

Annual Report 2022

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Acknowledgement

The Hunter Community Legal Centre (Hunter CLC) acknowledges and pays respect to Elders past and present of the Awabakal, Birpai, Darkinjung, Geawegal, Wanaruah and Worimi people, the traditional custodians of the land which makes up our catchment.

We appreciate the strength, resilience and culture of First Nations People and recognise their connection to country and the right to a constitutional voice.

We acknowledge that progress requires Indigenous leadership, action and control across all areas of policy and services.

Hunter CLC 's staff come from a range of cultural backgrounds, we share a single goal to support and provide a platform to First Nations people, who can inform and guide our community in working towards recognition and justice.



Hunter CLC Facebook Post from NAIDOC Week 2022

About Us

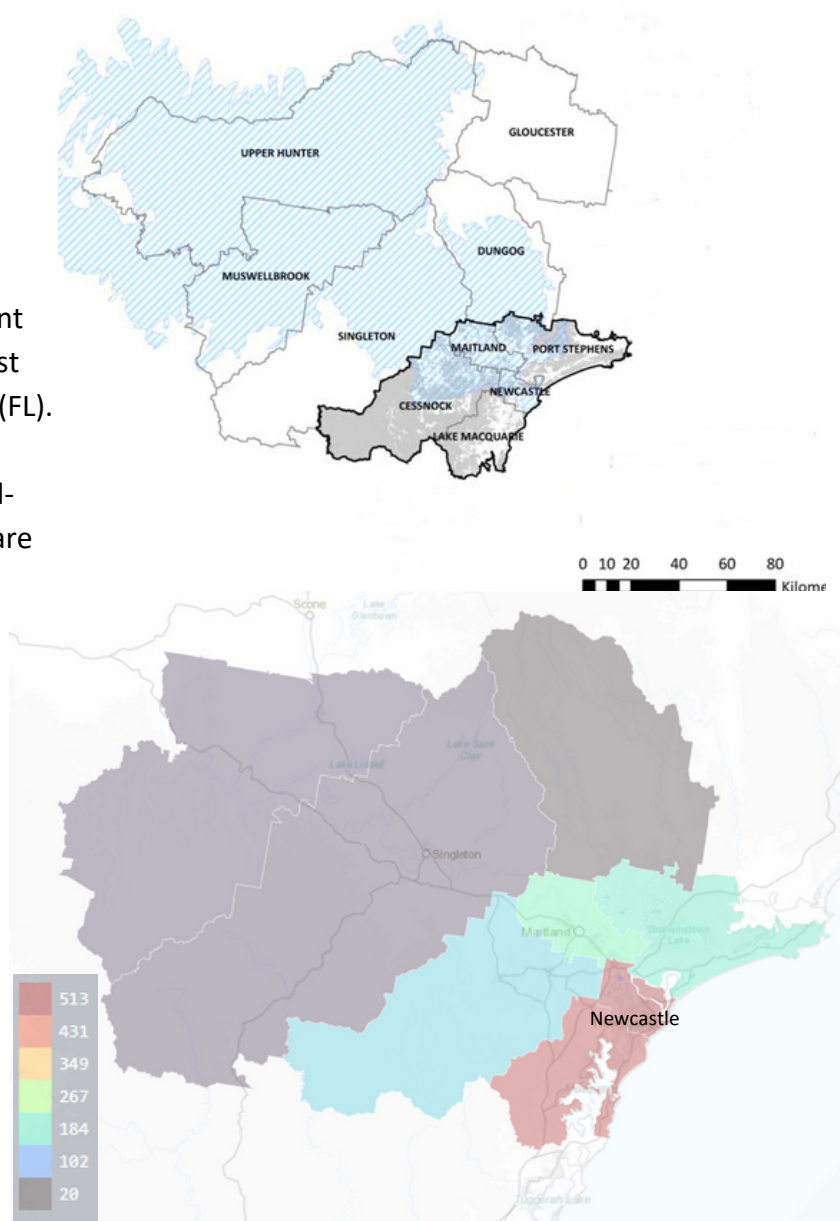
Community Legal Centres (CLC's) recognise the barriers which exist for many people in their interaction with and understanding of the law and our legal system. These barriers are reinforced by the high cost of private legal services, the restrictions on the availability of Legal Aid, the complexity of 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 disadvantages. Hunter CLC aims to address the unmet need for legal services and to eliminate the structural and systemic barriers to justice which exist for many disadvantaged members of its community. Hunter CLC was established in 1991 as a not-for-profit CLC to provide free legal advice, assistance and representation for those with the most need in the Newcastle and Hunter region.

Our Catchment

Hunter CLC's catchment covers 10 local government areas with a geographical area of approximately 22,000 square kilometres and a population of over 700,000.

CLC's generally work within Local Government Areas (LGAs), although Hunter CLC does assist people from all over Australia in Family Law (FL). The Centre also has a reciprocal referral arrangement with the Central Coast and Mid-North Coast CLC's to assist clients when we are unable. Below are the number of clients we assisted from each LGA in our catchment:

NEWCASTLE CITY COUNCIL	513
LAKE MACQUARIE CITY COUNCIL	478
MAITLAND CITY COUNCIL	202
PORT STEPHENS COUNCIL	182
CESSNOCK CITY COUNCIL	151
MUSWELLBROOK SHIRE COUNCIL	28
SINGLETON COUNCIL	26
DUNGOG SHIRE COUNCIL	20
UPPER HUNTER SHIRE COUNCIL	12
MID-COAST COUNCIL	69
CENTRAL COAST COUNCIL	67
All Other Areas	25



Distribution of Clients Heat Map

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.

Our Core Values

- Respect
- Accountability
- Integrity
- Social Justice
- Equality

Our Strategic Plan 2022-2025

The strategic objectives are:

- Provide quality legal advice to clients who are living with disadvantage in our community
- Build a strong & sustainable organisation to deliver our vision & mission to the community
- Develop systems & processes which are responsive to our community in times of change

Our Resources

Staff - We employed 16 people as of 30th June 2022 with a turnover rate of 31.25%

Revenue - \$1.24 million - \$709,145 revenue from the Commonwealth Government and \$537,822 from the NSW Government.

Performance Highlights

2021-2022 was another successful year despite the challenges of Hunter CLC continuing to be affected by the ongoing pandemic and the cessation of some funding streams impacting our ability to deliver services in the face of increasing demand. Hunter CLC provided [9377](#) high-level legal and other services thanks to funding from the Commonwealth Government and the Community Legal Services Program Agreement with the NSW State Government.



Develop systems and processes which are responsive to our community in times of change



Provide quality legal advice to clients who are living with disadvantage in our community

Key highlights of 2021-22 include:

- Digitalization of Legal service procedures allowing for administrative efficiencies and improved oversight of service delivery.
- Improvements to the Free Legal Helpline system enabling the Centre to be more responsive to client demand.
- Hunter CLC provided Community Legal Education (CLE) sessions for Seniors Week funded by the NSW Seniors Festival.
- Participation in the "Count Us In" festival with assistance from City Of Newcastle, providing CLE's focussed on people with a disability.

Key highlights of 2021-22 include:

- Commencement of the Victims Services Clinic, already securing more than \$40,000 in payments for our clients.
- Funding of the MARLA Program, providing Family Law assistance via telepresence robot to the Maitland community.
- Funding of the Hunter CLC's Hunter Domestic Violence Legal Service, providing better access to legal services for those affected by Family Violence.



Build a strong and sustainable workforce to deliver Hunter CLC's vision and mission to our community

Key highlights of 2021-22 include:

- Recruitment of two highly experienced solicitors to the Legal Team, Greg Bullard & Molly Willoughby.
- Increased Student & volunteer participation, post covid shutdown, providing administrative and other assistance to the Centre.
- Expansion of the Employment Law Pro-Bono Program.

Challenges

Major challenges we faced during FY 2021-22 included:

- The ongoing issues caused by the pandemic continue to affect the operations of the Centre forcing us to adapt policies and procedures as the situation changes.
- Staff Attrition - Due to some sources of funding no longer being available during the period we were not able to replace all Legal & Non-Legal staff who left during FY 2021-22, this continues to have an impact on our ability to deliver Legal & other services to the Hunter Community.



Hunter CLC Social Media Post informing the community of service disruptions to our Generalist Services due to staffing & Resourcing issues.

Our People

Board of Management

Chair: Bill Bowman
Vice Chair: Ndi Ruppert
Secretary: Steven Wendtman
Treasurer: Jeff Shute
Members: Jill Evans
Lucy Urach
Maree Callaghan
Richard Lane

Our Staff

Managing Solicitor
Solicitors

Bronwyn Ambrogetti
Briony Manning
Michael Giles
Greg Bullard
Clair Tait
Julia Adamski
Zach Biddles
Molly Willoughby

Finance
Coordinator
ALO
Administration

Julie Vitnell
Patrick Bartholomew
Shanayah Potts
Susan Douglass
Louy Bonnay
Gabrielle Hooper
Mathew Beugeling
Jessica Bagnall



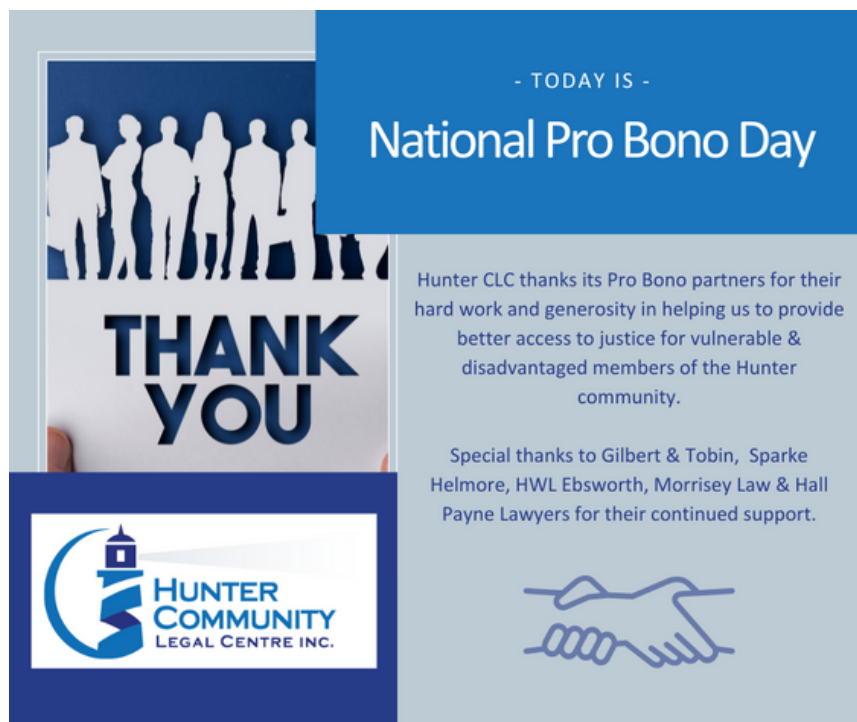
Hunter CLC Staff & Guests in attendance of the Newcastle Law Society Trivia Night 2022

Pro Bono Assistance & Volunteers

The core of the Hunter CLC's legal work is funded by the NSW State & Federal Attorney Generals, however, this funding cannot meet the rising demand of all who need our help in the region. Hunter CLC remains indebted to our generous Pro Bono partners, without whom we would not be able to provide the same level of legal assistance to the most vulnerable and disadvantaged members of our community. Hunter CLC would also like to thank our dedicated team of Students & Volunteers who provide invaluable help in our Centre's ability to provide accessible legal help and better access to justice to the community.

Volunteer & Pro Bono Firms, Solicitors and Barristers

Sparke Helmore
Morrissey Law
Hicksons
Clayton Utz
K&L Gates
Gilbert & Tobin
Hall & Payne
SWS Lawyers
HWL Ebsworth Lawyers
Morrissey Lawyers
Joanne Burr
Daniel Schmidt
Brent Moran
Richard Hardy
Joe Kennedy
Seamus Burke
Jessica Phillips
Joe Kennedy
Hai-Van Nguyen
George Stribling
Antonino Meduri
Leila Moddel
Jocelyn Leung
Chantelle Ingenito
Lizzie McLaughlin



Hunter CLC Social Media Post celebrating National Pro-Bono day.

Student Volunteers & Secondees

Aiden Ewer, Alicia Hull, Jessica Bagnall, Dan Johnston, Drew Dowling-Priest, Andrina Heagney, Brooke Rasmussen, Charlotte Pye, Chloe Menzies, Eleanor Rodger, Gabrielle Hooper, Heyma Nahar, Jimmy Li, Julia Rodriguez, Kate Brown, Kate McCarley, Lorra Mills, Melissa Byrne, Nora Truong, Olga Dimkos, Tarisha Gunaratnam, Louy Bonnay.

Chair's Report

Hunter CLC's success is based on a team effort of staff, supporters, volunteers and committee members. We all take pride in Hunter CLC's delivery of high quality services to the most vulnerable members of our community who otherwise may be grossly disadvantaged.

Management Board Members are consistently impressed with the dedication and capability of individual staff members. Some of those staff members periodically attend Board meetings to share their passion for their area of work. It is inspiring to hear from them.

We are grateful for the substantial pro bono assistance from numerous firms and individuals. For example, our Pro Bono Employment Law Programme receives support from Sparke Helmore, Hall Payne Lawyers, Clayton Utz and K and L Gates Lawyers. Our Victims Assistance Clinic is assisted by HWL Ebsworth Solicitors providing two graduate lawyers as pro bono secondees to allow us to reach out to the victims of crime. We also thank all the other pro bono lawyers who have assisted our clients this year who are listed in this report.

Funding for our Family Law Family Violence work was received from the Department of Communities & Justice (DCJ, which we appreciated. We also acknowledge and thank our other funders who are listed in this report.

We are taking steps to enhance training and opportunities for involvement, for example expanding intake volunteers and digitising intake sheets.

Our First Nations' support program is built on the knowledge provided to Hunter CLC from the Aboriginal and Torres Strait Islander community, for which we are most grateful.

We have expanded our assistance without the need for staff to travel, by launching our virtual lawyer (a "robot"), at Maitland Library. There has been significant interest from support services at the court and so far, and we have had several referrals. There was an impromptu demonstration of the telepresence robot. This initiative was funded with a grant from the Community Building Partnership of the NSW Government.

We have continued to support Miruma at Cessnock Correctional Centre. Miruma is a residential diversionary program in Cessnock for female offenders with mental health and drug and alcohol abuse services. We aim to enhance the prospects of success for people passing out of this programme.

Year 2022 has seen an increasing return to face-to-face services. Although we accept that Covid has not finished with our community and continuing care is required.

The Board acknowledges and appreciates the skill and dedication of our Managing Solicitor, Bronwyn Ambrogetti. It is Bronwyn's efforts that brings the many stakeholders together to bring forth the best team performance. The Board was also grateful for the support of Patrick Bartholomew and Julie Vitnell throughout the year.

I am personally grateful to each of the Management Board members who not only attend meetings, but more importantly willingly share their diverse professional expertise. Hunter CLC is the stronger for it.

The Annual Report provides further detail of Hunter CLC's youth law, employment law, family law, AVO duty list, community legal education and the generalist team, throughout Newcastle and the Lower Hunter Valley. I commend it for your reading.

Bill Bowman

Managing Solicitor's Report

The pandemic continued throughout 2021 - 2022. With the reduced incidence of COVID in the community, we returned to hybrid working arrangements with staff working from home and in the office. Face-to-face work has gradually been reinstated with precautions such as mask-wearing in the office and at court. All but 1 of our outreach legal clinics has recommenced with the remaining clinic expected to return to face-to-face appointments in 2023. Our volunteer and Practical Legal Training programmes restarted in June 2022. Our face-to-face Community Legal Education program has gradually returned including the Upper Hunter Transcare partnership involving 6 towns and overnight travel from Merriwa to Scone.

As well as the pandemic, we experienced significant flooding in our catchment. As always in times of crisis disadvantaged people are disproportionately affected and we continue to see increases in hardship among the communities we serve, in particular in employment law, mental health and domestic and personal violence.

In the face of increasingly complex working conditions and rising demand for our services, I would like to recognise the fantastic effort of our team including the Admin staff, the Family Law Team and the Generalist Team and all our volunteers who have risen to the numerous challenges and once again demonstrated their resilience and flexibility.

Despite the continuing pandemic, there were many highlights during the year, including the introduction of MARLA our robot, based at Maitland Library opposite Maitland Local Court. MARLA allows us to provide free family law advice to our clients in the Maitland Local Court domestic violence list. This saves us and our clients travel time, improves access to free legal services in Maitland and expands our contribution to the Domestic Violence Hub at Maitland Local Court. Ideally, we would like to provide this service at all the local courts in our catchment. We look forward to having sufficient resources to allow us to do this.

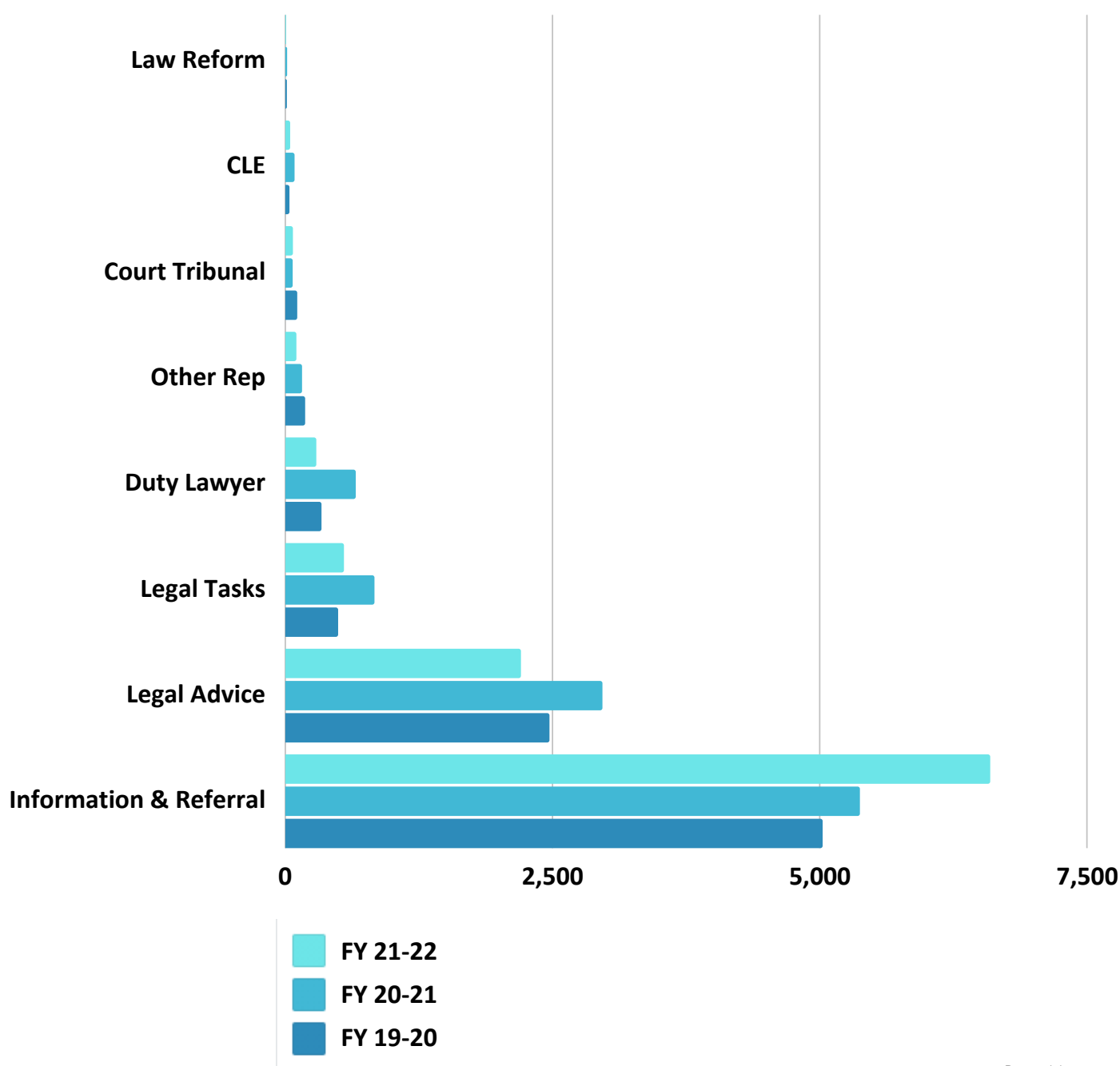
Another highlight this year has been the expansion of our Employment Law service. This service is provided by Pro Bono lawyers who provide free legal advice on a range of employment law problems from unfair dismissal to redundancy and unpaid entitlements. With the increasing legal need and demand for this service we used the Justice Connect Portal to ask for further assistance in this area. We now have 4 firms from Sydney and Newcastle providing free legal advice to our clients on a roster.

A further highlight of the year was the expansion of our Victims Support Clinic. This was only possible due to the assistance of the HWL Ebsworth Pro Bono scheme which provides us with 2 secondees each term allowing us to increase the number of clients we can assist in this Clinic. We are very grateful for all the assistance they provide as well as all the other pro bono assistance we receive from the legal profession to help meet the legal needs of our clients.

Finally I would like to thank all our volunteers and pro bono supporters, in particular, our Board; Bill Bowman, Richard Lane, Jeff Shute, Lucy Urach, Jill Evans, Maree Callaghan, Ndi Ruppert and Steve Wendtman, who give their time to make legal services more accessible to our community. I look forward to working with you all again next year.

Our Services

Hunter CLC continued to provide a high volume of legal services to the people of the Hunter in FY 21-22 despite a number of challenges. The number of Legal Advices, Legal Tasks, Duty services and CLE services provided to the Hunter community in the period were again impacted by the continuing effects of the pandemic, with court operations and the ability to provide face to face and some outreach services being affected by restricted operations. The end of some funding streams also impacted staffing, with the Centre unable to replace all Legal & non-legal staff lost through attrition. The combined impact of COVID-19, Hunter CLC's reduced resources, and the rapidly rising demand for legal help in the region saw a significant rise in the number of referrals to other services. On a positive note, we have continued to improve referral pathways, so when we can't help someone in the community we can guide them to services who can.

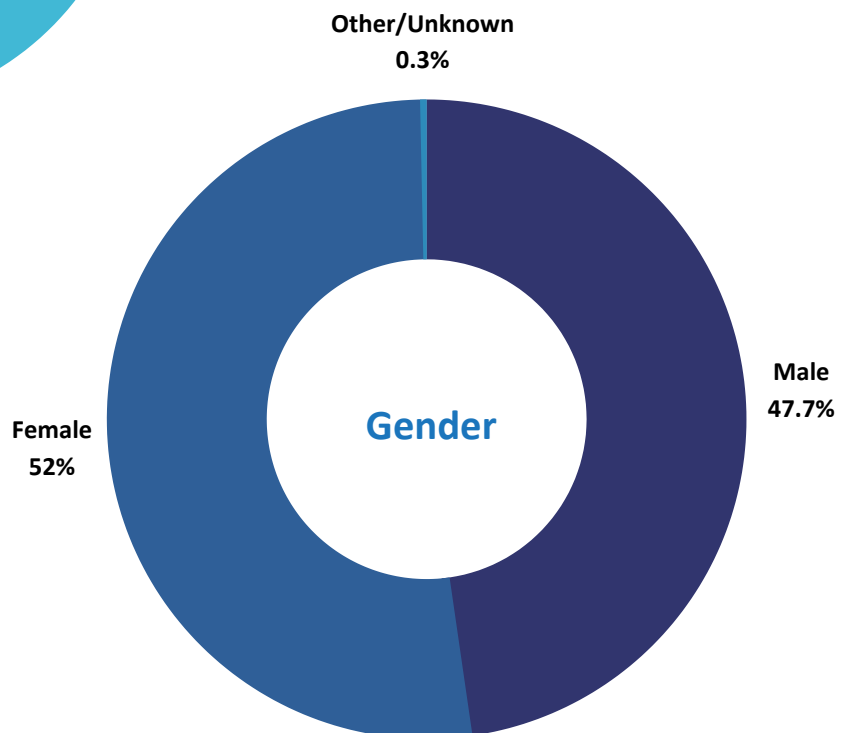
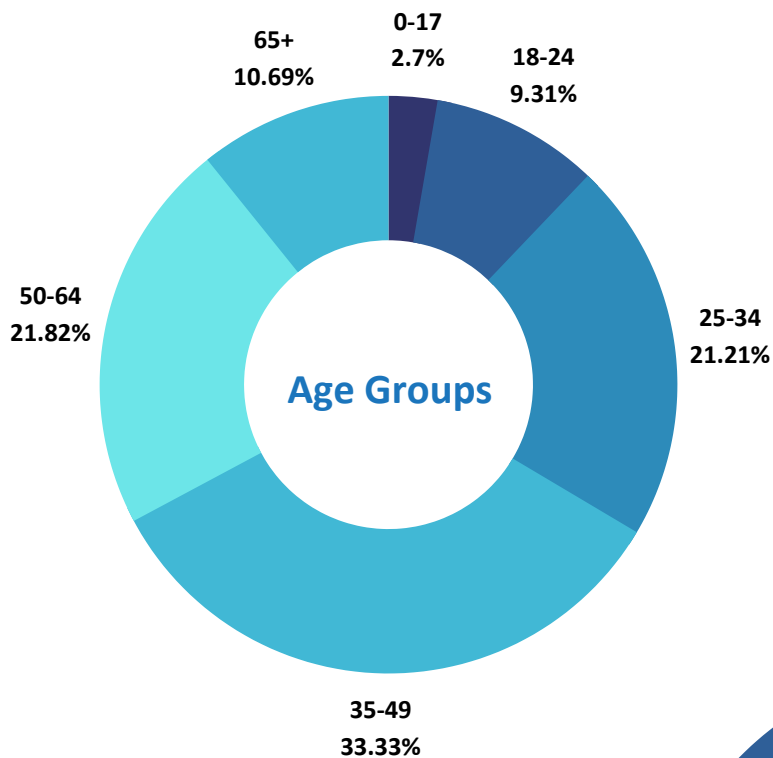


Our Clients

Age & Gender

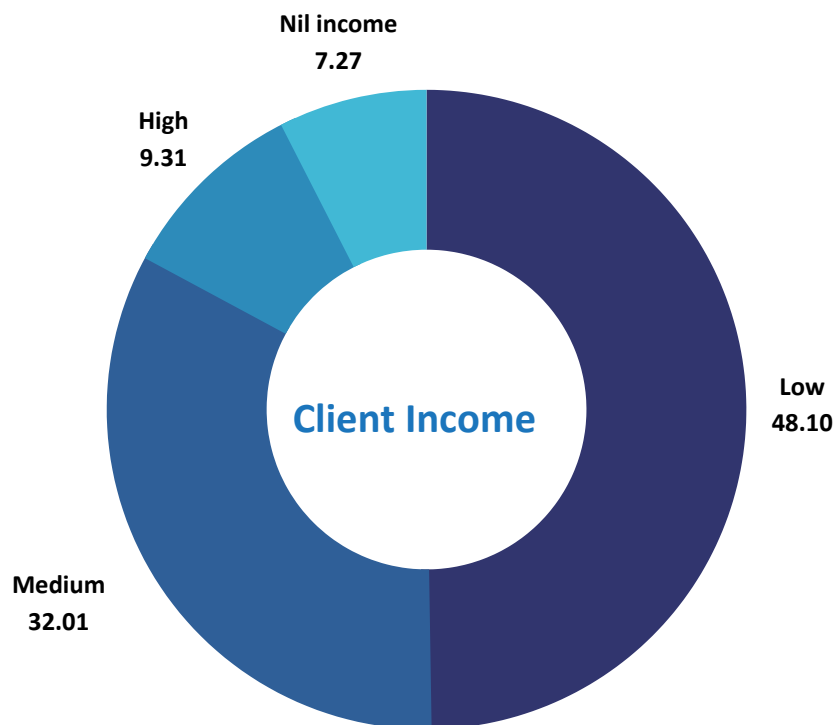
In the reporting period, the gender split of our clients saw a slight skew to females, 52-47.7%. The largest percentage of clients remains the 35 to 49 age bracket at 33.33% with the next two largest categories being almost equal, those 50-64 at 21.82%. and 25-34 at 21.21%.

There was little change in the remaining groups with 65+ making up 10.69% of our clients, 18-24 on 9.31%, and a slight decrease in children at 2.7%.



Clients experiencing socio-economic disadvantage

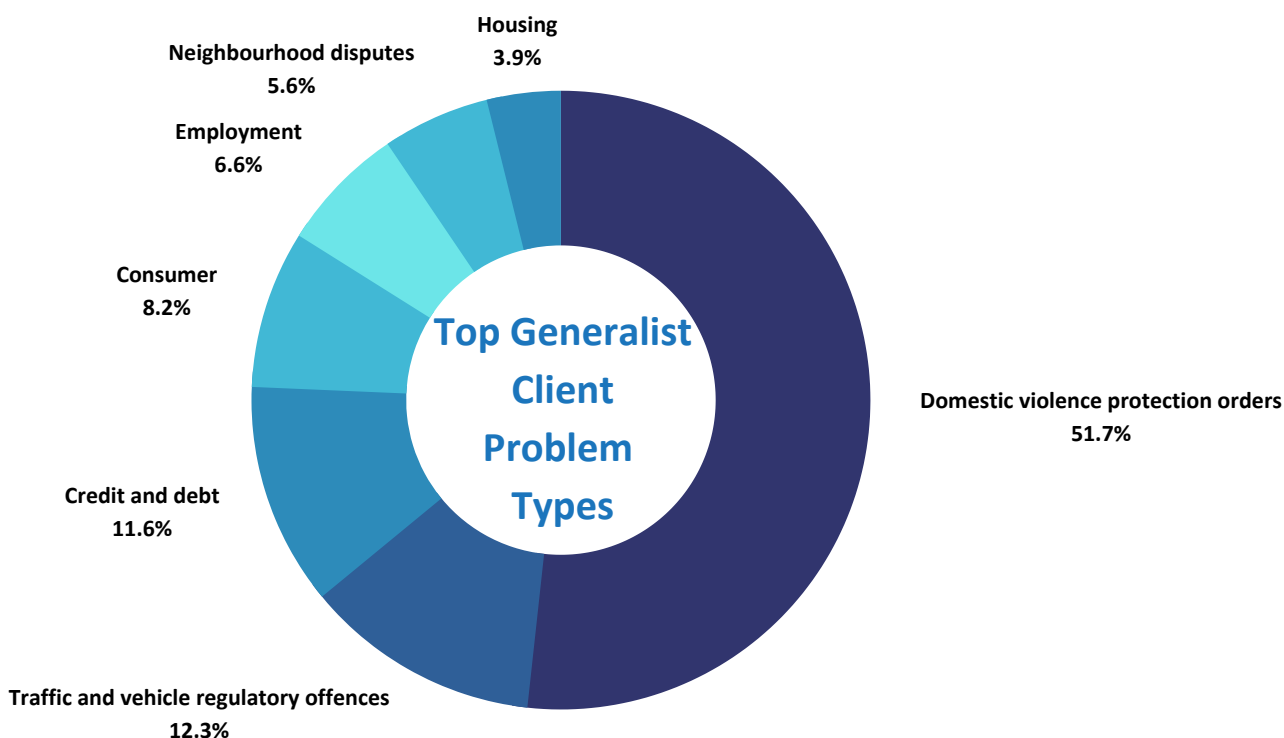
89.97% of our clients were experiencing financial disadvantage in FY 21-22, with 7.27% reporting nil income at the time of the service. Nearly a third of our clients, 29.48%, reported having some form of disability and 10.69% identified as being Aboriginal or Torres Strait Islander. 3.8% of our clients reported a language other than English as the main language spoken at home.



Generalist Solicitors' Report

The demand for legal services from the Hunter CLC's Civil team remained high in FY 20-21. Hunter CLC continues to receive more requests for Generalist legal assistance than it can provide. During the reporting period, Hunter CLC provided 6194 referrals, many of which represent requests for advice that cannot be serviced by us due to a lack of capacity.

A breakdown of the matter types for which clients requested advice can be found below:



Generalist advice was provided primarily through telephone advice sessions. For months throughout the reporting period, almost all advice was given by telephone due to COVID lockdowns and restrictions. During lockdowns, Generalist solicitors worked and provided telephone advice from home. Working from home for the solicitors during the lockdowns was significantly easier and more productive compared to the previous financial years, as equipment and technology upgrades made access to clients and information whilst working from home faster and more streamlined.

Hunter CLC's generalist solicitors provided 2550 advices during the reporting period.

The Civil team also provides advice and assistance by representing clients in relation to issues or matters they may have with government departments or agencies or some private entities (i.e. insurance companies). Many Hunter CLC clients struggle to understand and comply with application procedures or have difficulty following through with directions given to them by these organisations, this is particularly the case with clients who are intellectually disabled or who have suffered from trauma. Generalist solicitors opened 100 new "Other Representation" matters, including those of the aforementioned nature during the reporting period.

One area where the Hunter CLC Generalist Section significantly increased their assistance with these types of matters was assisting victims of crime and violence in making applications for and receiving benefits from Victims Services.

Victims Services Clinic

In March 2022 the Hunter Community Legal Centre established a new Victims Services Support Clinic ("The Clinic"). The Clinic provides free legal advice and assistance to victims of crime seeking to file a Victims Services application for counselling, Immediate Needs Support Payment, Financial Support and Recognition Payment.

The Clinic has been established in partnership with HWL Ebsworth, who have provided two (2) junior secondees to assist Solicitor, Julia Adamski draft applications and collect evidence. To date, the clinic has assisted more than 35 clients in less than five (5) months with applications. So far, our assistance has resulted in more than \$40,000 for our clients, including:

- \$14,300 for Immediate Needs Support Payments
- \$26,000 for recognition payments

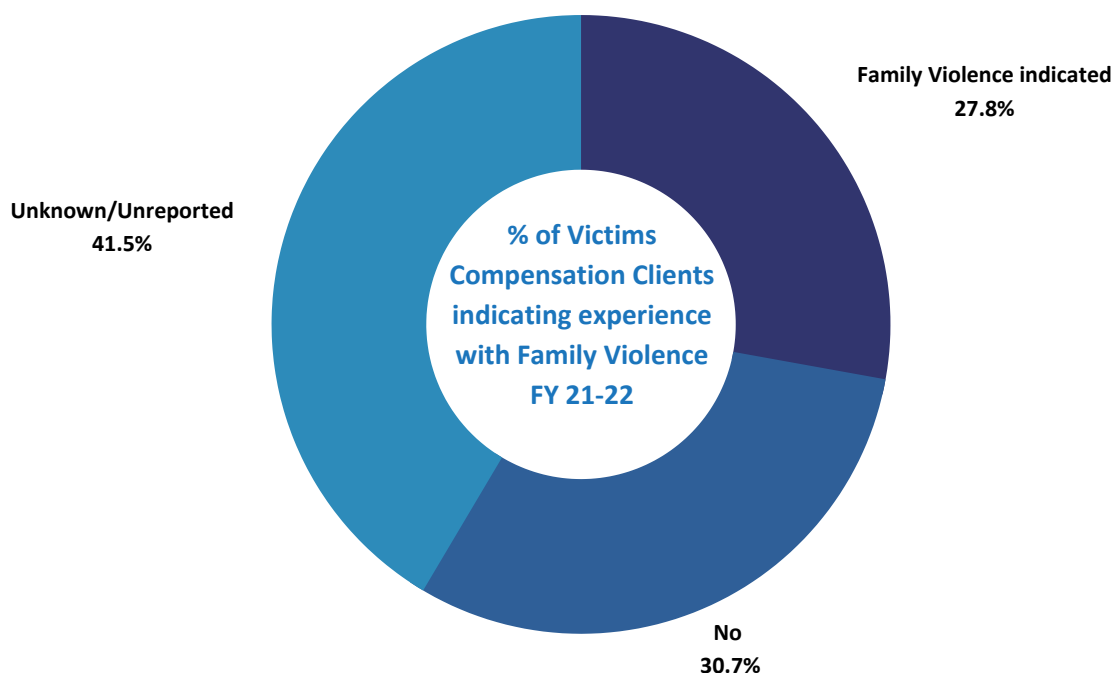
Case Study

*Susan fled her family home after her ex-partner became violent. She left everything behind and had no access to money as her partner had control of all the bank accounts. Susan desperately needed financial assistance for rent and to purchase essential items such as clothing, toiletries, and household items.

We helped Susan apply for an Immediate Needs Support Payment (INSP) and Recognition Payment. Susan received \$5,000 from INSP within 14 days of the application being lodged. Susan cried when she received the payments and said, "I left everything behind, I didn't even have money to buy warm clothes for winter."

English is Susan's second language and she explained that she would not have been able to apply for the payment(s) without our assistance.

*Name and some details have been changed.



The Generalist Solicitors also provided legal representation for clients in Local Court or Tribunal matters. The majority of legal representation services provided arise out of Hunter CLC's AVO Duty Service at three local courts, Newcastle, Maitland & Belmont, however, legal representation is also provided to clients who find themselves in court but are not eligible for free legal services such as Legal Aid. Many of these are minor criminal matters or traffic and driver licence offences. The number of clients provided with legal representation were lower during the reporting period due to COVID lockdowns as compared to the previous financial year. The Local Courts in our catchment continued to be affected by the pandemic, were not conducting any hearings and most court matters were postponed until after lockdowns had lifted. The Hunter CLC Generalist Solicitors provided legal representation in courts or tribunals to 354 clients during the reporting period.

Case study - Traffic

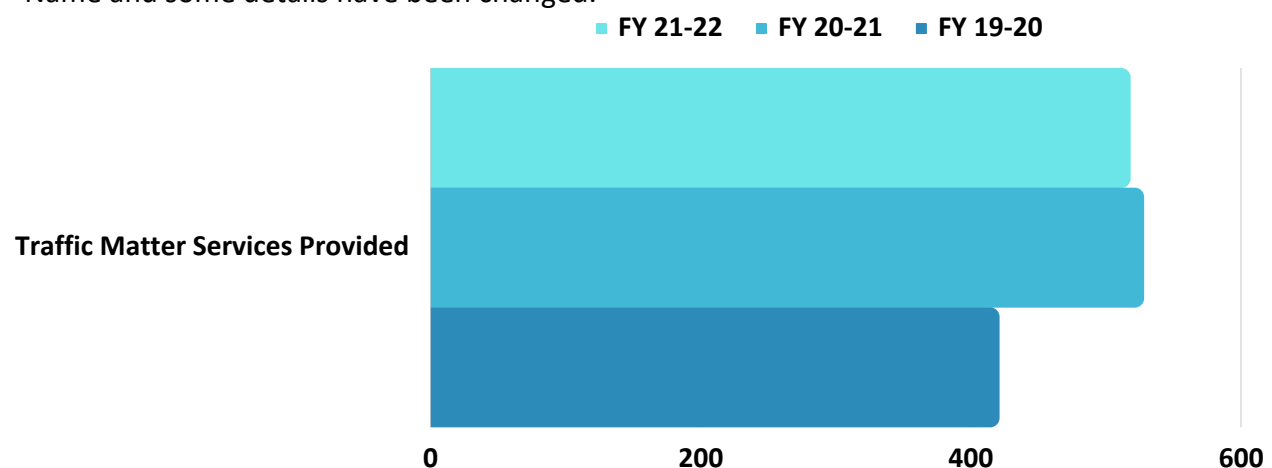
*Lachlan had a long history of criminal offences from the time he was young and spent time in prison. Many of the criminal offences were serious traffic offences resulting in long terms of licence disqualification.

Lachlan had managed to turn things around but was still facing licence disqualifications that would have prevented him from applying for a licence until 2034. Lachlan had an intellectual disability and low literacy skills. He was currently dependent on Centrelink benefits and was unable to afford a private solicitor. He also lived in a very rural area of the Hunter CLC catchment and had no access to public transport. He was reliant on friends and relatives to get him from place to place. Legal Aid does not assist with traffic and licencing matters and Lachlan was referred to us.

Hunter CLC assisted him in making the necessary applications to the Local Court to have his disqualifications removed. A Hunter CLC solicitor appeared for him in court and successfully advocated for him to have the disqualifications removed and allow him to legally make an application for a driver licence.

Lachlan had been without a driver licence for over 20 years. Without Hunter CLC's assistance, he would not have been able to complete the necessary applications and get his disqualifications removed. Lachlan told us that he was already studying to take his tests and he was thankful for our assistance in allowing him to get back on the road after more than 2 decades.

*Name and some details have been changed.



Case study - Criminal Offence

*Barry was referred to us by Legal Aid. Although Barry lived in public housing and was reliant on Centrelink benefits so qualified for Legal Aid on means. However, Barry wanted to plea not guilty to his charge. Legal Aid will not run defended hearings for people when the potential outcome of the hearing will not result in incarceration. In Barry's case, even if he was found guilty, he would not have received a custodial sentence. The information provided to us by Barry showed he had a strong defence. Hunter CLC agreed to represent Barry in a defended hearing in Local Court. We were provided with the Police evidence and prepared the case. The incident took place in early February 2020. The charge was in court later that month. Our solicitor entered a plea of not guilty on behalf of Barry. The court adjourned it for a further mention in late March. Then COVID struck. Barry's matter was put on hold indefinitely while the courts figured out how they were going to deal with COVID. Barry's matter was ultimately listed in a break between lockdowns. The Magistrate found Barry not guilty after the hearing. Barry would not have been able to run the hearing by himself. Although he had a strong defence, there were technical issues around some of the evidence that he would not have been able to understand. He would not have been able to successfully cross examine the Police witnesses.

Although this was a positive outcome for one of our disadvantaged clients, it also demonstrates how Hunter CLC saves time and money throughout the justice system. Barry's matter was complicated by the COVID pandemic. Understanding court procedure under normal circumstances is difficult but the back and forth caused by COVID made it extremely difficult for people to respond. We witnessed a number of matters where emails or letters did not get to defendants in time and they did not make it to court. There were also a large number of cases where defendants did not show up because the email or letter they received included a standard note that clearly said: "Do not attend court." By having representation, Barry did not have to worry about this and the court was able to communicate directly with us, avoiding further confusion and delays.

*Name and some details have been changed.



Above, Belmont Local Court where Hunter CLC provides a regular AVO Duty service

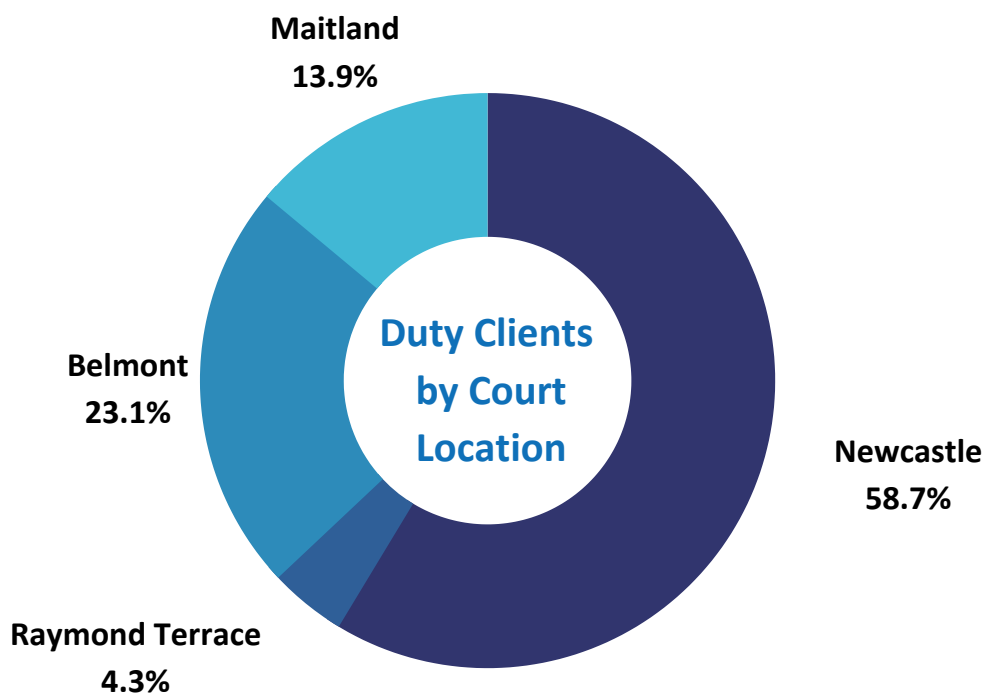
AVO Duty Service

The Hunter CLC Generalist Section continued providing an AVO Duty Service to the Belmont, Maitland and Newcastle Local Courts during the reporting period. The AVO Duty services provide access to a Hunter CLC Duty Solicitor at these courts for clients to obtain on the spot legal advice in relation to ADVOs or APVOs. Our Solicitors obtain instructions from clients who are in court and provide them with advice on AVOs and court procedures. Representation in the court is provided to many of these clients depending on their circumstances.

The Maitland AVO Duty Service is part of the Department of Community and Justice's DV Hub Pilot Project. The Hub consists of a number of service providers attending the court to support both victims and perpetrators of DV. The Hub coordinator has praised the Hunter CLC Duty Service at Maitland for its work at the court. Hunter CLC received the most referrals out of all participating services at the Hub.

AVO Duty Services did not operate in the courts during the first quarter of the reporting period due to COVID restrictions and lockdowns. When possible, our Solicitors appeared at courts by AVL during the lockdown to assist clients who required representation.

During the reporting period the AVO Duty Solicitors assisted 287 clients.



Case Study- AVO Duty

While conducting the Hunter CLC AVO Duty Service at a Local Court, our solicitor was approached by the Domestic Violence Duty Solicitor (DVDS) assisting the Women's Domestic Violence Court Advocacy Service (WDVCAS) at the court. The DVDS stated they had a victim of DV who was the respondent in a private AVO application made by her ex-partner. The DVDS has made an application to Legal Aid to legally represent *Jill at the hearing to defend the application but the grant was rejected as Jill owned a home. However, Jill would not be able to pay a private solicitor. The DVDS was concerned about Jill as she was a victim and was herself protected by an AVO and her ex had been convicted of serious DV offences against her. The ex was legally represented and the DVDS was worried that Jill would not do well if she had to represent herself. The hearing was only 2 weeks away and the DVDS was hoping we might be able to assist.

Our Assistance

Although the hearing was only 2 weeks away, we agreed to represent Jill in the hearing. The DVDS had already prepared all the evidence for the hearing and had filed it with the court and the solicitor for the other party. The DVDS sent over the entire file within a day and we therefore had access to all the information required to run the hearing.

We conferenced with Jill to introduce ourselves and to review the matter and explain our involvement and strategy. During the interview Jill provided us with a long history of DV perpetrated against her by *Wayne. It was obvious that this was very much a relationship where Wayne took advantage of Jill and maintained a high level of control over her. Jill had only been able to extricate herself from the relationship after Wayne was charged with serious DV offences against her and a restrictive AVO placed on him to prevent contact with her.

It was also apparent during the interview that Jill was very distressed and anxious about now having to defend an unjustified AVO against her by the ex. Jill was fearful of having to attend court and being cross examined by Wayne's solicitor while Wayne was in the room. We were able to reassure Jill that we would do everything we could to avoid any cross examination. Jill told us that just having to attend the court was causing extreme anxiety and fear and she was even considering just consenting to the order. We advised her that we were ready to defend the matter but we did not want to place her in a position that was going to cause further stress. We would operate on her instructions. Jill said she wanted to think about it.

During the interview we made sure that Jill had support to help her through the trauma she had experienced with her ex. We were able to confirm she was well supported and were able to make referrals to any areas where she might need further or additional assistance.

Outcome

Not long after our conference with the client, Wayne's solicitor contacted us about the matter. He wanted to confirm that Hunter CLC was now representing the defendant and if we were going to defend the application. We told him we were prepared to defend the application given that she was clearly the victim in the relationship.

Wayne's solicitor then made an offer to withdraw the AVO application if our client agreed to undertakings. Undertakings are a written agreement between the parties that amount to a promise to do certain things. In this case, the undertakings would be in the same conditions as the AVO application. However, undertakings are not enforceable by the Police, like an AVO, and it is not a criminal offence to breach them. If undertakings are breached, it can make it easier to make a new AVO application against the person making the undertakings. The other benefit of the undertakings is that it would mean there would be no hearing.

We obtained instructions from our client about the undertakings. We advised the most important benefit of accepting undertakings is that Jill would not have to attend court. Jill was greatly relieved by this and said the relief of not having to attend court was worth making an informal agreement with her ex.

Jill entered into undertakings with the other party. We attended court and the other party's solicitor formally withdrew the AVO application at court and it was dismissed by the Magistrate. The matter was over.

Hunter CLC is seeing an increasing number of private AVOs taken out by male DV perpetrators against their victims. These perpetrators almost always have AVOs against them protecting their partner and frequently have been convicted of DV offences. Making an AVO against their partner is a way to try to maintain control over that person even though they have managed to escape the relationship.

There is an argument that a perpetrator should be given the same chance to make an AVO application against their victim and to present evidence in court to support their application. Unfortunately this allows the perpetrator to continue to legally harass their victim all in the name of procedural fairness. Further consideration must be given to the fairness of this and possible law reform to make necessary changes.

Ultimately our client was able to get what she wanted, which was not having to go to court but not having an AVO against her. If Jill had ended up self-represented, it was unlikely the ex's solicitor would have made the offer. It is extremely important that parties have legal representation in these matters to avoid the trauma of having to deal with the other party or their solicitor.

The case also supports the need for Hunter CLC services once again. The DVDS who referred the matter had done a lot of work in preparing the matter and was prepared to represent her with a grant of LA. Because Jill owned/was mortgaging a property, she was ineligible for LA and without Hunter CLC would have ended up unrepresented as she would not have been able to afford a private solicitor. The controlling ex would likely have been successful.

*Name and some details have been changed.



Above, Maitland Court where Hunter CLC provides a regular AVO Duty service

Family Law Report

The Family Law (FL) Program offers free legal advice and assistance to people in the Newcastle, Lake Macquarie, Hunter Valley, and surrounding regions who cannot afford a private lawyer or who are ineligible for a grant of Legal Aid. Our service is predominately telephone based and in some cases we can offer ongoing assistance, subject to our policy guidelines. We can also appear as a duty solicitor for people who have a matter in the Federal Circuit and Family Court of Australia at Newcastle.

We have had a long-standing partnership with the Family Relationship Centre at Newcastle and now also have a partnership with Uniting. Through these partnerships we can offer legal advice to parents going through the dispute resolution process. We are also able to attend legally assisted mediations where it is considered appropriate to do so. By doing this we can offer legal support and advice to clients who may not otherwise have been able to mediate because it would be deemed as unsuitable/inappropriate.

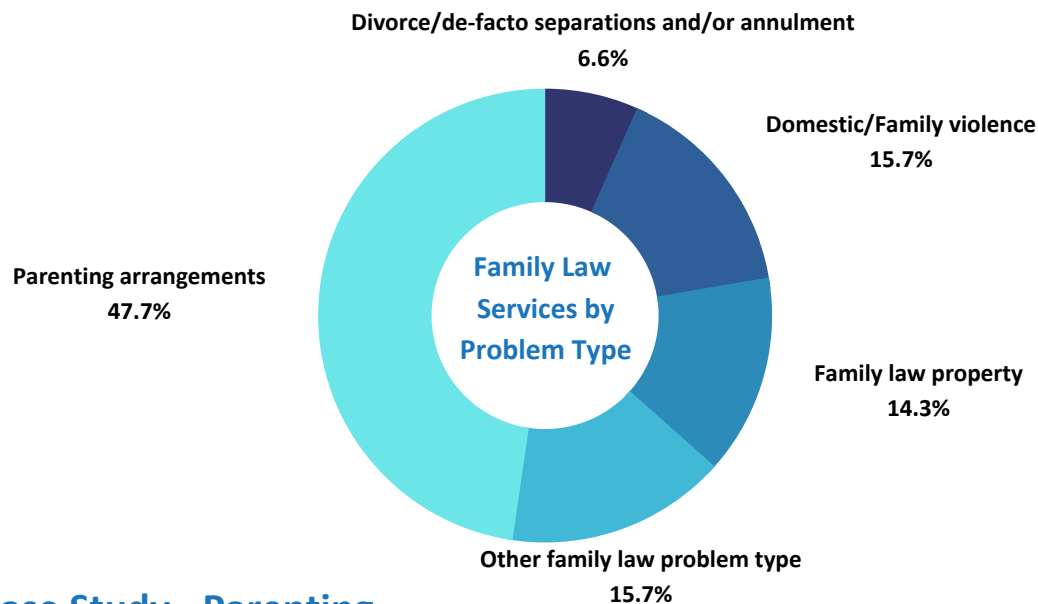
The Family Law Team have had another busy year assisting members of our community who needed legal advice and assistance with their Family Law parenting, property, or divorce matters. The great majority of our clients are quite vulnerable due to family violence or because they are financially and socially disadvantaged.

From 1 July 2021 to 30 June 2022, we assisted 534 clients with their family law matters by giving them telephone advice, as well as ongoing assistance for clients that met our policy guidelines which involved negotiations with the other party, drafting court documents, appearances at mediation and assistance on a duty basis in court matters. Our clients were assisted mainly by telephone, on a limited face to face basis and often via electronic means for mediations and court appearances.

The ongoing impact of covid, the merging of the Federal Circuit Court and Family Court of Australia in September 2021 and the court's move to having parties appear electronically has meant that there are less people required to attend the Court in person, and as such this has impacted the way we help clients who are in court. Whilst since the merger it has not always been possible to be present at the court and offer people assistance we continue to run our dedicated duty service telephone line for those that need help with their court matter on the day. We have also been able to offer help and assist those clients who are in court and have an upcoming court event by organising to appear on their behalf as a duty solicitor.

Since July 2022 we have been able to offer a remote advice-based service to clients in the Maitland area each Thursday morning via our robot which is in Maitland library. This is a novel way to give advice and reduces barriers to legal services for our clients.

We look forward to assisting our clients on an ongoing basis next year.



Case Study - Parenting

Julia and Brian met in Julia's home country. They married and had their first child whilst living in Julia's home country, and then relocated to Australia to live near Brian's hometown. They had their second child shortly after moving to Australia. After separation, Julia and Brian went through the Federal Circuit Court and settled on final parenting orders, by consent.

OC first contacted Hunter CLC for advice on how to interpret the orders. Julia wanted to take the children to her home country for a visit, but despite complying with the court orders, Brian would not consent.

Shortly thereafter, Julia's mother became terminally ill. Julia again sought Brian's permission to travel internationally with the children, but this time the plan was to depart in about 4-weeks' time. Again, Brian refused to consent. He disagreed that it was in the best interests of the children to travel to Julia's home country to visit her dying mother, and extended family, because the children would miss a few days of school.

Julia contacted Hunter CLC for further advice. We assisted Julia with an urgent application to the court, seeking permission for the children to travel to her home country on the proposed dates. Not only did the court grant Julia's request, but the court identified how the current court orders regarding overseas travel were impractical, and therefore problematic. The parties were ordered to attend a Family Dispute Resolution Conference (FDR), facilitated by the court, to provide the parties with the opportunity to amend the wording of the orders by consent.

Julia took the children to her home country, as planned. The children were able to keep up with their schoolwork and benefited from spending time with family members.

Hunter CLC assisted Julia at the FDR Conference facilitated by a Judicial Registrar and assisted by a Court Child Expert. After a productive day of negotiating, the parties were able to reach an agreement on final parenting orders for overseas travel.

This was a positive outcome for Julia. Since the parties separated, Julia had been struggling to get Brian's consent to take the children overseas to visit family. The previous orders were restrictive, and because of the high level of conflict between the parties it was near impossible for them to negotiate and reach an agreement on when the children could travel internationally. Julia was extremely grateful for our assistance. With these new orders, the children are less likely to be exposed to parental conflict, whilst also being provided with the opportunity to visit their family overseas, which is ultimately in their best interests.

*Name and some details have been changed.

Case Study - Property 1

*Sue called our telephone advice line seeking advice about a family law property matter.

The property pool consisted of cars and personal debt.

The main issue for Sue was a personal loan in their name that was taken out for the benefit of

*Bob who came into the relationship with debt.

Whilst in a relationship, Bob was making the loan repayments but upon separation refused to pay the loan. Sue had contacted the lender who had put a hold on repayments. Whilst this assisted Sue who was not able to make the repayments, the outstanding amount was increasing due to no repayments being made.

We offered to assist Sue on an ongoing basis to obtain a property settlement. We also referred them to the Financial Rights Legal Centre and a financial counsellor to explore other options.

With the assistance of Sue's financial counsellor they were able to negotiate with the lender to reduce the debt and then further negotiated with the lender to wipe the entire debt.

After obtaining this wonderful result and having discussions with Sue she made the decision not to pursue a family law property settlement against Bob. By this time he was incarcerated for offences against Sue and their family.

We also assisted Sue to draft, file and serve an application for divorce on Bob.

*Name and some details have been changed.

Case Study - Property 2

We assisted our client *Liz to resolve her matter at an undefended hearing. It was ordered that the other party, *Darcy vacate the property in 42 days, Liz was to have sole occupation, the property was then to be sold and split in Liz's favour.

Later, our client contacted our Centre and informed us that *Darcy had refused to vacate the property. Of concern for Liz was that the mortgage had not been paid by Darcy and there was a possibility the bank would foreclose.

We assisted Liz in drafting an Enforcement Application and Affidavit in support which was filed and served on Darcy. The Orders sought were for an enforcement officer (Police or sheriff) to enter the property and use force, if required, to remove Darcy from the property.

The matter came before the Court and we assisted on a duty basis. Darcy, despite being served, did not attend and so the matter proceeded on an undefended basis. The orders sought in the Enforcement Application were granted by the Court.

Soon after the enforcement hearing, Liz confirmed that she had been contacted by the NSW Police who were preparing to proceed with evicting Darcy from the property. Liz engaged her own real estate agent and conveyancer and liaised with the bank to prepare for the property to be sold. The home was recently sold enabling Liz to move on with her life and be financially independent from Darcy.

*Name and some details have been changed.

Case Study - Divorce

*Catherine contacted our telephone advice line for help with how to file an Application for Divorce. Catherine had problems with literacy. A face-to-face appointment was made to assist Catherine to draft and file the Application on the Commonwealth Courts Portal. Due to Catherine's literacy issues the Application was required to be read to her and a jurat prepared confirming this for the Court.

Arrangements were made for Catherine's ex, George to be personally served with the Application and we further assisted Catherine by filing the necessary documents needed to prove service on the Commonwealth Courts Portal.

*Name and some details have been changed.



Photos from the official launch by Maitland MP Jenny Aitchison of Hunter CLC's MARLA program, the program provides Family Law assistance at the Maitland Library via Telepresence Robot.

Community Legal Education Report

Despite the ongoing pandemic, over the past year we have continued to deliver Community Legal Education (CLE) throughout the Hunter catchment. When safe, we delivered legal information presentations in person. Equipment bought with the Newcastle Council, Boost Our City grant, allowed us to continue to deliver CLE remotely when required. Despite the loss of our CLE Co-ordinator we successfully delivered our CLE program as planned, including the Seniors Festival “Consumer Law for Seniors” events, Womens Week “How to Start a Microbusiness” presentation and our 6 towns in 6 days Upper Hunter programme with Transcare on “Staying Safe on line”. The success of our CLE program over the past year relied on contributions from all staff and volunteers, including the Admin Team, the Legal Team and our ALO, who has made new connections in the First Nations community.



Bronwyn Ambrogetti Presents a CLE as part of the NSW Seniors Festival .

Aboriginal Liaison Officer's Report

The Aboriginal Liaison Officer (ALO) role was created in 2021 and continues to expand its vital work in providing equal access and choice in free legal advice and strong referral pathways. By placing Aboriginal culture at the centre of the ALO role, the Hunter CLC is becoming a sanctuary that provides a space of understanding, non-judgement and empowerment for First Nations people seeking legal assistance.

Over the past year we have delivered culturally safe legal services to our Hunter Region First Nations people and have had positive feedback from the First Nations community. Not only for the legal advice and the community legal education provided but, the lifelong information and skills they have obtained from the Hunter Community Legal Centre staff.

Due to covid I have not been able to attend Aboriginal Land Council meetings. However, once they reopen, I will be attending Land Council meetings again.

I look forward to another year of promoting the Hunter CLC's services in the Aboriginal community.

Shanayah Potts - ALO



Hunter CLC's AO Shanayah Potts (right) providing community outreach at Newcastle's NAIDOC celebrations

Youth Law Report

The Hunter Youth Law Service participates in the service hub at Broadmeadow Children's Court each Monday on list day. We attend the hub meeting before the Court opens where the delivery of community services to young people is co-ordinated.

During the court list our Youth Support Worker, Shanayah Potts, meets the young people waiting for their matters to be called. She develops rapport and does the legal health check to find out what civil law issues the young people have. If the young person can be helped by one of the hub members a referral is made on the spot. At other times the young person's civil law issues need more time and are referred back to the Hunter CLC for legal assistance from the solicitors at the Centre.

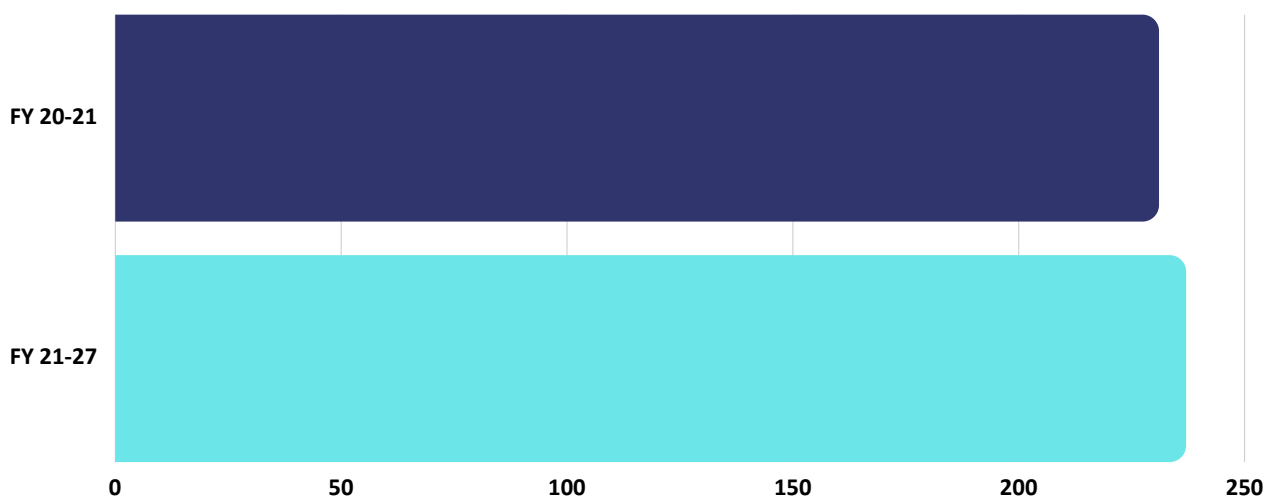


Facebook post in support of "Wear it Purple Day" supporting LGBTQIA+ Youth and promoting the Hunter CLC's Youth Law program.

Employment Law Report

Due to the cessation of additional COVID-19 funding received in the previous financial year the Centre was unable to retain an on-staff Employment solicitor in FY 21-22. Fortunately, Hunter CLC was able to enlist the help of two new pro bono partners to the Employment law program, Clayton Utz and K&L Gates, alongside Sparke Helmore and Hall & Payne who continued to provide assistance to our Employment Law clients in FY 21-22. The Centre again saw high demand for Employment Law assistance in the period, recording a slight rise in the number of services provided.

Employment Law Services



Examples of the types of advices the Hunter CLC provided to clients;

- Unfair dismissal and general protections claims
- Unpaid entitlements
- Clauses in contracts
- Workplace investigations and disciplinary procedures
- Bullying and discrimination
- Redundancy

Volunteer's Reflection

I have thoroughly enjoyed my time volunteering with Hunter CLC and have found the experience to be both professionally and personally rewarding.

The induction sessions were targeted towards the work that we would be assisting with, and it was great to start with an overview of this area of law as it was completely new to me. I often found myself referring back to the Victims Services presentation as it provided detailed summaries of each application and helped me to differentiate between them.

There was a real focus, both during the induction and throughout the course of my secondment, on mental health - particularly the wellbeing of staff. I felt incredibly supported by the Hunter CLC team, and reassured regarding the work that I would be assisting with. I did think it was extremely important to address mental health at the outset given the sensitivity of the matters that we would be dealing with, and I reflect on many of the concepts that we discussed regarding my work with the firm also.

I experienced no difficulties using Sharepoint and 3CX remotely. Having weekly briefings and debriefings also helped me to feel connected to the team. We were constantly in contact via phone/teams/email throughout the day and this really replicated the office environment.

I feel that being able to assist Julia, by listening in to phone calls with clients, was the most beneficial experience. This enabled me to observe engaging with clients and seeking instructions/providing advice. This meant that when I had my own conversations with clients, I felt more confident in my abilities and what to expect during a consultation, and I was also able to mimic the skills that I had observed. Listening in also enabled me to further develop my note taking skills, and made it considerably easier to later draft letters and applications as I had observed the instructions themselves and had a more comprehensive understanding of the matter. I was given a variety of tasks to complete, and it was great to provide some input into the Statutory Review.

Although it was initially intimidating managing the Victims Services Clinic while Julia was on leave, I found the experience of being entrusted with our own matters to be incredibly rewarding and I feel as though I made the most progress in the last few weeks of the secondment.

Thank you again for having me.

Kind Regards

Alicia Hull



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