

# ANNUAL REPORT

2021-2022



**SOUTH WEST**

COMMUNITY LEGAL CENTRE INC



# ACKNOWLEDGMENT OF COUNTRY

**SWCLC acknowledges the traditional custodians of the South West of Western Australia, the Wardandi People of the Noongar Nation, and recognises their continuing connection to land, waterways and community.**

**We pay our respect to Elders past, present and emerging.**



**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC



# TABLE OF CONTENTS

04

ABOUT US

05

STRATEGIC PLAN 2021-2024

07

BOARD OF MANAGEMENT 2020 - 2021

08

CHAIRPERSON'S REPORT

13

OUR TEAM

16

MANAGING PRINCIPAL SOLICITOR'S REPORT

26

CLIENT STORIES

28

TREASURER'S REPORT

31

SERVICE INFORMATION

33

FINANICAL REPORT





# ABOUT US



**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC

## South West Community Legal Centre

South West Community Legal Centre Inc. ("SWCLC") is a not for profit community legal centre which provides legal advice and assistance to disadvantaged and vulnerable clients throughout the South West of Western Australia. Our service commenced in 1989 with a weekly pro bono legal clinic offered by local private practitioners. Our service has continued to grow and today we employ 17 staff across our legal and administrative teams. We deliver most of our services from our Bunbury office. We also undertake outreach services at a number of locations throughout the South West, and provide duty lawyer services at the Magistrates Court and Family Court of Western Australia Bunbury circuit.

SWCLC is a generalist service, providing advice on many areas of law. However, our primary practice areas are family law; including parenting arrangements, child support issues and property settlement, and civil law; including restraining orders, criminal injuries compensation, and consumer and debt issues. SWCLC also regularly presents Community Legal Education to the public, community groups and schools, on topics such as family law, future planning (wills, powers of attorney and powers of guardianship), restraining orders, and legal information for young people.

SWCLC currently receives funding from the Commonwealth and State Governments, and through grants from the Law Society of WA Public Purposes Trust, in addition to one-off grants for smaller projects. SWCLC undertakes a range of projects, and manages the reporting and acquitting of several funding streams, to achieve individual program objectives and client outcomes.





# STRATEGIC PLAN

## OUR VISION

Equal access for  
justice for all

## OUR MISSION

To Empower our  
community to achieve  
fair legal outcomes

## OUR VALUES

Courage, Compassion  
and Committment





# GOALS

## Service Delivery

To achieve the greatest impact and best outcomes for the clients within our community.

Increase and enhance our reputation as a critical service and leader within our local and state communities.

## Expertise and Influence

## People and Culture

To build and retain an engaged, skilled and diverse workforce.

To develop a financial business model that ensures sustainability of the organisation.

## Financial Management

## Governance

To have effective and transparent governance, led by a diverse, skilled and connected board.



**MEET  
OUR**

## Board of Management



**Board Chair**  
Jenny P



**Deputy Board Chair**  
Carolyn N



**Treasurer**  
Sue D



**Secretary**  
Karen M



**Board Member**  
Bec H



**Board Member**  
Nadia H



**Board Member**  
Georgia W



**Board Member**  
Summer B





# CHAIRPERSON'S REPORT

2021 flashed by. We were still impacted by COVID but much less distracted by it; more confident about living and working within its many constraints.

The SWCLC team worked tirelessly throughout the year to provide legal assistance for vulnerable people in our south-west community.

The board is so proud of the staff. They are a great bunch. Highly skilled, highly intelligent, experienced and effective. But in addition to these important professional traits they are empathetic. Such an important quality when you consider they are dealing with traumatised individuals who need legal support provided in a caring manner.

## 1 This Year's Challenges

### 1.1 Board Changes

Unfortunately, late in the financial year we lost several board members due to differing opinions about the application of certain SWCLC's policies. I'm pleased we maintained a board of four and extremely grateful to Georgia Wilkes (a former board member) who very graciously agreed to re-join the board to supplement our numbers to five.

When we made the request Georgia's professional life in Perth, at her law firm Sparke Helmore, was very busy as she'd just been promoted to Senior Associate. Despite this, when asked for assistance Georgia acquiesced immediately. A very special thanks to Georgia from all of us at SWCLC. Your generosity and selflessness is acknowledged and appreciated.

I also thank the directors who resigned from the board for their significant contribution to SWCLC from the date of their respective appointments to the board until the end of 2021-2022 Financial year.

### 1.2 New Work Health and Safety legislation

WA's new Work Health and Safety legislation came into effect in March 2022.

I assumed the legislation would have sought to protect all workers (including SWCLC staff), as equally as possible, regardless of the nature of their employer.

I'm alarmed to report that volunteer directors (directors who aren't remunerated, as SWCLC directors are not) suffer no sanctions under the legislation if they breach their obligations to keep workers healthy and safe.



**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC

With abolition of the ability to take out directors and officers liability cover and the tightening of directors duties under the new law, there was obviously a policy imperative to retain (and be able to attract) volunteer directors of not-for-profit entities. It seems the policy makers thought this could be achieved by excluding volunteer directors from all liability for breach of duty.

This approach is remarkable, given the Act expressly provides that its main aim (to secure the health and safety of workers) is achieved by

"securing compliance with this Act through effective and appropriate compliance and enforcement measures"

Why aren't workers employed by volunteer boards entitled to levers for securing compliance with the Act?

At minimum it would have been appropriate to provide that volunteer directors who breach their duties are immediately disqualified from being a volunteer director of the relevant entity and all other not-for-profits in WA. I'm sure I speak for the majority of volunteer directors when I say I think it's also reasonable that if we do breach our duties we should be liable for reasonable proportional penalties.

It seems very unfair that workers in the not-for-profit sector, many of whom operate in dangerous environments (such as mental health, immigration, family and domestic violence, substance abuse, refugees, prisons, detention centres and homelessness) are not protected by a law "securing compliance" by the directors of their employer entity.

The SWCLC will forward a copy of this Annual Report to relevant political and industry parties to see if we can get some momentum for change in this important area.

## 2 The Years' Highlights

### 2.1 Operational Restructure

2021 was a significant operational year for the SWCLC.

We actioned our decision to focus on providing more intensive assistance to fewer clients, and provide them with a continuum of legal service, from initial consult to case conclusion.

I'll leave it to our acting Managing Principal Solicitor (MPS), Lauren, to comment on the impact of that decision in terms of the number of clients we looked after in 2021.

Anecdotally I know our legal staff found that providing a full "wrap around" service was more satisfying professionally and much more "value adding" for their clients. I acknowledge and thank our funders for allowing us the flexibility to change our service model in this way.





## 2.2 New Funding Model and the Five Pillars Concept

In 2021 the Commonwealth devolved funding of CLCs to the WA Department of Justice (DoJ). DoJ undertook an appraisal of how State CLC 's were funded on a comparative basis. That appraisal identified the fact that the SWCLC is relatively underfunded, compared to other CLCs. DoJ has committed to ameliorate this situation over time.

On a positive note DoJ has introduced a four year funding model. This is excellent for long term planning and security of staff tenure. A big thank you to DoJ for this valuable initiative.

Money in our sector is woefully inadequate but hopefully over time we'll see a steady increase begin to occur, in recognition of the dire needs in WA in the areas in which we practice, family law, tenancy and FDV.

DoJ is understandably focused on achieving greater efficiencies in the State's CLC space. To this end they've devised a "Five Pillars" model to encourage CLCs to

- be client centric
- provide a minimum service standard
- be evidence based
- be collaborative; and
- to increase capacity (to bulk up).

Each of these pillars is self-evidently sensible.

Collectively however I'm concerned that in the drive for economic and financial efficiency we may see a drop in quality and standard of service and a move away from the type of service most needed in the south west, to a generic service model, not best suited to local needs.

I was chair of the State's pathology agency, Pathcentre when WA Treasury embarked on an efficiency drive to eliminate what they perceived to be unnecessary public sector agencies. PathCentre was abolished and its pathology and criminal DNA business was subsumed back into Health's general business operations.

With the passage of time it became apparent that this action led to a decline in service standards. PathCentre was recently res-established as the agency, PathWest.

Time will tell as to how much leaner CLC operations can become, without loss of quality or relevance of service.



The SWCLC currently services a population of approximately 200,000 people who live across 24,000 sq kms of the south west of WA. We operate from our Bunbury office and 8 outreach centres.

We rely heavily on employing lawyers who "live local" so they can consult clients personally and appear in the local courts.

As money is tight we can't pay well. Despite this we attract many wonderful lawyers (mainly female) who are happy to work part-time so they can fit work around family responsibilities. The quid pro quo for a much lower standard of professional pay is work flexibility and a happy and supportive work environment.

Our lawyers are supported by an incredibly efficient, hard working administration team. We certainly don't have the luxury of employing discrete CFOs, CIOs, COOs, CES's and HR experts. Our support team is lean, multi skilled and flexible.

### **2.3 Interview with the new Attorney General and Senator Sue Lines**

On 2 May 2022 we had a lengthy zoom interview with the then Shadow AG, now AG, the Hon Mark Dreyfus and Senator Sue Lines. A very special thanks to our Deputy Chair, Bec Harnett, for securing this "showcase" opportunity for us. The AG and the Senator were well informed about the CLC sector and keen to know what we were doing in the south west. We weren't shy in telling them.

### **2.4 Appointment of our inaugural First Nations Director**

Early in the year we were pleased to appoint Summer Brinkworth as our inaugural First Nations Director. Initially, Summer was quiet, sitting back and learning about our work. Since, then Summer has stepped up and out. When issues have arisen, she has spoken bravely and eloquently to all of us about the right thing to do and the right way for the board to behave. Summer has an innate sense of proper governance.

A big shout out to Tahleisha Bennell-Mustica, for introducing us to Summer.

### **2.5 Star Staff**

Late in the 2021 year we asked our former MPS, Lauren Howlett, to step back into the role of MPS, on an acting basis.



Lauren agreed. She did a wonderful job. Sadly, we will lose Lauren at the end of 2022. She's heading east to further her studies. We wish her well and thank her warmly. We hope to retain Lauren's experience and wisdom by enticing her to become a member of the Board from 1 January 2023.

Tahleisha headed up our administration team as of January 2022. She did an excellent job, running the day to day business, organising everyone and inducting and mentoring the junior staff. Tahleisha is respected by everyone at SWCLC and everyone who deals with the SWCLC. I'm thrilled to announce Tahleisha was recently appointed CEO of the SWCLC (from September 2022).

Otherwise the stars of 2021 are each and every staff member we employed in 2021.

The need for SWCLC's services in the south west in the areas of family, FDV and tenancy law continues to grow. The job just seems to get bigger and tougher for our staff.

We have counselling services in place to support them and we encourage them to use those services. We realise the health and safety of all our staff is fundamental to the SWCLC continuing to provide a quality and caring service.





Special mention of our MPS, for part of the year, Ginny Rabeling. Ginny actioned the shift to "wrap around" services and started us on the path of addressing DoJ's Five Pillars.

### 3 Conclusion

I've left my final comments for the board members, our funders, our partners and most importantly, our clients.

To the board members; You contribute your time and expertise for no monetary reward or public kudos. I know you remain on the board because you are each committed to helping vulnerable, needy people and according them the dignity they deserve. I'm very proud of all of you for standing together, as one, to ensure the staff and operations of the SWCLC were properly supported throughout 2021 . It enabled our lawyers and their support team to continue to carry out the essential work they do.

To our Funders; thank you for the certainty of the 4 year funding cycle and we look forward to working positively with you in future to identify further efficiencies and innovations in the CLC sector that will enable us to expand and improve our service.

To our Partners; it's a pleasure to work with others dedicated to the support of the needy in our community. Your collegiate spirit is appreciated.

To our Clients; You are the reason the SWCLC exists and we commit to strive to do our best to continue to support and help you, to the very best of our ability.

**Thank you.**

**Jennifer Pickworth Ilb**  
**Chair**





**MEET  
OUR**

# Legal Team

2021 - 2022



**Acting Managing  
Principal Solicitor**

Ginny R



**Acting Managing  
Principal Solicitor**

Lauren H



**Managing Principal  
Solicitor  
(Long service Leave)**

Eleanor Y



**Senior Solicitor**

Samantha B



**Solicitor**

Renée T



**Solicitor**

Daniel I



**Solicitor**

Amy C



**Solicitor**

Michelle G



**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC



**MEET  
OUR**

# Legal Team

2021 - 2022



**Solicitor / Tenancy  
Advocate**  
Amanda J



**Tenancy Advocate**  
Lee E



**Paralegal**  
Inge S



**Paralegal**  
Chelsea K



**Volunteer Paralegal**  
Saudamini B



**Volunteer Paralegal**  
Maria S



**MEET  
OUR**

# Admin Team

2021 - 2022



**HR/Office Manager**

Michael N



**Senior Bookkeeper**

Vicky M



**Executive Assistant  
(Long service leave)**

Jess C



**Administration  
Trainee**

Amber S



**Administration  
Officer**

Sarah W



**Administration  
Trainee**

Chloe B



**Administration  
Officer**

Tahleisha M



**Administration  
Officer**

Crystal P



**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC



# MANAGING PRINCIPAL SOLICITOR'S REPORT

I am very happy to report on the progress of South West Community legal centre during 2021/2022. I firstly want to acknowledge the continued hard work and dedication of our amazing team during this year, which has seen many changes both within the organisation and in the wider legal assistance sector.

I also thank the Board members for their ongoing generosity and contribution to SWCLC's Board of Management. I am glad to welcome our new board member Summer B, who brings valuable local knowledge, and amazing graphic design skills, and thank outgoing board members Georgia W, Carolyn N, Sue D and Nadia D.

I would also like to acknowledge the ongoing pro bono legal assistance provided to SWCLC by Sparke Helmore lawyers, and also to barrister Fraser Robertson for his generosity in providing ad hoc pro bono advice to our lawyers dealing with difficult family law matters.

July 2021 brought significant changes to our core funding from the State and Federal Government.

This year the Western Australian Department of Justice took over administration of this funding from Legal Aid WA. SWCLC were grateful for the 4-year funding contract provided by the Department of Justice, meaning our main funding source is secured until 30 June 2025, allowing SWCLC to better recruit and retain staff, and offer improved employment security.

The Department of Justice Legal Assistance branch have been supportive of SWCLC's pivot towards increased intensive, wrap around representation services in line with our strategic plan, and we look forward to continuing to work with the Department.

We were also very happy to be provided a further triennial grant from the Public Purposes Trust, which will take the funding for our important Outreach and Family Violence Restraining Order programs also through to 30 June 2025.



We are thankful to the Law Society of WA for this further grant.

During the year SWCLC undertook safety upgrades to our premises thanks to a grant from the South West Development Commission.

This grant enabled us to install smash proof tinting to our office windows to better secure the premises. Further funds were allocated for upgrading the building's screen doors. We also thank our landlord for generously contributing towards the cost of new internal door locks and the screen door upgrades.



## Staff and volunteers

We saw the following changes to our staffing and volunteers in 2021/22:

### Staff

In July 2021 our Managing Principal Solicitor Eleanor Y took well earned long service leave. Eleanor initially used this time to explore her secret passion for income tax (!), working as a seasonal tax consultant. Eleanor then made the decision to explore other opportunities and sadly resigned from SWCLC in November 2021. Luckily for us, Eleanor secured a position at the WA CLC peak body, Community Legal WA, working on the sector's accreditation scheme, meaning we still get to work with her, though in a different capacity. We trust Eleanor is enjoying her new role and the challenges it brings.

Another long-time SWCLC staff member Jess C also sadly resigned in 2021. After achieving her Family Dispute Resolution Practitioner qualification, Jess commenced working as an FDRP at Relationships Australia in 2020, continuing part time at SWCLC. In late 2021 Jess decided to leave SWCLC to focus further on her busy mediator role. We know Jess loves her new job and we wish her the best.

In January 2022 we were glad to secure a new tenant advocate Lee E, who was previously employed by the Department of Communities, and is passionate about helping vulnerable clients obtain and retain secure housing. Lee's commencement also saw our other tenant advocate Amanda J move into a role as restricted practitioner lawyer after achieving her admission as a lawyer in the Supreme Court of WA in September 2021. Congratulations to Amanda!

We were also grateful to be joined in February 2022 by paralegal Chelsea K, who is part way through her Juris Doctor legal studies, following studies in criminology and counselling, and running her own business delivering counselling services to people in prison and parolees. Chelsea has proven to be an invaluable member of our team.

We also welcomed our new trainee administration team member, Chloe B, in January 2022. Chloe has excelled during her traineeship and we are glad to offer her further employment following the conclusion of her traineeship.

We were happy to welcome back solicitor Renée T in November 2021 after a period of leave, and administration officer Crystal P in January 2022, after spending time in other important roles, such as at the South West Refuge.

We sadly farewelled Rebecca M, Michael N, Sarah W and Ginny R during this year. We wish them all the best in their future careers.



## Volunteers

In July 2021 we were lucky to have law graduate Damini B join us as a full-time volunteer for two weeks, with her accommodation in Bunbury generously funded by the Piddington Society.

Damini returned to join us volunteering again part time later in the year, at which point she secured employment in a regional law practice. We wish Damini all the best for her promising future legal career.

Also in July 2021 we welcomed Piper R as a part time legal volunteer. Piper is part way through her law degree and undertook a range of valuable paralegal tasks including research and document preparation. Piper finished with SWCLC in June 2022 and we wish her the best for the remainder of her study and future career.

Finally, in March 2022 we were very happy to welcome Maria S as a part time legal volunteer. Maria has extensive experience in criminal law practice in Ireland and is looking to re-enter legal practice in Australia. We are very happy to have Maria's skills, careful attention to detail and calming demeanour on our legal team.

## Training and staff events

Our team attended a number of informative and useful training events this year, in addition to staff events and community engagement.

In September 2021 I attended the second annual Family and Domestic Violence forum, facilitated by the City of Bunbury, and attended by local community organisations, local and state government, and Bunbury Police, among others. Participants were asked to provide feedback on barriers to effective service provision, and success stories, new initiatives and additional service delivery.

It was great to hear multidisciplinary views on how to better address family violence in our community.





**Photo: Christmas party gift stealing shenanigans**

October 2021 saw our Annual General Meeting which was held at Vat 2 and was a wonderful opportunity for board, staff and members to get together and celebrate SWCLC's achievements over the previous year. Board and staff had a further opportunity to connect and steal gifts from each other (as part of the "dirty Santa" game) at our Christmas party.

Ginny and Sarah represented SWCLC at the White Ribbon Day march against family violence in November 2021, and hosted a stall alongside other local organisations such as South West Aboriginal Medical Service.

During May 2022 staff also participated in: the National Reconciliation Walk; the Family Law Pathways annual conference; and SWCLC hosted a networking event for law week at Yours or Mine bar.

**Photo: Law Week Event**







## **FAMILY LAW PATHWAYS CONFERENCE**



## **RECONCILIATION WALK**



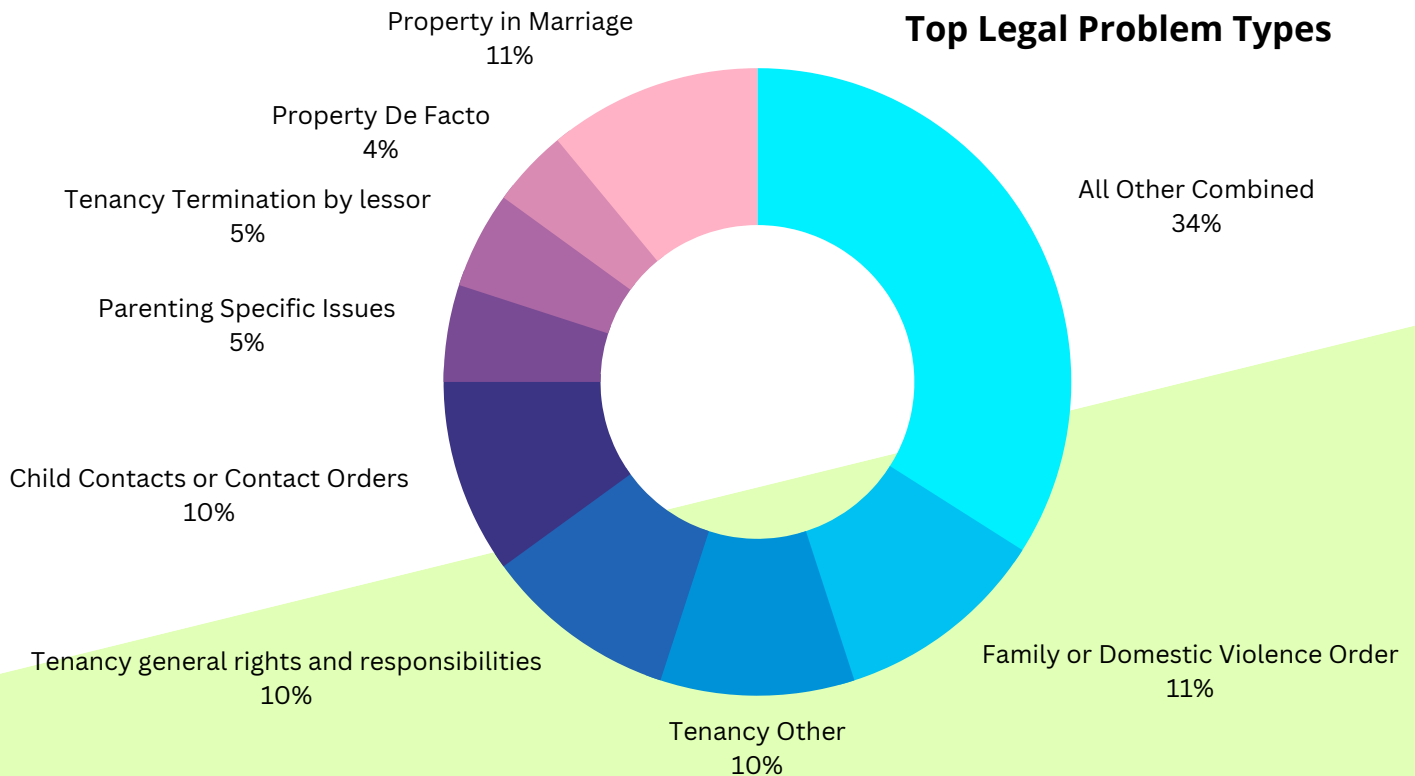
Staff training throughout the year included attendance at the Family Law Practitioners Association of WA conference, “Defusing Angry and Abusive Customers” training delivered by Relationships Australia, the Legal Aid Summer Series training, and “Foundations for Building Trauma Awareness” training delivered by Blue Knot.

## **OUR STALL FOR THE WHITE RIBBON DAY MARCH**



## Service delivery

SWCLC continued to deliver services primarily in family law, family violence (restraining orders), criminal injuries compensation, tenancy and other civil issues in the 2021/2022 year.



Our core funding from the Department of Justice ("baseline" funding) enables us to deliver our main legal advice service from the Bunbury office, via a mix of phone and in-person appointments. We also deliver a fortnightly outreach service to the South West Refuge (initially funded by a grant from the Chef's Long Table Luncheon) to provide face to face legal advice to women who reside at the refuge, often due to having to leave their home as a result of family violence.

## Total discrete services delivered

**956**  
clients assisted

**1,599**  
legal advices  
provided

**557**  
legal tasks  
undertaken

**275**  
duty lawyer  
services

**19**  
community  
legal education  
activities



## Client Demographics

### GENDER

Female  
720

Male  
233

Other  
2

### AGE

0-17  
8

18-24  
70

25-34  
214

35-49  
400

50-64  
192

65 & over  
68

## Ongoing legal assistance and representation

In accordance with our strategic plan we continued to focus on offering ongoing legal assistance, including court representation, to high-need clients. This year saw SWCLC open 34 files across a range of matter types, though primarily family law (and particularly property matters). 16 files were closed across the year, being mostly criminal injuries compensation matters, whilst a further 24 matters remain ongoing (again, primarily family law property matters), reflecting the length of time involved in Family Court proceedings.

### Ongoing Files = 24

Family law  
property = 15 files  
(incl. 10 with family  
violence issues)

Criminal injuries  
compensation = 3  
files

Debt = 4 files  
Child protection =  
1 file  
Parenting = 1 file

Family law  
property = 4  
files

Criminal injuries  
compensation =  
11 files

Parenting; State  
Administrative  
Tribunal;  
Restraining Orders  
= 1 files

**16 files finalised**

Taking more  
than 50 hours  
= 2 files

Taking 20- 50  
hours = 5 files

Taking 6 - 20  
hours = 6 files

In addition to baseline services delivered from our Bunbury office, SWCLC delivered legal services as part of the following programs:

### **Legal Outreach program**

Our lawyers travelled throughout the South West to deliver legal advice and services to clients in Harvey, Collie, Busselton, Margaret River, Bridgetown and Manjimup. On outreach, our lawyers delivered 455 occasions of legal advice.

### **Family Violence Duty Law service**

In collaboration with Waratah, SWCLC provides a duty lawyer, paralegal and counsellor to the Bunbury and Busselton Magistrates courts for the Family Violence Restraining Order lists. This year we provided a duty lawyer service (such as legal advice, negotiations, drafting settlement terms and in-court appearances) on 231 occasions, in addition to 211 referrals to appropriate other services (such as Waratah).

### **Family and Advocacy Support Service**

SWCLC provides a duty lawyer and paralegal for the Bunbury circuit of the Family Court of WA each month. Despite changes to court listing practices following the introduction of the eCourts portal for filing of Family Court documents, and interruptions to in-person services due to Covid, we provided 40 occasions of duty lawyer service in the Family Court at Bunbury. Often these duty lawyer attendances involve significant negotiation throughout the day, with the aim of reaching interim agreements.

### **Tenancy Advice and Education Service**

Our tenant advocates remained busy throughout this year as the rental crisis saw many clients unable to remain in their homes, and many having to relocate from the South West due to the lack of affordable housing options. Our tenant advocates provide legal advice over the phone, in addition to a court advocacy service at Bunbury and Busselton Courts. Lee and Amanda delivered 443 instances of advice across the year.





## Legal Health check

This year SWCLC was successful in obtaining a grant from Community Legal WA, for a pilot Legal Health Check project. This grant involved the development and delivery of a workshop and “Legal Health Check” tool to local non-legal service providers who assist clients that may have legal issues, though may not recognise them as such. Our solicitor delivered this workshop to a number of local organisations including Waratah, Edith Cowan University, South West Refuge and St Vincent de Paul and accepted a number of referrals from the service providers. Through this grant, our lawyer was able to provide significant and intensive legal services to clients with complex legal matters.

*Photo: Delivering a Legal Health Check presentation*



## Advocacy WA

We continued to provide a monthly outreach service to our neighbouring disability advocacy service. Our lawyer attends at the AWA office so that clients can conveniently attend upon their advocate and receive legal advice within the same appointment. Clients can also attend appointments at the SWCLC office accompanied by their advocate.

## Legal Advice Clinic: Carey Park Child and Parent Centre

Thanks to a grant from the Zonta Club of Bunbury, we delivered a fortnightly “walk-in” advice clinic for women at the Carey Park Child and Parent Centre during August and September 2021. Our lawyer provided advice to 5 women, and forged a connection with the Centre staff which will enable easier referrals for clients needing legal advice.

## Client Feedback

“The service provided by your company is a valuable asset for those that can’t afford the expense of a legal mouth piece, which in my opinion is definitely needed when one is not familiar with the court procedures or the law”

“Amy was brilliant, professional and helped me relax and understand my situation from a legal point of view. Thank you, Amy.”

“Thank you for helping me I really was at a loss before this conversation”

“Michelle made me feel at ease and was very helpful I would highly recommend her to anyone that needed legal advice. Thank you”

“Thanks to the team of SWCLC my hearing at court was a lot less stressful than I had anticipated. I felt supported and represented in a very professional manner.”

“Very practical and sound advice given by the lawyer”

## Conclusion

I again thank our team and board for their efforts across this challenging year. Thank you also to our funders: Commonwealth Attorney-General's Department, WA Department of Justice, Law Society of WA Public Purposes Trust, Legal Aid Western Australia (FASS), Department of Mines, Industry Regulation and Safety, South West Development Commission, Piddington Society, Chef's Long Table Luncheon, and Bunbury Zonta Club. Thank you also to our project collaborators, Waratah and Advocacy WA.

Looking forward to the coming financial year, I am excited for the changes to our management and legal team structure, and feel confident that we will continue to deliver targeted, quality legal services to disadvantaged members of the South West community.

**Lauren**

**Acting Managing Principal Solicitor**





## "Linda"

Linda first engaged with SWCLC in late 2020. Linda had separated from her partner but was struggling to progress their property settlement negotiations with him, to deal with their jointly owned family home. Linda had moved out of the home with her children, but her former partner remained in the family home and was not contributing to the mortgage. A SWCLC solicitor assisted Linda to draft a property settlement negotiation letter, Linda could use to negotiate with her ex-partner, and referred Linda to appropriate local mediation services.

Whilst Linda genuinely tried to negotiate amicably with her ex-partner, her attempts to communicate had largely been ignored. She re-engaged with SWCLC as the matter had become urgent - the mortgage had fallen into arrears, and the bank had threatened to take enforcement action to repossess the home if the family home was not sold as a matter of urgency.

Linda was worried that if the mortgage remained in arrears, or the home was repossessed, this could have a detrimental impact on her ability to apply for finance and credit in the future. The situation was having an impact on Linda's mental health, and she was not sure what to do next.

A SWCLC solicitor gave Linda property law advice and assisted her to lodge an urgent property application in the Family Court of Western Australia ("FCWA"), seeking orders to enable Linda to sell the family home.

Linda then engaged the SWCLC Duty Lawyer Family and Advocacy Support Service ("FASS Duty Lawyer Service") at her first court date which. The Duty Lawyer represented Linda in court, and assisted her to seek orders for a case management hearing.

At the next court date, Linda was again assisted by the SWCLC duty lawyer, who appeared in court to seek on Linda's behalf urgent orders for the sale of the family home. The court granted the orders sought by Linda on that day.

Linda now has authority to sell the family home and can avoid the undesirable consequences of involuntary repossession. The assistance of SWCLC's lawyers to prepare court documents and to appear in court as duty lawyer meant that Linda was supported by SWCLC throughout the process which empowered her to take the above action.



## "Spencer"

Spencer is in his 70s and is wheelchair bound. He is a public housing tenant living with his spouse in a purpose-built home (suitable for wheelchair use). In 2019 the Housing Authority approved Spencer's application for a transfer to another area to be closer to family for support. Due to his age, NDIS funding was not an option. As a fiercely independent person, Spencer was adamant that he was not ready to go into aged care yet as suggested by the Housing Authority. Spencer was very overwhelmed and felt discriminated against due to being in a wheelchair.

In late 2021, the Housing Authority advised Spencer that a property had become available in the requested area. When viewing the property, the Housing Authority told Spencer there was a work order in for the kitchen and that the benchtops and other parts would be replaced. Spencer asked for some modifications to the kitchen to enable him to use it. Spencer really enjoys cooking and speaks very fondly of preparing meals for his family despite being in a wheelchair. The Housing Authority then made the decision to withdraw the transfer application for reasons, including that Spencer had declined a suitable property. The South West Community Legal Centre Tenancy Advocate provided Spencer with advice about appealing this decision.

The Tenancy Advocate liaised with the Housing Authority to no avail. Spencer then instructed the Tenancy Advocate to prepare an appeal against the decision, on several grounds, including that Spencer had not declined the property, and that the Housing Authority had incorrectly applied relevant policies.

After the appeal was completed, the Regional Appeals Manager sent a letter to Spencer advising that the Senior Appeal Review Officer had determined that the original decision was made without taking into consideration all relevant information. The decision to withdraw the transfer application was overturned and Spencer was reinstated onto the waitlist. Without the Tenancy Advocate's assistance, Spencer may have lacked the skills and knowledge to appeal the decision. The availability of the Tenancy Advocate to assist Spencer meant he was provided a trauma informed and expert service, which resulted in a fast and favourable outcome.





# Treasurer's Report

I am pleased to provide the Treasurer's Report for the financial year ending 30 June 2022. Members will notice a break-even in funds for the combined statement of profit and loss for the financial year (small surplus of \$2,535).

This is in due to \$65,186 unspent Grants carried forwards to 2022/23 financial year to give a break-even result overall.

The total income for the year was \$1,309,049 with corresponding total expenditure of \$1,306,514. An "Unexpended Grants" liability of \$65,186 has been brought to account as at 30 June 2022, recognising that these funds are to be carried forward to the subsequent financial year, and expended in accordance with grant funding requirements.

Funding received increased by 13.8% compared to the prior year with the major corresponding increase in expenditure being on wages and employee related expenses.

The Balance Sheet as at 30 June 2022 indicates a healthy working capital position with current assets of \$467,417 and corresponding current liabilities of \$203,221. Members' funds as at 30 June 2022 were \$207,164.

The Auditors have provided the Audit report in respect to the financial statements including the following comments:

- i) giving a true and fair view, in all material respects, of the financial position of South West Community Legal Centre Inc. as at 30 June 2022, and of its financial performance and its cash flows for the year then ended; and
- ii) complying with Australian Accounting Standards to the extent described in Note 1 Associations Incorporation Act (WA) 2015 and Division 60 of the Australian Charities and Not-for-profits Commission Regulations 2013.

Thank you.

Jennifer Pickworth IIb  
Chair





**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC

# FUNDERS AND GRANT PROVIDERS

The Board of Management and staff of South West Community Legal Centre Inc. gratefully acknowledge the support of grants and funding from:

**Western Australian Department of Justice**

**Commonwealth Attorney-General's Department**

**Legal Aid Western Australia**

**Family Advocacy & Support Services**

**The Law Society of Western Australia - Public Purposes Trust**

**Department of Mines, Industry Regulation and Safety**

**South West Development Commission**

**The Piddington Society**





# OUR PARTNERSHIPS



**SOUTH WEST**  
COMMUNITY LEGAL CENTRE INC

We would also like to thank and acknowledge the many agencies we have worked with this year

**Waratah Support Centre**

**South West Refuge Inc.**

**Advocacy WA Inc.**

**Legal Aid WA**

**Community Legal WA**

**Community Legal Centres Australia**

**Bunbury Regional Prison**

**South West Law Society**



Community Legal Centres  
Australia



SOUTH WEST REFUGE INC



COMMUNITY LEGAL  
WESTERN AUSTRALIA



waratah



LEGAL AID  
WESTERN AUSTRALIA





**SOUTH WEST**

COMMUNITY LEGAL CENTRE INC

# WHERE TO FIND US

## SERVICE INFORMATION

**Hours of Operation:**

Monday to Friday 9am - 4pm

**Address:**

South West Community Legal Centre  
14 Plaza Street  
South Bunbury WA 6230

**Postal Address:**

PO BOX 6162  
South Bunbury WA 6230

(08) 9791 3206

[info@swclc.org.au](mailto:info@swclc.org.au)

[www.swclc.org.au](http://www.swclc.org.au)

[facebook.com/SWCLegal](https://facebook.com/SWCLegal)





# Financial Report

Please see attached document

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