam gas (CSG) activities, and what rights and obligations they have under it.

This booklet helps people in NSW to understand how to engage effectively with the various decision-making processes and assist them to use the law to the fullest extent possible to

protect their interests and those of the environment. The booklet has been funded by the NSW Government through the Environmental Trust.

Download the booklet at:

<http://www.edo.org.au/edonsw/site/publications.php#mining>



Pro Bono Partnerships and Models: A Practical Guide to What Works

The National Pro Bono Resource Centre's *Pro Bono Partnerships and Models: A Practical Guide to What Works* explains how to start, maintain and enhance pro bono partnerships and projects. The resource provides practical information about how pro bono legal services operate in Australia, particularly the models used by collaborative partnerships and highlights the features of effective

projects using those models. It offers information about how to attract assistance and maintain an effective relationship with a pro bono provider, and how to get the most out of the partnership.

What Works draws on the expertise of a broad range of stakeholders, particularly CLCs with experience in utilising pro bono partnerships to increase access to justice for their clients, as well as enhancing the range of skills and knowledge of their staff. It discusses the role that pro bono can best play to support the work of the legal assistance sector and provides information about what pro bono resources may be available when Legal Aid and CLCs cannot assist.

Download booklet from:

<http://www.nationalprobono.org.au/page.asp?from=4&id=106>

Clearing House

This is the Tenants' Union (TU) of NSW's new blog that records what is going on in social housing estate redevelopments in New South Wales.

Over the last 10 years, estate redevelopment has become an increasingly big thing for Housing NSW – and for the many tenants who have to live with it. The purpose of this blog is to try to keep track of what is happening with estate redevelopment, on the ground in each estate. The TU will log announcements, events and changes of plans as they happen, and link back to earlier information so it can be seen how things may have changed. The TU takes information from official public statements and documents by Housing NSW, the NSW Land and Housing Corporation, and the responsible Ministers, from media reports, and from tenants and workers on estates.

<http://clearinghousetunsw.blogspot.com.au/>



Membership, governance and operations

CLCNSW Member Centres 2012/13

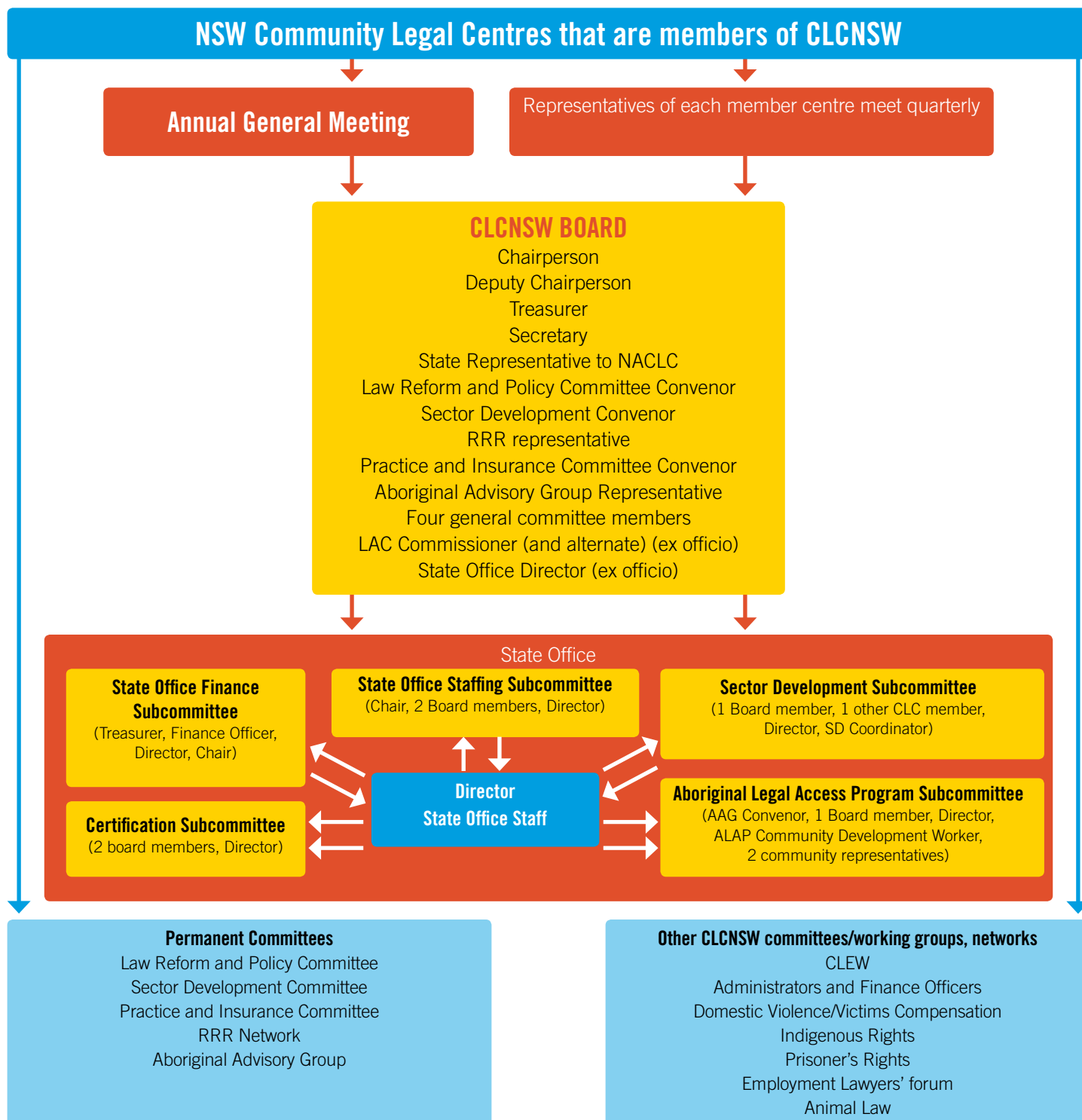
FULL MEMBERS:

Generalist Centres	Specialist Centres
Central Coast Community Legal Centre	(The) Aged-Care Rights Service (TARS)
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 Defender's 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	
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	

Organisational structure of Community Legal Centres NSW



CLCNSW Board 2012/13

Name	Member centre	Position	Meetings attended/ Meetings eligible to attend
Anna Cody	Kingsford Legal Centre	Chairperson	7/7
Robyn Ayres	Arts Law Centre	Deputy Chairperson (resigned November 2012)	3/3
Prue Gregory	Macarthur Legal Centre	Deputy Chairperson (from February 2013; resigned June 2013)	4/4
Rachel Burns	Tenants' Union of NSW	Treasurer	5/7
Philippa Davis	Women's Legal Services (NSW)	Secretary (resigned July 2012)	1/1
Suzanne Derry	Arts Law Centre	Secretary (appointed November 2012)	2/4
Janet Loughman	Women's Legal Services NSW	Practice & Insurance Committee Convenor	5/7
Kim Price	Hawkesbury Nepean CLC	State representative to NACLCL (resigned October 2012)	0/2
Daniel Stubbs	Inner City Legal Centre	State representative to NACLCL (from November 2012)	6/7
Donna Hensen	Women's Legal Services NSW	Aboriginal Advisory Group Convenor (resigned November 2012)	0/3
Christine Robinson	Wirringa Baiya Aboriginal Women's Legal Centre	Aboriginal Advisory Group Convenor	1/4
Nassim Arrage	Mid North Coast CLC	Law Reform & Policy Convenor	5/7
Ken Beilby	Northern Rivers CLC	Sector Development Convenor (from February 2013)	7/7
Angela Pollard	Northern Rivers CLC	Rural, Regional & Remote Convenor (resigned November 2012)	3/3
Kim Richardson	Hunter CLC	Rural, Regional & Remote Convenor (appointed November 2012)	4/4
Maria Girdler	Macquarie Legal Centre	Legal Aid Commissioner (ex officio; term ended November 2012)	2/2
Patrick O'Callaghan	Western NSW CLC	Alternate Legal Aid Commissioner (ex officio; term ended November 2012)	1/2

CLCNSW Board 2012/13

Name	Member centre	Position	Meetings attended/ Meetings eligible to attend
Tom Cowen	The Aged-Care Rights Service (TARS)	General member (appointed November 2012)	4/4
Jacqui Swinburne	Redfern Legal Centre	General member	1/7
Alastair McEwin		State Office Director (ex officio)	7/7



Artists in the Black program: (L-R) Paul Jakunowski, Robyn Ayres, Executive Director of Arts Law Centre, artists Syd Short Joe and Christine Holroyd at Pormpuraaw Art Centre in Queensland. Photo: Indigenous Art Centre Alliance

CLCNSW Sub-committees and working groups 2012/13 (as at 30 June 2013)

Sub-committee or Working Group	Convenor/s	Member centre
Aboriginal Advisory Group	Christine Robinson	Warringa Baiya Aboriginal Women's Legal Centre
Administrators/Finance Officers	Graeme Chambers	Macarthur Legal Centre
Animal Law	Angela Pollard	Northern Rivers CLC
Community Legal Education Workers (CLEW) Group	Bronwyn Ambrogetti Melanie Kallmier Georgia Marjoribanks Nalika Padmasena	Central Coast CLC Mid North Coast CLC Hunter CLC TARS
Coordinators/Directors/Sector Development	Dan Stubbs Kerry Wright Ken Beilby (Board position)	Inner City Legal Centre Shoalcoast CLC Northern Rivers CLC
Domestic Violence & Victims Compensation Subcommittee	Rebecca Frost Rachael Martin	Women's Legal Services NSW Warringa Baiya Aboriginal Women's Legal Centre
Employment Lawyers network	Elizabeth Meyer Natalie Ross	Kingsford LC Redfern LC
Indigenous Rights Working Group	Nancy Walke Zachary Armytage	Northern Rivers CLC CLCNSW
Law Reform & Policy	Nassim Arrage Fia Norton Martin Barker	Mid North Coast CLC Northern Rivers CLC Marrickville Legal Centre
Practice and Insurance Committee	Janet Loughman Katrina Ironside (resigned May 2013)	Women's Legal Services NSW PILCH NSW
Prisoners Rights Working Group	Carolyn Jones Kellie McDonald	Women's Legal Services NSW Kingsford LC
Rural, Regional & Remote	Kim Richardson	Hunter CLC

CLCNSW

State Office staff

Name	Position
Norico Allen	Finance Officer
Zachary Armytage	ALAP Community Development Worker
Greg Dwyer	Sector Development Coordinator
Meg Houston	Regional Accreditation Coordinator
Alastair McEwin	Director
Kerry Nettle	Locum Advocacy and Human Rights Officer (parental leave position)
Ann Petrou	Administrator
Roxana Zulfacar	Advocacy and Human Rights Officer (parental leave April 2013 – April 2014)

Intern:

Richard Pourau, Aurora internship, November–December 2012

Community Legal Centres NSW Inc ABN: 22 149 415 148

Financial Report for the Year Ended 30 June 2013

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 2013 and auditor's 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	Donna Hensen (resigned November 2012)
Robyn Ayres (resigned November 2012)	Janet Loughman
Ken Beilby	Alastair McEwin
Rachel Burns	Patrick O'Callaghan (ex officio; term ended November 2012)
Anna Cody	Angela Pollard (resigned November 2012)
Tom Cowen (appointed November 2012)	Kim Price (resigned October 2012)
Philippa Davis (resigned July 2012)	Kim Richardson (appointed November 2012)
Suzanne Derry (appointed November 2012)	Christine Robinson (appointed November 2012)
Maria Girdler (ex officio; term ended November 2012)	Daniel Stubbs
Prue Gregory (resigned June 2013)	Jacqui Swinburne

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

Results

The deficit of the association for the year amounted to \$28,680.

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.



Anna Cody
Chairperson
Rachel Burns



Treasurer
Dated this 4th day of November
2013

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 3–13:

1. Presents fairly the financial position of Community Legal Centres NSW Inc. as at 30 June 2013 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 4th day of November 2013



Treasurer
Rachel Burns

**STATEMENT OF COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2013**

	Note	2013 \$	2012 \$
Revenue			
Operating grants	2	709,956	638,282
Other income	2	115,868	159,542
	2	825,824	797,824
Less: expenses			
Depreciation and amortisation expense	3	(23,872)	(16,821)
Employee benefits expense		(436,464)	(423,714)
CLCNSW expense		(36,295)	(37,377)
Program and planning expenses		(176,735)	(129,558)
Conference expense		–	(2,193)
Office overhead expense		(79,258)	(82,089)
Rental expense premises		(45,338)	(43,113)
Other employees expense		(28,328)	(24,210)
Consultants and contractors expense		(18,287)	(39,239)
Other expenses		(9,927)	(13,048)
		(854,504)	(811,362)
Surplus/(deficit)		(28,680)	(13,538)
Other comprehensive income for the year		–	–
Total comprehensive income		(28,680)	(13,538)

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2013**

	Note	2013 \$	2012 \$
Current assets			
Cash and cash equivalents	4	112,322	145,027
Receivables	5	1,805	6,519
Other financial assets	6	231,881	209,601
Other assets	8	–	7,459
Total current assets		346,008	368,606
Non-current assets			
Property, plant and equipment	7	13,508	37,380
Other assets	8	3,114	11,613
Total non-current assets		16,622	48,993
Total assets		362,630	417,599
Current liabilities			
Payables	9	43,983	36,248
Provisions	10	46,729	42,061
Other liabilities	11	47,546	91,109
Total current liabilities		138,258	169,418
Non-current liabilities			
Provisions	10	22,197	17,326
Total non-current liabilities		22,197	17,326
Total liabilities		160,455	186,744
Net assets		202,175	230,855
Members funds			
Reserves	12	110,939	–
Accumulated surplus	13	91,236	230,855
Total members funds		202,175	230,855

Notes to the Financial Statements for the Year Ended 30 June 2013

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. Community Legal Centres NSW Inc. is a not-for-profit entity for the purpose of preparing the financial statements.

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 expended 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.

Donated financial assets

Financial assets donated to the group are recognised at fair value at the date the group obtains the control of the assets.

(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.

Depreciation

The depreciable amount of all fixed assets is 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 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

Notes to the Financial Statements for the Year Ended 30 June 2013

defined as the higher of its fair value less costs to sell and value in use. 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.

(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 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 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.

Notes to the Financial Statements for the Year Ended 30 June 2013 (cont.)

	Note	2013 \$	2012 \$
NOTE 2: REVENUE			
Operating grants			
LAC grant		281,438	274,478
PPF ALAP		118,545	106,438
PPF training		247,711	213,489
RACS accreditation		62,262	43,877
		<u>709,956</u>	<u>638,282</u>
Other income			
Training income		18,000	–
Conference income		450	63,396
CLCNSW group levy		22,073	23,213
Professional Indemnity Insurance		51,001	45,582
Interest income		17,729	21,522
Sundry income		6,615	5,829
		<u>97,868</u>	<u>159,542</u>
		<u>115,868</u>	<u>159,542</u>
		<u>825,824</u>	<u>797,824</u>
NOTE 3: OPERATING SURPLUS			
Surplus/(deficit) has been determined after:			
Depreciation			
- office equipment and computer equipment		2,754	4,502
Amortisation of non-current assets			
- leasehold improvements		21,118	12,319
		<u>23,872</u>	<u>16,821</u>
NOTE 4: CASH AND CASH EQUIVALENTS			
Cash on hand		200	200
Cash at bank		112,122	144,827
		<u>112,322</u>	<u>145,027</u>

	Note	2013 \$	2012 \$
NOTE 5: RECEIVABLES			
CURRENT			
Trade debtors		–	4,246
Other receivables			
Interest receivable		1,805	2,273
		<u>1,805</u>	<u>6,519</u>
NOTE 6: OTHER FINANCIAL ASSETS			
CURRENT			
<i>Held to maturity financial assets</i>			
Term deposits		231,881	209,601
		<u>231,881</u>	<u>209,601</u>
NOTE 7: PROPERTY, PLANT AND EQUIPMENT			
Leasehold improvements			
At cost		42,236	42,236
Less accumulated amortisation		(33,437)	(12,319)
		<u>8,799</u>	<u>29,917</u>
Plant and equipment			
Office equipment and computer equipment at cost		24,272	24,272
Less accumulated depreciation		(19,563)	(16,809)
		<u>4,709</u>	<u>7,463</u>
Total property, plant and equipment		<u>13,508</u>	<u>37,380</u>

	Note	2013 \$	2012 \$
NOTE 8: OTHER ASSETS			
CURRENT			
Prepayments		–	7,459
		–	7,459
NON CURRENT			
Term deposits - bank guarantees		3,114	11,613
		3,114	11,613

Term deposits totalling \$3,114 are held as bank guarantees in relation to the Association's credit card.

NOTE 9: PAYABLES

CURRENT			
Unsecured liabilities			
Trade creditors		2,100	–
Group tax payable		3,564	11,942
Superannuation payable		3,110	220
GST credits		107	4,010
Other payables		25,355	12,392
Accrued expenses		9,747	7,684
		43,983	36,248

NOTE 10: PROVISIONS

CURRENT			
Annual leave	(a)	46,729	42,061
		46,729	42,061
NON CURRENT			
Employee benefits	(a)	17,197	12,326
Make good		5,000	5,000
		22,197	17,326
(a) Aggregate employee benefits liability		63,926	54,387

NOTE 11: OTHER LIABILITIES

CURRENT			
Deferred income		–	5,260
Unexpended grants		47,546	85,849
		47,546	91,109

NOTE 12: RESERVES

Parental leave reserve		34,648	–
Redundancy reserve		76,291	–
		110,939	–

The parental leave reserve represents amounts set aside to cover future costs associated with employees taking parental leave.

The redundancy reserve represents amounts set aside to cover the costs of redundancies.

NOTE 13: ACCUMULATED SURPLUS

Accumulated surplus at beginning of year		230,855	244,393
Surplus/(deficit)		(28,680)	(13,538)
Transfers (to)/from reserves		(110,939)	–
		91,236	230,855

NOTE 14: 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 15: 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		16,321	34,613
- later than one year and not later than five years		–	12,691
- later than five years		–	–
		16,321	47,304

Notes to the Financial Statements for the Year Ended 30 June 2013 (cont.)

Note	2013	2012
	\$	\$

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.

Balances exclude GST.

NOTE 16: 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



PITCHER PARTNERS
ACCOUNTANTS AUDITORS & ADVISORS

Level 22 MLC Centre
19 Martin Place
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Pitcher Partners, including Johnston Rorke,
is an association of independent firms
Melbourne | Sydney | Perth | Adelaide | Brisbane

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 2013 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.

Independence Declaration

As auditor for the audit of Community Legal Centres NSW Inc. for the financial year ended 30 June 2013, we declare that, to the best of our knowledge and belief, there have been no contraventions of the code of conduct relating to independence in APES 110 *Code of Ethics of Professional Accountants* issued by the Accounting Professional and Ethical Standards Board.

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 2013 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.

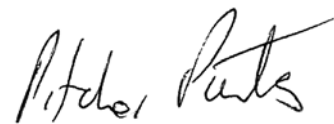


Mark Godlewski

Partner

Registered Company Auditor No. 172348

4 November 2013



PITCHER PARTNERS
SYDNEY

The logo for Community Legal Centres NSW is a white speech bubble with a tail pointing downwards and to the left. Inside the bubble, the text "Community Legal Centres NSW" is written in a blue, sans-serif font, stacked in three lines. The background of the entire image is split horizontally: the top half is yellow and the bottom half is blue.

**Community
Legal Centres
NSW**