



SOUTH WEST

COMMUNITY LEGAL CENTRE INC



ANNUAL REPORT 2017 - 2018



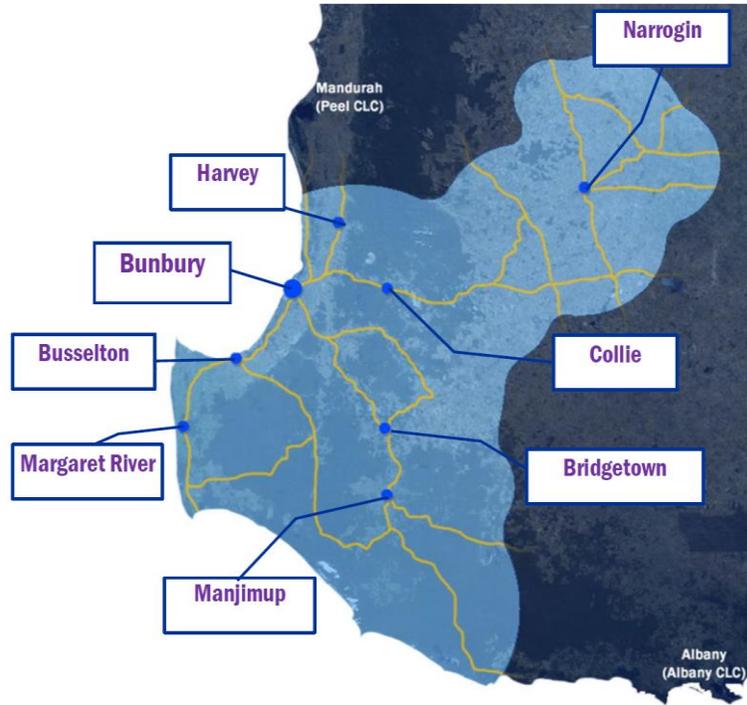
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South West Community Legal Centre Inc. acknowledges the Traditional Owners of the South West and recognises their continuing connection to land, waterways and community. We pay our respect to Elders past and present.

ABOUT US

South Community Legal Centre Inc. (SWCLC) commenced operation in June 1989 as Bunbury Community Legal Centre, initially providing a volunteer legal advice bureau one evening per week. Today, almost 30 years later, we offer services five days a week from our Bunbury offices, with outreach services delivered across 8 locations in the South West Region. Our Board of Management and dedicated staff are committed to achieving our mission to provide quality legal and associated services to address disadvantage in the South West community.



**The Board of Management and Staff of
South West Community Legal Centre Inc. gratefully acknowledge the support
of our funders:**



Australian Government
Attorney-General's Department



Government of Western Australia
Department of the Attorney General



SWCLC is a proud member of:



BOARD OF MANAGEMENT 2017 - 2018

Michelle Howes
Board Chair



Helen Helmsley
Board Member



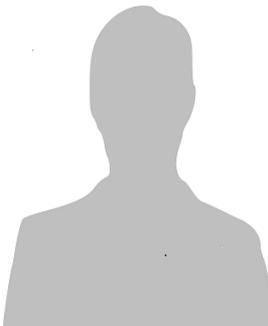
Trudi Ruane
Deputy Chair



Maggie Kennedy-Piper
Board Member



Steve Reynolds
Secretary



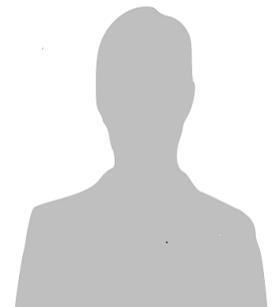
Carol Reid
Board Member



Sue Della
Treasurer



Paul Chapman
(Solicitor)
Board Member



CHAIRPERSON'S REPORT

Dear Valued Stakeholders

I am pleased to present the Chair's report for the South West Community Legal Centre Inc. The report summarises the activity of the Centre, Board and Staff, as well as new developments, and gives thanks to our supporters.

OUR ACTIVITY

It has once again been a busy year for the Centre: Our Strategic plan for 2017-2020 has been developed and implemented with success and clearly articulates our Focus, Foundations and Values.

A comprehensive review of our services was undertaken and saw a Board decision to move away from the provision of Mediation services. Once again, I would like to take this opportunity to thank all the staff over the many years that were involved in providing this service to the community.

A number of successful funding applications mean we will be offering several new programs in 2018/2019. One of these programs is the Family and Advocacy Support Service ("FASS") run at the Bunbury Family Court Circuit. This program has been in operation since October 2017 and is now in partnership with Waratah and Legal Aid WA. Prior to the commencement of the FASS Service SWCLC was providing a duty lawyer at Family Court circuit under a State Government Grant which expired in September 2017

Congratulations to our CEO Julie-ann Lorca who was re-elected to the Management Committee for the Community Legal Centre Association WA.

Finally, we are moving to new Premises located at 14 Plaza Street, Bunbury, providing improved access and safety for clients and staff. We aim to be in our new premises early in the new financial year.

OUR BOARD

The Board welcomed two new members at the AGM start of the year: Maggie Kennedy-Piper and Carol Reid, in keeping with our Strategic plan we continue to build a Board that is both diverse and skills based. In keeping with our core foundations, a number of Board members attended a Governance Webinar and several Board members have successfully completed Governance training in Perth. As a Board we continue to have a group of highly motivated members and I would like to take this opportunity to thank them for their continued professionalism and commitment and extend a special thank you to Stephen Reynolds and Helen Helmsley who will be retiring this year.

OUR STAFF

As a Board we are very privileged to have a group of motivated, dedicated, professional and caring staff committed to delivering a high standard of service within our community. In particular, we thank those staff that left the organisation this year and warmly welcome all new staff recruited to assist with the recent and up and coming new programs, as well as our first trainee, Tahliesha Bennell-Mustica.

With the continued leadership and support of our CEO Julie-ann Lorca and acting Principal Solicitor Eleanor Yates we continue to have a team equipped to meet the changing needs of our diverse and vulnerable people and communities across the South West. The Board would like to extend their thanks to the team for exceeding our targets for the 2017/2018 year and for the very positive results reported later in this report to the Annual Independent Legal Aid Survey of our clients.

OUR SUPPORTERS

Finally we sincerely thank our major funding bodies: The Federal Attorney General, State Government Attorney General and the Law Society of Western Australia, whose ongoing support continues to make our services possible. We look forward to a continued successful partnership. As outgoing Chairperson I would like to express how privileged I have felt working with such a dedicated team of people and wish you every success to continue to build on your achievements.



Michelle Howes
Board Chair

OUR TEAM

Our Management Team



Julie-ann Lorca
CEO



Samantha Bettenay
Principal Solicitor (Parental leave)



Eleanor Yates –
Acting Principal Solicitor (Job Share)



Lauren Howlett
Acting Principal Solicitor (Job Share)

Our Legal Team



Amy Coole
Solicitor



Miranda Ackerman (Good)
Solicitor



Rebecca Dennison
Solicitor
(Commencing July 18)



Angela Wolfenden
Paralegal

Our Administration Team



Jessica Cartwright
Administration/Special Projects
Coordinator



Inge Slottje
Administration Officer



Tahleisha Bennell Mustica
Administration Trainee



Crystal Peterson
Administration Officer
(Commencing July 18)

CEO REPORT

Dear Valued Stakeholders,

I am pleased to provide the following CEO report for South West Community Legal Centre Inc.'s Annual Report for 2017 – 2018. As in previous years, SWCLC worked across eight regions, and as always worked hard to ensure that services remain relevant and effective, providing benefit to our clients. We continued to provide generalist, family and domestic violence, and outreach legal services, along with our duty lawyer service at the Bunbury Family Court Circuit.

This Annual Report again reflects the incredible work undertaken by staff. I am justifiably proud of our Board and staff and inspired by our clients, whose stories reflect both the challenges they face and the resilience they demonstrate as they pursue positive outcomes. They are the reason we do what we do.

STRATEGIC HIGHLIGHTS

As in previous years, we moved through a number of major changes and dealt with our fair share of challenges. As always, because of the commitment and professionalism of both Board and Staff, we were able to meet every one of them.

All programs and services were reviewed in the last year, in alignment with our 2017 – 2020 Strategic Plan. The outcome of these reviews made for difficult decisions, which were taken after balanced and lengthy consideration by the Board. The most significant of these was the decision to focus on our legal service delivery, which resulted in the closure of our mediation program after many years of service to our community. What it means for the service moving forward is a more flexible legal services model, with greater opportunities for joined up service delivery with other community services organisations and implementation of new legal programs. I join the Board in thanking all those staff who were a part of the mediation service during the many years it was in operation.

During the year the exterior of Lotteries House underwent a major renovation. The building now looks as it should, and shines as a real centerpiece of Victoria Street. However, unexpected issues arising as a result of the building renovation works forced us to exit our rented premises there with little notice. We operated offsite for a month as we waited for testing and appropriate cleaning to be completed and advice given that the building was 100% safe. I would like to acknowledge the staff who rolled up their sleeves to relocate offices without interruption to services, and who either worked from home, or a temporary office to ensure services could still be delivered.

SWCLC acknowledges the importance of a well-equipped and motivated staff. Significant investment was made in training and development for our team. In addition to individual training plans, all staff were invited to participate in Trauma Informed Practice for Legal Professionals, and a number of staff attended Applied Suicide Intervention Training, with the remaining staff scheduled to attend training in the next financial year. Lawyers attended training to ensure they met their CPD requirements and obtained valuable skills in doing so.

One staff member completed a Diploma in Paralegal Studies and is set to move into her new role as Paralegal from 1 July. Another staff member obtained her Certificate in Mediation and obtained new skills and knowledge. She will commence in her new role as Administration and Special Projects Coordinator in the New Year also. We were thankful for the grant received from Westpac which allowed both staff to complete their courses.

During the period we also on-boarded our new trainee who is completing her Certificate III in Business. To round out our new team we supported a student placement from Murdoch University who will also join our team from 1 July. As the result of a successful 1 year grant application, we are also looking forward to welcoming another lawyer to our team from 1 July 2018.

We are excited to be introducing a number of new programs for 2018-2019, joining those implemented in 2017-2018, enhancing and extending our capacity to meet legal needs of our clients. We have been able to, for example, to work in partnership with Legal Aid WA and Waratah Support Centre, to offer holistic legal and social support at the Family Court Circuit in Bunbury each month. Our legal team also continued to provide Community Legal Education (CLE) to organisations and groups in the community. As part of Law Week WA SWCLC kicked off a week of CLE events at the SWCLC South West Law Week launch.

While we are a team that works very hard, we had opportunity to also enjoy some time relationship building between Board and Staff. December brought with it our Great Gatsby get together, where Board and staff were able to spend time getting to know each other better.



NEW PREMISES

As we enter the 2018 2019 financial year, we are poised to move to our new premises at 14 Plaza Street in Bunbury. We were grateful to have had the opportunity to utilize the upstairs offices at Lotteries House in Bunbury, however as our staffing needs have changed over time, and our need to provide an accessible space for clients with disabilities is beginning to be realised.



LOOKING AHEAD

I would like to take this opportunity to thank the Board for its commitment of and support to both SWCLC and me. In addition, I acknowledge the outstanding contribution of the team at SWCLC as we worked hard to provide a quality service that supports positive outcomes for the people accessing our programs.

We approach 2018 2019 with a sense of anticipation and excitement. We look forward to working together as a team to build on our existing programs and continue to provide quality legal services to the most vulnerable in our community.



And our passion for what we do will lead us forward.....

Julie-Ann Lorca
CEO

Photo by [Ian Schneider](#) on [Unsplash](#)

Operating Highlights



PRINCIPAL SOLICITOR'S REPORT

LEGAL TEAM PERSONNEL

Our legal team has grown and changed over the last year. We welcomed several new staff members to the legal team including: Miranda Akerman, who commenced initially as a volunteer before transitioning to part-time staff member, and Lauren Howlett who now also shares the role of principal solicitor during Samantha Bettenay's absence. We farewelled Emily Scarlett, as she returned to her home state of Victoria, and wished Samantha Bettenay well as she embarked upon a period of parental leave commencing January 2018. In her absence, Eleanor Yates and Lauren Howlett have shared the role of principal solicitor. Earlier in 2018, Amy Coole completed her period of supervised legal practice and is now an unrestricted practitioner.

Also, in mid-2018, Angela Wolfenden, one of our administrative staff members, completed her paralegal training and will transition into a new role as a dedicated paralegal in July 2018.

Throughout the financial year, our centre has also benefited from a number of enthusiastic volunteers, including law students and recently admitted lawyers.

KEY ACHIEVEMENTS

1. Pop up Legal Clinic at the Shoestring Café

In early December 2017, our legal centre worked with the Shoestring Café to create a pop-up legal clinic for people living in the South West who may be homeless, or experience other forms of financial disadvantage. Our clinic was located within the Shoestring café and this allowed us to see a number of clients immediately. Being located within the clinic and available on the day, helped some clients who did not have phones or transport and who might otherwise have struggled to attend a subsequent appointment at our office. We were able to provide clients with advice about a number of issues including family law, legal issues relating to mental capacity, driving license matters and referrals to other specialist legal services. It was also a great opportunity to meet and work with the staff at the Shoestring Café who are a wonderful, welcoming team.

2. Law Week 2018

We began Law Week in May 2018 with an evening celebration attended by a number of our fellow community and agency workers. Throughout the week, our legal and administrative staff worked hard to organise and present a number of community legal education seminars to agencies across the Southwest. These seminars covered a diversity of topics including; how to plan for the future, how to identify and respond to common legal problems, and how to get in touch or refer clients to our centre.



3. Development of the Family Court of WA Duty Lawyer and Integrated Social Support Service

We continued to develop and improve the Family Court of WA Duty Lawyer Service which was commenced in October 2017 (however we have been providing a duty lawyer service in the Family Court since January 2017). After our original funding finished, we were able to partner with Legal Aid WA and Waratah Support Centre to continue the service as a joined up model. Over the course of the last 12 months, we have promoted this service, liaised with judicial staff and Legal Aid funders to finetune our intake and service practices. We have also worked with Waratah staff who provided a counsellor/social support worker to support clients during Family Court circuit week. The counsellor is able to support clients who are in distress and connect clients with other social support agencies in the South West region.

As duty lawyers, we have represented a number of clients in the Family Court and have assisted many more to understand the Family Court processes, their legal rights and how to best proceed with their matter on the day. We have also negotiated on behalf of clients and, in many instances, have successfully negotiated a resolution with the other party which has brought a satisfactory end to parties' court proceedings. Our work at the Family Court is well received by clients and the judiciary, and we have received great feedback from both cohorts.

LEGAL SERVICES

SWCLC is a generalist centre and provides advice in most areas of law. As in previous years, the majority of legal services we provided to clients related to family law. In the past 12 months we assisted 1177 clients and provided 2326 advice services to clients. We note that, whilst we have assisted less clients and provided less advice services to clients in this financial year as opposed to last, we have substantially increased the number of legal tasks we provide to clients. In 2017/2018 financial year, we assisted clients by providing 858 legal tasks, an increase of 471% from the previous years' figure of 182 legal tasks provided. It also reflects, in part, the change to data collection that has been gradually introduced with the implementation and refinement of data collection within the CLASS database.

This represents the more holistic and intensive way we are working with our clients. There are many different services which can be considered a 'legal task' but some of the main types of tasks which we perform for clients are drafting court forms, letters of correspondence to responding parties or to adjunct services. The significant increase in tasks which our staff completed, reflects the deeper, and more effective service we are now providing to clients, particularly those who experience disadvantages such as family violence, financial insecurity, of difficulties with literacy or the English language. We have received feedback from other community organisations that our increase in providing legal task assistance has been invaluable for disadvantaged clients.

Our Bunbury office is our main office. However, we provide advice services at different outreach locations including the Bunbury Regional Prison, Bridgetown, Busselton, Collie, Harvey, Manjimup, Margaret River and Narrogin. The most common issues we assist with include parenting arrangements, family violence restraining orders, property settlement and divorce, minor debt issues, criminal injuries compensation, child support issues, sexual assault, child protection matters, will and estate matters, motor vehicle damages issues, and a range of minor civil disputes.

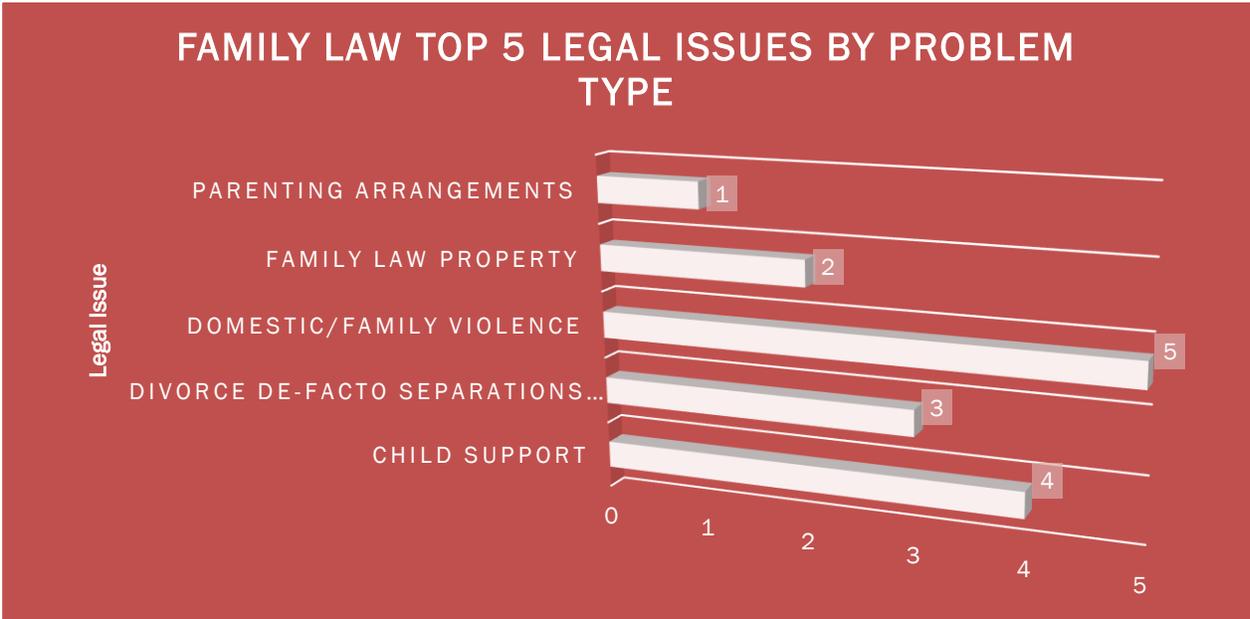


Figure 1. Top 5 Family Law Law Legal Issues by Problem Type

We are grateful for the support from our volunteers who help us by drafting documents and client correspondence or by undertaking significant research tasks.

We have received some excellent feedback from our clients and from other agencies throughout the year. In May and June of 2018, our centre participated in the Independent Community Legal Centre Client Survey which was conducted state wide, facilitated by Legal Aid WA. The results of this survey were overwhelmingly positive and reflect the passion and dedication which our staff bring to our centre.

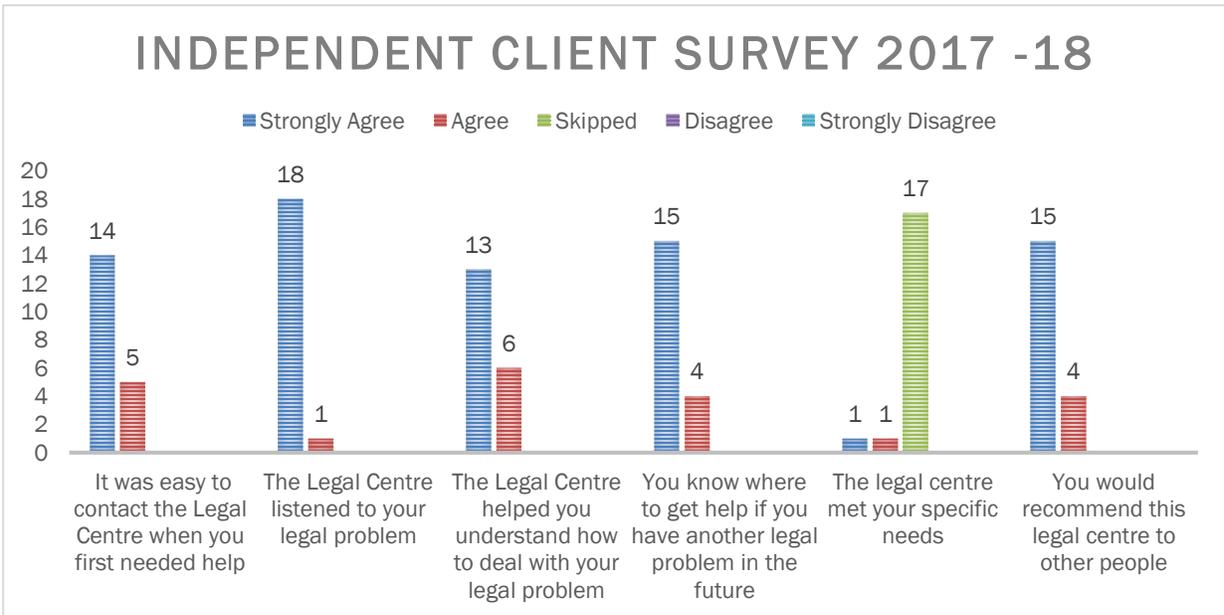


Figure 2. CLC Client Survey Report for South West Community Legal Centre May/June 2018

What our Clients Say:

“The service has been excellent I’ve been a crazy lost mess & had no idea where to start or what to do until Amy & Lauren carefully explained to me several times so I could finally understand. Poor girls! A1 for service!”



PROFESSIONAL DEVELOPEMENT, ENGAGEMENT AND COLLABORATION

SWCLC has continued to invest in the knowledge and skill of the legal team. All legal team members have been provided opportunities to develop their legal practice and client management skills.

In particular, a number of our solicitors attended the National Association for Community Legal Centres’ annual conference, which was held in Canberra in August 2017. The opportunity to connect with other community legal centre workers, share ideas and learn new strategies was invaluable. Our staff returned inspired and invigorated, ready to share and implement new strategies.

Staff have also received training on such diverse topics as suicide prevention and “Accidental Counsellor”. This training helps lawyers and other people working with clients in distress to support their own mental health and the wellbeing of clients. Our centre continues to incorporate trauma-informed practice into our legal service model.

We engage with other community legal centres at both a State and National level. Our solicitors are members of the Domestic Violence Legal Workers Network and the Family Law Network, as well as the RRR and CLE Network.

We also engage and collaborate with other local legal agencies. Throughout the year we have presented to a number of South-West community Agencies and participated in joint training endeavours. Our solicitors are also members of the South West & Great Southern Law Society and participate in training and discussion about issues impacting the South-West.

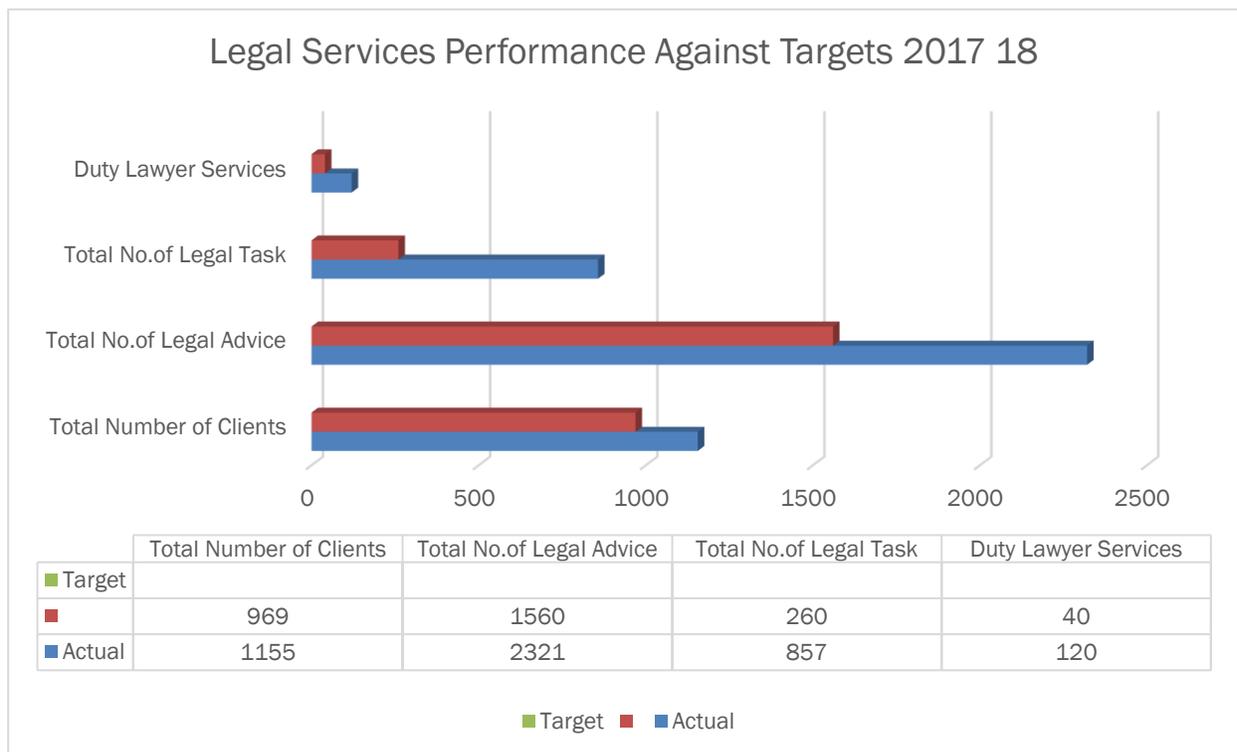
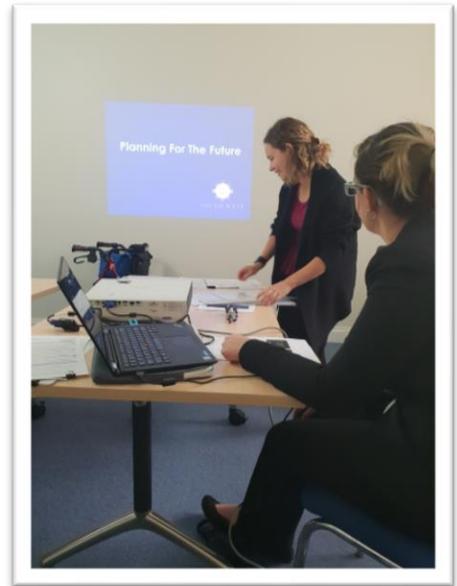


Figure 3 .CLC Legal Services Performance against Targets for South West Community Legal Centre 2017/ 2018

TELLING OUR CLIENTS' STORY - LEGAL

Case Study

Melanie (not her real name)

Melanie was in a relationship with Ben, which ended in late 2017. Melanie is Aboriginal. Melanie and Ben have a daughter, Sally.

Ben commenced an Application in the Family Court of WA, seeking to spend time with Sally. At this point, Ben had not spent any significant time with Sally for more than 7 months.

After she was served with Ben's application, Melanie had made contact with the Aboriginal Legal Service in Bunbury, however they did not have a family lawyer available. Melanie sought assistance from South West Community Legal Centre ("SWCLC") to complete and file her response to Ben's application. Melanie had also intended to contact Legal Aid WA, as she felt she needed representation in the case.

At the first Court date, Melanie sought the assistance of the duty lawyer from SWCLC. Melanie's grandmother sat in with her, to provide support. Melanie had difficulty articulating what her concerns were about Ben.

With the support of her grandmother, Melanie disclosed that during their relationship, Ben had perpetrated family violence against Melanie, which Sally had been exposed to. Because of Ben's short temper, and past violence, Melanie was hesitant about allowing Ben to care for Sally after their relationship ended. She also had concerns about Ben's alcohol use, and about Ben's friends following her and damaging her house. Sally was under 2 years old at this time.

Melanie instructed that she sought that Ben initially have contact with Sally at a supervised contact service. After receiving initial advice, Melanie decided to not agree to any time at that point and to seek that her and Ben attend a Case Assessment Conference ("CAC"), so that her concerns could be more fully explored.

When the matter was called into Court, Ben told the Magistrate he wanted the time set out in his application to start straight away. The Magistrate did not agree with this and ordered that Ben spend time with Sally at a local supervised contact service, and that Ben and Melanie attend a CAC.

After walking out of the Court room, Ben became agitated and started screaming in the lobby. Ben's friend made a throat-slitting motion at Melanie. Ben and his friend stormed up to Melanie's father, who was looking after Sally, causing Melanie's father to pick up Sally out of fear she would be grabbed or injured. Melanie's mother had to step in and tell Ben and his family to leave.

The duty lawyer and paralegal then assisted Melanie to apply for a Family Violence Restraining Order ("FVRO") against Ben and his mother, by preparing the Application and Supporting Affidavit. Melanie instructed that Ben's mother had put up posters about Melanie in the small town they lived in, and had posted abusive, derogatory Facebook posts about Melanie. Melanie sought that Sally was included as a protected person on her application against Ben.

Both matters were listed in Court that afternoon. The duty lawyer appeared on Melanie's behalf. The Magistrate made an interim order for 12 months against both Ben and his Mother, and Sally was included as a protected person on the Application against Ben.

With the assistance of the duty lawyer, Melanie was able to receive advice and representation in regards to all of her family law matters in one day. By having a lawyer able to assist her in both jurisdictions, Melanie did not have to re-explain her circumstances to multiple people.

Furthermore, with the duty lawyer and paralegal's assistance, Melanie was able to file a comprehensive FVRO Application and Affidavit. This meant that she did not have to give evidence in the FVRO court, as the Magistrate could refer entirely to the affidavit. This was important because Melanie was very quietly spoken and shy, and would likely have had difficulty describing her concerns and fears in the witness box. Also, as the FVRO Court was a closed court, she would not have been able to have her grandmother in Court with her, unless granted leave by the Magistrate.

Melanie was also able to access immediate therapeutic support and counselling from the Waratah Social Support officer. The Social Support Officer was able to calm and emotionally support Melanie as well as developing an on-the-spot safety plan for her immediate safety.

Eleanor Yates
Principal Solicitor (Acting)

MEDIATION SERVICES REPORT

PROGRAM UPDATE

As noted earlier in this report, the Board this year made the difficult decision to close the Mediation and Restraining Order Referral Programs. The mediation service had served our community since 1993, with the Restraining Order Referral Program commencing in 2006. As is sometimes the case in community services organisations, funding does not always keep pace with the economy and with no significant increase in mediation program funding for several years, and changing client dynamics, it was decided to focus in future on our legal services.

The Board recognizes the value of mediation processes and will continue to refer clients to other services available in the South West and beyond, where mediation is a suitable alternative for the resolution of their matter.

It has been a great privilege to provide these services to our community over many years and we acknowledge staff who were involved in service delivery over the years. We also thank sincerely all those who supported this service over the years.

We appreciate the understanding and support of our key stakeholders as we transition out of these programs and our two funders who have given us the opportunity to provide legal services at FDV Court hearings in 2018-19 along with a social support worker, and to provide more intensive wrap around FDV support to a number of high risk clients via our Bunbury office.

2017 – 18 REPORT

Prior to the closure of the services, our Senior Mediator Kerri Pietens worked to provide mediation services and a Court referral program. During 2017-18 SWCLC assisted clients to explore or resolve their conflicts via the mediation process. As one client noted:

“The service provided is very helpful in providing a balance and check on expectations and the reality of the situation that both parties have to deal with”.



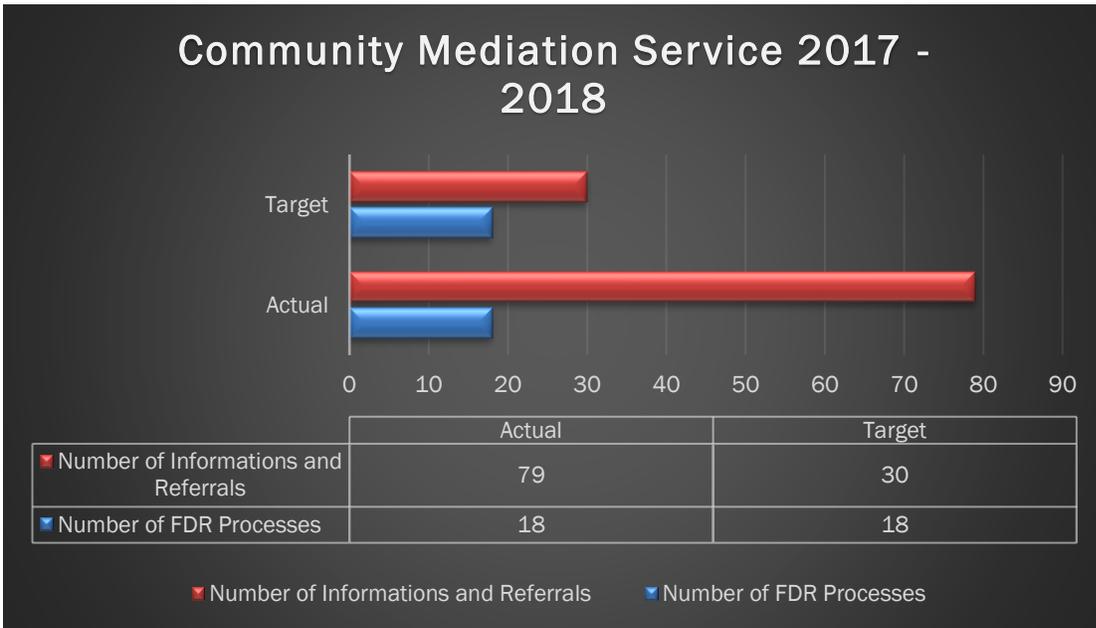


Figure 1 .CLC Mediation Service Performance against Targets for South West Community Legal Centre 2017/2018

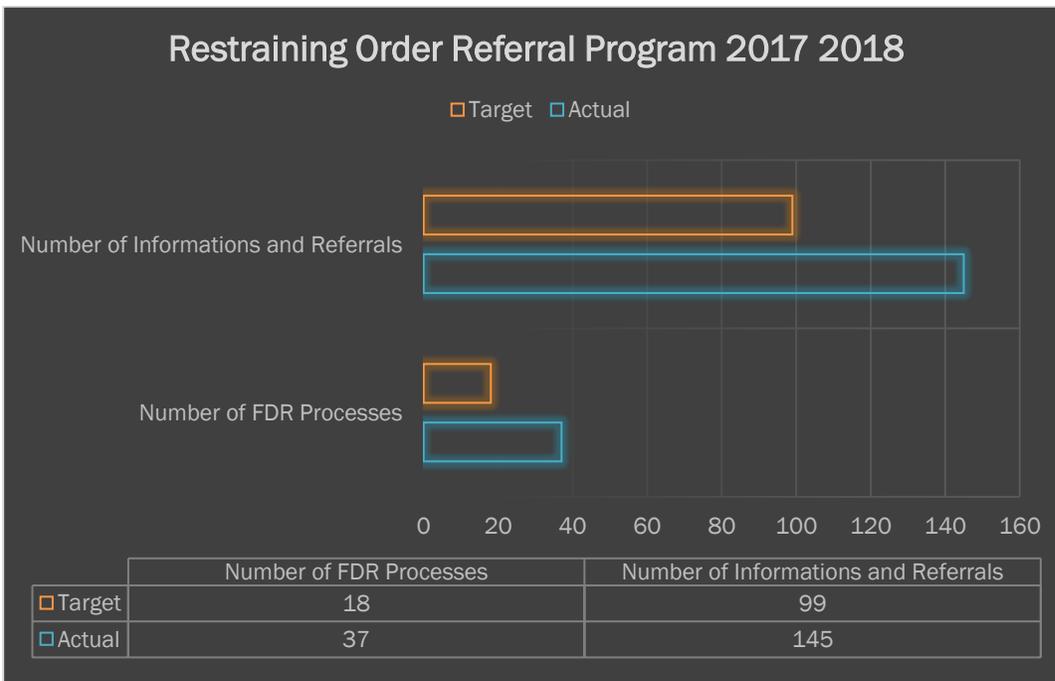


Figure 2 .Restraining Order Referral Program Performance against Targets for South West Community Legal Centre 2017/2018

**Under CLASS Database Counting Rules a facilitated dispute resolution process is counted as 1 process regardless of how many sessions are held (e.g.: 1 session equals 1 facilitated dispute resolution process, 1 plus sessions equal 1 facilitated dispute resolution process)*

TREASURER'S REPORT

I am pleased to provide the Treasurer's Report for 2017/18. Members will notice a break-even in funds for the combined statement of profit and loss for 2017/2018. This is due to unspent funds carried forwards to 2018/19 financial year to give a break-even result, overall a great result for the 2017/18 year. We must remember that we are a NFP (not for profit) nor a NFL (not for loss).

An "Unexpended Grants" liability of \$74k has been brought to account as at 30 June 2018, recognising that these funds are to be carried forward to the subsequent financial year, and expended in accordance with grant funding requirements. This was offset by bringing into account \$21k accrued income for current year from FASS (Family Advocacy Support Services). As at 1 July 2016, the Management Committee of South West Community Legal Centre Inc. changed its accounting policy to record funding revenue provided under contractual arrangements over the period which the funding relates.

The total revenue for the year was on budget (If you add back the unspent funds of \$74k) for total Grants and Donations. The expenses were \$52k under budget, the main area of the surplus is attributable to the lower wages & superannuation costs of \$63k, partly offset by higher new office related costs.

The lower wage expenditure of 9% is in due largely to not backfilling leave.

The higher office related costs were due to the move to the new premises which resulted in out of budget expenditure. The costs were mainly related to the updating of computing, signage and office equipment. The new office is a credit to Julie-Ann and her staff, it takes the organisation to a much safer and functioning environment.

Julie-Ann and the team have done a wonderful job in the 2017-18 year and they should be praised for excellent financial and operational results.

The Auditors have given the Audit report comments as follows "the financial report presents fairly the financial position of the South West Community Legal Centre Inc. as at and for the year ending 30 June 2018."

The following is the independent Auditors Report and Financial Statements report provided by AMD Chartered Accountants.

Sue Della
Treasurer

FINANCIAL STATEMENTS

See attached document.

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SERVICE INFORMATION

Hours of Operation: Monday to Friday 9am to 4pm



South West Community Legal Centre

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www.swclc.org.au



SOUTH WEST
COMMUNITY LEGAL CENTRE INC