

ANNUAL REPORT

2015-2016

**Our vision is for A JUST AND FAIR SOCIETY
WHERE THE LAW AND ITS PROCESSES
DO NOT DISCRIMINATE AGAINST
VULNERABLE PEOPLE, AND WHERE
THOSE IN NEED HAVE READY AND EASY
ACCESS TO QUALITY LEGAL
EDUCATION, INFORMATION, ADVICE
AND CASEWORK SERVICES.**

WEstjustice is a multidisciplinary, community-based legal centre committed to improving justice outcomes for the people

of western Melbourne, and especially the most vulnerable in our community. It was formed in July 2015 through the amalgamation of the Footscray, Wyndham and Western Suburbs Community Legal Centres, which brought a long and proud history and experience to the new organisation. The resultant increased organisational and client capacity has enabled WEstjustice to strengthen its services for recently arrived communities, focusing on specific legal problems including employment law, tenancy, family violence and motor vehicle accidents. The Centre has established a substantial law student program and has expanded community legal education, policy and public interest project work. New initiatives include the opening of a new office in Werribee, the establishment of two hospital clinics, increased family violence services, increasing focus on youths aged 14 to 17 years and the creation of a special projects team.

Our MISSION as a non-government organisation operating in the western suburbs of Melbourne and greater Victoria which works in partnership with our community(ies), is to

- ♦ **Provide services and advice for vulnerable people experiencing legal problems,**
- ♦ **Build legal capacity in our community,**
- ♦ **Address systemic legal issues including administration of the law and associated and linked policy issues that cause and/or compound disadvantage, and**
- ♦ **Demonstrate leadership in this and related sectors.**

WE aim to be:

- ♦ A go-to organisation for state and national governments for input on relevant law and policy reform that is also routinely consulted by councils and the private sector
- ♦ A one-stop agency for legal services for vulnerable people in the Western suburbs of Melbourne
- ♦ Strongly engaged with the broader community and working within multi-agency relationships
- ♦ Supported by a highly skilled workforce with core and complimentary skills that works in collaborative cross-issue teams
- ♦ Supported by an organisational culture that values innovation, a strategic approach, public interest casework and advocacy, and supports staff in their capacity to deliver our objectives
- ♦ Supported by financial stability sufficient to service the key specialist legal needs of vulnerable people in the Western suburbs of Melbourne

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CHAIRPERSON'S REPORT

By Vern Fettke

Introduction

This 2015/16 financial year marks our first year of operation as WEstjustice.

The culmination of the Western Community Legal Centres Reform Project, saw the amalgamation of Wyndham Legal Service Inc., Footscray Community Legal Centre Inc. and Western Suburbs Legal Service Inc., which formed the new entity.

The lead up to the amalgamation, has been quite demanding on the time of the Project Committee and the staff. The contribution of time and effort from all involved, from the three outgoing Committee's of Management, to each and every team member who has either contributed directly or indirectly has been truly amazing with a great outcome for all concerned.

With greater organizational knowledge and capacity, WEstjustice is positioned to anticipate and respond to the needs of our clients in this ever changing landscape, capturing and considering the various legislative and social tensions that determine the everyday snapshot of our local communities. The WEstjustice team continues to strive and grow – a great reflection that the decision to merge, has been a positive one, for both staff and the community.

Acknowledgments

I wish to acknowledge the outstanding service of our Board of Directors – Sarah Strapps, Meredith Blackstock, Meseret Abebe, Peter Renwick, Rhys Benny and Warren Mundy, whom are extremely skilled and capable. We sadly said goodbye to Rhonda Probert and Sandra Kerr.

I must also acknowledge the continued financial contributions of our philanthropic funders, local, state and federal governments, without their continued support our organisation would struggle to serve and support those at risk in our community.

On behalf of the Board I would also like to thank all of our dedicated volunteers, staff and supporters as we all strive to deliver the best outcomes for our community. It has been an absolute privilege to be working with the vibrant and creative team at WEstjustice, guided by the adept leadership of Denis Nelthorpe.

The Future

When I took on the role of Chairperson, my task was to assist the Service to put it in a viable long term position to provide services for the community. Based on this first year, I believe the Service is heading on the right path and look forward to seeing what the future holds for the Centre.

WEstjustice represents a new beginning – a new name, a new identity, a new premises – a timely and needed move away from the traditional image of what a community legal centre looks like to one we can be proud of. Congratulations WEstjustice.

CEO'S REPORT

By Denis Nelthorpe

Merger

A merger can bring risks as well as benefits. It is with considerable satisfaction that I can report that after fifteen months of operation the signs are that the benefits of the merger have been substantial, and the risks successfully managed.

We continue to see positive results from our client and community work, and to receive recognition of our innovative projects that lead to broader change that improves the lives of our client group. Some of the highlights this year include:

- Opening two clinics for patients at the Mercy Hospital in Werribee;
- Extending our partnership with Victoria University Law School by initiating a second clinical program for law students at our Werribee office;
- Taking No Violence No Way plays to 10 schools and 2000 students in 30 days;
- Provision of detailed submissions to Reviews of Access to Justice, the Australian Consumer Law and the Residential Tenancies Act.

The merger has provided benefits for staff as well as for the community we serve. The centre has a new office in Werribee which has provided staff and clients with a modern professional workplace which has boosted morale and increased productivity. Staff turnover has been minimal and our job advertisements attract high quality applicants.

New Projects have been established and funding has increased during the past year. We have identified a number of new opportunities for expansion and funding in the coming twelve months.

However, there are significant challenges ahead.

Challenges

While the State Government has increased funding, especially for family violence, the Federal Government has announced funding cuts for all community legal centres.

WEstjustice will lose \$170,000 unless those cuts are reversed before the next financial year. Those cuts will result in loss of services to youth and newly arrived communities in the West. We can look for replacement funding but it is well recognised that philanthropic and short-term funders will not 'pick up the tab' for funding of recurrent case work services.

For a centre like WEstjustice, which builds on its core Government funding to attract a wide range of project and philanthropic funding, a reduction in Government funding can reduce our ability to support new projects. This means that the impact of a \$170,000 cut can have a wider impact.

The Board and management of WEstjustice will strive to identify alternative sources of funding to minimise the loss of services to our local community. However, we would prefer to see the Federal Government reverse the cuts rather than put energy into the difficult task of fund-raising for recurrent services.

In conclusion I would like to thank the Board, staff, volunteers and funders for their continued support for WEstjustice and the important work we do.

PRINCIPAL LAWYERS' REPORT

By Ha Le and Annette Au Yeung

Introduction

It is with great pleasure and a privilege that we reflect on our first year as co-principals of WEstjustice.

Traditionally we acknowledge and welcome new employees in our report, however given that we started operating as a legal practice in July 2015 technically every single staff member deserves a welcome! Merging three community legal centres has been a challenging but interesting process and we are very proud of the end result.

However we would like to take this opportunity to especially welcome some new staff members to our WEstjustice team, Jennifer Lindstrom (Family Lawyer), Joe Nunweek (Tenancy Lawyer), Angus Woodward (Youth Lawyer) and Matthew Martin (Generalist Lawyer). We are also very fortunate to welcome Stephanie Tonkin (Special Projects Lawyer) to our team.

In the last financial year we have also bid a sad farewell to valued staff members. Our co-principal, Jenni Smith, was an integral part of the Principal Lawyers team. We thank her for her hard work and tireless efforts to ensure a smooth transition to the new legal practice. We also farewelled Marijana Graljuk (Youth Lawyer), Gemma Cafarella (Tenancy Lawyer), Jane Berry (Taxi Lawyer), Michael Rice (Clinical Legal Supervisor), Esmeralda Van Der Schee (Administration), Edmund Gale (Taxi Lawyer), Libbi Cunningham (Coordinator) and Ahalya Thiru (Tenancy Lawyer) and thank them for their dedication and services.

Volunteers

WEstjustice would like to thank our large group of passionate volunteers for their valuable support and commitment. Without our volunteers the centre would certainly not be able to sustain and improve on the assistance it is providing to the community to the extent that it does today.

Practical Legal Training

WEstjustice has also made available training positions for postgraduate law students who wish to complete their practical legal training the Centre. The Centre has placed 1 student in the last financial year, Linda Luc who was also a long term volunteer. We thank you and hope you enjoyed your time at the Centre.

Pro bono partnerships with HWL Ebsworth, King Wood Mallesons and Corrs Chambers Westgarth

This year we have continued to enjoy strong pro bono relationships with HWL Ebsworth and King Wood Mallesons. Lawyers from these firms attend our office on a roster basis and provide advice, casework and advocacy assistance to refugee clients to resolve their fines matters. Both firms have achieved excellent results for clients and we look forward to developing this pro bono program further in the next year. We also continue to enjoy a strong pro bono partnership with the employment law team at Corrs, who provide expert legal advice at our refugee employment law clinic. Their casework outcomes have been outstanding and we look forward to achieving more justice for refugee clients in the next year.

Deakin University and Victoria University Internships

Over the past year we have operated a family law student clinic in partnership with Deakin University and have offered internships to law students of Victoria University in our refugee, fines, youth and family law clinics. We have greatly enjoyed hosting these students and introducing them to the practice of community law. For many students, an internship with WEstjustice is their very first opportunity to work in a legal practice. We hope that these students remember their experience positively and that they decide to return as legal volunteers once their careers are established.

Clinics

We are proud of the very wide selection of clinics on offer at WEjustice, and rather than listing them all here, we encourage you to read all the interesting reports submitted by staff to find out more about the great work that our community lawyers, advocates, policy & law reform and community development team do.

Finally, we would like to take this opportunity to thank the entire team of WEstjustice staff, the beating heart and soul of our legal practice, and we look forward to working with the entire team over the next year as the legal practice grows and develops.



BOARD

Vern Fettke Chairperson
Sarah Strapps Secretary/Public Officer
Meredith Blackstock Director
Meseret Abebe Director
Peter Renwick Director
Rhys Benny Director
Warren Mundy Director

Gemma Cafarella Tenancy Lawyer
Jane Berry Taxi Lawyer
Jenni Smith Principal Lawyer
Libbi Cunnington AGM/SGM Coordinator
Marijana Graljuk Youth Lawyer
Michael Rice Clinical Legal Supervisor
Rhonda Probert Director
Sandra Kerr Director

STAFF

Denis Nelthorpe CEO
Alice McBurney Generalist Lawyer
An Huynh General Operations Manager
Angus Woodward Youth Lawyer
Annette Au Yeung Principal Lawyer
Banafsheh Abedali Community Worker
Becky Smith Financial Counsellor
Carol McNair Administrator
Catherine Hemingway Employment Project Senior Lawyer
Charles Watson Clinical Legal Supervisor
Gabrielle Watson-Munro Employment Project Lawyer
Gillian Davy Community Development Officer
Ha Le Principal Lawyer
Heather Neilson Financial Counsellor
Hilary Knack Family Violence Lawyer
James Leckie Tenancy Lawyer
Jennifer Lindstrom Family Violence Lawyer
Joseph Nunweek Tenancy Lawyer
Kristina Sajfar Taxi Lawyer/Night Service Coordinator
Lily Hardman Family Violence Lawyer
Matthew Martin Generalist Lawyer
Michelle Chumbley Advocacy Service Manager
Michelle Moone Administrator
Neng Boi Community Worker
Pa Hmun Community Worker
Priyanka Shetty Generalist Lawyer
Shorna Moore Director of Policy & Community Development
Stephanie Tonkin Special Projects Lawyer
Veronika Levchenkova Admin Assistant
Vincent Shin School Lawyer
Vu Kim Generalist Lawyer
Za Tuah Ngur Community Worker

WE SAID GOODBYE TO...

Ahalya Thiru Tenancy Lawyer
Edmund Gale Taxi Lawyer
Esmeralda Van Der Schee Admin Assistant

The Centre wishes to thank all of our dedicated volunteers – the service would not be possible without their commitment and efforts.
 For a full list of volunteers, please visit our website.



Victoria University Award—Anna Smith, star volunteer and winner of the Cindy Farran Award for contribution to WEstjustice with Stephanie Tonkin, WEstjustice lawyer



Family Law Clinic—Victoria University placement students (February-July 2016)

HIGHLIGHTS

This year has been an eventful one—here are just some of our memorable events

WE create positive change in the West



A report to be launched by Julian Burnside QC this morning (10am) calls for the abolition of MYKI fines for secondary students and free public transport for secondary students whose parents receive a Centrelink benefit.

WE work at the heart of our community



JUSTICE PRECINCT

WESTjustice has been involved in the service mapping and planning of the future Wyndham justice precinct in partnership with local and state government. KPMG were engaged by Wyndham City Council and WESTjustice to do a comprehensive service planning project. CEO and Director of Policy & Community Development formed part of a steering group involving high level management of a number of government departments including Court Services Victoria, Metropolitan Planning Authority and Victoria Police.

Photos (L to R, T to B):

- ♦ Official launch of WESTjustice—new premises in Werribee; Guest speakers The Hon Martin Pakula AG and The Hon Tim Pallas
- ♦ Denis Nelthorpe, CEO, Su Robertson, Clinical Placement Coordinator in VU's College of Law & Justice Julian Burnside, human rights lawyer—CAYPINS launch *Fare Go: Myki, Transport Poverty and Access to Education in Melbourne's West*
- ♦ WESTjustice team—Denis Nelthorpe, CEO, Catherine Hemingway, Lawyer and Neng Boi, Community Leader, making a submission to the Productivity Commission Inquiry into migrant workers' rights
- ♦ Gabrielle Watson, Lawyer with our Train the Trainer community leader participants
- ♦ WESTjustice staff representatives at the Rally against funding cuts
- ♦ First Wyndham Health Justice Network Meeting
- ♦ Banafsheh Abedali, community leader after a CLE session on employment law at Spectrum Migrant Resource Centre
- ♦ Launch of PLGRM film 'The Highschool Lawyer' highlighting the impact on the child. Panel discussion with Vincent Shin, School Lawyer, Jimmy Bartel, AFL star and Liana Buchanan, Commissioner for Children and Young People in Victoria
- ♦ Denis Nelthorpe, CEO and Vern Fettke, Chairperson accepting Winner of the not-for-profit category at the Wyndham Business Awards





WE give a fair go to those who need it most



SUBMISSIONS

This year, the consumer and tenancy advocacy team produced the following submissions informed by our casework:

[Regulation of Property Conditions in the Rental Market - Minimum Standards and Improving Property Conditions Across Victoria \(August 2016\)](#) by James Leckie, Solicitor; a submission for the Residential Tenancies Act Review - Fairer, Safer Housing

[Victorian Parliamentary Inquiry into the Retirement Housing Sector \(June 2016\)](#) by Joseph Nunweek, Solicitor; a submission to the Legal and Social issues Committee

[Disputes Resolution \(June 2016\)](#) by Joseph Nunweek, Solicitor; a submission for the Residential Tenancies Act Review - Fairer, Safer Housing

[Australian Consumer Law Review \(May 2016\)](#) by Michelle Chumbley, Advocacy Services Manager; a submission in response to the Australian Consumer Law Review issues paper

[Rents, Bonds and Other Charges \(April 2016\)](#) by Joseph Nunweek, Solicitor; a submission for the Residential Tenancies Act Review - Fairer, Safer Housing (including Appendix A)

[Rights and Responsibilities of Landlords and Tenants \(May 2016\)](#) by James Leckie, Solicitor; a submission for the Residential Tenancies Act Review - Fairer, Safer Housing

[Security of Tenure \(December 2015\)](#) by James Leckie, Solicitor; a submission for the Residential Tenancies Act Review - Fairer, Safer Housing

[Residential Tenancies Act Review \(August 2015\)](#) by Gemma Cafarella, Solicitor; a submission in response to the 'Laying the Groundwork' Consultation Paper



WE believe in a fair and just legal system

*Includes our duty service
 **25 years old or under
 ***Main municipalities in the West

1063

PROVIDED WITH COURT REPRESENTATION*

3621

CLIENTS ASSISTED

TOP FIVE PROBLEM TYPES

Family Violence 24%

Infringements 21%

Tenancy 14%

Family Law 12%

Crime (inc. traffic offences) 8%


2221

ADVICES

2653

CASES OPENED

1494



INFORMATIONS PROVIDED

OVER 1/5TH

OF OUR CLIENTS

ARE YOUTH**

CLIENTS BY LOCALITY***

Wyndham 40%

Maribyrnong 14%

Hobsons Bay 7%

Brimbank 20%


Melton 9%

52%

OF OUR CLIENTS ARRIVED TO AUSTRALIA IN THE LAST 10 YEARS

TOP SIX COUNTRIES OF ORIGIN


Australia ♦ India ♦ Sudan ♦ Vietnam ♦ Iran ♦ Burma (Myanmar)



COMMON CLE TOPICS

Employment ♦ Renting ♦ Family Violence ♦ Fines ♦ Driving ♦ Family Law ♦ Crime

50+ COMMUNITY LEGAL EDUCATION SESSIONS OFFERED TO 2000+ ATTENDEES



ALMOST 80% HAVE LOW OR NO INCOME

CLINICS

CONSUMER

The Consumer Advice and Advocacy Program (CAAP) assists financially disadvantaged and vulnerable consumers with complex consumer matters through advice and preparation for the Victorian Civil and Administrative Tribunal (VCAT). Representation is also provided for consumers who are unable to represent themselves. CAAP deals with matters that have substantial consumer detriment that are referred from Consumer Affairs Victoria (CAV), Consumer Action Law Centre (CALC), Financial Counsellors and clinics offered by WEstjustice. CAAP provides general consumer information and specific advice on cases, negotiation to prevent the need for litigation and assistance to prepare for and representation at VCAT where necessary. CAAP also provides advice and assistance with enforcement of VCAT orders, raises complaints with regulators and identifies and works to address systemic issues. CAAP is available to eligible clients of WEstjustice and from the VCAT catchment areas of Broadmeadows, Collingwood, Heidelberg, Melbourne, Sunshine, Werribee, Colac, Geelong, Hamilton, Portland and Warrnambool.

Some of the types of matters CAAP has assisted with include consumer problems related to motor vehicle purchase and repairs, claims of odometer tampering, small appliance purchases, gym memberships, rent to buy contracts, credit wash agreements, education fees, insurance claims, retirement villages and services including solar panels and heating.

Background on car napping

We have become aware of the proliferation of ‘carnapping’ business models in our case work. The carnapping model involves consumers who are involved in car accidents, usually the not-at-fault driver, being encouraged either by a tow truck operator or a smash repairer to sign a complex form. Consumers in this situation are extremely vulnerable, often in shock, worried about the consequences of losing their car, unfamiliar with what they should do next, and overly trusting of tow operators or smash repairers who offer to help.

The form offered to these consumers typically authorises a third party to act on their behalf against the other driver. The consumer is often not aware of this, and believes they are only giving authority to tow. The form often gives irrevocable power of attorney and power to pursue costs to the third party, who then charge the consumer large fees for representation.

This business model appears to be structured in a way to allow smash repairers to charge inflated prices for repairs, towing and replacement car hire on the basis that the at-fault party’s lawyers will accept the inflated fees rather than take legal action.

These smash repair companies advertise that they make repairs to the not-at-fault driver’s car and even offer a hire car at no cost to the not-at-fault-driver. This is based on the premise the at-fault driver or their insurer will pay. However, there are many circumstances which can eventuate which mean that the at-fault driver does not pay and costs fall on the not-at-fault driver, including:

- The at-fault driver is not insured;
- The at-fault driver is judgment proof;
- The at-fault driver is insured but has the claim rejected for drink driving or non-disclosure; or
- The insurer for the at-fault driver disputes liability or quantum of claim (see case study for example of this type)

Neither the authorities nor the smash repair advertisements mention that if the repairer cannot recover costs from the other driver, the not-at-fault driver is billed, and a lien is often claimed over their car until they pay.

WEstjustice and CALC are working together to raise this matter with regulators including ACCC, insurance companies and in the media. WEstjustice has worked with more than six consumers that have been exposed to the carnapping model. This work is ongoing.

Car napping—Beryl’s Story:

Beryl was an elderly driver who was the not-at-fault driver in an accident. When getting her vehicle repaired, Beryl was informed by the repair shop that as the not-at-fault driver, the at-fault driver’s insurance company would pay for her to use a hire car while her vehicle was being repaired. Beryl was given the number for a hire car company and encouraged to arrange a hire car. The hire company should, at this point, have referred Beryl to her own insurer, but this was not done.

Beryl contacted the hire car company, who also reassured her that this would be covered by the other driver’s insurance. Beryl provided her bank details when signing a form with the company. However, a few days later, the company told her that the insurance company refused to pay, and that her only option was to pay to hire the car privately. Beryl, believing she had no choice, agreed to this arrangement.

The repair shop continued to delay on repairing her vehicle, and Beryl continued to have to pay the hire company a daily rate of \$40 for the hire car for several weeks. Beryl ultimately sought assistance from WEstjustice, but suffered significant distress in the meantime due to the sustained ordeal of waiting for her vehicle to be repaired. She was a vulnerable consumer, taken advantage of by the repair shop and hire company in what appeared to be a coordinated scheme to delay repairs and increase hire fees.

We assisted in negotiating with the at-fault driver’s insurer through their complaints procedure, outlining the issue and demanding a full refund of the hire car charges, and towing and repair costs that Beryl had been charged. This led to a full refund. The repairer did not accept any liability.

DISCRIMINATION

The purpose of anti-discrimination is to prevent or right a wrong committed against persons who have been treated less favourably because of their personal characteristics rather than being treated equally on individual merit. The Discrimination Legal Service aims to provide advice, casework and legal education to people in the western suburbs in order to empower people to act and stop unlawful discrimination whenever and wherever it may occur. Clients are referred to our Principal Lawyer, Ha Le who is experienced in discrimination matters, for assistance.

EMPLOYMENT

The Employment Law Project seeks to improve employment outcomes for newly arrived and refugee communities in Melbourne’s West. Building on a period of consultation and research, we opened a pilot employment law service and community education program in 2014. Over the past two years, our pilot legal service has assisted over 200 workers from more than 30 countries. Most commonly, we have assisted with underpayments and sham contracting, recovering or obtaining orders for over \$120,000 in unpaid wages and entitlements. We have also assisted with unfair terminations, resulting in recovery or orders for over \$125,000 in compensation and other outcomes helping clients find new employment. We have also provided advice on discrimination, bullying, workplace injury and workplace investigations. Our community education program has delivered face to face information sessions to over 600 community members, community workers and community leaders through our pilot train the trainer

program. Many of our clients do not understand Australian laws and processes, do not speak English, and would not have enforced their rights without our help. Stories and evidence gathered throughout the pilot programs has been used in law reform and advocacy work including submissions to the Productivity Commission Inquiry into the Workplace Relations Framework and Victorian Government Inquiry into Labour Hire and Insecure Work. Key Project findings and evidence-based recommendations will be presented in a final Project Report due to be launched in November 2016.

FAMILY LAW

The Family Law Clinic at our Werribee office operates every Monday as a clinical legal education clinic. Students attend a four month internship program and assist the supervisor with drafting applications for divorce, preparation of parenting plans, consent orders and supporting clients throughout the court process. We also provide legal assistance at the Sunshine Family Relationship Centre, including lawyer assisted family dispute mediation particularly where a party is a victim of family violence and that without the presence of a lawyer that party would not be able to negotiate on a equal basis.

FAMILY VIOLENCE

The Family Violence Clinic at Werribee operates every second Friday and provides legal advice on family violence and related legal matters including family law, Victims of Crime assistance and limited criminal law advice. Clients from our duty lawyer services are often referred to this clinic to provide ongoing family violence and family law advice.

The team of family violence lawyers also provide follow up assistance in complex matters, thus ensuring that people who have experienced family violence are able to obtain final Intervention Orders (IVO) with the conditions that are needed to protect them, get the family law assistance they require to ensure safe parenting arrangements; obtain Victims of Crime assistance so that they can ensure safe housing and get the assistance they need to overcome the trauma they experience and also to deal with ancillary civil and criminal law issues. The family violence program primarily works with people who have experienced family violence and are seeking protection from abusive partners and prioritises referring clients to services for ongoing support, safety planning, counselling and financial advice. As a result the team is focused on developing strong key stakeholder relationships with family violence support services in the West.

FINANCIAL COUNSELLING

WESTjustice offers two financial counselling services:

- Generalist financial counselling service for people who live/work/study in the City of Maribyrnong or the suburb of Sunshine; and a
- Specialist financial counselling service for refugees from Burma who live in the western suburbs of Melbourne (with the support of our valuable Hakha Chin and Burmese speaking community leaders)

Both services provide information, support, referral options, and advocacy for people experiencing financial difficulty. Such financial difficulty may have resulted from unemployment or underemployment, illness, relationship breakdown, low income and/or exploitative or unfair financial products. The emphasis of our service is on financial empowerment; giving the client the tools and skills to manage, and to minimise the risk of future, financial problems. 305 clients were assisted through the service this year. The most common problems were credit card debt, loans, utility and telecommunication bills, budgeting and disputes with credit providers such as banks.

GENERALIST

Generalist services are offered during the day and in the evening to accommodate different client needs and to capture areas not covered by the specific clinics. Night services are run at the Footscray office, Werribee office and a Laverton outreach to ensure it is meeting the needs of the three municipalities and is supported by a number of committed volunteer lawyers and paralegals.

INFRINGEMENTS

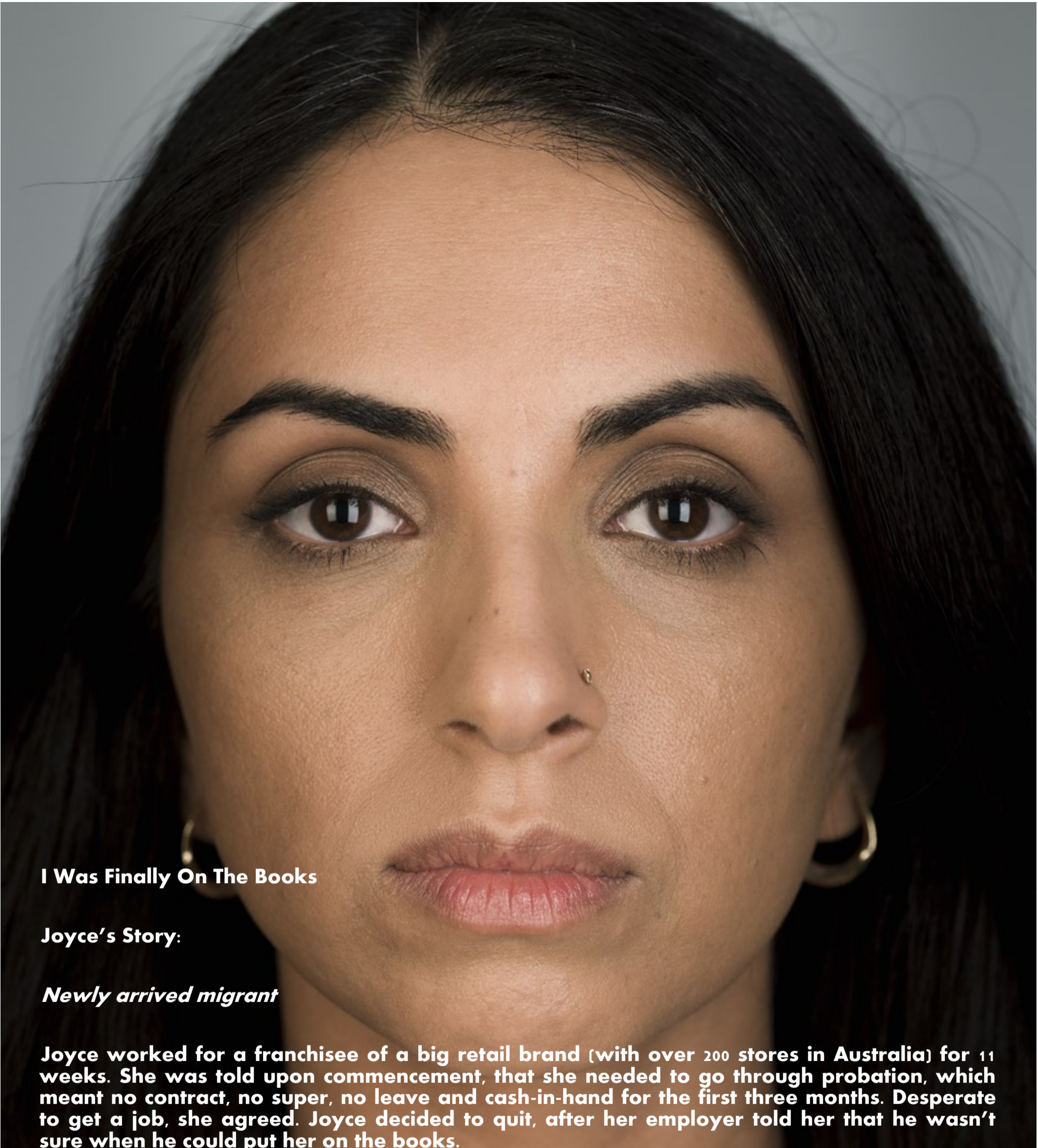
A weekly Infringements Clinic is offered to clients that present with fines. This supervised student clinic, allows law students to get a practical understanding on how the fines system works and assists clients with revocation, particularly where special circumstances apply.

Toll Fines—Sarah’s Story

Sarah is a mother of one child under the age of 10. She came to our office after a Sherriff had clamped her car and informed her that she had unpaid fines. She borrowed money from friends to pay the Sherriff to release the clamp, and told us that she had to go to court. She said that she thought she had \$20,000 fines to resolve.

We investigated further and discovered that in fact she had over \$90,000 of infringement warrants listed for hearing, the vast majority of these being toll fines. We asked Sarah how these fines were incurred. She said that she had struggled financially for several years and that in an effort to generate income she started her own flower delivery business. Despite her best efforts her business was not successful and she was left with toll invoices that she simply could not pay. Sarah also disclosed that she has previously been diagnosed with depression and anxiety and that she had not been able to afford treatment consistently. In relation to the fines, she said that she felt very overwhelmed and depressed and didn’t know where to begin to resolve the issue. She acknowledged that her mental health may have contributed to her making poor decisions resulting in the accumulation of fines. She was very fearful of what would happen at court.

We advocated for her at court and as a result she received a substantial discount to her fines (over \$85,000 was discounted) and was asked to pay the remainder by monthly instalments. What was even more encouraging was that the monthly instalment order did not have any threat of imprisonment attached in the event of default. We are continuing to assist her to resolve fines that were not listed for hearing. After court, Sarah said that she felt like a weight had been lifted from her shoulders, and she could focus better on staying well and looking after her family now.



I Was Finally On The Books

Joyce’s Story:

Newly arrived migrant

Joyce worked for a franchisee of a big retail brand (with over 200 stores in Australia) for 11 weeks. She was told upon commencement, that she needed to go through probation, which meant no contract, no super, no leave and cash-in-hand for the first three months. Desperate to get a job, she agreed. Joyce decided to quit, after her employer told her that he wasn’t sure when he could put her on the books.

Instead of going straight to the Fair Work Ombudsman, Joyce was put in contact with WEstjustice who showed Joyce how to calculate her minimum wage, leave entitlements and explained her rights.

Outcome:

WEstjustice determined how much money was owed to Joyce and assisted Joyce in sending emails and registered letters to make her former employer understand that even though he did something wrong, he could make it right. He firstly denied what he had done but in the end he finally realised that we had enough evidence to prove him wrong. The whole interactions were peaceful and polite, but also coherent and powerful.

Shortly, over \$2000 was transferred into Joyce’s bank account.

Case study from the Employment Clinic

MOTOR VEHICLE ACCIDENT & INSURANCE

The Motor Vehicle Accident (MVA) Clinic provides free and specialist legal advice and assistance regarding a range of issues that may arise following a car accident, including:

- Disputes with insurance companies about accepting claims, the payment of excesses, disputes about liability, etc;
- Negotiating with the other driver or their insurance company/representative in circumstances where our client is uninsured and has no capacity to pay for the damage caused or where the other party is at fault for the accident and their full contact details are known; and
- Negotiating for and/or representing clients in cases where their damaged vehicle is taken to a smash repairer/panel beater and the client has signed an agreement to be provided with recovery services or a hire car at a fee unbeknownst to them (also known as car napping)

Most of our clients are uninsured drivers with no capacity to pay the damage bills. Depending on the clients' specific circumstances, we are often successful in obtaining waivers of those debts. This year, the highest debt we have had waived was over \$60,000. The MVA Clinic also engages in strategic advocacy and utilises the relevant dispute resolution bodies such as the Financial Ombudsman Service (FOS), the Credit and Investments Ombudsman (CIO) and the Code Governance Committee of the General Insurance Code of Practice. The MVA Clinic sees a high volume of clients and is thus able to identify systemic issues and lobby for change. As an example, we observed that a high majority of our clients cited unaffordability as their reason for not having insurance. We are pleased to note that recently a vehicle insurance product specifically designed for low-income earners has been introduced. We look forward to monitoring the implementation of that product and providing feedback where appropriate.

FOS Code Governance Committee Complaint Outcome

In a MVA matter where our client was at fault and being pursued by Recoveries Corporation Pty Ltd (RC) acting for Insurance Manufacturers of Australia ("IMA") for damage costs, we requested that the debt allegedly owed by our client be waived on the basis of her severe financial hardship in October 2015. We did not receive a response to our request from RC, and thus we lodged a complaint with the Code Governance Committee in relation to IMA's breach of Chapter 8 of the *General Insurance Code of Practice 2014* ("the Code") in November 2015. In June 2016, we received the Code Governance Committee's outcome of their investigation. The Committee determined that IMA breached subsections 8.4 and 8.6 of the Code in relation to not responding to our client's financial hardship request within a reasonable period of time, as it took IMA 96 days to make a decision on the request for financial hardship assistance. IMA acknowledged its Code breaches and in response has increased its staffing level, made a number of changes to its processes, and increased the monitoring and oversight of financial hardship matters.

REFUGEE

WEstjustice recognises the need for tailored legal services for newly arrived refugee and asylum seeker communities and seeks to address the barriers these communities face in accessing justice. The Refugee Legal Service is a generalist clinic that offers a first point of access to the legal system and provides advice, advocacy and referral to people from a refugee background, including asylum seekers who live, work or study in Melbourne's West. The service is built on strong relationships with communities and settlement agencies and we work extensively with community workers and interpreters to assist clients. We assist clients with a wide range of legal issues including consumer complaints, debt, fines, car accidents, discrimination, divorce and separation, family violence, some criminal matters and other issues.

Through casework, the service seeks to identify systemic issues that impact newly arrived refugee and asylum seeker communities and develop responsive projects that provide broader, system level advocacy for communities. One example of these projects is the My Name Project which seeks to address the difficulties Karen, Karenni and Chin communities from Burma experience when dealing with government departments, services and companies as a result of discrepancies of names across identity documents due to errors made by various agencies as well as different cultural naming practices.

WEstjustice also has a pro bono partnership with King & Wood Mallesons and HWL Ebsworth Lawyers, who run a Refugee Fines Legal Service from our premises on a fortnightly basis.



One of the first sessions with families for the My Name Project

TAXI

WEstjustice runs a specialist legal clinic for taxi drivers which comprises of advice, case work and advocacy in the areas of motor vehicle accidents, insurance/indemnity matters, licensing accreditation and debt/financial hardship. In particular the clinic specialises in the area of insurance/indemnity matters. Our service has successfully litigated a number MVA/insurance matters in the Magistrates' Court of Victoria and has a consistent team of pro bono barristers who we brief.

The strong focus on complicated casework has allowed our service to contribute and advocate on legislative changes. The Taxi Legal Service (TLS) actively meets with stakeholder's including government to advocate on policy and reform.

This year our office has also assisted a number of taxi licence holders who were in financial hardship, to apply to the Victorian Taxi Reform Hardship Fund. With the assistance of Financial Counsellor's Becky Smith and Heather Neilson Lawyers, Edmund Gale and Kristina Sajfar, CEO, Denis Nelthorpe and volunteer paralegals, Ante Sentic and Dejan Vangev, many of client's received in excess of \$50,000 in hardship payments each.

With the recent legislative changes to ride sharing, including the legalising of Uber, the taxi industry has been faced with significant issues as the existing licensing regime will now change. To ease the transition to the new laws, the government has set up a \$75 million Fairness Fund. A total of \$50 million will be allocated to a Hardship Fund to support licence holders in financial hardship. The TLS is excited to announce that we have just received funding from the Department of Economic Development, Jobs, Transport & Resources over a three month period to assist eligible taxi licence holders to apply to the Hardship Fund.

With the ongoing work surrounding insurance in the taxi industry and with our new project, our TLS team has significantly grown. We now have a team of two lawyers, four financial counsellors and a social worker along with administrative support. We also have a team of dedicated law students who volunteer with our team enabling our service to continue to undertake complete casework. Westjustice continues to offer an after hours TLS advice clinic on a fortnightly basis and now has a separate clinic to assist taxi licence holders with their hardship applications three days a week. The TLS would like to extend a thank you to all our pro bono barristers and lawyers who have assisted in our litigation matters and our dedicated team of volunteers who have assisted our team at the after hours night service advices and with our casework.

TENANCY

The Tenancy Advice and Advocacy Program (TAAP) employs two tenancy lawyers who provide specialist advice, casework and representation to vulnerable and underprivileged tenants who live in Melbourne’s West.

TAAP has a particular focus on working with clients from refugee and non-English speaking backgrounds and works closely with local refugee settlement agencies and community development workers. Almost 60% of our tenancy clients in the past two years were born outside Australia. TAAP primarily assists tenants in private tenancies, however assistance is also provided to some tenants who live in public and community housing. TAAP provides a duty lawyer service to assist tenants with on-the-spot advice and representation one day per week at VCAT in Werribee.

TAAP also undertakes specialist insurance casework, with a focus on the impact of landlord insurance policies on tenants.

TAAP is available to eligible clients of WEstjustice and from the VCAT catchment areas of Broadmeadows, Collingwood, Heidelberg, Melbourne, Sunshine, Werribee, Colac, Geelong, Hamilton, Portland, Wyndham Vale, Hoppers Crossing, Footscray, Sunshine and Warrnambool.

In the past five years TAAP has assisted over 1,100 clients with almost 1,800 tenancy matters.

Misuse of Breach of Duty Notices—Rebecca’s Story

Rebecca, a mother of three young children, attended our service after receiving three Breach of Duty Notices for alleged damage to the property.

Rebecca had been living at the property for several years. After a routine inspection, the agents determined that a Breach of Duty Notice was warranted for alleged damage, which included damage to the walls, fences, outbuildings, bathroom tiles, window sills, curtains, dirty and damage to splash back, and marks on flooring. The landlord requested over \$2,500 in compensation, which we rigorously denied (for the reasons below and we did not believe that this amount had been correctly determined to start with).

WEstjustice advocated on behalf of Rebecca. We stated that in some instances, these were in fact maintenance issues that had been misrepresented as the tenant’s responsibility (such as tiles had not been correctly installed by the builders). For other matters, in our opinion, it was a case of wear and tear (including wall discoloration, which had not been painted in over five years and minor carpet stains). We strongly advocated this to the landlord and agent, and demanded that they attend to the repairs, as per their duty under the Residential Tenancies Act (RTA).

The landlord undertook to repair the maintenance issues we raised, accepting that the builder had not installed the tiles correctly, and agreed to paint the walls. We later provided further advice to Rebecca on the other wear and tear matters.

We believe this was a good outcome for Rebecca, but it raises a systemic issue, that is, broad misuse of Breach of Duty Notices. Our primary concern is that they are used to bully tenants into either undertaking repairs, or paying compensation, where they are not liable to, or the quantum has not been correctly determined (We have raised this issue in our submissions to the RTA review).



What A Lemon!

Sandi's Story:

Young Mother ♦ Refugee ♦ No English, illiterate, low level of education

Sandi purchased a used car for \$6500 from a licensed motor car trader ("the Dealer"). At the time of purchase, the Dealer did not notify Sandi of any defects, a roadworthy certificate was not provided and the car was unregistered. The Dealer agreed to pay for the registration, but this never occurred. Approximately 2 weeks after the purchase date, the car began to overheat and emit white smoke. The car was no longer safe to drive.

Sandi returned to the car yard with a friend who could speak some English to tell them the car was not working and to seek a solution. The Dealer refused to resolve any issues with the car. Sandi approached our service.

WEstjustice engaged the services of an independent mechanic to examine the car. He found a blown head gasket in the engine and a damaged cooling system and concluded that these defects existed prior to purchase and rendered the car 'not fit for purpose'. He calculated that the cost of repairs would outweigh the value of the car. WEstjustice sent a letter of demand to the Dealer requesting a full refund of the purchase price and other costs on the grounds that the defects constituted a major failure under the ACL. The dealer refused to provide a remedy. WEstjustice assisted to initiate proceedings at the Victorian Civil and Administrative Tribunal (VCAT) and represented her at the hearing.

Outcome:

VCAT ordered the Dealer to pay Sandi, \$6778 (made up of partial refund for the purchase price of the car, registration costs and expert report costs) and to remove the car from her premises at their own expense.

Case study from the Refugee Legal Service

OUTREACH/PARTNERSHIPS

BRAYBROOK COMMUNITY HUB

This year, WEstjustice made the decision to offer an outreach at the Braybrook Community Hub. Based on the growing demand in the West and the knowledge that transport is limited in the Braybrook area, an alternative outreach was agreed upon. Developed in conjunction with Braybrook cohealth, the clinics offered include:

- A fortnightly family violence and family law clinic,
- A monthly MVA and fines clinic
- A monthly financial counselling clinic

Priority was given to clients referred by cohealth. Currently the pilot service is under a re-structure to further improve the service.

MERCY HEALTH JUSTICE PARTNERSHIP

WEstjustice aims to provide innovative service delivery and as such has partnered with the Mercy Hospital in Werribee to provide direct services to vulnerable patients in primary areas of legal need including family violence and infringements/debt support. To date, the pilot has been very successful, thanks to our dedicated lawyers and great team at the hospital.

SCHOOL LAWYER

The School Lawyer Project uses a new and innovative gateway to address hidden problems within a public school community and aims to build the confidence of that community to effectively engage with the justice system in order to improve the stability of school families and the attendance and performance of the school students. The project has partnered with The Grange P-12 College and key public and community agencies in the western suburbs of Melbourne, creating an inclusive relationship with students, parents/guardians and teachers that goes beyond the traditional solicitor/client relationship.

The School Lawyer is based at the Grange Deloraine campus four days a week and is there to assist the students and parents of The Grange P-12 College and Warringa Park additional needs school. The lawyer has already helped the students with the following: criminal law matters, family law and family violence matters, homelessness, myki fines, a potential forced marriage, employment law and sexting to name a few.

Along with casework, the lawyer is delivering community legal education to students and families on many different topics. Some of these topics are sexting, bullying and cyber bullying, online safety, employment law and criminal law. The lawyer will also deliver CLE sessions to the staff of the Grange.



The School Lawyer Project has really supported our integrated approach to building a sense of a supportive college/community partnership. The project is very powerful in changing students' behaviour when they engage in the community and has ensured that life messages, rights and responsibilities of the individual are supportively tackled not only from an educative perspective but importantly from the legal.

- David Smillie, Principal

SUNSHINE YOUTH OFFICE (SYO)

The SYO is a holistic legal service that provides access to justice for the most vulnerable young people in the west. SYO offers a drop in legal service Monday, Wednesday and Friday between 9.30am and 4.30pm. SYO provides legal advice, representation and referrals in a range of legal matters including crime, infringements, IVOs, MVAs, debt and tenancy.

SYO is co-located in the Visy Cares Hub in Sunshine with approximately 20 other youth services including mental health, drug and alcohol, employment, justice programs, education and disability services. The co-located service enables WEstjustice to provide a holistic legal service with appropriate and on the spot referrals for young people to help them address issues related to their legal matters. The drop in legal service also enables other services in the building to link vulnerable clients to a legal service without delay.

In September 2015 the supervising lawyer role became a full time position with Charlie Watson taking over the role from Michael Rice. Charlie Watson is an accredited criminal law specialist and with increased capacity and expertise, SYO has been able represent a larger number of vulnerable young people charged with criminal offences who fall outside of legal aid guidelines but their complex circumstances demand quality representation.

SYO has an ongoing case load of between 120-150 files. Since September 2015, SYO has appeared on behalf of WEstjustice clients in the Magistrates' and Children's Court on approximately 70 occasions.

Since November 2015, SYO has successfully finalised approximately 20 matters in the Special Circumstances list as a result of successful applications for revocation on behalf of young people who have a combination of mental health, drug and alcohol and homelessness issues.

SYO also provides Community Legal Education. In 2015/2016 SYO presented regularly to young people and youth service providers on a range of legal issues including family violence, drugs, police powers and banning and exclusion notices.

SYO is staffed by the supervising lawyer and student volunteers from Victoria University completing a four month internship involving attendance two days per week. This is a unique internship that allows the students to take on all the responsibility, under supervision, of between 10 and 20 files. Eight students also took the giant step of appearing in the Magistrates' Court on behalf of SYO clients.

Their invaluable contribution supports SYO to maintain a high case load and run the drop in legal service. In 2015/16 SYO had 29 interns with 12 of those interns remaining with the Centre beyond their four months as senior interns. WEstjustice would like to thank them for their contribution and wish them all the best in their legal careers.

Benefits Of Co-Location and Victoria University Internship—Campbell's Story:

Campbell was referred to our service by a co-located youth mental health organisation. He had complicated mental health issues and a long history of poly substance abuse. He had been charged with multiple breaches of an intervention order prohibiting family violence and had also been charged with the more serious indictable offence of a persistent breach of an Intervention Order. He had no prior offences and was not eligible for legal aid.

Sunshine Youth Office Representation

The Sunshine Youth Office, with the assistance of the students completing their internship, was able to give Campbell's case the preparation and representation his circumstances demanded in the following ways:

The co location of the services enabled appointments to be coordinated between the services to be held after the other to reduce the stress on Campbell;

- In coordination with his counsellors (mental health and drug and alcohol) he was encouraged and supported in his attempts towards rehabilitation
- Detailed treatment reports were obtained without cost and tendered to the court for his plea hearing.
- A comprehensive review of the *Crimes Family Violence Act 2006* was undertaken by the interns and a detailed written submission was made to the Police Prosecution to withdraw the persistent breach charge on the basis that there was insufficient evidence.
- Given the expertise and extra resources of the position, Charlie Watson , with interns present, was able to do all appearances in court on behalf of the client.

The Police Prosecution agreed to withdraw the persistent breach charge and Campbell pleaded guilty to the remaining charges. By the plea hearing Campbell had made significant gains towards his rehabilitation with reports and support letters tendered to the court supporting as much. Campbell received a without conviction undertaking to be of good behaviour which in the circumstances was the best possible outcome.

The interns not only contributed in a meaningful way to this case, they were also exposed to the multiple layers of complexity of a criminal case and were able to attend court and witness the culmination of the matter at the plea hearing.

DUTY LAWYER SERVICES

YOUTH RESOURCE CENTRE (YRC)

The YRC is a great space for young people to hang out in a safe and supportive environment with a range of free services available to them. It has provided the perfect space for our Youth Lawyer to run a weekly generalist drop-in and appointment based clinic, as it is a relatively informal and thus less intimidating setting, where we can easily refer clients who need additional support to services in the same building, such as support with housing, mental health and general case management.

DEBT COURT

The Debt Clinic in the Werribee Magistrates' Court was set up in response to the Court's request for a legal and financial service at the Court to advise judgment debtors about their options to tackle escalating financial problems. It is geared towards assisting judgment debtors who attend the Court for a Summons of Oral Examination. WEstjustice and Anglicare (financial counselling service) work collaboratively to provide advice, casework and referral pathways. The Debt Clinic at Sunshine Magistrates' Court was restarted in June this year following feedback from court staff of the increased need for our assistance.

FAMILY VIOLENCE

WEstjustice has a range of services that are focused on improving the safety of women and children in the West. Family violence is the dominant area of law provided by our service with almost one-quarter of WEstjustice clients seeking assistance in this area of law. Many of these clients are seen at our Family Violence Duty Lawyer Service at the Sunshine Magistrates' Court and Werribee Magistrates' Court. We are now prioritizing more follow through with these most vulnerable clients and working better with family violence support services to ensure the legal protection of victims. Due to demand, we introduced an additional fortnightly Friday duty lawyer service at the Werribee Magistrates' Court in January 2016.

INFRINGEMENTS COURT

WEstjustice attends the Werribee Magistrates' Court on a fortnightly basis to assist clients that have social circumstances and appear on their behalf when appropriate in relation to infringements. We have been offering this service since mid 2012.

TENANCY

This Service began in October 2012 as part of the Tenancy Advice and Advocacy Program funded by CAV. One of our tenancy lawyer attends the weekly Duty Service at Werribee VCAT to offer advice or representation (where deemed appropriate) to tenants.

COMMUNITY LEGAL EDUCATION

WEstjustice recognises that there are structural inequalities inherent in and institutionalised by the justice system; marginalised and disadvantaged individuals and groups within our community are impacted by the law more than others. WEstjustice thus works towards a more just and equitable legal system by engaging with systemic issues and undertaking preventative work through community projects, law reform and community legal education (CLE).

CLE involves a broad range of methods and techniques, but at its heart takes a community development approach. It seeks to empower marginalised and disadvantaged groups within our community by raising their awareness of the law and legal processes; enabling them to avoid legal problems in the first place; strengthening their capacity to navigate and use the legal system should legal problems arise; and building their confidence to assert and claim their legal rights.

NEWLY ARRIVED COMMUNITIES

While WEstjustice delivers CLE to a broad range of community groups, the vast majority of our sessions are provided to newly arrived communities.

The law pervades almost all aspects of our lives, both public and private. An inability to understand, interact with and successfully navigate the legal system can and does result not only in escalating legal problems, but in entrenched economic and social disadvantage. For newly arrived communities, an understanding of the law is critical to successful resettlement and full engagement in Australian life.

Our CLE sessions are delivered to the client groups of settlement agencies throughout Melbourne's West, as well as through English language programs offered by community centres and migrant resource centres. Our sessions are provided to community members from dozens of countries around the world, at various stages of their resettlement journey.

They explore diverse areas of Australian law that directly intersect with resettlement; consumer law, driving, employment law, family law, family violence, infringements, neighbourhood disputes, the powers of police and protective services officers, public transport and more.


They also introduce the concept of 'everyday law'; the idea that the law is not just about criminals, the police and the courts but is all around us, a part of our everyday lives.

STUDENTS

As part of Law Week in May 2016, SYO produced a "Mock Trial" for students at the Grange Secondary College and Melbourne Academy's class based in the Visy Cares Hub. The school students played the role of the jury and they had to give a verdict on charges of violence where the Accused claimed his actions were in self defence. The exercise was positively received and touted as a wonderful learning experience for the Legal Studies students.


YOUTH

No Violence No Way is a performance based community legal education program about family violence which aims to build the capacity of young people to identify family violence and develop the tools to respond appropriately to it. The program is run by our Youth Lawyer and our Community Development Officer, with the assistance of two professional actors who perform a series of short plays depicting different family violence scenarios. Following these plays a discussion is facilitated with students to tease out the nuances around family violence and ensure that students have a good grasp on how to identify and respond to it. This also includes educating students about their legal rights. This year we delivered the No Violence No Way program to around 10 schools and alternative youth services, including a young mothers group, an alternative VCAL school, and at youth engagement programs run out of a local Youth Resource Centre. We delivered the program to approximately 2000 young people over a period of 5 weeks. We are in the process of receiving feedback but initial responses from staff and students has been overwhelmingly positive.



As a general remark, I think you guys ran the program quite well. Your actors are fantastic and you and Gill engaged with the students in a very friendly way - encouraging them participate in the discussions. I deal with teenagers in abusive/violent and manipulative relationships almost everyday and I wish all senior school students get the opportunity to benefit from such program.

- feedback from a staff member



I feel it's been a great program, even if there isn't an initial increase in students seeking support for family violence, it's important information for them to be taught.

- feedback from a staff member

AUDITED FINANCIAL REPORT



CERTIFIED PRACTISING ACCOUNTANTS
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TOWARDS A VISION SHARED

WESTERN COMMUNITY LEGAL CENTRE LIMITED
A.B.N. 72 604 181 071
INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS

Report on the Financial Report

I have audited the accompanying financial report of Western Community Legal Centre Limited (the company), which comprises the statement of financial position as at 30 June 2016, the statement of comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory notes and the Directors' declaration.

Directors' Responsibility for the Financial Report

The directors of the registered entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards and the Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act) and for such internal control as the responsible entities determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial report based on my audit. I conducted my audit in accordance with Australian Auditing Standards. These Auditing Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Directors, as well as evaluating the overall presentation of the financial report.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Independence

In conducting our audit, I have complied with the independence requirements of the Corporations Act 2001. I confirm that the independence declaration required by the Corporations Act 2001, provided to the Directors of the company would be in the same terms if provided to the Directors as at the date of this auditor's report.

Auditor's Opinion

In my opinion the financial report of Western Community Legal Centre Limited is in accordance with Division 60 of the Australian Charities and Not-for-profits Commission Act 2012, including:

- (a) giving a true and fair view of the registered entity's financial position as at 30 June 2016 and of its performance and cash flows for the year ended on 30 June 2016; and
- (b) complying with Australian Accounting Standards- Reduced Disclosure Requirements and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013.

Frederik R.L. Eksteen

Collins & Co
127 Paisley Street
Footscray VIC 3011

20 October 2016

WESTERN COMMUNITY LEGAL CENTRE LIMITED
A.B.N. 72 604 181 071
INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2016

	2016
	\$
INCOME	
Government Grant Funding Income	1,167,944
VLA Commonwealth Generalist	439,628
VLA - State Generalist	564,472
State SACS ERO Allocation	134,492
Cth SACS ERO Allocation	29,352
Other Grant Funding Income	1,043,814
VLA - Family Violence State	309,856
CAV Consumer Casework	69,190
CAV Tenancy	230,096
Taxi Services Commission	26,894
Taxi/Camapping - Insur income	67,759
Employment Project Income	43,750
Melb Social Equity Institute	5,200
Vic University - Youth Law	165,000
VLSB - Health Agency to Court	20,000
Fin Counselling - EACH	106,070
Philanthropic Funded Project Income	161,889
Lord Mayor -Eco Violence	43,875
Western Region Funding Income	40,647
Newboys Foundation Income	18,750
Ross Trust Funding Income	15,000
Jack Brockhoff Income	15,000
Helen Macpherson Smith Trust	22,500
VWBT - Family Daycare & Cntrlk	4,700
HCC - FV funding Mercy Hospit	1,417
Other Income	58,603
Legal Costs Recovered	3,819
Interest Received	16,076
Other Income	33,908
Fee Income	400
Student Placement Income	4,400
Winding Up Distribtuion from Merging Entities	348,043
TOTAL INCOME	2,780,294

WESTERN COMMUNITY LEGAL CENTRE LIMITED
A.B.N. 72 604 181 071
INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2016

	2016
	\$
EXPENDITURE	
Administration Expenses	124,247
Advertising & Marketing	29,933
Bank Fees & Charges	306
Computer & Software Maintenance	22,043
Conference Expenses	7,006
Internet & Web	2,629
Losses & Damages	135
Penalties & Fines	1,968
Postage & Freight	3,429
Printing & Stationery	24,095
Storage	3,799
Subscriptions & Memberships	8,733
Sundry Expenses	529
Telephone & Fax	19,643
Depreciation Expenses	24,845
Employment Expenses	22,651
External Payroll Processing	4,991
Staff Training	11,719
Staff Amenities	5,941
Occupancy Expenses	201,657
Cleaning and Waste Disposal	9,567
Electricity and Gas	8,085
Insurance	2,498
Minor Office Equipment	4,227
Rates	4,707
Rent Paid	161,555
Repairs and Maintenance	8,967
Venue Hire	2,050
Organisational Expenses	80,631
Accounting Fees	52,491
Auditors Remuneration	6,300
Catering & Meeting Costs	4,177
Legal Fees	4,230
Program Resources	2,660
Travel Expenses	10,774
Staff Salaries & Wages Expenses	2,060,902
Salaries & Wages	1,729,955
Superannuation Contributions	154,300
Consultants & Temporary Staff	29,104
Workcover Insurance	5,712
Annual Leave & Long Service Leave Expenses	141,831
TOTAL EXPENDITURE	2,514,933
NET SURPLUS/ (DEFICIT) ATTRIBUTABLE TO THE COMPANY	265,362

WESTERN COMMUNITY LEGAL CENTRE LIMITED
A.B.N. 72 604 181 071
STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2016

	Note	2016 \$
ASSETS		
CURRENT ASSETS		
Cash and Cash Equivalents	2	786,366
Trade & Other Receivables	3	15,508
Other Current Assets	4	47,803
TOTAL CURRENT ASSETS		849,674
NON CURRENT ASSETS		
Property, Plant & Equipment	5	312,450
TOTAL NON-CURRENT ASSETS		312,450
TOTAL ASSETS		1,162,124
LIABILITIES		
CURRENT LIABILITIES		
Accounts Payable and Other Liabilities	6	591,741
Provisions	7	294,323
TOTAL CURRENT LIABILITIES		886,064
NON-CURRENT LIABILITIES		
Provisions	7	10,699
TOTAL NON-CURRENT LIABILITIES		10,699
TOTAL LIABILITIES		896,763
NET ASSETS		265,362
EQUITY		
Accumulated Members Funds		265,362
TOTAL EQUITY		265,362

WESTERN COMMUNITY LEGAL CENTRE LIMITED
A.B.N. 72 604 181 071
STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2016

	Accumulated Members Funds \$	Total \$
Surplus attributable to the Company	265,362	265,362
Balance as at 30 June 2016	<u>265,362</u>	<u>265,362</u>

ACKNOWLEDGMENTS

Thank you to all our funders, pro bono partners, community partners and supporters

- Allens
AMES
Anglicare
Ashurst Australia
Australian Communities Foundation (Slater & Gordon Community Fund)
Braybrook Community Hub
Catriona Lowe
Christopher Dunlop—Barrister
cohealth
commUnity Plus Services
Consumer Action Law Centre
Consumer Affairs Victoria
Corrs Chambers Westgarth
Deakin University Clinical Program—Marlene Ebejer
Department of Justice & Regulation
Dispute Settlement Centre of Victoria
EACH
Ethnic Communities’ Council of Victoria
Federation of Community Legal Centres
Gilbert + Tobin Lawyers
Helen McPherson Smith Trust
Hobsons Bay City Council
Hoppers Crossing Club Ltd
HWL Ebsworth
Hoyne
Jack Brockhoff Foundation
Justice Connect
- K&L Gates
King & Wood Mallesons
Laverton Community Hub
Legal Services Board Victoria
Lyn Goldsworthy
Maddocks Lawyers
Marcou & Associates Lawyers
Maribyrnong City Council
Maurice Blackburn
National Association of Community Legal Centres
National Union of Workers
New Hope Foundation
Newsboys Foundation
one2one Office Interiors—Chris Norton
Phoenix Youth Centre
R E Ross Trust
Ryan Maguire—Barrister (Mock Trial Judge)
Social Security Rights Victoria
Sparke Helmore Lawyers
Spectrum Migrant Resource Centre
Sunshine Family Relationship Centre
Sunshine Magistrates’ Court
Tandem Media
Taxi Services Commission
Tenants Union Victoria
The Grange P-12 College
The Lord Mayor’s Charitable Foundation
UnitingCare Werribee Support and Housing
Victorian Government
Victoria Law Foundation
Victoria Legal Aid
Victoria Legal Aid—Cavell Warren (Mock Trial Judge)
Victoria Legal Aid—Olympia Sarrinikolaou
Victorian Government—Department of Justice
Victoria University
Victoria University College of Law and Justice—Su Robertson & Laurel Bakos
Victorian Women’s Benevolent Trust
Victorian Women’s Trust
Victorian Women’s Trust (Fay Marles Equal Opportunity) Sub Fund
Visy Cares Hub Sunshine
Werribee Magistrates’ Court
Werribee Mercy Hospital
Werribee VCAT
Wyndham City Council
Wyndham Community and Education Centre
Wyndham Humanitarian Network
Wyndham Youth Resource Centre
Youth Junction Inc

Footscray Office
Level 1, 72 Buckley Street
Footscray VIC 3011
Ph: 03 9749 7720
Fax: 03 9689 8155?
Email: admin@westjustice.org.au
Day Service: Monday to Friday 9.30am – 5.00pm by appointment
Night Service: Tuesday evenings from 6.30pm by appointment

Werribee Office
Level 1, 8 Watton Street
Werribee VIC 3030
Ph: 03 9749 7720
Fax: 03 97498276
Email: admin@westjustice.org.au
Day Service: Monday to Friday 9.30am – 5.00pm by appointment
Night Service: Monday evenings from 6.30pm by appointment

Sunshine Youth Office
Visy Cares Hub
80B Harvester Road
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Day Service: Monday, Wednesday and Friday 9.30am—4.30pm
by drop in

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