



SOUTH WEST

COMMUNITY LEGAL CENTRE INC



ANNUAL REPORT

2016 - 2017

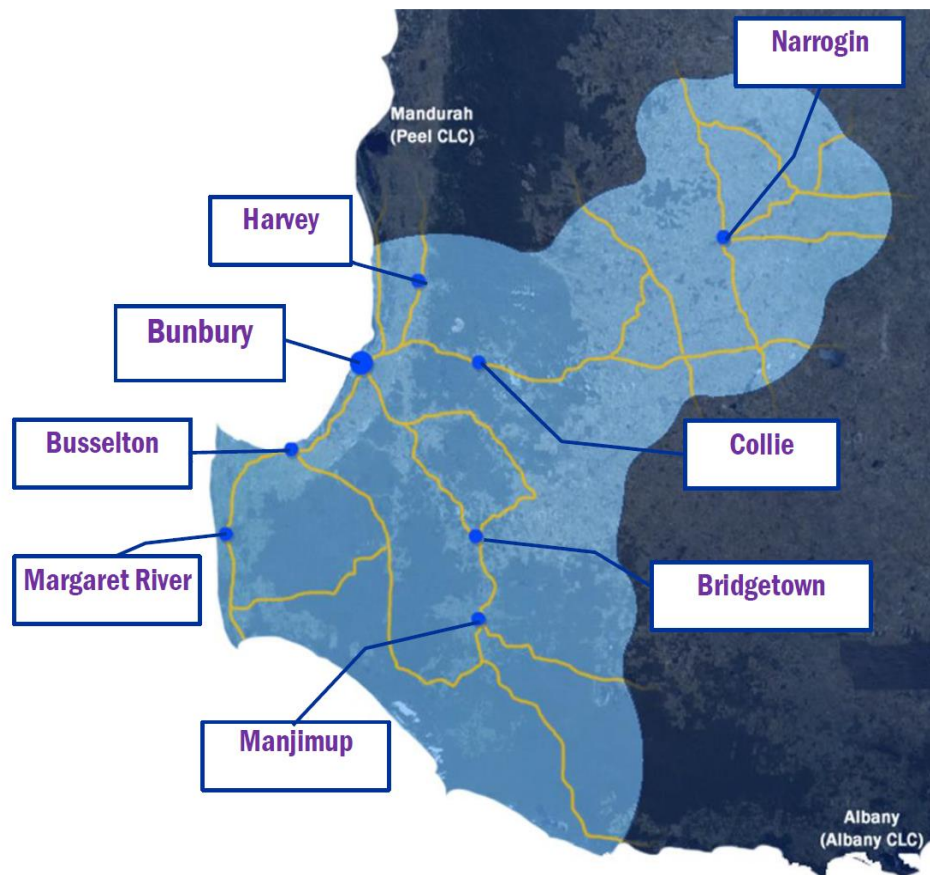


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ABOUT US

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, more than twenty seven 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.



BOARD OF MANAGEMENT 2016 - 2017

Board Chair	Michelle Howes
Secretary	Steve Reynolds
Treasurer	Sue Della
Board Member	Paul Chapman (Solicitor)
Board Member	Trudi Ruane
Board Member	Helen Helmsley
Board Member (Part year)	Ntuthuko Mcingolwane (Solicitor)



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

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:



CHAIRMAN'S REPORT

Dear Valued Stakeholders

I am delighted to present this year's Chairman's Report for South West Community Legal Centre Inc. It has been a very busy year that started with a review of our Constitution, which was voted on before our last Annual General Meeting and approved. We also underwent a name change late last year. As we are a region wide service it was a natural progression to change our name to better reflect our service delivery area and our commitment to the South West.

We also secured funding for a comprehensive strategic planning review facilitated by Christina Kadmos from Kalico Consulting. This process brought together Board, staff and stakeholder views to assist in refining our planning for the future. The final strategic plan for 2017 - 2020 is contained in this report.

Our Board

The Board continued its direction of enhancing our skills based Board with new Board members to provide a holistic Board with a diversity of skills. We welcomed three new members in Sue Della, Helen Helmsley and Paul Chapman. We farewelled Ntuthuko Mcingolwane who moved to a position with Legal Aid. We continue to look at our skills base and succession planning as an important part of good governance. Governance training was also delivered to Board members as part of our overall strategic planning project.

I appreciate the hard work and support of all Board members both past and present and look forward to an exciting 2017-18 as we continue to work together to achieve positive outcomes in the South West and support access to social justice in our region.

Our Staff

As a Board we are very fortunate to have a group of professional, committed staff that work hard to give our community the very best service we can within our service capacity. The Board extends its thanks to the team for their dedication and hard work.

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 an ongoing successful relationship in years to come. We acknowledge and appreciate the support of Lotterywest whose grant enabled the purchase of a vehicle and completion of our comprehensive strategic planning review.

Michelle Howes

Board Chair

OUR TEAM

Our Management/Administration Team

Supporting our service in governance, finance, compliance and administrative good practice.



Julie-ann Lorca –CEO



Jessica Cartwright - Administration Officer



Inge Slottje - Administration Officer



Angela Wolfenden - Administration Officer

Our Senior Mediator

Providing quality mediation services to the South West community



Kerri Pietens - Senior Mediator

Our Legal Team

Providing quality legal services to the South West community



**Samantha Bettenay -
Principal Solicitor**



Eleanor Yates – Solicitor



Emily Scarlett – Solicitor



Amy Coole - Solicitor

STRATEGIC PLAN 2017



South West Community Legal Centre Inc. Strategic Plan 2017-2020

Our vision

Equal access to justice for all.

Our mission

To provide quality legal and associated services to address disadvantage in the South West community.

We have been providing quality free or low cost legal advice, information and mediation services to disadvantaged and vulnerable people across the South West Region of WA for 27 years.

Our focus	Deliver quality services		Engage with others		Ensure sustainability
	Deliver quality legal, mediation and community education services, prioritising those with greatest need in the South West region.		Collaborate with other legal assistance providers to enhance access to justice and respond to priority need.		Diversify our revenue and resource base.
	Review models of service delivery to ensure alignment between outcomes and priorities.		Partner with community agencies to meet the needs of our clients.		Maintain a culture of learning that ensures we are responsive to emerging trends and best practices.
	Explore new technologies, resources and associated activities to maximise our impact.		Develop and implement a comprehensive community engagement strategy.		Maintain a standard of excellence by investing in our people.
	Advocate for social justice on behalf of our communities.		Build our support base and community champions.		Demonstrate and celebrate the value and impact of our work.
Our foundations	Excellence in governance, leadership and management.		Valued, supported and well trained staff and volunteers.	Quality business systems and financial stewardship.	Ethical practice, robust accountability and evidence based decision making.
Our values	Respect	Integrity	Dedication		Commitment to equity and social

SWCLC 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.

CEO REPORT

Dear Valued Stakeholders,

It is my great pleasure to welcome you to South West Community Legal Centre Inc.'s Annual Report for 2016 – 2017.

This year we achieved outstanding results even as we faced many challenges. We continued to provide quality services as we waited anxiously to hear about our funding for the 2017 – 2018 financial year. Thanks to the significant efforts of the sector, at both a national and state level, our funding remained the same for this period, avoiding the forecast 30% funding cuts to the sector. It remains to be seen what the funding landscape will look like in the coming year.

I am proud to report in that, as in previous years, SWCLC worked across eight regions, and this year expanded our service to include duty lawyer services at the Bunbury Family Court Circuit. We have provided greater support to communities in the South West than ever before. In the last financial year we have connected with and supported around 1400 individuals comprised of families, children, young people and carers from across a range of our programs with more than 3,500 advices, legal work, informations, and facilitated dispute resolution processes in total.

This Annual Report again reflects the incredible work undertaken by staff while dealing with change and uncertainty. 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.

STRATEGIC HIGHLIGHTS

Over the last twelve months SWCLC has faced both opportunities and challenges. With a resolution passed at a Special General Meeting held before last year's Annual General Meeting we changed our name from Bunbury Community Legal Centre Inc. to South West Community Legal Centre Inc. and we were able to use the opportunity to review and update our logo and publication designs. The decision to change the name was made to better reflect the extent of our service delivery area which covers some 24,000 square kilometers. SWCLC currently services eight outreach locations.

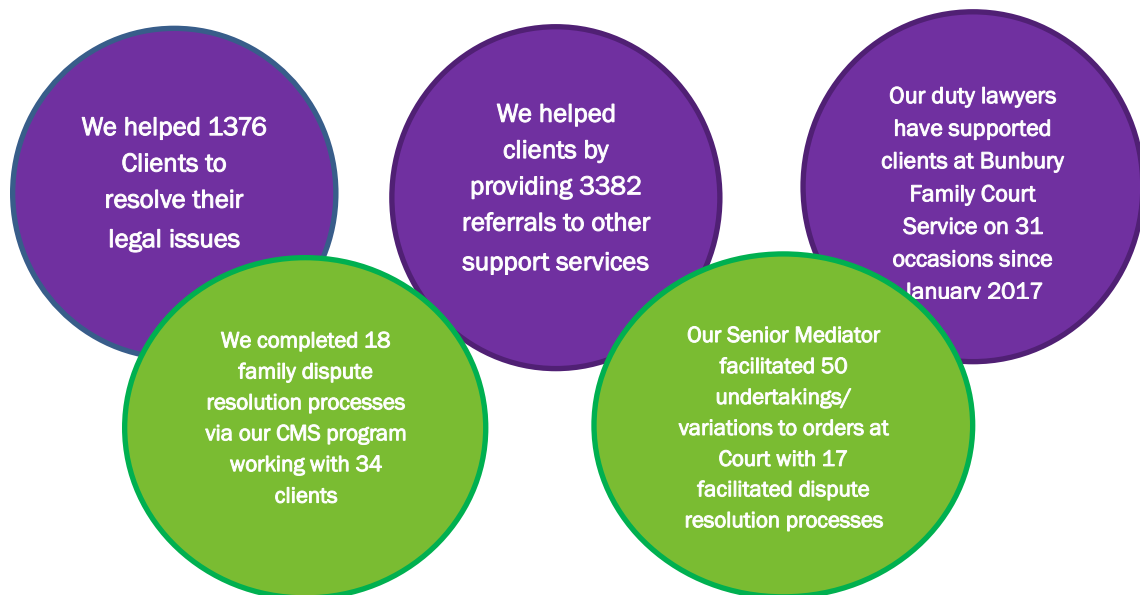
Thanks to the support of Lotterywest South West Community Legal Centre Inc. was able to undertake a significant strategic planning review, facilitated by Kalico Consulting. Given the recent state of flux for community legal centres and legislative changes to law this was a timely project. Our new Strategic Plan is contained within this Report.

We continued to work with the State and National Peak membership bodies CLCWA and NACLC to ensure the continuation of funding for community legal services across Australia in the shadow of the proposed 30% cut to funding across the board. Thanks to the hard work of the sector, and the overwhelming support from the legal fraternity, collegiate organisations and agencies, and politicians this funding cut was abandoned. However, we still have no real certainty as to how our funding will be structured post 2018.

I remained in my position as an Executive Committee member with CLCWA during the year, and worked with other colleagues on the CLCWA Reconciliation Action Plan, to be finalised later in the year. As a team we achieved some significant results and my thanks go to the Staff and

Board for their support and commitment to SWCLC. I look forward the achievement of more strategic goals together in the next financial year.

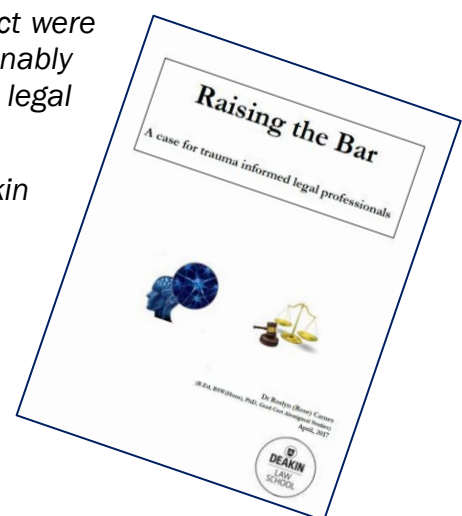
OPERATING HIGHLIGHTS



Significant investment was made in training and development for our team this year. 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.

“The legal professionals participating in this research project were seeking practical ways in which to work effectively and sustainably with disadvantaged clients whose lives, circumstances and legal matters were often complex and/or chaotic.....

Excerpt from Raising the Bar, Dr. Rose Carnes Deakin University



With a grant from Lotterywest SWCLC was able to purchase a vehicle to support our outreach programs.



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.

In the first part of 2017/18 our team will be developing our operational plan to underpin the new Strategic Plan and I am sure that moving forward, in spite of ongoing challenges around funding, we will continue to strive to provide services that deliver support to the clients we serve.

Julie-Ann Lorca
CEO

PRINCIPAL SOLICITOR'S REPORT

LEGAL TEAM'S KEY ACHIEVEMENTS

Our legal team of Samantha Bettenay, Eleanor Yates, Emily Scarlett and Amy Coole, with assistance from our volunteer legal placements, delivered the following key achievements throughout the last financial year:

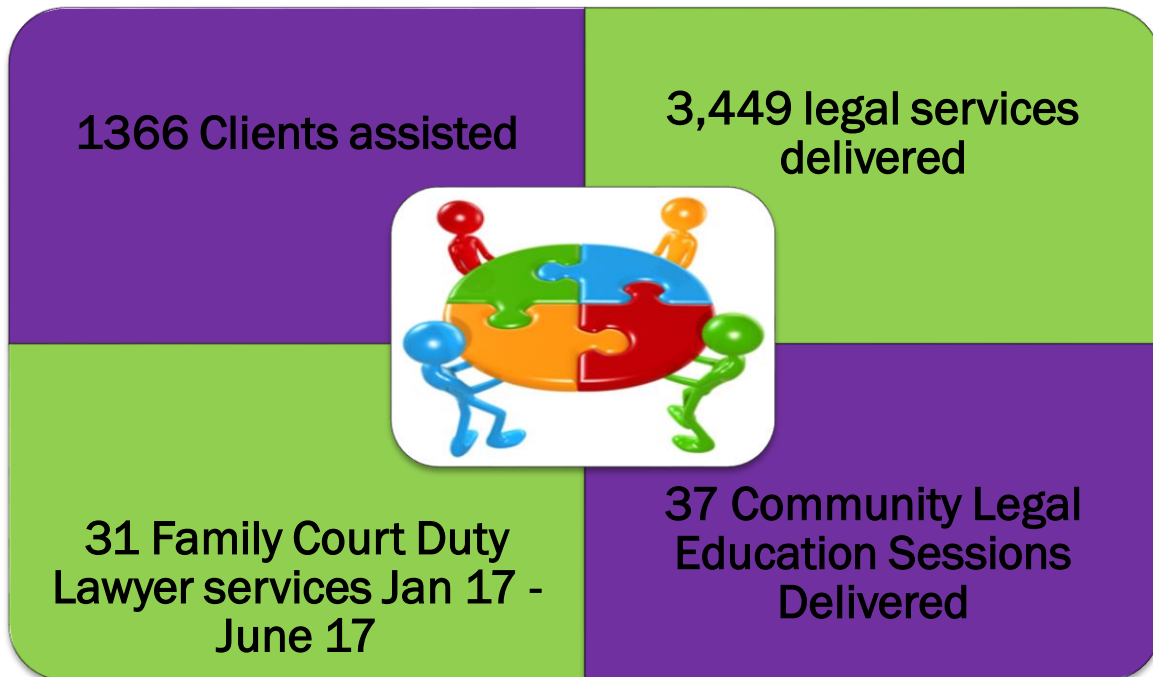
- **Online Interactive Resource for Family Violence Restraining Orders:** We developed, together with Legal Aid WA, an online interactive resource called Getting an interim Family Violence Restraining Order (FVRO). The resource is a self-help guide for people who need protection from violence or the threat of violence against them by a family member and want some information about how to apply for an FVRO. The resource contains practical information around 4 key areas – keeping safe, how to apply for an FVRO, going to court and the next steps after court. Our lawyers feature in the videos! Check it out at:
<https://www.legalaid.wa.gov.au/LegalResources/Pages/CORE.aspx>
- **Family Court of WA Duty Lawyer Service:** We recognised that many of our clients were representing themselves in Family Court of WA and this potentially led to our clients being disadvantaged, especially when a private lawyer was acting for the other party. We commenced a duty lawyer service to clients at the Bunbury circuit of the Family Court of WA in January 2017. This service has been well received and we have acknowledged fantastic feedback from clients and court staff.
- **Family and Domestic Violence Wrap-around Service:** We continued our family and domestic violence wrap-around service for victims of domestic violence, which allows victims to work with a solicitor to address all their legal needs. Our centre has a solicitor available for victims of family violence and we are working with other agencies to ensure these clients receive services in a timely manner. We have been assisting victims of domestic violence with a number of legal issues including: Family Violence Restraining Orders, parenting arrangements for children, debt and/or property issues and child support issues.
- **Community Legal Education (CLE):** Our lawyers were out and about in the community throughout the year presenting about:
 - the new Family Violence Restraining Orders;
 - Estate Planning, at Law Week as well as other sessions throughout the year; and
 - The R U Legal sessions to school children about sexting, age of consent and cyber bullying.

One of our lawyers also helped coach Bunbury Senior High School's Mock Trial team for the Law Society Mock Trial competition.

- **Volunteers:** Through-out the year our legal volunteers assisted our lawyers with legal research and tasks to ensure that our clients received the best possible service.

LEGAL SERVICES

Our Legal Team provides advice and assistance on a number of areas of law. In the last 12 months our streamlined approach to client delivery means that we have assisted 1,366 clients and provided 3,449 legal services, a huge 135% increase compared to the last financial year. Despite this, the demand for our service still exceeds our availability.



We provide assistance at our Bunbury office, over the telephone, or at one of our eight outreach locations throughout the South-west. The most common issues we assist with include Family Violence Restraining Orders, parenting arrangements, property settlement, child support issues, minor debt issue, criminal injuries compensation and other minor civil disputes.

PROFESSIONAL DEVELOPMENT, ENGAGEMENT AND COLLABORATION

All of our solicitors have broadened their knowledge in areas of law, client-related issues and professional practice through a variety of professional development opportunities throughout the financial year. In particular, our team has been trained on trauma informed practice to ensure that our service doesn't further traumatise our clients.

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 Regional Rural and Remote 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. We look forward to broadening our relationships through-out the Southwest. 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.

TELLING OUR CLIENTS' STORY - LEGAL

Case Study 1

Family Court Duty Lawyer Service - Case Study - Serious FDV & unequal bargaining power.

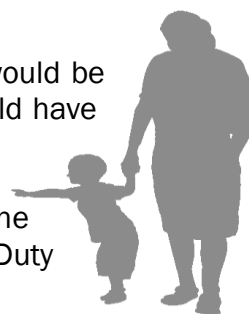
South West Community Legal Centre's Family Court of WA Duty Lawyer assisted a young mother at her first court appearance. The Father had perpetrated violence against the mother while she was pregnant and after the birth of her child. The parties had been separated for over 2 years and the father hadn't spent any time with the child, who was now 3 years old, for the last year.

Our lawyer advised the client that due to the risk of violence, and due to the fact that the father had not spent any time with the child for over a year, that the client should not agree to any orders for time with the father at that first court hearing, and that the client should ask for the father to undergo a perpetrator family violence program.

The father was represented by a private solicitor. The private solicitor advised that they would be seeking orders for contact at this hearing. Our Duty Lawyer advised that any orders for contact would be opposed.

The Private Solicitor repeatedly pressured the mother to accept the orders that the father was seeking, which included regular unsupervised time, or to put an offer forward for the father to spend time with the child.

Despite the Mother asserting that she thought the child would be unsafe with the father, she advised the Duty Lawyer that she would have agreed to that that time with the father because she thought she had to and was asking private her to agree. The mother also did not understand that the private Lawyer she lawyer was acting in the father's best interest. She told the Duty Lawyer she thought the lawyer was acting in her child's best interests.



The Court ordered that the interim application be adjourned and the matter has been listed with a Family Consultant for a Case Assessment Conference. No orders were made for the father to spend time with the child. As a result, the mother now has time to seek proper advice and time to file her response documents. The mother stated to the Duty Lawyer that

"If the Duty Lawyer wasn't available, I would have agreed for the father to have time with [the child], even though I thought that [the child] would not be safe with the father."

This case study outlines the significant power imbalance that exists where there is a private solicitor on one side, and unrepresented litigant on the other side. Our duty lawyer service helps to correct that power imbalance and ensure that clients are aware of the options available to them.

*

Names and places have been changed.

Case Study 2

Mary Smith

Mary sought assistance from the SWCLC outreach lawyer at one of our outreach locations regarding property settlement and parenting issues following the breakdown of her de facto relationship. From the beginning of her relationship with Brad, Mary had experienced extreme physical and emotional abuse. This escalated to a point where when Mary attempted to move out Brad tried to kill Mary and her dog, Spot.

Our solicitors assisted Mary to apply for a family violence restraining order, which was granted to cover her and her children. However Brad continued to file a form of continued



Mary to apply for a family violence restraining order, which was granted to cover her and her children. However claims against Mary in various jurisdictions as control over her.

SWCLC assisted Mary to apply for parenting and property orders from the Family Court which would enable her to be the sole carer of her children, and to be removed from the title of the house and from any liability connected to the mortgage.

Orders were eventually made by the Family Court of WA that made Brad responsible for all of the debt of relationship. The parenting issue is ongoing. SWCLC has also assisted Mary to follow up a child support debt that was owing from Brad. Mary is now in a better financial position, and through the assistance from SWCLC and other community agencies, has the strength to continue her parenting application.

** Names and places have been changed.*

What Our Clients Say:

Our client feedback tells us:

- 95% of clients said they received a high or very high quality of service (19/20 clients)
- 100% of clients said the legal advice they received helped them to understand the legal situation they were in (20/20)
- 100% of clients said that the lawyer explained the options available to them (20/20)
- 95% of clients felt they could take steps to resolve their issues after receiving legal advice from our service (19/20)
- Over half the clients surveyed were recommended our service through a friend or community group (11/20)

Comments:

"Was really happy with the service provided and professionalism coming through from reception, admin and the lawyer."

"I would just like to say that [the lawyer] has been extremely helpful. She has stayed in touch with me throughout the whole process."

"The service was excellent."

Samantha Bettenay Principal Solicitor

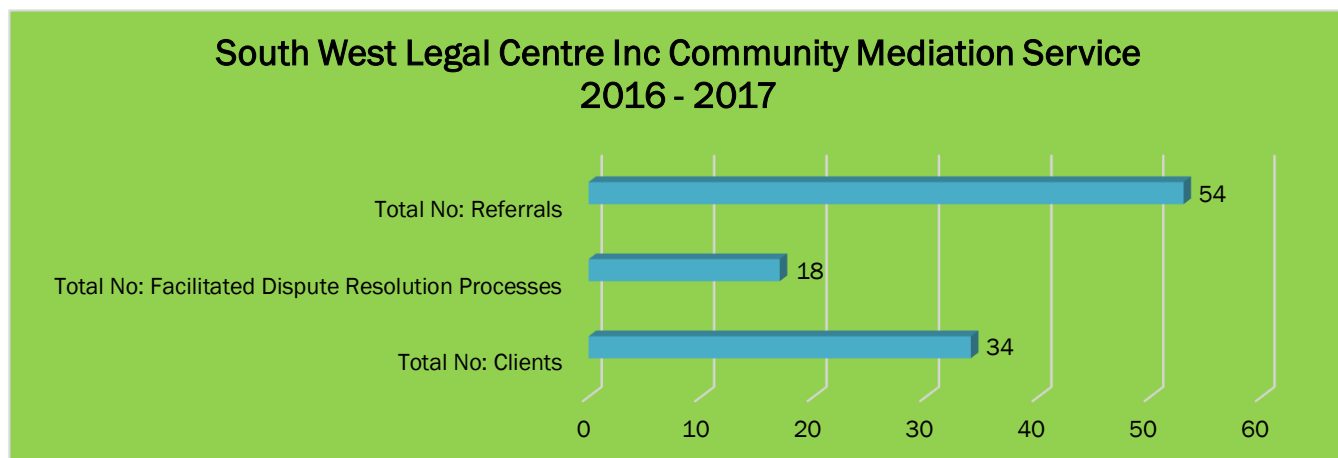
MEDIATION SERVICES REPORT

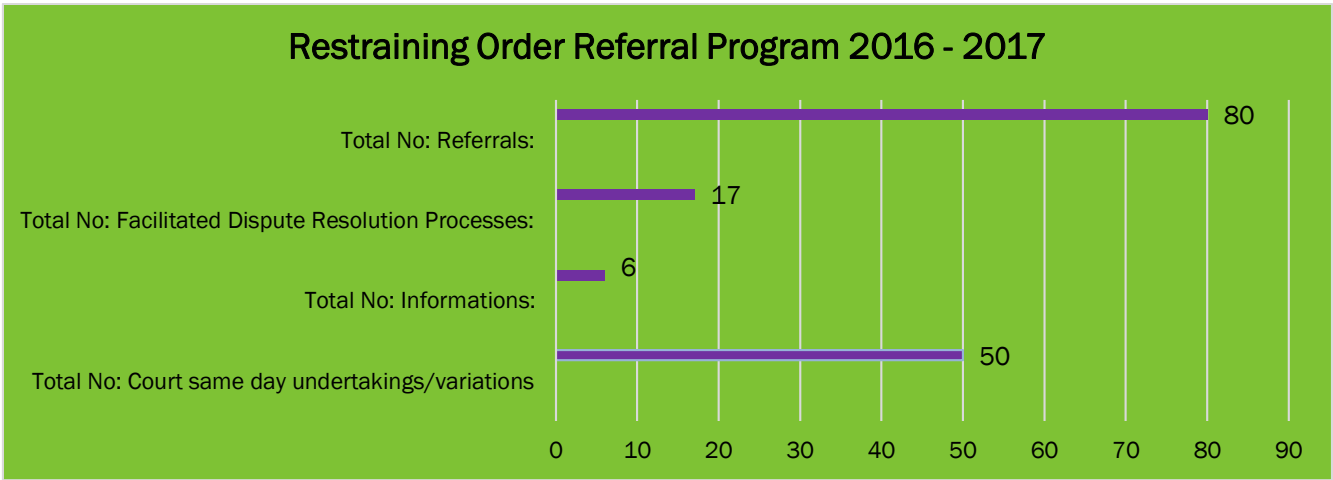
OPERATIONAL HIGHLIGHTS

Our service continued to provide quality mediation services to the vulnerable and disadvantaged in our community. In addition to undertaking a range of individual training initiatives, this year our Senior Mediator attended the National Mediation Conference “**Thought, Innovation and Creativity: The Next Decade**”. Key learnings from the Conference will assist in future mediation program review and design.



The mediation service comprises both the community mediation program which is run from our Bunbury office, and the Restraining Order Referral Program, a Court based facilitated dispute resolution service, offering mediation support where it is safe and appropriate to do so. Tables below demonstrate the outputs and outcomes from service delivery while our case studies identify the changing story of our clients.





TELLING OUR CLIENTS' STORIES - MEDIATION

Case Study 1

Meg, de facto partner to Matt, was continuing an application for restraint against Matt's ex-wife Tasha. An interim VRO had been granted to aware that Matt and Tasha had a child access the mediation service. She reluctantly expressed disregard for Tash as a mother, crazy and a jealous ex-partner. She formed Tash's child (who resided with Meg and Matt) the child being let down by Mum. She also on Matt's perspective of Tash.



Meg ex-parte. The Magistrate, together, encouraged Meg to did and in a private session claiming she was, irrational, these views from Matt and and how she had witnessed formed strong views based

The mediator then met with Tash, who described her relationship with Matt as emotionally and physically abusive. Things got worse after she initiated the separation, with Matt becoming vindictive and manipulative when he found out Tash had moved on. She described how Matt continued to undermine her relationship with their child to the extent that the child was not allowed to call or contact Tash.

Careful assessments were made, and the mediator decided to put Meg and Tash in the room together, to break down the perceived beliefs about each other.

The women were able to talk about their role protecting and being there for the child, and agreed to communicate with each other if issues arose. Meg was able to see Tash as a caring and thoughtful mother, not the uncaring thoughtless person she had believed her to be.

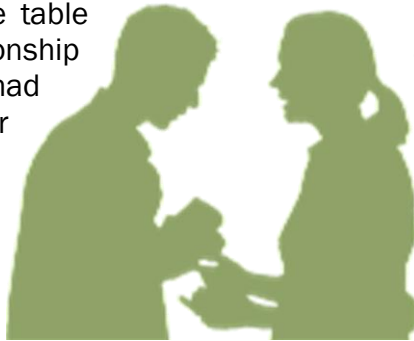
** Names and places have been changed.*

Case Study 2

Josh and Jill were previous mediation clients who were unsuccessful in resolving their property or parenting issues prior attempts through both our service and others as well as through the Court. The parties re-engaged with our service once again around two years after their initial contact with us.

Pre-mediations were carried out, and it was assessed that since the separation approximately 2 years previous, the parties had moved forward somewhat and the anger and emotions expressed in the initial process post-separation had subsided. They both expressed a high level of anxiety and stress about engaging in the process again, given their previous interactions and mediations had not resulted in resolving their issues.

Josh came to the table parenting relationship past. Jill had improving their opening and their issues, and taking behaviours that parent or the behaviour, like with communication and ensuring a neutral emotion when in each other's and the children's presence.



expressing concerns about the co-parenting and wanting to move forward from the reservations about Josh's intentions of relationship. The parents talked honestly within the joint session about acknowledging each other's concerns responsibility for their reactions and the had negatively impacted the other children. They agreed to modify their sticking to a business like relationship

It was acknowledged that this was a transition period for the parents, given their past experience of acrimonious court proceedings. Both parties but prided themselves on the changes and improvements they had made to date in the best interests of their children. They shared a genuine intention of wanting to have a more positive co-parenting relationship, especially in front of the children.

When Jill raised concerns about child support and extra curricula costs for the children, Josh became angry and defensive. It was acknowledged that financial issues had been a major trigger that was never resolved throughout their relationship. Josh was reminded of the ground rules which included his obligations to hear what Jill had to say, without reacting in a way that undermines the process. It was important given all the good work they had done to not allow this issue to jeopardise their previous agreements. Importantly, each party had the right to raise the tough issues and feel safe in doing so.

After a considering the issues, Josh apologised for his behaviour, settled his emotions and was able to come back to the table to engage in discussions. They left the session with more understanding of the financial situation with agreements about working towards meeting their children's needs in the future. They also left knowing they could raise this difficult issue safely while knowing it wouldn't impact on their co-parenting relationship or sacrifice their agreements reached to date.

** Names and places have been changed.*

What Our Clients Say:

Our client feedback tells us:

- 4 out of 5 of our clients were either very satisfied or satisfied with our service.
- 5 out of 6 of our clients would recommend our mediation service to others.

Comments:

“Thank you for your patience for taking time to fit us in your busy schedule.”

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

“It is (can be) an extremely unsettling and confusing time. Thoughts are muddled and stress levels high. It is helpful to have someone to listen and provide relevant information. Thank You”

TREASURER'S REPORT

I am pleased to provide the Treasurer's Report for 2016 -2017. Members will note \$24k surplus in the combined statement of profit and loss for 2016/2017. This is in comparison with the surplus of \$1k in 2015/2016, not to mention the net deficit of \$89k in 2014/2015, overall a great result for the current year.

The surplus of \$24k is capital funding for the vehicle for the centre. You will also note there is at 30 June 2017, \$81k of carried over surplus funding that was unspent and required to be carried over to the following year.

An "Unexpended Grants" liability of \$81k has been brought to account as at 30 June 2017, recognising that these funds are to be carried forward to the subsequent financial year, and expended in accordance with grant funding requirements. Effective 1 July 2016, the Management Committee of South West Community Legal Centre Inc. has changed its accounting policy to record funding revenue provided under contractual arrangements over the period which the funding relates.

The main area of the surplus is attributable to the lower wages costs of \$64k and lower recruitment costs of \$4k. The lower wage expenditure of 9% is in due partly to the CEO being on leave without pay for periods during the year or working at reduced hours which resulted in lower expenditure. Also increased leave without pay absences and changes to organisational structure after the final budget was approved.

In a year of funding uncertainty a very conservative approach to spending was taken, due to the late notification of funding for 2017-2018, and in light of previous advice that the Commonwealth Government would reduce funding by 30% across the community legal centre. In order to support our conservative approach staff vacancies occurring in the second half of the financial year were not filled. Generally speaking other cost areas were either on or close to budget for the financial year.

With the recent completion of the Strategic Plan for 2017 – 2020 we are in a more stable financial position to managing our service delivery in accordance with our revenue. Our core funding is currently guaranteed until June 2018 in its current format. Funding uncertainty continues to hamper our capacity to forward plan however the service continues to review and adjust as driven by revenue restrictions. Julie-ann, Samantha and the team have done a wonderful job in the 2016-17 year and they should be praised for excellent financial and operational results.

The Auditors have given the Audit report comments as follows " our audit report for 30 June 2017 is qualified with our opinion stating 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 2017." The following is the independent Auditors Report and Financial Statements report provided by AMD Chartered Accountants.

Sue Della
Treasurer

FINANCIAL STATEMENTS

SERVICE INFORMATION

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



South West Community Legal Centre

1st Floor
101 Victoria Street
Bunbury WA 6230

Tel 08 9791 3206

Fax 08 9791 8162

www.swclc.org.au

