

Federation of Community Legal Centres (Victoria) Inc. Annual Report 2013–14



Chairperson and Executive Officer's report



Nick Hudson,
Chairperson of the
Federation's Committee
of Management.

Liana Buchanan,
Executive Officer



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In another significant year for community legal centres (CLCs) and their clients, both the Federation of Community Legal Centres and our 50 member CLCs worked hard in 2013–14 to improve access to justice and make sure issues affecting CLC clients are on the public agenda.

Victorian CLCs again provided around 150,000 instances of legal help and representation to people with serious legal problems and no other options for help. As more and more women seek help with family violence in Victoria, this area of work remained a major focus for CLCs. More than one in three new cases opened by CLCs related to family violence, family violence was the subject of more CLC law reform projects than any other area of the law, and was also the topic for a large proportion of community legal education programs.

The first national CLC census illustrated the benefits of a strong and high-performing CLC sector, with Victorian CLCs reporting that they attracted 9,000 hours per week in contributions from volunteers and 18,000 hours per year in pro bono contributions. Other highlights from the survey were that 85 per cent of Victorian CLCs are engaged in policy and law reform work and the same proportion run outreach services, reflecting a commitment to accessibility and the understanding that many people in need of legal help will not, or cannot, seek out a legal service.

Following an injection of funds into CLCs announced in early 2013, 14 Victorian CLCs were able to expand their services this year to meet some of the most urgent needs in their communities – for example, by opening new outreach services in regional or outer suburban areas or by starting new family violence duty lawyer programs at previously unserved courts.

Unfortunately, 2013–14 also brought unwelcome news for those concerned about access to justice. In December 2013 the Federal Government announced \$43.1 million in cuts across CLCs, Aboriginal and Torres Strait Islander Legal Services, Family Violence Prevention and Legal Services (FVPLS) and legal aid. As a result the 14 CLCs mentioned above will have to wind back services by mid-2015 and the Environment Defenders Office (EDO) now receives no Federal funding at all. The EDO has responded strongly, re-creating itself as Environmental Justice Australia and continuing with a bold and independent focus. Other services, including the Victorian Aboriginal Legal Service and Victoria's FVPLS, do not yet know how cuts will impact their specific services, and more CLC cuts are planned for 2017–18.

The 2013–14 year also brought changes to CLC service agreements meaning CLCs cannot use Commonwealth funds for law reform and policy activity. Law reform and other systemic work is a core element of CLCs' approach. It prevents future problems, is often the most efficient use of scarce CLC resources and enables CLCs' unique knowledge about the impact of laws and policies on their clients to inform public policy. Fortunately, Victoria Legal Aid and various other organisations recognise the value of systemic work and Victorian CLCs that receive State and/or other funding will continue to work systemically. We hope the value of systemic work will be recognised in future agreements with the Commonwealth, noting Federal Government agencies continue to request policy advice and input from CLCs.

The Productivity Commission's Inquiry into Access to Justice Arrangements provided opportunities throughout 2013–14 to showcase CLCs' work, highlight the extent of unmet legal need and make sure the Commission and government understand the unique and critical roles that CLCs play. The inquiry also laid down some challenges to CLCs – for example, to show how CLCs are making sound, evidence-based decisions about how to best use their limited resources, to capitalise on their status as independent, flexible, community-based organisations and to continue their long history of developing cutting-edge approaches to legal assistance.



**Federation of
Community Legal Centres**
VICTORIA

Against this context of review and reform for CLCs, the Federation increased its advocacy on behalf of CLCs and CLC clients – for example, through a number of submissions and other contributions to the Productivity Commission inquiry, our coordination of the national Community Law Australia campaign, a CLC advocacy delegation to Canberra and by collecting and disseminating information about funding cuts to CLCs.

We continued other important sector support and development work, including CLC training, the Adaptive Leadership Program and a new CLC discussion series, the National CLC Accreditation scheme, the CLC Law Graduate Scheme and a raft of other CLC support activities.

As well as supporting and advocating for member CLCs, the Federation collaborates with member centres and other partners to improve laws and make the system fairer. The profile and impact of this work continued to build in 2013–14.

Like our member CLCs, improving the justice system's response to family violence was a major focus for the Federation this year. We provided advice to government and raised awareness of issues through the media on various issues, including proposals to streamline intervention orders, the abolition of defensive homicide and the need for a functioning, properly resourced death review process.

Another focus this year was to advocate for evidence-based responses to crime through our Smart Justice project. As prison-focused reforms proliferate and Victoria's prisoner numbers explode, we have increased our efforts to raise community awareness and focus media attention on the benefits of smarter, more effective approaches.

In other policy and law reform work, the Federation:

- provided input to government on a range of areas that affect vulnerable and marginalised groups of people, such as new mental health legislation, sexual offence laws, reforms to improve conditions for taxi drivers and new "move on" laws;
- continued to educate the community about their rights when dealing with Protective Services Officers and to advocate for safer and more effective means of keeping commuters safe; and
- highlighted the massive unmet demand for employment law help that is leaving Victorian workers vulnerable.

As we reflect on a full and fruitful year, we thank the boards, staff and volunteers of Victoria's CLCs as well as the Federation's funders, staff, volunteers and our government and not-for-profit partners for working with us. Only by working together can we hope to improve access to justice and fairness. We look forward to continuing the task next year and beyond.

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About the Federation of Community Legal Centres



Law student Claire Alexander (above) interned at the Federation this year.

Law student Patrick Sloyan (below) volunteered and worked as the Federation's Training and Events Coordinator, and Office Coordinator this year.



The Federation is the peak body for Victoria's 50 community legal centres (CLCs). The Federation leads and supports excellence in the community legal sector, promotes the purpose and value of CLCs, and advances social justice and a fair legal system.

The Federation:

- provides information and referrals to people seeking legal assistance;
- works to build a stronger and more effective community legal sector;
- provides services and support to CLCs;
- conducts law reform and policy work to improve the justice system; and
- represents CLCs with stakeholders.

The Federation assists its membership to collaborate for justice. CLC workers come together through working groups and other networks to exchange ideas and improve CLC services. The Federation regularly works in partnership with government, legal aid, the private legal profession and community partners. The Federation is an incorporated association.

About community legal centres

Community legal centres (CLCs) are independent, community organisations that provide free legal services to the public.

Generalist CLCs provide services on a range of legal issues to people in their local geographic area. There are generalist community legal centres in metropolitan Melbourne and in rural and regional Victoria.

Specialist CLCs focus on groups of people with special needs or particular areas of law such as mental health, tenancy, consumer law and the environment.

CLCs receive funds and resources from a range of sources including State, Federal and local government, philanthropic foundations, pro bono contributions and donations. Centres also harness the energy and expertise of thousands of volunteers across Victoria.

CLCs provide effective and innovative solutions to legal problems based on their experience within their community. It is CLCs' community relationship that distinguishes them from other legal services and enables them to respond effectively to the needs of our communities as they arise and change.

CLCs integrate legal assistance for individual clients with community legal education, community development and law reform projects that are based on client need and preventative in outcome.

CLCs are committed to collaboration with government, legal aid, the private legal profession and community partners to ensure the best outcomes for our clients and the justice system in Australia.

Strategic plan 2014–17

During 2013–14, the Federation worked to develop a new strategic plan for 2014–17.

This plan affirms our role in supporting and promoting community legal centres, as well as working more broadly to advance social justice and a fair legal system. The plan sets out our strategic goals for the next three years:

1. Lead and support excellence in the community legal sector

- support strong and effective CLC governance, operations and service delivery, and develop the CLC workforce;
- lead and facilitate collaboration, coordination and information sharing between CLCs to support effective and well-targeted provision of community legal services; and
- work with CLCs and funders to strengthen targeted, evidence-based service planning and implement evaluation frameworks to ensure the right outcomes are delivered for clients.

2. Promote the purpose and value of community legal centres

- build relationships and alliances, and engage with government and sector stakeholders to maintain and strengthen CLCs' contribution to the community;
- increase awareness of, and advocate to strengthen, the role and contribution of CLCs; and
- support and engage CLCs to promote their purpose, services, value and accessibility so that legal problems within the community are managed better and resolved earlier.

3. Advance social justice and a fair legal system

- support CLCs' law reform, policy and other systemic advocacy to ensure laws and policies are informed by the experience and perspectives of CLCs and their clients;

- target the Federation's systemic advocacy expertise to where it is needed most and can have the greatest impact; and
- lead and facilitate evidence-based policy, law reform and systemic advocacy.

An annual work plan each year will set out how we propose to advance these goals in detail. Some key elements of our 2014–15 plan are:

- advocating for Victorian CLCs in the context of proposed reforms to legal assistance funding models;
- bringing together the Victorian CLC sector for a one-day State conference to discuss issues facing CLCs and our clients, and to share information that supports excellence across the sector;
- coordinating the second phase of the National CLC accreditation scheme in Victoria, with a focus on actively supporting continuous improvement in CLCs;
- rolling out resources and training to support effective law reform and systemic advocacy by CLCs;
- supporting CLCs to make sure the community and policy-makers know about their services and the high-impact work they do; and
- working to achieve fairer and more effective laws and policies, especially in relation to family violence, criminal justice policy and a range of areas of civil law.

FEDERATION MANAGEMENT COMMITTEE

Chair

Nick Hudson (Barwon Community Legal Service)

Treasurer

James Ferguson (KPMG)

Secretary

Joanna Fletcher
(Women's Legal Service Victoria)

General Members

Zana Bytheway
(JobWatch)
Belinda Lo
(Eastern Community Legal Centre)
Carol Stuart
(Seniors Rights Victoria)
Kristen Wallwork
(Springvale Monash Legal Service)

NACLC VICTORIAN REPRESENTATIVE

Hugh de Kretser

FEDERATION STAFF

Executive Officer

Liana Buchanan

Sector Development Manager

Amanda Lamont (to May 2014)
Cate Edwards (from June 2014)
Katie Fraser (from June 2014)

Communications Manager

Darren Lewin-Hill

Accreditation Coordinator

Cate Edwards

Senior Policy Advisers

Dr Chris Atmore, Michelle
McDonnell, Lucy Larkins and
Lucinda O'Brien (to November
2013)

Office Coordinator

Sophie Vasiliadis
Philip Marshall

Patrick Sloyan

Training & Events Coordinator

Patrick Sloyan

Finance Officer

Lakmini Welaratne

Community Law Australia

Spokesperson

Carolyn Bond

CLC LAW GRADUATES

2013–14 Program

Gemma Cafarella
Beth King

2014–15 Program

Amy Frew

FEDERATION INTERNS AND VOLUNTEERS

Claire Alexander
Shaan Ali
Annie Kent
Yalini Nirmalarajah
Tanita Northcott
Patrick Sloyan
Dunja van der Hoeven

FUNDING AND SUPPORT

Funders

Australian Communities
Foundation
Ballandry
(Peter Griffin Family) Fund
Legal Services Board
Portland House Foundation
Reichstein Foundation
Victoria Law Foundation
Victorian Government,
Department of Human Services
Victoria Legal Aid
Victorian Women's Trust

William Buckland Foundation
(ANZ Trustees)

Private donors and Smart Justice
partners

In kind and pro bono

Ashurst
Baker McKenzie
City of Melbourne
Clayton Utz
DLA Piper
Herbert Smith Freehills
Innovative Knowledge
Development
(IKD) & Jil Toovey
Lander & Rogers
Russell Kennedy
Victoria Legal Aid

Thank you to all those who generously volunteered their time and expertise as speakers, facilitators and presenters at FCLC training, workshops and events.

Thanks also to our co-tenant, Travellers Aid, and our other neighbour community organisations in The City Village (an initiative of the City of Melbourne).

Victorian CLC services

Top 5

Legal problem types*

- > Family violence
- > Tenancy
- > Family law issues relating to children
- > Fines
- > Property in marriage

*for CLCs

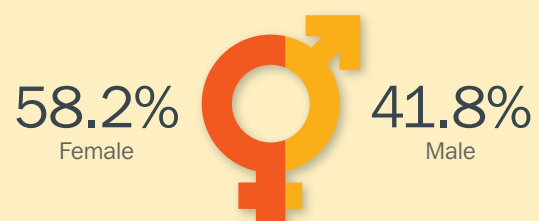
CLC information, advice and casework for individuals

	09-10	10-11	11-12	12-13	13-14
Information	53,529	59,094	56,605	51,841	54,688
Advice	63,584	65,945	65,506	64,937	62,725
Casework	22,288	23,998	23,439	24,283	24,694

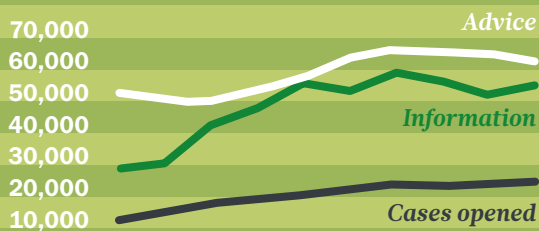
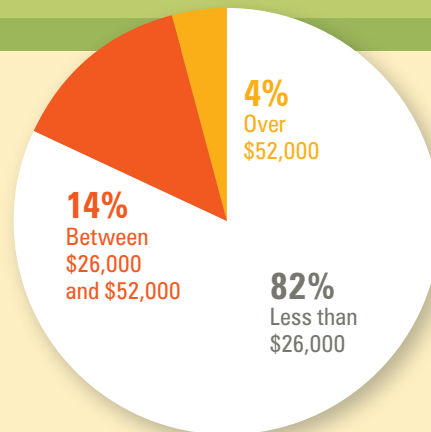
Client demographics

17.8% people
identified as having a disability

Gender



Client income scale



04/05 05/06 06/07 07/08 08/09 09/10 10/11 11/12 12/13 13/14

85.4% of CLCs

offer outreach services.

1,445 volunteers

volunteers contribute around 9,000 hours/week.

72.5% of CLCs

have pro bono partnerships contributing around

18,000 hours/year.

Provided advice and casework to

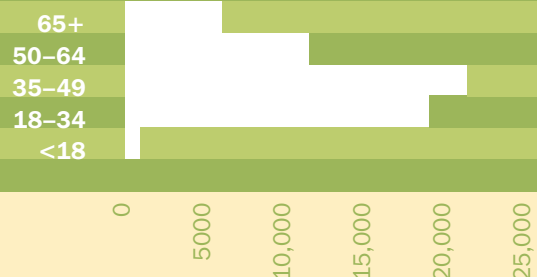
62,334 individual clients

(does not include those who received

54,688 instances

of information from CLCs).

Client age



Areas of law covered by law reform & policy projects*

- > Family and domestic violence
- > Environment
- > Government and administrative law
- > Other civil law
- > Discrimination

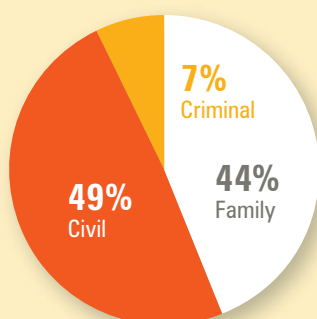
*for CLCs

Federation legal issues

- > Employment
- > Neighbourhood
- > Road Traffic
- > Consumer
- > Credit & Debt

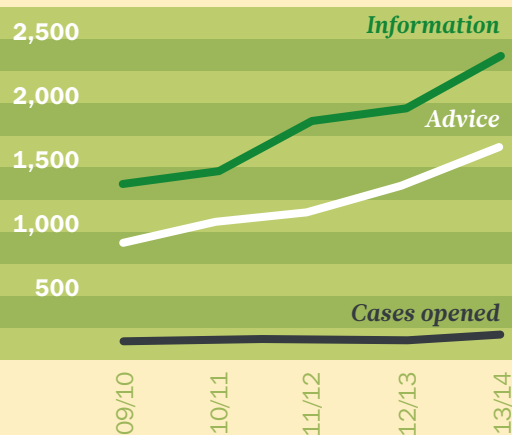
Common legal issues where CLCs help Victorians

Broad law type

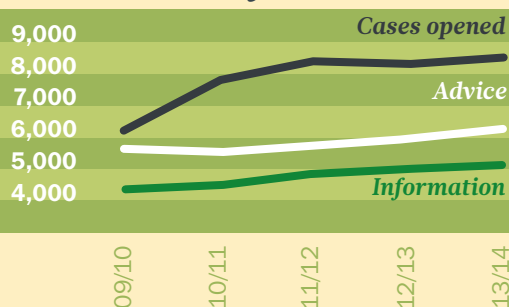


Fastest growing problem type

Employment (+73.8 per cent over five years)



Family violence

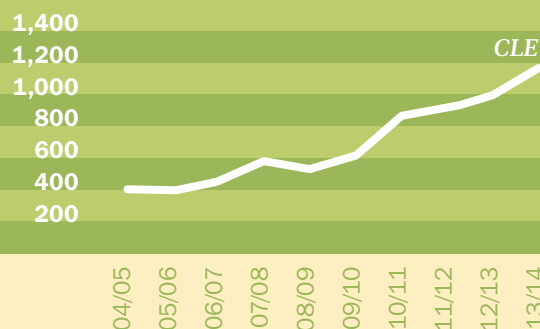


Legal education & law reform

Top areas of law covered by CLE

Contact and residency	401
Other Civil Law	371
Family/Domestic violence	356
Other Family Law	110
Divorce and separation	67

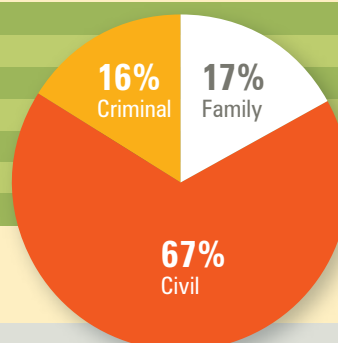
Community legal education activities



Federation referral service

The Federation provides a direct information and referral service for the public via telephone and our website www.communitylaw.org.au. Our contact details are widely listed as a referral point for CLCs.

We assisted
1,451 people
in 2013–14





Justice Jennifer Coate and Wilma McCoy at the 26th Annual Tim McCoy Dinner.

Outstanding CLC leaders recognised

The Association of Employees with Disability Legal Centre (AED) won the 2013 Tim McCoy Award ahead of a strong field at the 26th Annual Tim McCoy Dinner, held at the Richmond Town Hall on Friday 8 November 2013.

AED was nominated for “outstanding achievement and determined persistence over ten years to achieve a significant result that will benefit a large number of people who have disabilities across Australia”.

In 2012 and 2013 the AED spearheaded the Business Services Wage Assessment Tool (BSWAT) test case in the Federal Court of Appeal and the High Court. Their work resulted in the landmark decision in the High Court that the wage assessment tool was discriminatory, in contravention of the *Disability Discrimination Act*.

The culmination of sustained advocacy by AED Legal Manager, Kairsty Wilson, the victory was an affirmation of the human rights of people with a disability across Australia, and will lead to an overhaul of the wage assessment process and the removal of the discriminatory elements that disadvantage people with an intellectual disability.

In May, the Law Institute of Victoria’s 2014 Community Lawyer or Organisation of the Year Award was won by the Asylum Seeker Resource Centre. The LIV noted the centre’s work throughout the refugee determination process, in which it provided more than 25,000 hours of free legal help and assisted more than 500 clients in the preceding year.

Victoria Law Foundation Community Legal Centre Fellowship

Established 11 years ago to coincide with the 30th anniversary of CLCs in Victoria, the CLC Fellowship is an initiative of the Victoria Law Foundation providing funding to enable a CLC staff member to undertake a project of lasting significance to the CLC sector, CLC clients and the broader community.

The 2013–14 fellowship was awarded to Jacinta Maloney, a community lawyer at St Kilda Legal Service, whose project, *Community legal empowerment*, is looking at how CLCs can use peer education as a tool for delivering community legal information and education.

As part of her project, Jacinta visited the Women’s Legal Centre Cape Town, South Africa, The Foundation for Clinical Legal and Street Law Programs, Budapest, and Alternative Law Groups, Manila, and her project will help Victorian CLCs learn from approaches used in these places.

For 2014–15, the fellowship has been awarded to Agata Wierzbowski, who has worked as a community lawyer at the Consumer Action Law Centre since 2011, having previously volunteered at Women’s Legal Service and the Mental Health Legal Centre. Agata is also a graduate of the Federation’s Adaptive Leadership Program.

The fellowship will enable Agata to undertake a review of Victorian, and selected national and international, strategic casework practices carried out by CLCs. The review is aimed at enhancing institutional accountability, and proposing and encouraging CLCs to adopt a best practice framework for strategic casework practice.

Agata will travel to Johannesburg, London, Canada, New York and Washington, and will detail what she is learning and the progress of her fellowship in a blog.

Past Fellowship reports can be accessed at www.victori-alawfoundation.org.au/grants/fellowship/past-fellows

Federation members

Federation members

Generalist centre members

Barwon Community Legal Service; Brimbank Melton Community Legal Centre; Broadmeadows Community Legal Service; Casey Cardinia Community Legal Service; Central Highlands Community Legal Centre; Darebin Community Legal Centre; Eastern Community Legal Centre; Fitzroy Legal Service; Flemington & Kensington Community Legal Centre; Footscray Community Legal Centre; Gippsland Community Legal Service; Hume Riverina Community Legal Service; Inner Melbourne Legal Service; Loddon Campaspe Community Legal Centre; Monash Oakleigh Legal Service; Moonee Valley Legal Service; Moreland Community Legal Centre; Murray Mallee Community Legal Service; Peninsula Community Legal Centre; SouthPort Community Legal Service; Springvale Monash Legal Service; St Kilda Legal Service; West Heidelberg Community Legal Service; Western Suburbs Legal Service; Whittlesea Community Legal Service; and Wyndham Legal Service.

Specialist centre members

Aboriginal Family Violence Prevention & Legal Service (Victoria); Association of Employees with Disability Legal Centre; Asylum Seeker Resource Centre; Consumer Action Law Centre; Disability Discrimination Legal Service; Emma House Domestic Violence Services; Environmental Justice Australia; Family Law Legal Service; First Step Legal Service; Human Rights Law Centre; inTouch Multicultural Centre Against Family Violence; JobWatch; Justice Connect; Melbourne University Student Union Legal Service; Mental Health Legal Centre; Muslim Legal Services Victoria; Refugee & Immigration Legal Centre; Seniors Rights Victoria; Social Security Rights Victoria; Tenants Union of Victoria; Victorian Aboriginal Legal Service; Villamanta Disability Rights Legal Service; Women's Legal Service Victoria; and Youthlaw.

Associate member

Domestic Violence Resource Centre Victoria.

Federation member benefits

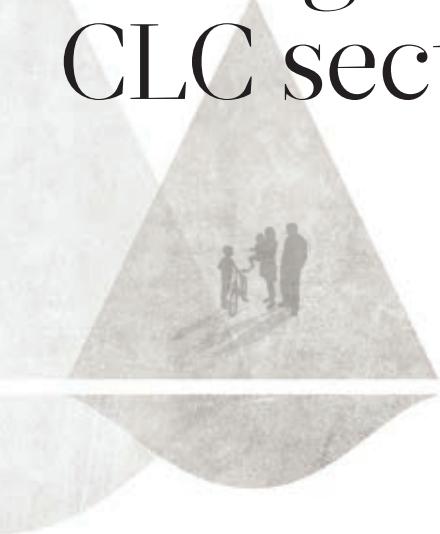
Members pay an annual membership fee of \$425 to the Federation plus a contribution to NACLC which is normally 0.5 per cent of the CLC's annual income. Supported by Victoria Legal Aid, the Federation offers its members a range of services including:

- representation of the sector's interests to stakeholders;
- opportunities to network and collaborate to advance social justice;
- free telephone industrial relations advice through Jobs Australia;
- free counselling services for CLC employees and their families under the Employee Assistance Program offered by Optum (formerly PPC Worldwide);
- free manager hotline – free management support services through Optum;
- free access to online legal resources from Lexis Nexis through NACLC;
- accreditation, including access to best practice templates for organisational policies and procedures;
- free or low-cost professional development;
- low-cost insurance organised by the NACLC;
- free website hosting on www.communitylaw.org.au; and
- online toolkit of resources on www.communitylaw.org.au.



Volunteers Steve and Louise, office manager Lauren, and manager Libbi were part of the Moonee Valley Legal Service team that met with the Federation on a recent site visit.

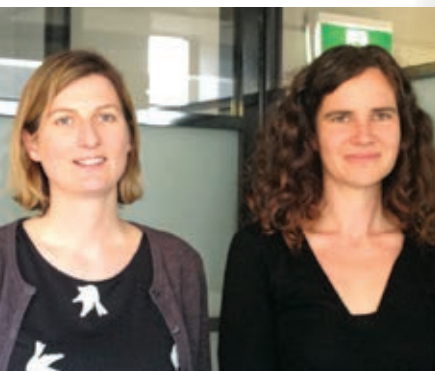
Supporting a strong and effective CLC sector



Guided by the Sector Development Standing Group, the Federation works to build a strong, effective and well resourced community legal sector. Sector development priorities include consulting with CLC members on funding and resource needs, and working with government and other stakeholders to meet those needs. Sector development work includes the coordination of effective and accessible training for CLC staff and volunteers, promoting the need for pro bono assistance for CLCs and their clients; and coordination of other member services for CLCs. More than 80 per cent of Victorian CLCs that responded to the 2013 NACLC survey stated that the Federation's sector development work is excellent or very good. Comments included:

- The Federation has done an excellent job to advocate for the sector and build capacity in a difficult environment.
- We strongly support the role of the Federation in providing centralised and high-quality representation and support on policy matters and centre/professional support. It is critical that the Federation maintain and develop this capacity into the future.
- Excellent accessibility. Excellent Grad Lawyer scheme. Excellent general support and open to introducing new measures.

Highlights of the Federation's sector development and advocacy work over the past year are set out below.



Cate Edwards and Katie Fraser commenced in the shared role of Sector Development Manager in June 2014.

Productivity Commission inquiry into access to justice

When we learned of the Productivity Commission inquiry into access to justice we knew it would be important – not because of a lack of previous reviews and inquiries on this topic, but because the Productivity Commission had potential to scrutinise access to justice through a different lens and apply its analytical and economic credentials to finally quantify the resources needed to tackle the access to justice crisis in Australia.

The Federation has worked hard at each stage of the inquiry to make sure the Productivity Commission is well informed about CLCs, our work and the issues affecting our client groups.

The Federation collaborated on two joint submissions to the Commission with the National Association of Community Legal Centres and other CLC associations, made two Federation-specific submissions, and appeared at the Commission's Melbourne hearings. The focus of this work has been to:

- call on the Commission to quantify the “legal assistance gap” in light of draft findings that 17 per cent of Australians have some form of unmet legal need and that legal assistance services generate net benefit to the Australian community;
- alert the Commission to the extent of unmet legal need among CLC client groups and the impact Federal Government funding cuts will have on direct services;
- ensure the Commission understands the unique and critical role CLCs play in the mixed model of legal assistance services;
- highlight the extent to which CLCs have been early leaders in what are now recognised as the most effective models of service delivery for tackling legal problems among disadvantaged people – for example, through community engagement, outreach, integrated service delivery and programs tailored to particular needs;



Attorney-General's Community Law Partnership Event, February 2014. Anthony Kelly, Executive Officer at Flemington & Kensington CLC, Tania Wolff, Principal Solicitor at First Step Legal Service, Peter Seidel of Arnold Bloch Leibler, and Eastern CLC Chief Executive Officer Michael Smith build relationships between the community legal sector and the private profession in Victoria.

- inform the Commission about the work done by CLCs to analyse legal need and target services to meet the most pressing needs; and
- underscore the importance, and efficiency, of law reform and systemic advocacy by CLCs as a core means of improving access to justice.

The Commission's final report is due to be provided to government later in 2014.

Accreditation to ensure consistent quality CLC services

This year was the last year of Phase 1 of the National Accreditation Scheme (NAS). The Scheme was developed by NACLC and other CLC peaks as a quality improvement initiative to help support good practice in the delivery of community legal services.

During the year, Cate Edwards, Victorian Accreditation Coordinator, undertook 28 site visits to CLCs across Victoria as part of the certification assessment process, with a further five visits conducted with assistance from an interstate accreditation coordinator. A total of 23 centres was certified during this period, bringing the total number of accredited Victorian CLCs to 27 by the end of 2013–14. As the process is now well underway, the Federation expects to complete certification for remaining Victorian CLCs early into 2014–15.

The Federation would like to thank all members for their ongoing commitment to the scheme. NACLC is conducting an external review of the scheme, to which many Victorian CLCs have contributed. This review will form part of the planning for Phase 2 of the scheme.

It is great to hear that members recognised the benefits of the NAS, most prominently that it helped CLCs to manage risk as well as update policies and procedures. However, we acknowledge census feedback that the NAS has contributed to workload for CLCs, and that there are further training and support needs, and will be looking at this next year as Phase 2 of the scheme gets underway.

In the interim, we are pleased to report that feedback from the 2013 NACLC Census supports the approach to accreditation taken by the Federation and we are particularly pleased the majority of Victorian CLC respondents rated the assistance of the Victorian Accreditation Coordinator as good or very good (80.6 per cent).

Developing the CLC staff and volunteer workforce

The Federation continued the success of the Adaptive Leadership Program through the pro bono support of Jil Toovey, Director, Innovative Knowledge Development (IKD). The Federation was able to offer the third Adaptive Leadership Program in August 2013 with a further 13 CLC staff participating and the fourth program in March and May 2014, with 14 CLC staff.

The Federation also offered or facilitated a range of accessible and affordable professional training and development programs, which were promoted to the sector through the weekly Sector Development Update. Training sessions delivered included assisting clients with debit and credit problems, Facilitation Skills Development, Family Violence CRAF Training and the Community Legal Education and Community Development Professional Training Day. Training sessions were attended by more than 450 CLC staff.



CLC Law Graduate Scheme

The CLC Law Graduate Scheme was developed to consolidate a pathway into CLCs for the best and brightest law graduates. The scheme, which is funded by the Legal Services Board, adds to the capacity of the host CLC for the duration of the four-month placement, and also provides high-quality training and relevant experience for law graduates who are interested in a career in CLCs.

In 2013–14 two new graduates, Gemma Cafarella and Beth King, completed their CLC placements. One new graduate, Amy Frew, was successful in her application for a graduate position in 2014–15. She will commence her placement in September 2014. Below, our graduates provide a few words about their experience.

“

I cannot imagine another program that could provide such an effective start to a career in community and social justice law.

”

Beth King

The past 12 months have been invaluable, and I cannot imagine another program that could provide such an effective start to a career in community and social justice law. I received comprehensive training both pre- and post-admission, provided advice and managed files with a high level of autonomy, did numerous court appearances, conducted community legal education sessions, contributed to important law reform initiatives, and built an extensive network of friends and contacts both within the CLC sector and at legal aid and other community partner organisations. This year has solidified my commitment to the sector and I am excited to continue to take advantage of the many opportunities that it provides for young lawyers to make a difference.

Gemma Cafarella

The Federation's Graduate Lawyer program has been a unique and eye-opening experience that has allowed me to jump into the deep end in a wide range of areas of the law. Some highlights have been:

- *duty lawyering in family violence in Bendigo and surrounds, including taking instructions under a tree at the Kyneton courthouse with the Loddon Campaspe CLC;*
- *working in the amazing police accountability team at the Flemington & Kensington CLC; and*
- *preventing evictions into homelessness through tenancy law casework at Justice Connect Homeless Law.*

I have also been constantly inspired by the opportunity to work with some of the sector's incredibly dedicated, compassionate and talented CLC lawyers. It's been a fantastic year and I look forward to the challenges ahead as I begin a new role with Footscray CLC.

Helping the community access legal assistance

Community Law Australia – Campaigning for access to justice

What we want

Community Law Australia is a national campaign auspiced by the Federation. The campaign was established in 2012 to increase access to justice in Australia and encourage community engagement with the need for continuing support for legal assistance services.

Legal assistance services, including community legal centres, are unable to meet demand for their services, and the campaign has called for doubling of CLC funding. Community Law Australia has worked to raise the profile of community legal centres, the important work they do and the need for additional funding with the public and decision-makers.

What we have done

Over 2013–14, the campaign continued to get community legal centre stories in the media, including ABC Radio AM, *The World Today*, *PM*, and *The Age*, and a range of other print, Internet, and radio in the mainstream media. We have also reached thousands of people via social media, including on the Community Law Australia Day of Action, which saw participation by CLCs nationally, and support by some Federal MPs and Senators. The Day of Action trended nationally on Twitter.

Media was also achieved on the impact of Federal funding cuts, as well as the impact of the restrictions on policy and law reform work, notably in opinion pieces by national spokesperson, Carolyn Bond AO, in *The Age* and the *Guardian Australia*.

We supported community legal centre representatives in a visit to Canberra to present to MPs, and supported individual centres to meet with their local Members of Parliament and do media stories to raise awareness of the work of the CLC and issues facing their clients.

Our impact

While there was good funding news for community legal centres in early 2013, the Federal Government has since reversed funding increases and announced further cuts. Revised contracts also mean that restrictions have been placed on law reform and policy work. This means that keeping community legal centre stories, and the need for funding, in the public eye is more important than ever.

For more information, see www.communitylawaustralia.org.au



**Community
Law
Australia**



Taking the community legal centre message to the Australian Parliament. Iris Furtado, Senior Solicitor at the Family Violence Legal Service Aboriginal Corporation (SA); Community Law Australia national spokesperson, Carolyn Bond AO; and Nicky Snare, Chief Executive Officer at Launceston Community Legal Centre.

Improving the justice system through law reform and policy work



Preventing family violence

Victoria's integrated response to family violence must provide a high level of protection for increasing numbers of victims, along with accountability for perpetrators. This year many of our CLCs continued to provide legal assistance to victims of family violence, especially through duty lawyer services at Magistrates' Courts. In 2013–14 family violence was again the top legal problem type for CLC work across Victoria, and is involved in more than one in three new cases.

What we want

The growing numbers of women seeking intervention orders should be seen as a sign of success, because victims have the confidence to come forward. However, this means that we need a safe, responsive and well-resourced court system so that those victims receive a consistently high level of support, irrespective of their location and tailored to their specific needs. Several high-profile family violence deaths this year showed that there are significant gaps and failures in service responses that must be urgently addressed.

What we have done

We have worked intensively with our member centres and external partners in the Victorian Family Violence Justice Alliance to promote a truly integrated response to family violence. This has included consultations with State Government and Opposition. 2013–14 has also seen unprecedented media interest in family violence, particularly following the killing of Luke Batty and subsequent advocacy by his mother, Rosie.

It has been particularly important this year to emphasise the “whole picture” of family violence, and therefore to address the impact of policy and law reform strategies that might at first glance not be fully understood by the Victorian public.

In September last year we joined with eight other community organisations to express our concern about a proposal to make some family violence intervention orders self-executing, meaning that those perpetrators might never have to attend court and be held directly accountable by a Magistrate.

Last year with our member centre Domestic Violence Resource Centre Victoria, Monash University's Dr Danielle Tyson and the Victorian Women's Trust, we produced a submission to the Department of Justice consultation on defensive homicide, which was endorsed by 13 other community organisations, and argued that there was a need to retain defensive homicide for women who kill their violent partners.

Earlier this year the Federation led a campaign of 11 family violence and sexual assault advocacy organisations, urging MPs to vote against legislation making it a criminal offence for people to fail to disclose child sexual abuse to police. We said that the offence was too broad, could inadvertently cause more harm to children suffering sexual abuse, and was potentially detrimental to women experiencing family violence.

We also continued our advocacy at Federal level, with submissions concerning the newly established Foundation to Prevent Violence against Women and their Children, Australia's National Research Organisation for Women's Safety, and the Second Action Plan under the National Plan to Reduce Violence against Women and their Children 2010–22.

“

Several high-profile family violence deaths this year showed that there are significant gaps and failures in service responses that must be urgently addressed.

”

Our impact

The Federation has worked regularly with Rosie Batty, including newspaper, radio, television and online media interviews and commentary concerning family violence homicides and related systemic issues. Together with media interest in our concerns about “fail to disclose” offences, defensive homicide, self-executing orders and the burgeoning demands of family violence on the justice system, this resulted in 33 media appearances. In turn, this has heightened public awareness and support for better justice responses to people who experience family violence.

Preventing sexual assault against people with a cognitive impairment

People with a cognitive impairment or communication difficulties are more vulnerable to sexual assault but face greater barriers to reporting these crimes. A pilot specialist advocacy support program, *Making Rights Reality*, ran from February 2012 to June 2014. It was based in Melbourne's South East region as a partnership of the Federation, South Eastern Centre Against Sexual Assault (SECASA), Springvale Monash Legal Service (SMLS) and disability agencies. It was funded by the William Buckland Foundation, Portland House Foundation, Victorian Women's Benevolent Trust, the Reichstein Foundation, the Victorian Government and private donors.

What we want

Making Rights Reality aims to increase justice for people who have been sexually assaulted and have a cognitive impairment and/or communication difficulties, by establishing pathways and opportunities for victim/survivors to access professional, appropriate and specialised services to advocate for their current and ongoing needs independent of families, friends and carers.

What we have done

We located the program in a CASA and an existing specialist joint legal clinic within a CLC, and employed dedicated project officers, in order to focus on this cohort of victims of sexual assault.

The program provided:

- crisis support through a 24-hour service; and advocacy and support during dealings with police and prosecutors, including police interviews, investigation, prosecution and court processes;
- legal and other advice on criminal justice processes and possible outcomes, options and services;
- legal help to access crimes compensation and explore other options; and
- a skilled communication support service and other disability support services where required.

Our impact

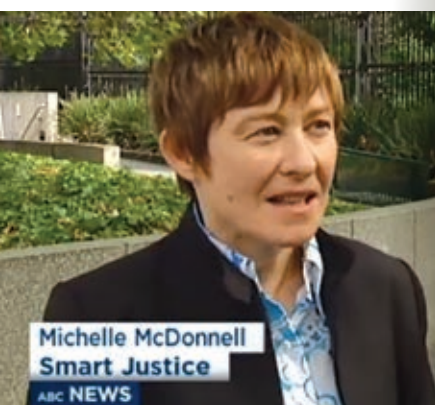
The evaluation confirmed this project increased access to counselling and advocacy, and to the justice system, for these clients. It also enhanced the knowledge and capacity of staff, including training SECASA staff in the Independent Third Person role. The program also developed easy-read resources for use with clients.

Both services have now committed to continuing this work as part of their ongoing core business.

The final evaluation report recommended that the benefits of the program be promoted and the program itself be rolled out across Victoria.



Easy-read materials help to identify, communicate and address sexual assault against people with disabilities.



Senior Policy Adviser
Michelle McDonnell
actively engaged the
media on the Smart
Justice project this year.

“
*We want to stop
murders, rapes,
assaults and
other crimes by
preventing them
from occurring
through tackling
the causes of
crime, rather
than spending
billions of dollars
on ineffective
punishments that
respond after the
damage is done.*
”

Smart Justice – *Smart action for a safer community*

A growing body of Australian and international evidence shows there are real alternatives to prison that address the causes of crime without increasing prison numbers, fuelling unsustainable growth in the prison population, and undermining rehabilitation at the risk of increasing reoffending. These approaches, including justice reinvestment, are not only less expensive, but are more effective in reducing crime, avoiding future victims, and achieving safer communities.

Working with a growing coalition that currently numbers 28 organisations, Smart Justice advocates solutions to government and stakeholders through media and social media, and through fact sheets presenting authoritative research on issues ranging from reducing alcohol-related violence to crime statistics. We engage with politicians, journalists, editors, academics, community groups and students through seminars, forums, discussions journal articles, media releases and interactive web blogs.

What we want

We want effective, evidence-based and human rights compliant criminal justice policies. We want governments to do what works to cut crime, not what is designed to sound good to voters. We want to stop murders, rapes, assaults and other crimes by preventing them from occurring through tackling the causes of crime, rather than spending billions of dollars on ineffective punishments that respond after the damage is done.

What we have done

This year the project accelerated with the pace of the unprecedented expansion of the Victorian prison system and prison population in the lead-up to the November 2014 State election.

In 2013–14, Smart Justice successfully positioned itself within the public debate on justice policy, holding the government publicly accountable on its responses to crime in the media. Federation Executive Officer Liana Buchanan and Senior Policy Adviser and project spokesperson, Michelle McDonnell, engaged mainstream media on more than 40 occasions across print, internet, radio and television in Victoria and nationally.

Issues on which we achieved coverage included the significant jump in the number of prison beds “in the pipeline” in public statements by the State Government; the Victorian Ombudsman’s report on minors in adult prison; Productivity Commission findings on prison spending; and the Victorian Ombudsman’s report on deaths in custody. This report highlighted serious issues on which we responded in the media – including the continuing prevalence of hanging points in Victoria’s prisons, despite recommendations to address this by the Royal Commission into Aboriginal Deaths in Custody more than twenty years ago.

As well as this media focus, Smart Justice launched its first video story about the human impact of prison. *Counting the cost: A life divided by prison* is the story of Susan, and offers a powerful account of a woman entering and living through prison, and of her experiences after release. The video was publicly launched in a report by the *Guardian Australia*.

This year, Smart Justice also continued to support Smart Justice for Young People, an offshoot of the project led by Youthlaw that originated from the work of the Federation’s former Children and Youth Issues Working Group. We offered media and social media support, continued to host the Smart Justice for Young People website and blog, and contributed to work on issues such as youth detention, youth diversion and the independent investigation of complaints by young people regarding alleged mistreatment by Victoria Police.

Our impact

Smart Justice has successfully challenged simplistic approaches to law and order, presenting a credible voice for effective criminal justice policies that has consistently achieved prominent coverage in high profile, mainstream media. That impact has been amplified by a broad and expanding coalition of partners consistently communicating Smart Justice messages. The project has achieved increasing public awareness that the answer to safer communities does not lie in expanding an ineffective prison system at the cost of investing in services that address the causes of crime.

Your Rights on Track – *Informing, empowering and protecting commuters interacting with Protective Services Officers*

Your Rights On Track focuses on concerns over the Victorian Government's roll-out of armed Protective Services Officers (PSOs). PSOs are not sworn police officers but are employed and trained by Victoria Police. They carry semi-automatic guns and capsicum spray and have a range of police-like powers including arrest and detention of people under mental health legislation.

The Federation continues to have serious concerns about the risk of PSOs using unnecessary force. We are concerned about PSOs exceeding or inappropriately using their powers, including issuing fines, particularly against young, homeless, culturally diverse and Indigenous people, and people with cognitive disabilities. We are also concerned about the risk of avoidable shootings.

What we want

Safety on train stations is vital, but there are better ways to achieve this. A better plan would involve:

- removing PSOs' guns;
- ensuring additional training and experience before PSOs are deployed;
- scaling back the roll-out by only putting PSOs on stations with known crime problems (many stations on which PSOs are to be deployed have little or no recorded crime); or
- stopping the roll-out and reinvesting the savings into station staff, better lighting, improved train frequency or greater transit police presence.

What we have done

We established Your Rights on Track in collaboration with Youthlaw and the Mental Health Legal Centre. The project informs people about their rights when dealing with PSOs and informing, empowering and protecting commuters interacting with PSO advocates for an evidence-based approach to train safety in Victoria.

Following on from training sessions for lawyers and community workers explaining the powers of PSOs and their clients' rights in 2013–14, we have continued to support local community legal centres with their community legal education and advocacy when PSOs start at particular suburban or regional train stations. Through our Facebook page and the Federation's telephone referral service, we refer people to community legal centres for legal help and advice for incidents involving PSOs. Together with Youthlaw, we have published legal advice Facebook posts on the limits to PSOs' powers as well as commuters' rights and responsibilities. This year we made a submission to Victoria Police on how we think Victoria Police can improve the way PSOs communicate with commuters at train stations.

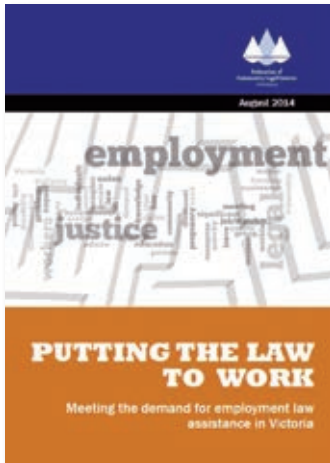
Our impact

Your Rights on Track has informed thousands of commuters about their rights and responsibilities when interacting with PSOs. We have also received statewide coverage on ABC 7.30 Victoria and The Age as well as regional coverage on ABC radio along with regular spots on community radio station 3CR on PSO accountability and safety on trains. This has raised awareness of concerns around PSOs. Since the project started, we have distributed over 16,000 wallet-sized cards with information on getting free legal help with PSOs, and have maintained a strong social media presence with weekly posts and over 700 "likes" on Facebook.



The continuing roll-out of Protective Services Officers this year saw a sustained media focus on rights and responsibilities of commuters, amid ongoing concern over PSO powers and the carrying of firearms.

Putting the law to work – *Meeting the demand for employment law assistance in Victoria*



Employment law assistance is currently out of reach for many Victorians.

Despite high levels of demand for free employment law advice, there is insufficient assistance available to those who do not have the resources to pay for private legal representation. People who cannot afford private lawyers have few options for assistance. Victorians who are members of unions can access some advice and assistance from their union. Besides this, there are only a few places that people can go to for help. The organisations which do provide free employment law advice are over-stretched and are unable to keep up with the demand for their services.

For example, JobWatch, the main provider of free employment law advice in Victoria, reports that although they responded to 7311 telephone enquiries in 2013, they were only able to meet 43 per cent of the demand for their telephone information service.

What we want

The provision of employment law assistance in Victoria needs urgent attention.

Unsatisfactorily resolved employment law problems have significant negative consequences for both individuals and the community. If people do not seek or cannot access legal assistance, their employment issue may lead to other economic, physical, emotional and social problems. Workplace problems can have direct effects on a person's capacity to earn an income, support themselves and their family and meet basic needs such as housing and food. They can also have an impact on an individual's emotional and physical health.

What we have done

The Federation has prepared a detailed report on the nature and extent of unmet legal need in the area of employment law. The report concludes that there is an urgent need for greater funding of free and low-cost employment law assistance in Victoria.

Our impact

The Federation's work has highlighted a key area for attention by legal service providers and government, and provides strong evidence for increased funding and further work in this area.

Working together for justice through policy and law reform

In addition to these major projects, the Federation worked on a range of other issues affecting CLC clients.

Review of sexual offences

We worked with CASA Forum – Victoria's peak body for Centres Against Sexual Assault – and Dr Wendy Larcombe (University of Melbourne), to respond to the Department of Justice's review of sexual offences. The consultation paper was a long and complex document, and we were concerned that many organisations and individuals might not have the capacity and resources to make substantial submissions, especially on the more technical legal aspects of proposals.

The submission was endorsed by 13 organisations, including the Victorian Council of Social Service, Koorie Women Mean Business, Women's Health Victoria, Victorian Women's

Trust and No To Violence Male Family Violence Prevention Association. The Department of Justice found the Federation's submission to be very helpful in the further development of the proposals in the consultation paper.

Safeguards in new mental health laws

The introduction of the Mental Health Bill 2014 was the culmination of a five-year process of reform in which the Federation participated. We wrote to the Minister and Shadow Minister for Mental Health and the Greens, supporting many aspects of the Bill but also expressing concerns about some proposed provisions, particularly that electro-convulsive therapy (ECT) could be performed on children under 13. We also advocated for stronger complaints procedures and fully funded legal help. The Federation joined with our member Mental Health Legal Centre in speaking to media about these issues. As a result, the legislation was passed with an amendment requiring more extensive reporting on the use of ECT on children.

A voice for families in coronial reform

The Federation has continued our commitment to coronial reform by responding to families seeking referrals for legal help and raising systemic issues on their behalf. We were also interviewed as part of an extensive online Canadian series on the inquest system in which it was clear that our two countries share many of the same problems.

Employment law referral map

In late 2013, the Federation published an employment law "referral map". The referral map gives staff at community legal centres, Victoria Legal Aid and other agencies the information they need to direct people who need employment law advice to the most appropriate service provider. Efficient referrals are important – if a person in need of advice has to make multiple calls before getting to the right place, he or she is more likely to "drop out" of the system and/or miss a deadline for filing a claim.

Improving conditions and legal protections for taxi drivers

In 2011, the Federation established a specialist legal clinic for taxi drivers with Footscray Community Legal Centre and with the support of the Legal Services Board Grants Program. This led to a 2012 report produced with Footscray CLC documenting the legal and financial problems affecting taxi drivers. Through submissions and presentations at public hearings, we also participated in the following taxi industry inquiry that reported in December 2012, with a majority of our recommendations since accepted by the Victorian Government in its May 2013 response.

In June this year, Footscray CLC and the Federation made a submission in response to the Regulatory Impact Statement on driver's agreement "implied terms" expressing concern regarding the proposal that taxi operators be permitted to charge drivers for excess. This submission was accepted and the recommendation that excess be paid by taxi operators has since been implemented.

Migrant workers

In collaboration with Victoria Legal Aid, JobWatch and the Centre for Employment and Labour Relations Law at Melbourne Law School, the Federation is responding to growing concern that labour and employment laws have not been fully observed in relation to migrant workers. A workshop planned for July 2014 was set to consider:

- the causes and incidence of breaches of labour and employment laws relating to migrant work;
- the strengths and limitations of current legal services in protecting the rights of migrant workers; and
- strategies to strengthen the protection of such rights.

“

The introduction of the Mental Health Bill 2014 was the culmination of a five-year process of reform in which the Federation participated. ... The legislation was passed with an amendment requiring more extensive reporting on the use of ECT on children.

”

Working group reports



ACCESS TO INTERPRETERS WORKING GROUP

Convenor: Suzy Fox
(St Kilda Legal Service)

The working group oversees the funding allocated to CLCs for onsite interpreters and translation services by Victorian Interpreting & Translating Services (VITS) and Vicdeaf. The group also monitors CLC usage of TIS telephone and onsite interpreting services funded by the Commonwealth Attorney-General's Department.

These services are essential for access to CLCs by members of culturally and linguistically diverse (CALD) communities, and those with hearing impairments. There continues to be a gradual increase in CLCs' use of both TIS and VITS services, which is a clear indication that CLCs are progressively working towards improving CALD community access to their services, particularly with respect to newly arrived communities.

The working group will continue to advocate on behalf of CLCs to identify interpreting and translation needs and work towards acquiring additional funding and access to alternative interpreting resources such as the use of cost-effective IT remote access to interpreters for regional/rural centres.

CHILD SUPPORT WORKING GROUP

Convenor: Geordie Konieczka
(Barwon Community Legal Service)

The Child Support Working Group consists of representatives from the Barwon Community Legal Service, Springvale Monash Legal Service, Springvale Community Aid and Advice Bureau and Victoria Legal Aid. Members meet four times a year to discuss common issues being experienced by our collective child support clients and share information on what can be a quite technical area of law.



Working group convenor, Geordie Konieczka, with Joyce Nallathamby (Springvale Community Aid and Advice Bureau) and Nita Nagendran (Springvale Monash Legal Service).

In July 2013 the group presented a Law for Community Workers event in Springvale. Group members spoke at the event, and representatives from the Child Support Agency and the Family Relationship Centre also presented information about their services. Overall we had around 60 people attend and the feedback was overwhelmingly positive.

Members of the Child Support Working Group went to the Social Security Appeals Tribunal (SSAT) in November and spoke to two Members of the SSAT about their roles and the procedures of the SSAT to assist advocates in being able to better assist their clients.

CIVIL LAW WORKING GROUP

Convenor: Graham Wells
(Springvale Monash Legal Service)

The Civil Law Working Group (CLWG) provides a forum for community legal centres to discuss a range of civil law issues arising from our practice.

Over the past year we have focused on:

- procedures at VCAT;
- court fees;
- CLC input into the Civil Procedure Advisory Group (auspiced by the Supreme Court); and
- waiver of Sheriff's fees.

Special thanks should go to Lucy Larkins from the Federation for her support.

Civil law remains an intrinsic part of what CLC lawyers do. We welcome input from the sector, either in person or via teleconference, at any of our meetings.

COMMUNITY DEVELOPMENT AND COMMUNITY LEGAL EDUCATION WORKING GROUP

Convenors: Andrea Staunton and
Saskia Weerheim (Peninsula CLC)

The Community Development and Community Legal Education Working Group aims to advance justice by empowering vulnerable and disadvantaged people through education. The group provides a dedicated and supportive space for workers to collaborate, innovate and build capacity across the sector.

Members understand the powerful potential of education that is community-focused and preventative, and this was reflected in the group's aims and objectives, which were updated during the year.

Professional development was also a priority, with meetings attended by guest speakers from Aboriginal Family Violence Prevention Legal Service, Gippsland Community Legal Service, St Kilda Legal Service and Victoria Legal Aid. The group also organised a professional development day in June 2014, attended by over 30 CLC and VLA workers and held with pro bono support at Ashurst. Presentations were wide-ranging and inspiring – from Legal Lingo Bingo to producing videos, understanding community development, effective communication and working with the media.

ELDER LAW WORKING GROUP

Convenor: Anna Dorevitch
(Justice Connect)

The Elder Law Working Group supports community legal centres to deliver better justice outcomes for older people. We promote collaboration with other relevant sectors and service providers, and education about best practice principles in the area of elder law. We welcome new members from both generalist and specialist CLCs.

FAMILY VIOLENCE LAWYERS WORKING GROUP

Convenor: Victoria Mullings (Peninsula CLC)
and Bonnie Renou (Loddon Campaspe CLC)

The Family Violence Lawyers Working Group operates as a support for CLC duty lawyers in intervention order lists at Magistrates' Courts throughout the State. The working group's casework and court experiences also inform the policy and law reform work of the Violence Against Women and Children Working Group.

This year saw the realisation of the Women's Legal Service's highly regarded family violence applicant lawyer training program, *Safer families*, after training needs were identified early on in the working group's life. The training also fostered mentor links for approximately 15 family violence applicant lawyers, including partnerships between inner-city and RRR lawyers.

Much of the focus of the working group in 2013–14 has been on issues raised by the large increase in demand for intervention orders, coupled with the impact of VLA guideline changes.

The working group also heard from external stakeholders on the topics of:

- the role of applicant support workers (present at specialist family violence courts);
- the role of the Court Network; and
- protections under the Residential Tenancies Act for victims of family violence.

HUMAN RIGHTS WORKING GROUP

Convenor: Dr Liz Curran
(Australian National University)
and Daniel Webb (Human Rights Law Centre)

The Human Rights Working Group (HRWG) has a broad membership of community legal centres (including specialist centres), academics, and the Law Institute of Victoria and community agencies. Over the past year we have:

- changed the group's role from information-sharing and training to also take a more proactive role in human rights advocacy on key issues emerging from casework trends;
- broadened the representation on the group. This has seen the inclusion of the Women's Legal Service Victoria and the Victorian Aboriginal Legal Service in 2014; and
- wrote a welcome to the new Victorian Human Rights and Equal Opportunity Commissioner, Kate Jenkins, on 28 February 2014.

Training:

- On 28 April we ran training at Russell Kennedy for CLCs on how to use the Charter of Human Rights and Responsibilities in their day-to-day work. This was positively evaluated as of "practical use".

Submissions:

- the group signed the National Association of CLCs *Joint NGO Report on Australia's Human Rights Record*;
- very early in the debate about the proposed changes to section 18C of the *Racial Discrimination Act* (RDA) wrote on 1 April 2014 to the Prime Minister and Attorney-General;
- made a submission to the departmental consultation on Section 18C of the RDA; and
- corresponded with relevant Parliamentarians across party lines about the impact on clients/community of proposed changes to the RDA.

This action later became part of a much broader community dialogue that led the government to leave the mooted changes to the RDA for now.

Extract from letter to Prime Minister Tony Abbott on 1 April 2014 on proposed changes to racial discrimination legislation

"In our experience, many people who are the targets of racist abuse and vindictive behaviour lack the resources to defend themselves. We know this because this is what occurred before such protections as those which currently exist were put in place. The proposed reforms are unjust.

We are concerned that under the proposed amendments such comment will no longer be required to pass the test of being accurate, fair comment or honest. In our view, these changes neither reflect nor promote an egalitarian society. Nor do they encourage a society that respects diversity and tolerance. Poor drafting can lead to poor outcomes."

INFRINGEMENTS WORKING GROUP

Convenors: Samantha Sowerwine (Homeless Law) and Jo Parkin (UnitingCare ReGen)

The Infringements Working Group (IWG) is a joint working group of the Federation and the Financial and Consumer Rights Council (FCRC).

The group meets bimonthly, with a membership of 29 organisations, and it is a dynamic, proactive group which has been involved in the following over the last 12 months:

- provided detailed submissions to government on improving the infringements system through the group's two seats on the Attorney General's Infringement Standing Advisory Committee (ISAC);
- participated in the UN Global Cities Project on Special Circumstances, which has produced the Model Policy & Guidelines for Internal Reviews;
- sent delegates to the Sentencing Advisory Council's (SAC) report on infringements reform roundtable and developed a response to the SAC's call for submissions;
- developed *A simple, fair and effective Infringements system for all Victorians*, a position paper on necessary changes to the infringements system;
- coordinated a professional development training day at the Melbourne Town Hall for over 150 financial counsellors and community legal centre solicitors;
- participated in the Monash University Criminal Justice Research Consortium Report, *An examination of the impact of unpaid infringement notices on disadvantaged groups and the criminal justice system – Towards a best practice model*;

- provided the Victorian Law Reform Commission with suggestions for a community law reform project;
- provided ongoing advice to financial counsellors and community solicitors;
- established networks and liaison with primary stakeholders such as: Department of Justice, The Sheriff's Office, Magistrates' Court, enforcement agencies, councils, Victoria Police, Public Transport Ombudsman Scheme etc; and
- maintained and developed strong relationships with agencies such as Youth Law, Justice Connect, the Federation, Victoria Legal Aid, The Infringement Court, Victorian Aboriginal Legal Service, Monash University and Fitzroy Legal Service.

PROFESSIONAL STANDARDS WORKING GROUP

Convenor: Jenni Smith (Footscray Community Legal Centre)

The group's focus is on ensuring that professional legal support is available by:

- providing advice and support when practice management and insurance-related issues arise;
- liaising with the Federation in relation to accreditation; and
- promoting initiatives aimed at enhancing professional development.

The group participates in the National Professional Indemnity Insurance (PII) Network and coordinates the NALC Professional Indemnity Insurance Cross Check.

The group's aim over the next year is to:

- develop Victorian PII Rules to ensure better induction for working group members as well as ensuring participation by the sector in the ongoing development of quality legal services;
- review and develop a more efficient Professional Indemnity Insurance Cross Check system; and
- develop better support and induction for new principal lawyers.

RURAL, REGIONAL & REMOTE WORKING GROUP

Convenor: Alison Maher
(Hume Riverina Community Legal Service)

The Rural Regional and Remote (RRR) Working Group meets by telephone on a bimonthly basis. Victorian RRR community legal centres include Barwon, Central Highlands, Gippsland, Goulburn Valley, Hume Riverina, Loddon Campaspe, Murray Mallee, Emma House and more recently Eastern Community. A representative from the Federation also actively participates in the group.

This group aims to address those common issues which affect RRR centres. RRR centres continue to experience barriers due to geographic isolation. Whilst technology has vastly improved, particularly in relation to accessing continuing professional development, there are always issues which impact on the provision of legal services in a regional setting.

In February 2014 the RRR centres met at Clayton Utz in Melbourne for the Big Day Out. This was a big success with centres being able to send multiple staff members. This day continues to provide an opportunity for RRR staff to meet face to face and to work towards common goals.

Thank you to Sarah Smethurst from Gippsland CLS who will be the RRR convenor for 2014–15.

TENANCY WORKING GROUP

Convenor: James Bennett
(Tenants Union of Victoria)

The Tenancy Working Group (TWG) provides a forum for legal centres and other community groups to discuss issues relating to tenancy law and practice. The group also discusses wider policy issues relevant to renting.

The group has actively engaged with issues such as:

- VCAT procedures for tenants, lawyers and advocates;
- the need for minimum standards in the private rental market;
- problems with the process to obtain repairs in rental properties;
- “mapping” tenancy services across Victoria;
- ambit bond claims;
- insurance claims against tenants; and
- public housing policies.



The Violence Against Women & Children Working Group had a busy year in which family violence achieved unprecedented attention in Victoria.

VIOLENCE AGAINST WOMEN & CHILDREN WORKING GROUP

Convenors: Pasanna Mutha-Merrennege
(Women's Legal Service Victoria) and
Libby Eltringham (Domestic Violence
Resource Centre Victoria)

The working group operates as a forum for lawyers, policy officers and legal educators who work in the areas of family violence and, more broadly, violence against women and children. Regular monthly meetings provide an opportunity for members to be updated on current developments in policy and law reform, to identify issues and practices impacting on member centres and clients and to discuss strategies for influencing change.

The work undertaken by members of the working group this year has included:

- discussing and contributing to a range of submissions to State and Federal governments, including a new “failure to disclose child sexual assault” offence, proposed changes to the family violence intervention order system, and family violence-related issues for silent electors on the Federal electoral roll;
- meeting with the Acting Manager of Family Violence Programs and Initiatives, Magistrates' Court;
- advocating for the continued funding of the Victorian Systemic Review of Family Violence Deaths; and
- participating in the Victorian Family Violence Justice Alliance alongside family violence peak bodies and other specialist community organisations.

Financial report for the year ended 30 June 2014

FEDERATION OF
COMMUNITY LEGAL CENTRES
(VICTORIA) INC.
ABN 30 036 539 902

INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2014

The accompanying notes form part of this financial report.

	Note	2014 \$	2013 \$
INCOME			
Victoria Legal Aid - Recurrent		658,603	684,243
Victoria Legal Aid - Other Income		3,000	19,000
Grant Income - Other Projects		592,582	508,196
Other Income		221,148	263,834
Interest		22,339	50,661
		<u>1,497,672</u>	<u>1,525,934</u>
EXPENDITURE			
Employee benefit expenses		865,966	828,112
Occupancy expenses		19,147	22,536
Operating expenses		87,595	108,642
Project related expenses		485,918	510,828
		<u>1,458,626</u>	<u>1,470,118</u>
Profit before income tax		39,046	55,816
Income tax expense	2	—	—
Profit after income tax		39,046	55,816
Transfer From(to) Capital Reserve	10	—	—
Retained Profits at the beginning of the financial year		<u>245,236</u>	<u>189,420</u>
Retained Profits at the end of the financial year		<u>284,282</u>	<u>245,236</u>



STATEMENT OF ASSETS AND LIABILITIES AS AT 30 JUNE 2014
The accompanying notes form part of this financial report.

	Note	\$ 2014	\$ 2013
CURRENT ASSETS			
Cash and cash equivalents	3	795,452	746,581
Trade and other receivables	4	18,733	134,809
TOTAL CURRENT ASSETS		814,185	881,390
NON-CURRENT ASSETS			
Property, plant and equipment	5	8,309	10,798
TOTAL NON-CURRENT ASSETS		8,309	10,798
TOTAL ASSETS		822,494	892,188
CURRENT LIABILITIES			
Trade and other payables	6	83,839	56,447
Amounts received in advance	7	391,677	558,073
Provisions	8	50,738	25,082
TOTAL CURRENT LIABILITIES		526,254	639,602
NON-CURRENT LIABILITIES			
Provisions	9	11,958	7,350
TOTAL NON-CURRENT LIABILITIES		11,958	7,350
TOTAL LIABILITIES		538,212	646,952
NET ASSETS		284,282	245,236
MEMBERS' FUNDS			
Retained profits		284,282	245,236
TOTAL MEMBERS' FUNDS		284,282	245,236

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2014
The accompanying notes form part of this financial report

	Note	\$ 2014	\$ 2013
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from Gov't Grants – recurrent		703,836	676,502
Receipts from Gov't Grants – non-recurrent		3,000	435,964
Receipts from Other Sources		715,809	263,086
Interest received		24,420	42,888
Payments to Suppliers and Employees		(1,393,242)	(1,764,930)
Net Cash provided by operating activities	10	53,823	(346,490)
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for purchase of property and equipment		(4,952)	(2,592)
Net Cash provided by (used in) investing activities		(4,952)	(2,592)
Net increase (decrease) in cash held		48,871	(349,082)
Cash at the beginning of the year		746,581	1,095,663
Cash at the end of the year		795,452	746,581

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014

The accompanying notes form part of this financial report.

Note 1: Statement of Significant Accounting Policies

This financial report is special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Reform Act 2012 (Vic). The committee has determined that the association is not a reporting entity.

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

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

a. Cash and Cash Equivalents

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

b. Income Tax

The Association is exempt from paying income tax by virtue of Section 50-45 of the Income Tax Assessment Act, 1997. Accordingly, tax effect accounting has not been adopted.

c. Property, Plant and Equipment

Furniture and equipment are carried at cost less, where applicable, any accumulated depreciation. The depreciable amount of all furniture and equipment is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

d. Employee Entitlements

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

Provision is made for the Association's liability for long service leave from commencement of employment.

e. Provisions

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

f. Impairment of Assets

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

g. Revenue

Revenue is brought to account when received and to the extent that it relates to the subsequent period it is disclosed as a liability.

Grant Income

Grant income received, other than for specific purposes, is brought to account over the period to which the grant relates.

Deferred Income

Unspent grant income received in relation to specific projects and events is not brought to account as revenue in the current year but

deferred as a liability in the financial statements until spent for the purpose received.

Interest Revenue

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument.

Donations

Donation income is recognised when the entity obtains control over the funds which is generally at the time of receipt.

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

h. 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 Australian Taxation Office (ATO). Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the assets and liabilities statement.

i. Economic Dependence

The entity receives a significant portion of its revenue from Victoria Legal Aid. At the date of this report the Committee has no reason to believe Victoria Legal Aid will not continue to fund the entity.

	\$ 2014	\$ 2013
Note 2: Income Tax Expense		
Prima facie tax payable on operating profit at 30% (2013: 30%)	11,714	16,745

Less tax effect of:

- non-taxable member income arising from principle of mutuality	(11,714)	(16,745)
Income tax expense	—	—

Note 3: Cash and cash equivalents

Cash on hand	250	400
Cash at bank	329,692	101,201
Term Deposit	465,510	644,980
	<u>795,452</u>	<u>746,581</u>

Note 4: Trade and other receivables

Accounts Receivable	4,695	118,456
Prepayments and Sundry Receivables	8,346	8,580
Accrued Bank Interest	5,692	7,773
	<u>18,733</u>	<u>134,809</u>

Note 5: Property, plant and equipment

Furniture and fittings - at cost	129,908	124,956
Less accumulated depreciation	(121,599)	(114,158)
	<u>8,309</u>	<u>10,798</u>

Note 6: Trade and other payables

Creditors and accruals	83,839	56,447
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Note 7: Amounts received in advance

Taxi Driver Project	—	10,462
Victoria Legal Aid (ERO)	62,100	6,493
Victoria Legal Aid (recurrent)	26,140	36,514
Employee Assistance Program	—	2,293
Accreditation (Ian Potter, Gandel, Clayton Utz)	—	19,797
Membership Contributions	28,701	8,910
Advancing Community Justice (Legal Services Board)	89,431	96,001

Sexual Offences	—	146,948
Law Graduate Scheme (Legal Services Board)	91,756	193,975
Smart Justice	93,549	36,680
	<u>391,677</u>	<u>558,073</u>

Note 8: Provisions

Current

Provision for annual leave	50,738	25,082
	<u>50,738</u>	<u>25,082</u>

Note 9: Provisions

Non-Current

Provision for Long Service Leave	11,958	7,350
	<u>11,958</u>	<u>7,350</u>

Note 10: Reconciliation of Cash Flow from Operations with Profit from Ordinary Activities after Income Tax

Profit after income tax	39,046	55,816
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Cash flows excluded from operating profit attributable to operating activities;

Non-cash flows in profit:-

- Depreciation	7,441	8,114
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Changes in assets and liabilities;

- (Increase)/decrease in trade and other debtors	116,076	(117,478)
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- Increase/(decrease) in trade and other payables	27,392	26,136
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- Increase/(decrease) in amounts received in advance	(166,396)	(301,156)
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- Increase/(decrease) in provisions	30,264	(17,922)
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Net cash provided by Operating Activities	<u>53,823</u>	<u>(346,490)</u>
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STATEMENT BY MEMBERS OF THE COMMITTEE FOR THE YEAR ENDED 30 JUNE 2014

The committee has determined that the association is not a reporting entity and that this special purpose 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:

1. Presents a true and fair view of the financial position of Federation of Community Legal Centres (Victoria) Inc. as at 30 June 2014 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that the Federation of Community Legal Centres (Victoria) Inc. will be able to pay its debts as and when they fall due.

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

Chairperson: Nick Hudson
Dated: 7 October 2014



Treasurer: James Ferguson
Dated: 7 October 2014



INDEPENDENT AUDIT REPORT TO THE MEMBERS OF FEDERATION OF COMMUNITY LEGAL CENTRES (VICTORIA) INC.
ABN 30 036 539 902

REPORT ON THE FINANCIAL REPORT

We have audited the accompanying financial report, being a special purpose financial report, of Federation of Community Legal Centres (Victoria) Inc., which comprises the statement of assets and liabilities as at 30 June 2014, income and expenditure statement and the statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and statement by members of the committee.

Committee's Responsibility for the Financial Report

The committee of Federation of Community Legal Centres (Victoria) Inc., is responsible for the preparation of the financial report, and has determined that the basis of preparation described in Note 1 is appropriate to meet the requirements of the Associations Incorporation Reform Act 2012 (Vic) and the needs of the members. The committee's responsibility also includes such internal control as the committee determines is necessary to enable the preparation 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 have conducted our audit in accordance with Australian Auditing Standards. Those Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal

control relevant to the association's preparation and fair presentation of the financial report that gives a true and fair view, 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 the committee, 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.

Opinion

In our opinion, the financial report gives a true and fair view, in all material respects, the financial position of Federation of Community Legal Centres (Victoria) Inc., as at 30 June 2014 and its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements, and the requirements of the Associations Incorporation Reform Act 2012 (Vic).

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Federation of Community Legal Centres (Victoria) Inc., to meet the requirements of the Associations Incorporation Reform Act 2012 (Vic). As a result, the financial report may not be suitable for another purpose.

Sean Denham
Dated: 8 October 2014
Suite 1, 707 Mt Alexander Road
Moonee Ponds VIC 3039

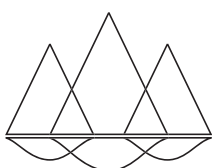
FEDERATION OF COMMUNITY LEGAL CENTRES (VICTORIA) INC.
ABN 30 036 539 902
CERTIFICATE BY MEMBER OF THE COMMITTEE

I James Ferguson, of 87 Were St Brighton: certify that:

- a. I will attend the annual general meeting of the association to be held on 30 October 2014.
- b. The financial statements for the year ended 30 June 2014 will be submitted to the members of the association at its annual general meeting.

Committee Member: James Ferguson
Dated: 17 October 2014





Federation of
Community Legal Centres

**Federation of Community
Legal Centres (Victoria) Inc**

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