

Hunter Community Legal Centre Inc.

Annual Report
2017



Contents

About us	1
Our People	2
Pro Bono Assistance & Volunteers	3
Chairperson's Report	4
Managing Solicitor's Report	5
Funding Campaign	6
National Census of Community Legal Centres	7 - 8
Our Clients	9
Case Study	10 - 11
Cultural Awareness Training & NAIDOC Week	12
Reflection	13
Volunteer Awards	14
Financial Reports	15 - 21

About Us

Community legal centres recognize the barriers which exist for many people in their interaction with and understanding of the law and our legal system. These barriers are reinforced by the high cost of private legal services, the restrictions on the availability of legal aid, the complexity of the law and legal processes, and the fact that many people are powerless to deal with their legal problems because of social, economic or other disadvantage.

The Hunter Community Legal Centre aims to address this unmet need for legal services and to eliminate the structural and systemic barriers to justice which exist for many disadvantaged members of its community.

The Hunter Community Legal Centre was established in 1991 as a not-for-profit community legal centre to provide free legal advice, assistance and representation to disadvantaged people in the Newcastle and Hunter region. It covers 11 local government areas with a geographic area of approximately 22,000 square kilometres and a population of approximately 600,000. The Centre provides free telephone and face to face legal advice, assistance and representation in many areas of law, as well as community legal education, law reform and clinical legal education. It also provides a number of outreach face to face legal advice clinics in the Hunter region.

Our Vision

An empowered community that values equal access to justice and upholds and respects human rights.

Our Mission

To enhance access to justice and promote human rights in the Hunter region by:
Providing a high quality accessible legal service to disadvantaged and vulnerable people.
Delivering legal information and education to service providers, clients and the community.
Identifying and engaging in law reform activities to address inequalities in the legal system.

We Value:

Respect
Accountability
Integrity
Social Justice
Equality

Our People

Board of Management

Chairperson	Peter Bates
Vice Chairperson	Colin James
Secretary	Kenn Clift
Treasurer	Murray Evans
Members	Ndi Mtonga
	Lucy Urach
	Jill Evans
	Richard Lane
	Dane Twohill

Staff

Solicitors	Bronwyn Ambrogetti	
	Briony Manning	
	Clair Tait	
	Kim Richardson	
	Luke Shearston	
	Lynne Jackson	Resigned March 2017
	Michael Giles	
	Mitchell Harvey	
	Tendayi Chivunga	Resigned November 2016
	Julie Vitnell	
Coordinator	Kathina Balston	
Intake Admin	Bianca Evans	
	Judy Hitchcock	
	Karen Lau	Resigned February 2017

Pro Bono Assistance & Volunteers

Pro Bono Assistance

Laycock Burke Castaldi Lawyers
Moray Agnew Lawyers
Sparke Helmore
SWS Lawyers
Baker Love Lawyers

Volunteer Solicitors

Lynn Flanagan
Lestelle Olsen
Seamas Burke
Elizabeth Radley
Annette West
Helen Sexton
Felicity Douglas
Richard Hardy
Keziah Elliott
David Uka
Anjali Rastogi
Kerrin Lawn
Kenn Clift
Jane Gallagher
Merridy Elphick
Paul Hardwick
Grace MacPherson
Tom Lyons
Chandrika Darroch
Lucy Munro
Usman Bhatti

Volunteers

Elise Briggs
Silva Gevorkyan

Students

Peter Gow
Blanca Riz Ramirez
Elizabeth Losurdo
Tim Brook
Kylie Wai
Isabella Houston
Lestelle Olsen
Nathan White
Angela Sweeney
Cameron Smith
Sarah Ekert
Kali McCoy
Josie Plumsted
Kaitlin Gray
Carlin Brunner-Evans
Erin Menhinnitt
Maz McCalman
Susan Robinson

Intake Volunteers

Madeline Muddle
Madeline Pywell
Prue McDonald
Tika Wright
Josephine Adamson
Courtney Parnell
Maimoon Khan
Paige Findley
Gabrielle Cornett
Fleur Dawkins

Chairpersons Report

The past 12 months has been another challenging year for the Hunter Community Legal Centre (CLC). We started the year facing 30% funding cuts across the sector, this meant many hours spent on reviewing funding models and campaigning to stop the cuts. Alongside the announcement of funding cuts was the announcement that the Attorney Generals Department would not support the national database beyond 2016. This meant the National Association of CLCs had to develop and implement a new database in a short period of time. The rollout of the database was delayed from December 2016 to February 2017 and once this occurred a range of problems followed, including the inability to obtain any kind of reporting until July. To date there is still only minimal reporting available. Despite this Hunter CLC continued to provide important legal services for members of the Newcastle and Hunter communities.

Some highlights of the year, which illustrate the Centre's growing reputation, community engagement and continuing commitment to providing high quality legal services are:

- Our AVO duty service continues to provide an essential service at Newcastle Local
- Our duty service for Traffic matters at Toronto Local Court was funded by the Cooperative Legal Services Department (CLSD) for another 12 months.
- Outreach Legal Services continue to provide accessible services to Cessnock and Nelson Bay.
- Our Centre joined a collaborative project with local Settlement Services, the University of Newcastle and Refugee Advocacy Centre Service (RACS) to provide assistance with visa applications for refugees.
- Our generalist clinical legal education continued to provide supervision of over 20 law students and graduates enrolled in Practical Legal Training Courses.

I would like to thank my fellow Board members for their work this year, giving their time to attend meetings and oversee the governance of the Centre.

I would, on behalf of myself and the Board, like to thank all the staff including those who have left the Centre during the past 12 months, particularly Lynne Jackson who had been a long standing member of the Family Law team, for their efforts and commitment in providing an excellent service for our community. I would also like to thank the volunteers to their time and effort they provide to the Centre, their contribution allows the us to provide greater access to our services.

Peter Bates

Managing Solicitor's Report

Once again funding uncertainty overshadowed the 2016– 17 year. The National Partnership Agreement (NPA) which came into effect in 2015 foreshadowed a 30% funding cut in July 2017 for the community legal sector. In an effort to reverse the cut the Hunter CLC participated in the national funding campaign “Fund equal justice”. In the fortnight before the budget our hard work prevailed and the Attorney General reversed the decision to cut the community legal sector. As a result our funding has remained stable.

During 2016/17 we farewelled Lynne Jackson our senior Family Solicitor who has taken up the position as Registrar at the Family Court in Newcastle. Lynne has been at Hunter Community Legal Centre since 2009 and will be missed by staff and clients at the centre.

Our duty service at Toronto Local Court for Traffic matters has proved very successful in providing assistance for unrepresented defendants and helping them to get the best outcome from the court. Our original traffic solicitor Tendayi Chevunga however left us to go to a full time position in private practice and we wish her well.

As a result of these changes we have two new legal recruits to the centre, Clair Tait and Mitchell Harvey. Both are junior solicitors who had previously completed their practical legal training at the centre and have returned to us after a stint in private practice.

Our admin section has also had staff changes with the resignation of Karen Lau our full time intake officer. Kathrina Balston who began as a volunteer with the Centre was promoted to the full time position and Bianca Evans came in as the part time intake officer.

The Hunter CLC was selected to present at the National CLC Conference in Freemantle. Kim Richardson presented on our work with Tantrum Youth Arts and their interactive play “Opening Doors” as an innovative way to provide community legal education to teens about domestic violence and sexting. Luke Shearston presented on his and Briony Manning’s work in the Family Law section at Hunter CLC and the best way to assist self-represented litigants in the Family Court. Both sessions were well attended and received positive feedback.

Hunter CLC participated in Law Week in May by organising a panel discussion about criminal law and the legal history of Newcastle with presenters from the local history section of Newcastle Library. Michael Giles represented Hunter CLC on the panel and presented on the services of the Hunter Community Legal Centre. The feedback from the session was extremely positive.

As well as these and other events the Hunter CLC continued to provide its specialist family law service and its civil and criminal law service.

I would like to thank all the staff, for their commitment throughout the last year in difficult circumstances. The professionalism of all our staff make the Hunter CLC a great organisation to work for.

To our Board who give their time to attend meetings after hours, read Board papers and provide support to the Centre in many other ways a big thank you again for your contribution in 2016/17.

I would also like to thank the volunteers and Pro bono solicitors who make the Hunter CLC so much more accessible to our community by providing hours of their time to assist.

I look forward to working with you all again in the coming year.

Bronwyn Ambrogetti



Staff & volunteers from Hunter CLC

Funding Campaign



Julie Vitnell, Joel Fitzgibbon, Sharon Claydon, Michael Giles



Bronwyn Ambrogetti, Mark Drayfus, Julie Vitnell, Sharon Claydon

NATIONAL CENSUS OF COMMUNITY LEGAL CENTRES (CLCs) 2016

Clients, services and work

NACLC is the peak national organisation representing Community Legal Centres (CLCs) in Australia. Its members are the state and territory CLC associations that represent 180 centres in various metropolitan, regional, rural and remote locations across Australia.

The 2016 Census is the fourth annual survey of the CLC sector conducted by NACLC, in consultation with the state and territory CLC associations. The Census is an important tool to collect information about the clients, services, work and priorities of CLCs.

Note: All statistics in this infographic relate to the 2015/16 financial year.¹

PROFILE

129 CLCs responded to the Census



TOP 3

Top 3 specialist areas or clients groups were:



domestic/family violence



Aboriginal and Torres Strait Islander people



family law

TURNAWAYS²

169,513

people were turned away from 109 CLCs



74.7%

reported turning away people due to **insufficient resources**

32%

of CLCs could not provide a person they turned away with an appropriate, accessible and affordable referral

CLIENTS



15.4%

of clients, on average, identified as an **Aboriginal and/or Torres Strait Islander person**



25.8%

of clients, on average, identified as a person from a **culturally and linguistically diverse background**



24.0%

of clients, on average, identified as a person with a **disability**

TIME SPENT ON FUNDING-RELATED ACTIVITIES

118 
CLCs spent over

2,477 
hours per week

on funding-related activities
including reporting, grant applications and fundraising



¹ Every percentage (%) referred to in this infographic is a percentage of the number of respondents that answered that particular question in the Census. To locate how many CLCs responded to each particular question, please refer to the National Report on the NACLC website: http://www.nacalc.org.au/cb_pages/reports_and_resources.php

² A 'turnaway' by a CLC was defined as: any person your CLC had to send away because you were unable to assist them within the needed timeframe or because of a lack of resources, lack of centre expertise or your centre's eligibility policy.

NATIONAL CENSUS OF COMMUNITY LEGAL CENTRES (CLCs) 2016

Clients, services and work

VOLUNTEERS AND PRO BONO PARTNERSHIPS

volunteers
contributed  hours
889,096
to 112 CLCs across Australia

6,773  volunteers
contributed
a total of **17,098**
hours of work per week

An average of approximately **1**  staff hour
was spent to garner

 **6.4** quality assured
volunteer hours³

CLCs spent approximately
138,602  hours
supporting the work of volunteers

57,848  hours
were contributed by pro
bono partners to 70 CLCs

POLICY ADVOCACY AND LAW REFORM

76.2% undertook policy advocacy
and law reform activities 

TOP 3

Top 3 policy
advocacy and
law reform
activities:



preparing submissions
to inquiries and reviews



meeting with Members
of Parliament and/or
their staff



letter writing to
Members of Parliament

PARTNERSHIPS



47%

partnered with legal pro bono partners
when delivering legal services



47%

also partnered with legal aid commissions
when delivering legal services



73%

partnered with non-legal community organisations
in the provision of community legal education

OUTREACH



79.1%

provide legal outreach at a location
other than their main or branch offices



83%

provide services to clients and communities
in Rural, Regional and Remote communities⁴

³ The word 'approximately' is used because the number of CLCs that responded to each question about hours spent on the various types of support (supervision, induction, orientation and training volunteers) varied.

⁴ Figures reflect the number of CLCs servicing Rural, Regional and Remote (RRR) areas, as opposed to being located in RRR areas. For example, state-wide specialist services exist that are based in urban areas, and provide outreach services to RRR areas

NACLC acknowledges the traditional owners of the lands across Australia and particularly the Gadigal people of the Eora Nation, traditional owners of the land on which the NACLC office is situated. We pay deep respect to Elders past and present.

National Association of Community Legal Centres ABN 67 757 001 303 ACN 163 101 737, PO Box A2245 Sydney South, NSW, 1235, Tel (02) 9264 9595 Fax (02) 9264 9594
email nacclc@clc.net.au web www.nacclc.org.au Twitter [www.twitter.com/NACLCComms](https://twitter.com/NACLCComms) Facebook www.facebook.com/NACLCComms

OUR CLIENTS

The Centre assisted 2066 people during the last financial year.

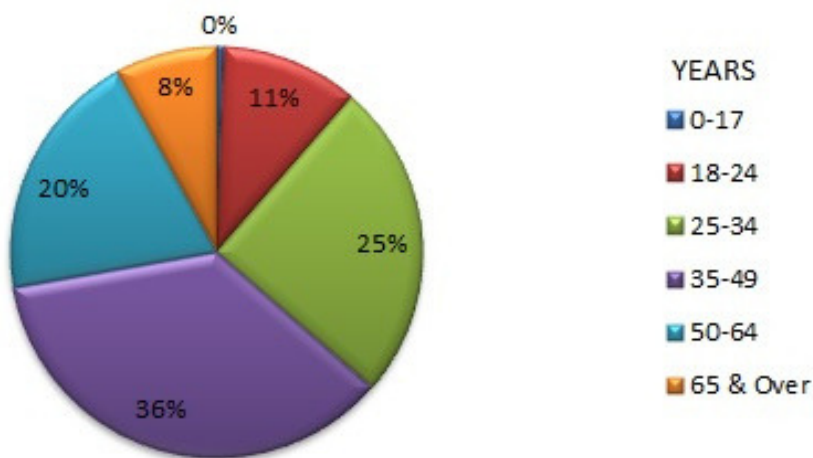
31% experienced Domestic Violence

25% have a disability

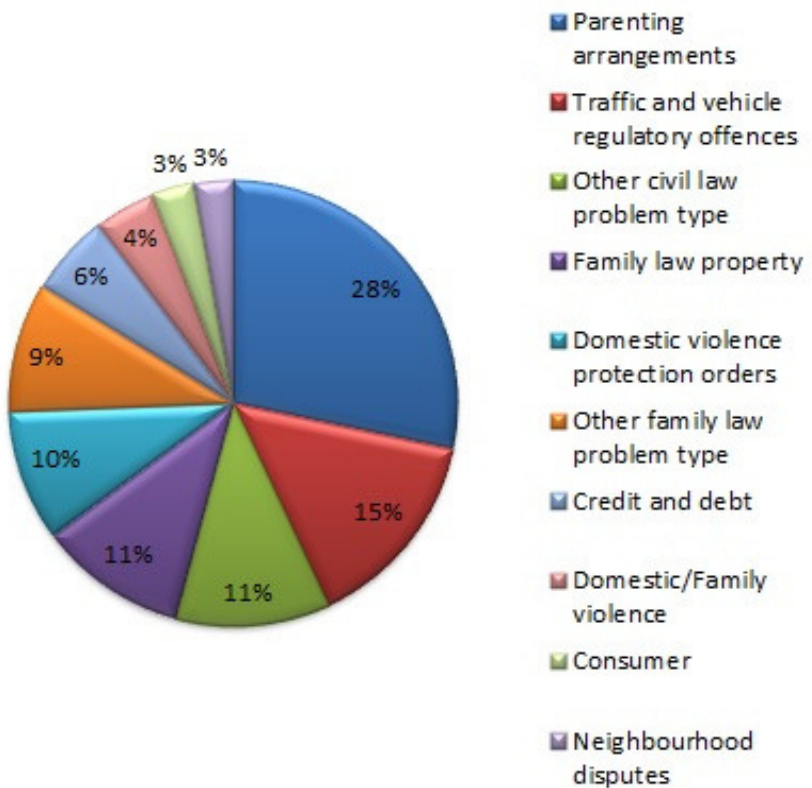
9% are Indigenous

4.5% are from the CALD community

Age of Clients



Top Ten Problem Types



CASE STUDY- Criminal Matter Intellectually Disabled Client

Tom is intellectually disabled and is unable to read and write. He has a son who also has learning difficulties and is a handful to deal with. Fortunately for Tom, he is getting strong and consistent support from a number of agencies.

Tom was charged with assault against his son. Tom and his son were at the shopping centre and his son started to throw a tantrum at the store they were in over a toy. The tantrum continued outside. Tom was yelling at his son outside. A passer-by heard the yelling and asked someone to call the Police. This person also told Police that she saw Tom hit his son with a plastic bag containing groceries. There were no other witnesses. Tom pleaded not guilty to the assault charge. Tom provided us with a full background to the incident. Tom was extremely concerned about the charge as he believed the Police were saying he was not a good father. The Hunter CLC solicitor spoke at length with one of Tom's support workers (with Tom's consent and authorisation) and was able to find out that FaCS has never had any involvement with Tom other than assisting him with support services. There has never been a complaint raised with FaCS about Tom's care of his son and FaCS has never had any record of concern about care and protection issues. The solicitor was also able to obtain information from other service providers showing that Tom was engaged with these services and receiving support.

The solicitor and Tom had a detailed discussion about what was going to happen at court. In particular, what was going to happen if Tom had to give evidence. Due to a number of factors outside of the control of any involved, Tom's matter was not heard until more than a year after the actual incident. Tom was concerned because he could not remember much of the incident. The solicitor advised him to just tell the truth and if he did not remember then he just needed to say that. While giving evidence Tom made admissions that made out the elements of assault on a technical basis. As a result of that the Magistrate found the offence proven but immediately gave him a section 10 without entering a conviction. The Magistrate did state in his sentencing remarks that he believed Tom was a good father, especially considering his difficult circumstances. He also said that his honesty while giving evidence was apparent and genuine and those considerations led him to not recording a conviction.



Happy clients at Toronto Court

Case Study - AVO Duty

Andrea approached us at the AVO Duty Service. The Police had taken out an AVO listing her as the defendant and her ex-partner as the protected person. The Police did this despite the ex-partner currently serving time in gaol for at least three breaches of an AVO protecting Andrea. We strongly advised Andrea to oppose the AVO and offered our assistance to do this.

Hunter CLC's first step was to contact the Domestic Violence Liaison Officer (DVLO) to obtain further information about both AVOs. We were able to do this as a result of the good working relationship Hunter CLC solicitors have created with the DVLOs at Newcastle through the AVO Duty Service.

Based on this information we were able to assist Andrea in preparing her evidence to oppose the AVO.

Further discussion with the Police and Andrea resulted in the AVO application being withdrawn and no further action taken against our client.

During this process we also provided advice to Andrea about the sentencing of her ex-partner. Although he was currently in gaol, it was likely that he would be released upon sentencing with the Magistrate taking his present incarceration into consideration. Andrea and her parents found it difficult to accept the likelihood of his release considering his repeated breaches of the AVO. We advised them on the sentencing process and what Magistrates are required to consider. We also advised her on things she could do to protect herself and her children once he was released. This included a discussion with Domestic Violence Court Assistance Scheme who agreed to link her up with Staying Home, Leaving Violence Program to get some security cameras and other security measures placed at her house.





Cultural Awareness Training & NAIDOC Week



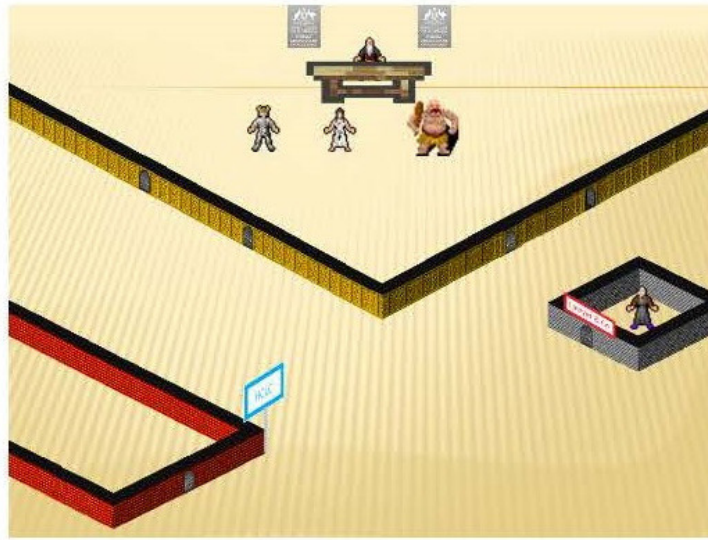
Cultural Awareness workshop with Speaking in Colours Pty Ltd



Luke Shearston presented at the 2016 NACLC conference.

He gave a presentation entitled "Working with Self Represented Litigants in the Family Courts". The presentation examined the professional relationships of the HCLC and how we use these relationships to effectively assist a high volume of family law clients obtain good outcomes through the court.

The presentation was supported by an animated power point that was used to illustrate the case studies being examined. Below is a screenshot from the presentation.



The presentation was well attended, despite being first thing of the morning after the conference dinner and was well received by the participants.





REFLECTION ON MY TIME AT HUNTER CLC

My volunteer experiences at Hunter CLC (the Centre) have included both that of a student and a lawyer.

At the Centre I have been supervised by solicitors whose experience in law is extensive. The depth and breadth of their knowledge and experience has been a much appreciated support as I have sought to enlarge my theoretical knowledge and build my practical competence. The fact that this endeavour assists those for whom access to the law is often impeded provides me with a great deal of personal satisfaction.

The expert guidance of the Centre's solicitors has allowed me sufficient independence to discover the practical operation of the law for myself whilst concurrently pointing out the potential pitfalls. This has allowed me to self-correct and enhance my capability in an incremental and meaningful manner. This support has been particularly valuable as I have sought to develop my advocacy skills, understand court processes and develop client management and communication skills.

The variety of experience and supportive environment afforded to me at the Centre is providing me with a solid foundation which will underpin my future independent practice.

Lestell Olsen

Sharon Claydon's Volunteer Awards



Profit & Loss

Hunter Community Legal Centre Inc All Projects 1 July 2016 to 30 June 2017

	Family Law	HCLC	Total
Income			
Donations	-	1,239	1,239
Family Law Grants	368,989	-	368,989
Grants Received - Federal	-	277,226	277,226
Grants Received - State	-	298,436	298,436
Interest Received	-	4,831	4,831
Man Fees FamLawProject	-	55,348	55,348
Membership Fees	-	26	26
Subsidies Received	-	15,000	15,000
Total Income	368,989	652,106	1,021,095
Gross Profit	368,989	652,106	1,021,095
Less Operating Expenses			
Administration Fees	55,348	-	55,348
Client Disbursement	18	48	66
Communication	1,276	16,240	17,515
Depreciation	102	10,450	10,552
Finance, Audit & Accounting	-	4,342	4,342
Insurance	1,140	9,722	10,862
Leave Expense	5,208	18,711	23,920
Library, Resources & Subscript	-	1,822	1,822
Locum Staff	-	20,477	20,477
Long Service Leave	(220)	9,425	9,204
Minor Equipment	-	8,951	8,951
Office Overheads	24	8,586	8,609
Other Premises Costs	-	12,133	12,133
Redundancy	-	14,000	14,000
Relocation	-	10,000	10,000
Rent	-	60,995	60,995
Repairs & Maintenance	-	6,554	6,554
Staff recruitment costs	323	455	778
Staff Training & Development	5,215	8,392	13,607
Superannuation Family Law	21,119	2,036	23,155
Superannuation HCLC	2,842	38,347	41,189
Travel & Accommodation	1,063	5,458	6,521
Wages & Salaries	254,824	430,507	685,331
Workers Compensation Ins.	-	2,880	2,880
Total Operating Expenses	348,282	700,529	1,048,811
Net Profit	20,707	(48,423)	(27,716)

Balance Sheet

Hunter Community Legal Centre Inc As at 30 June 2017

30 Jun 2017

Assets

Bank	
Cheque Account	2,881
Online Saver Account	471,345
Petty Cash	168
Total Bank	474,395
Current Assets	
Accounts Receivable	1,680
Prepayments	3,511
Security Deposit - Hunter Street	12,500
Total Current Assets	17,691
Fixed Assets	
Equipment Accum Dep'n FLP	(2,944)
Equipment Accum Dep'nHCLC	(104,204)
Equipment at Cost - HCLC	123,097
Equipment at Cost -FamLawProj	3,097
Total Fixed Assets	19,046
Total Assets	511,132

Liabilities

Current Liabilities	
Accounts Payable	1,681
Annual Leave - FamLawProject	13,017
Annual Leave - HCLC	52,323
CLSD Project Grant	18,366
GST	(1,308)
PAYG Tax Payable	13,531
Total Current Liabilities	97,609
Non-Current Liabilities	
LSL-FamLawProject	13,427
LSL-HCLC	28,856
Provision Equipment upgrade	25,000
Provision for Locum Staff	41,063
Provision for Redundancy	42,000
Provision for Relocation	40,000
Provision for Staff Training & Development	12,000
Provision Office Furniture Upgrade	25,000
Total Non-Current Liabilities	227,345
Total Liabilities	324,955
Net Assets	186,177

Balance Sheet

		30 Jun 2017
Equity		
Current Year Earnings		(27,716)
Retained Earnings		213,893
Total Equity		186,177

Directors Declaration

Hunter Community Legal Centre Inc For the year ended 30 June 2017

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

The directors of the company declare that:

1. the financial statements and notes, as set out herein present fairly the association's financial position as at 30 June 2017 and its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements; and
2. in the directors' opinion there are reasonable grounds to believe that the association will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors:

Director: Peter Bates

Dated this 21st day of November 2017

Notes to the Financial Statements

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.

Cash and Cash Equivalents

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

Revenue

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

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

Grant income, is recognised as revenue in the year to which the associated expenditure and grant funding agreement relates. Accordingly, this income received in the current year for expenditure in future years are treated as grants in advance. Unexpended specific grant income at 30 June each year is disclosed as a liability. The amount brought to account as income is equivalent to that amount expensed by the Association during the financial year.

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

Goods and Services Tax

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

Comparatives

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

Hunter Community Legal Centre Inc.
Auditor's Independence Declaration
Under Section 370C Of The Corporations ACT 2001

To The Members Of Hunter Community Legal Centre Inc.

I declare that, to the best of my knowledge and belief, during the year ended 30th June 2017 there has been:

- (i) no contraventions of the auditor independence requirements as set out in the *Corporations Act 2001* in relation to the audit; and
- (ii) no contraventions of any applicable code of professional conduct in relation to the audit.



Name of Firm: Acumon Auditing

Name of Auditor: Christian Tapp

Date: 27 October 2017

Address: Suite 2, Unit 7 19 Mitchell Drive
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(by appointment)
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fax 02 4962 2196

acumon auditing
abn 81 246 167 062
liability limited by a scheme
approved under professional
standards legislation.



CHARTERED ACCOUNTANTS
AUSTRALIA • NEW ZEALAND



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