



SOUTH WEST



ANNUAL REPORT

2024-2025

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.



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VISION

Fair access to justice



MISSION

To provide accessible, high-quality support and advocacy to individuals and communities across the South West to achieve fair and just legal outcomes



VALUES

Courage, Compassion and Commitment



OBJECTIVES

Our Services: Delivering the best possible outcomes for clients

Our People: Supporting and growing a skilled, passionate and dedicated team

Our Presence: Enhancing awareness and our standing as a community leader

Our People: Ensuring strong governance, systems and financial performance



SOUTH WEST

COMMUNITY LEGAL CENTRE INC

About Us

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 in the financial year of 2024 to 2025, we employed 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 and property settlement, and civil law; including restraining orders Tenancy Advocacy Services for tenants and criminal injuries compensation. SWCLC also regularly presents Community Legal Education to the public, community groups and schools, on topics such as family law, and restraining orders.

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.





Meet

Current Board



BOARD CHAIR

Renae I



DEPUTY CHAIR

Summer B



SECRETARY

Louise F



TREASURER

Stella H



BOARD MEMBER

Cassidy G



BOARD MEMBER

Metalina B



BOARD MEMBER

Susan V



BOARD MEMBER

Gee M



Meet Outgoing Board



BOARD MEMBER

Rebecca H



BOARD MEMBER

Michelle W



SECRETARY

Lauren H



Meet Our Legal Team



PRINCIPAL SOLICITOR

Renée T



ACTING PRINCIPAL SOLICITOR to
January 2025
ACTING CEO TO March 2025

Eleanor Y



SOLICITOR

Michelle G



SOLICITOR

Amanda J



TENANCY ADVOCATE

Lee E



SOLICITOR
(On Maternity Leave)

Amy C



Meet

Our Legal Team



SOLICITOR

Maria S



SOLICITOR

Shakti S



PARALEGAL

Inge S



PARALEGAL

Pam W



PARALEGAL

Rosario B



PARALEGAL

Leela B



Meet Our Admin Team



**CHIEF EXECUTIVE OFFICER
(On Maternity Leave)**

Tahleisha M



**ADMINISTRATION
MANAGER**

Kerry L



SENIOR BOOKKEEPER

Vicki C



ADMINISTRATION OFFICER

Cheryl W



ADMINISTRATION OFFICER

Crystal J



Chair's Report by Renae I

I am honoured to present this report as the newly appointed Chairperson of the South West Community Legal Centre (SWCLC). I begin by acknowledging that we conduct our work on Wardandi Country, part of the Noongar Nation. We pay our respects to Wardandi Elders - those who have walked before us and those who continue to guide our communities today. We also acknowledge the ongoing strength and determination of all Aboriginal and Torres Strait Islander peoples, and recognise that sovereignty was never ceded.

The 2024–2025 year has continued to test our community and our sector in profound ways. The ongoing housing crisis, relentless cost-of-living pressures, and rise in violence against women and girls have all intensified the demand for legal assistance. Throughout this challenging period, our staff have responded with remarkable dedication, professionalism and compassion, ensuring vulnerable community members continue to receive the support they deserve. I am deeply grateful to every member of our team for their commitment and hard work during what has been an especially demanding year.

In November 2024, board members joined staff and stakeholders for a strategic planning session to refine our shared vision and priorities. The resulting Strategic Plan 2025–2028, beautifully designed by Deputy Chair Summer B, provides a clear framework built around four strategic objectives: delivering the best possible outcomes for our clients; supporting and growing a skilled, passionate and dedicated team; enhancing our awareness and standing as a community leader; and ensuring strong governance, systems and financial performance. This plan is both ambitious and achievable. The Board is united in its commitment to providing robust oversight, strategic guidance and accountability as we work towards these objectives. We are confident the Centre is on a strong trajectory - one that will see us not only meet future challenges but also seize new opportunities to expand our impact.

Our relocation to Stirling Street represents another significant milestone. This central location enhances accessibility and visibility within the region, strengthening our capacity to serve the community effectively. I would particularly like to acknowledge former Executive Officer Crystal P, whose organisation and dedication ensured a seamless transition. Leadership stability has also been a key achievement this year. Tahleisha M returned to the role of CEO in the latter half of the year, bringing renewed energy and a clear vision for the Centre's future. Her focus on service innovation and sector collaboration has opened new pathways for sustainable practice, particularly through regional partnerships that reimagine service delivery models. Earlier in the year, Eleanor Y stepped into the Acting CEO role with confidence and clarity. Her leadership ensured that organisational momentum was maintained and that strategic priorities continued to advance. We are sincerely grateful for her contribution and commitment.

A defining milestone this year has been our decision to join the Regional Alliance of Justice Associations (RAJA), a bold initiative reshaping how regional legal centres collaborate to achieve sustainability, influence policy and deliver better outcomes for communities. RAJA is not about centralising control; it is about amplifying collective strength. Through this alliance, we gain access to shared infrastructure, coordinated advocacy, strategic funding opportunities and collaborative problem-solving, while preserving our local identity and decision-making authority. This model positions the SWCLC not merely to survive funding reforms but to lead the way in demonstrating what collaborative, place-based justice services can achieve. Special thanks go to Brodie Lewis from Great Southern Community Legal Services, whose instrumental support has propelled this work forward and been central to our involvement in RAJA.



Chair's Report

by Renae I

The 2024–2025 year also brought important changes to our Board. Former Chair Rebecca H transitioned to an ordinary member role before departing in April. Her leadership and governance expertise shaped the Centre's direction during a critical period, and we are deeply grateful for her contribution. We also farewelled Secretary Lauren H and Board Member Michelle W, whose commitment strengthened the Centre's governance and community relationships. These transitions created space for renewal, and I am pleased to welcome Louise F as Secretary, Stella H as Treasurer, and ordinary Board Members Susan D, Gee M, Matelina B and Cassidy G. Our refreshed Board brings diverse skills, fresh perspectives and deep community knowledge. Together, we are well-equipped to provide the strategic oversight and governance rigour the Centre requires as it enters its next chapter.

As we look to the future, we do so with confidence. Through our participation in RAJA, our investment in service innovation, and our commitment to responsive, community-driven advocacy, SWCLC is building a stronger, more sustainable organisation - one that will continue to deliver equal access to justice for those who need it most. Finally, I want to thank every member of the Board, past and present, for their voluntary commitment to the SWCLC. Board service requires time, expertise and genuine care for community, and I am privileged to work alongside people who give so generously of themselves. To our staff, volunteers, community partners and stakeholders - thank you. Your efforts make justice accessible. Together, we will continue this vital work.





Managers' Report by Chief Executive Officer

I am pleased to present the annual manager's report for South West Community Legal Centre (SWCLC) for the financial year 2024–2025.

This year has been marked by resilience, renewal, and continued commitment to justice. As we reflect on the past twelve months, we are proud of the progress we've made and the strength of our team in supporting vulnerable communities across the South West.

I want to extend my heartfelt thanks to Eleanor Y for stepping into the role of Acting CEO and covering my maternity leave until March 2025. Your leadership, dedication, and support during this time has been deeply appreciated. Thank you for ensuring continuity and care in my absence.

Our achievements would not have been possible without the dedication of our incredible staff, the guidance of our board, and the generous support of our funders. Your unwavering commitment remains the foundation of our success. Special thanks go to our Administration and Legal team for your tireless efforts and compassion in serving our clients.

We also extend our gratitude to our volunteers, whose contributions continue to enrich our services. A special thank you to Shakti, a dedicated lawyer whose pro bono support was made possible through the generosity of her law firm Gilchrist Connell and her supervisor Jilly Field, Shakti has been invaluable to SWCLC and its mission.

This year brought both farewells and returns. We said goodbye to Crystal P, Janice V, Vivienne W and we thank them for their contributions to the organisation. We also celebrated the return of key team members: Renée re-joined us in January, bringing back her leadership and legal expertise, and Tahleisha returned in March.

We're equally thrilled to welcome Kerry L, Crystal J, and Vicki C to our Administration team. Their skills and enthusiasm have already made a positive impact, and we look forward to the contributions they'll bring as we build on the momentum of this year.

SWCLC remains a vital resource for those seeking justice, and we are proud of our ability to adapt to the changing needs of our community. With the support of our staff, board, and funders, we continue to deliver high-quality legal assistance and community engagement.

Looking ahead, our focus remains on improving service delivery and exploring innovative approaches to meet emerging needs. We are committed to expanding our reach, enhancing client experiences, and strengthening our internal systems to ensure long-term sustainability.

Please enjoy our highlights and service delivery statistics, which showcase the impact of our work over the past year. The future holds exciting opportunities for SWCLC, and we are eager to continue this journey together.



Highlights of the Year

16 Days in WA Morning Tea Initiative – 2024

As part of the 16 Days in WA to Stop Violence Against Women campaign, SWCLC hosted an inhouse morning tea in 2024. These events, held across Western Australia by 'Stopping Family Violence', aim to raise awareness of gender-based violence, acknowledge the important work of the domestic violence sector, and encourage public conversations that challenge and prevent violence against women.

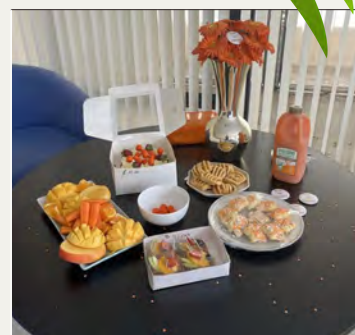
The purpose of SWCLC's morning tea was for staff to discuss and reflect on the following:

Awareness – highlighting the global 16 Days of Activism campaign.

Recognition – acknowledging family and domestic violence sector workers.

Community Engagement – encouraging individuals to challenge negative behaviours and advocate for change. Held to mark the start of the campaign on 25 November, the initiative aligned with a period when incidents of family violence often increase over the Christmas season.

Our team that attended: Eleanor, Amanda, Pam, Cheryl.



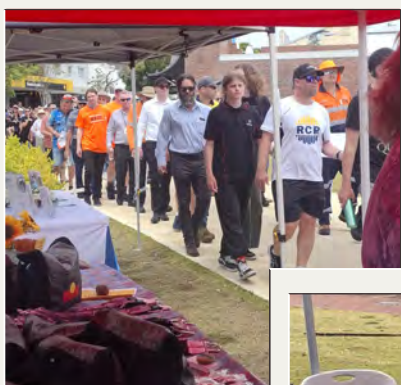
25 November 2024

White Ribbon March

On November 29, 2024, we had the privilege of joining fellow stakeholders in Bunbury for White Ribbon Day, united under the theme "The courage to stand up, speak out and end domestic violence." The event began with a powerful silent march from the Bunbury Regional Art Gallery through the CBD, culminating in a moving community service at ANZAC Park.

Together with local leaders, advocates, and community members, we honoured survivors, laid commemorative wreaths, and reinforced our shared commitment to ending gender-based violence. The day concluded with a community barbecue, fostering connection and dialogue around prevention and support. This gathering was a testament to Bunbury's collective strength and dedication to creating a safer, more respectful future for all.

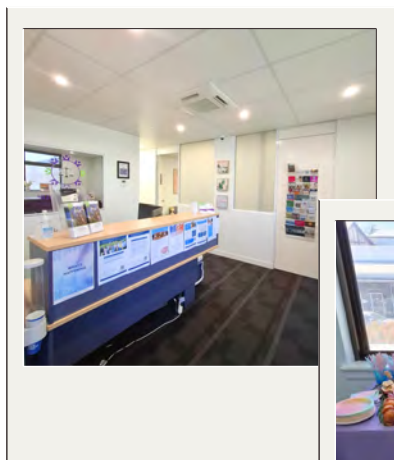
Staff: Pam, Eleanor, Cheryl, Crystal.



29 November 2024



Highlights of the Year



January 2025

New Office Relocation

South West Community Legal Centre (SWCLC) Bunbury has recently relocated from its long-standing premises in Plaza Street to new offices in Stirling Street in Bunbury. After 7 years the move marks an exciting new chapter, providing a more accessible, modern, and welcoming space to continue delivering vital legal services to the community. The new location is also centrally located and closer to Bunbury Courthouse enabling better service for our clients.



E-Courts Community Legal Education

Paralegal Rosario B has been delivering E-Courts assistance sessions at the Bunbury Community Library, supporting community members to navigate online court processes.

Since commencement in February, more than 15 individuals have received one-on-one assistance, with feedback indicating increased confidence in managing their legal matters.

The program has reduced barriers for self-represented litigants, improved digital and legal literacy, and strengthened SWCLC's visibility and role within the community.



Bunbury Library



Portal Assistance



Highlights of the Year

South West Wills Clinic

SWCLC was pleased to partner with Legal Aid, Southern Aboriginal Corporation, Law Access, Citizen's Advice Bureau, Pathways Southwest, Manjimup Community Resource Centre and pro bono lawyers from Jackson McDonald and Mills Oakley, to deliver Wills Clinics and information sessions in the South West.

This was a great collaborative project which provided information to residents about the importance of Wills and enduring documents, as well as offering clients one on one appointments to prepare and execute a will. The Wills Clinics were delivered across four days in both Bunbury and Manjimup and supported people with limited finances or mental health challenges to prepare for the future, ensuring accessibility for those most in need. The clinic empowered community members to make informed choices, provided peace of mind for participants and their families, and reinforced SWCLC's role in delivering practical, preventative legal services. We received some great feedback from clients saying "Every aspect of the clinic was fantastic", "Huge Help, friendly staff" and "You're awesome".

Staff - Eleanor & Pam



25-28 March 2025

Student Placements

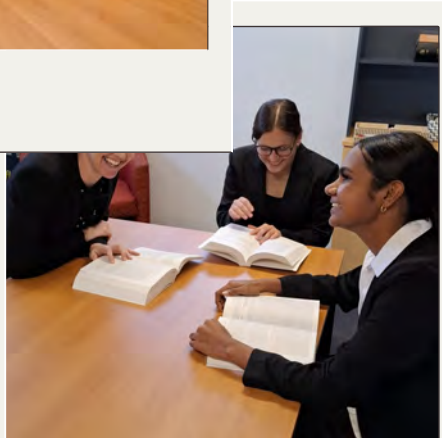
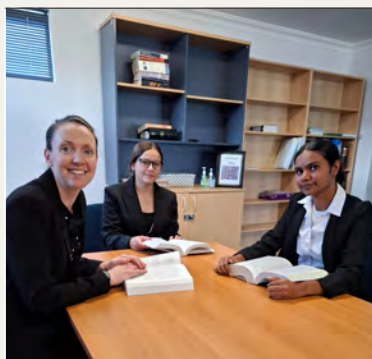
Raji Abraham – McCusker Intern

Raji Abraham joined us full time as a McCusker intern from 24 June 2024 to 12 July 2024 inclusive. Raji was in her second year of studying a Juris Doctor at UWA. Prior to this she completed a Bachelor Arts in Political Science and International Relations. This was Raji's first experience working in a legal service, and she was very keen to learn. During Raji's time here, she shadowed our duty lawyer services as well as undertaking some administrative and legal task work.

Deanne Fardig - TAFE Student

South West Community Legal Centre also hosted a TAFE student completing her Certificate in Community Services. Deanne undertook a three-week work placement, gaining hands-on experience in client support, intake processes, and court processes.

Deanne demonstrated a strong interest in community-based legal services, developed her understanding of client-centred practice, and contributed positively to the team environment. The placement provided valuable learning opportunities for Deanne while supporting SWCLC's commitment to fostering the next generation of community service professionals.



July 2024 & May 2025



Principal Solicitor's Report by Renée

It is my privilege to be back in the Principal Solicitor's seat and writing the Principal Solicitor's Report for South West Community Legal Centre ("SWCLC") again this year. I was on leave during the second half of 2024, returning in January 2025 so I would like to extend a huge thank you to Eleanor Yates who took over as Acting Principal Solicitor through 2024, allowing me to take extended leave for once-in-a-lifetime travel with my young family.

I would also like to generally say a massive thank you to the rest of our fantastic team at SWCLC. I am incredibly proud of our whole team and the results that we achieve for vulnerable members of our community in the South West Region. I see our staff go above and beyond every day to make sure as many people as possible get high quality legal help, targeted to their needs, but also delivered in a caring and professional manner.

As mentioned by Tahleisha M above, this year we were able to recruit a fantastic part-time pro bono lawyer, Shakti S, as well as a full-time Restricted Practitioner, Param G. As a result of both recruitments, as well as the ongoing commitment of the rest of our lawyers, Eleanor Y, Michelle G, Amanda J, Maria S, and our tenancy advocate, Lee E, we were able to keep up a high level of service statistics throughout the reporting period, as well as getting some great legal results and fantastic feedback from happy clients.

The legal services delivered by our lawyers and tenancy advocate this year included:

- taking on over 50 ongoing family law and criminal injury compensation case files;
- conducting over 700 telephone, in-person and outreach legal and tenancy advice appointments, as well as completing over 250 legal tasks for those clients;
- conducting over 250 Family Court, restraining order and tenancy court duty lawyer and duty advocacy services;
- attending more than 40 Family Violence Restraining Order Shuttle Conferences; and
- delivering more than 50 Community Legal Education sessions in the South West.

I believe our paralegal team of Inge S, Pamela W, Leela B and Rosario B have gone from strength to strength in the past year, with highlights including:

- a streamlined criminal injuries compensation file process being led by the paralegal team, which has increased the number of matters we can take on at any one time, led by Inge S;
- eCourts Portal community education sessions developed by Rosario B which he runs collaboratively with and at the Bunbury Library;
- the addition of a dedicated tenancy paralegal with Leela B; and
- continued professionalism in our in-person duty lawyer court paralegal services and shuttle conference arrangements, led by Pam W.



Principal Solicitor's Report by Renée

I would like to extend a special thank you to Gilchrist Connell for their huge commitment in providing us with a pro-bono solicitor 2.5 days per week. I would also like to personally thank the barristers who have given their time to help our clients with pro-bono assistance and advice this year.

You know who you are and we couldn't be more grateful for your contributions. I am excited to be part of the next year of continued service to our community at SWCLC.





Treasurers Report by Stella H

I am pleased to provide the Treasurer's Report for the financial year ending 30 June 2025. Members will notice a break-even in funds for the combined statement of profit and loss for the financial year (small surplus of \$6,588).

An "Unexpended Grants" liability of \$312,395 has been brought to account as at 30 June 2025, recognising that these funds are to be carried forward to the subsequent financial year, and expended in accordance with grant funding requirements.

The total revenue for the year was \$52,516 above budget this is the result of receiving an additional \$46,652 from the Department of Justice (\$30,000 one off funding grant and increased indexation). Interest received was also higher than budgeted.

The expenses were \$160,748 under budget; the main area of the surplus is attributable to lower staffing costs due to difficulty in staff retentions. The lower than budgeted staff numbers are reflected in lower payroll, staff development, and program travel costs.

The Balance Sheet as at 30 June 2025 indicates a healthy working capital position with current assets of \$1.018m and current liabilities of \$730,577. Members' funds as at 30 June 2025 were \$229,679.

The Auditors have given the Audit report in respect to the financial statement the comments as follows:

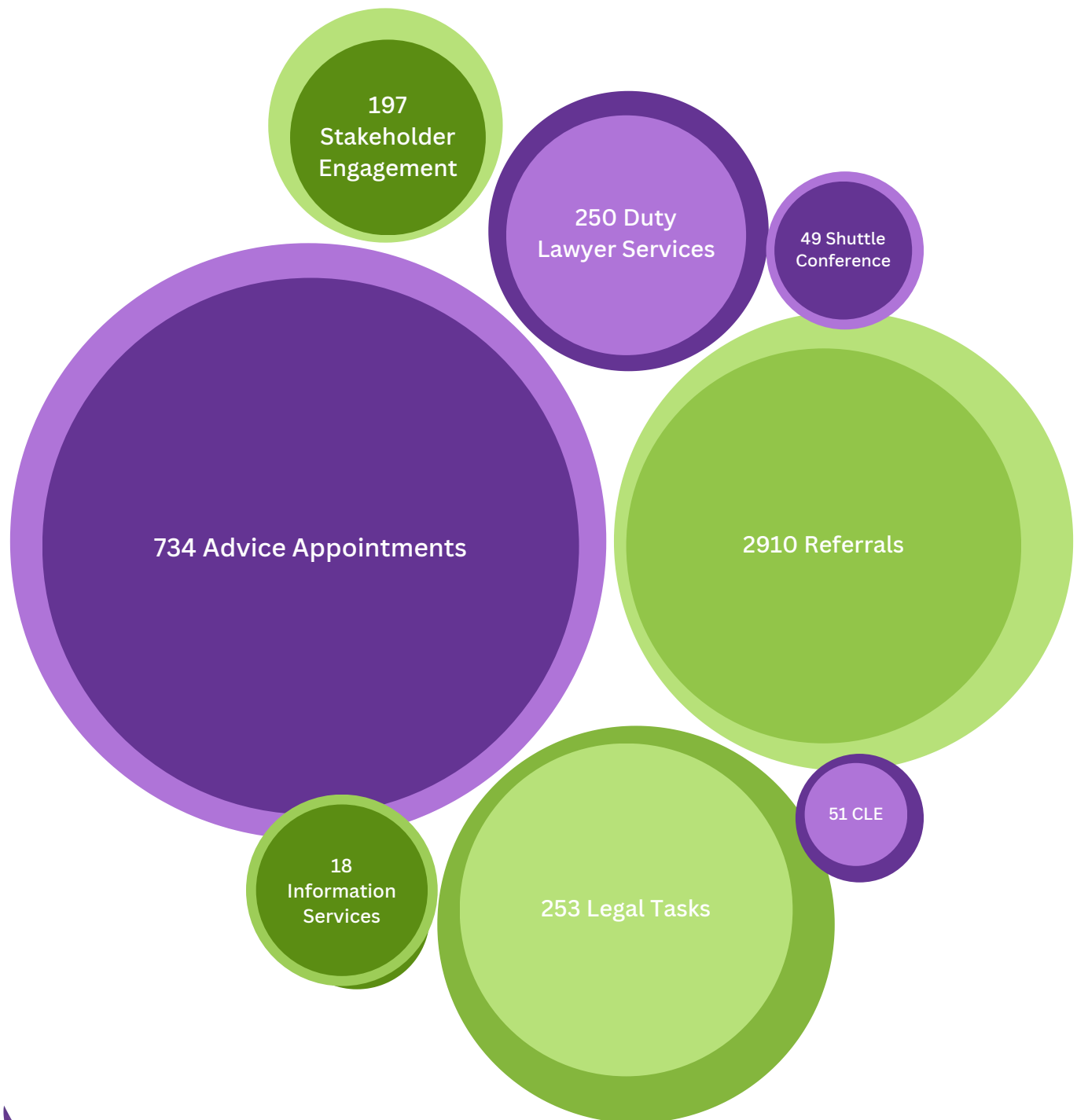
- i) giving a true and fair view, in all material respects, of the financial position of South West Community Legal Centre Inc. as at 30 June 2025, and of its financial performance and its cash flows for the year then ended; and
- ii) complying with Australian Accounting Standards to the extent described in Note 1 Associations Incorporation Act (WA) 2015 and Division 60 of the Australian Charities and Not-for-profits Commission Regulations 2022.



Service Delivery

Legal Services Statistics

With support from our funding bodies, in the 2024/2025 financial year SWCLC was able to deliver the following services across all funding streams:



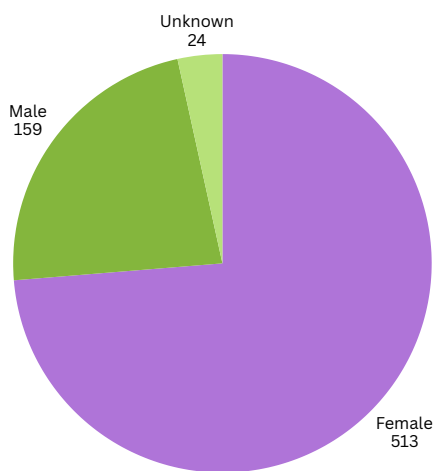


Service Delivery

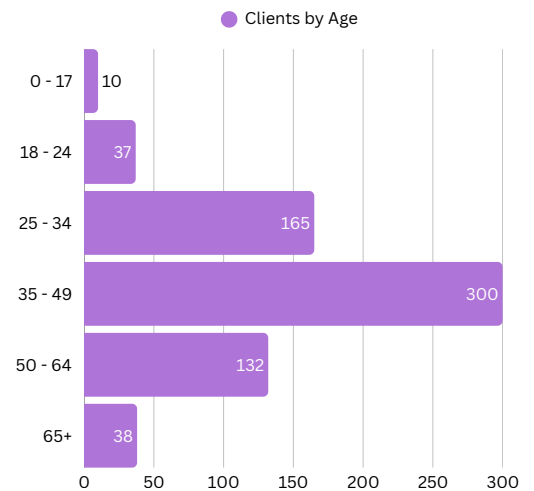
About our Clients

We are proud to continue supporting clients within our South West community. Over the past 12 months, SWCLC helped 696 people with various legal matters. Our clients experience many challenges, including financial disadvantage, experience of family violence, disability, mental illness or homelessness.

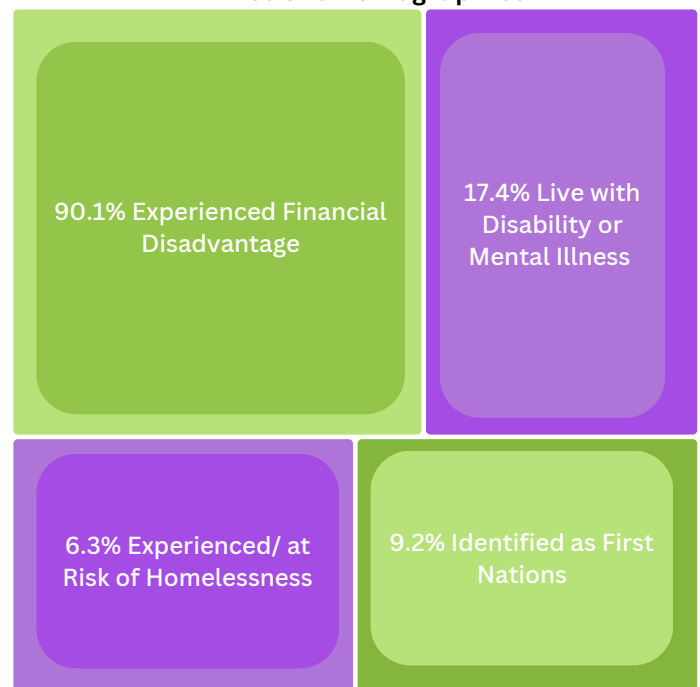
Clients By Gender



Clients By Age



Client Demographics



Who We Could Not Help
Sadly, we turned away **645** potential clients in the past financial year.



Service Delivery

Legal Services

Restraining Order Duty Lawyer Service

In partnership with Waratah Support Services, SWCLC was able to provide integrated Duty Lawyer and Social support services to clients affected by family violence. SWCLC was able to offer a weekly duty lawyer service in the Bunbury Magistrates Courts and fortnightly services in the Busselton Magistrates Court.

Family Advocacy Support Services- Duty Lawyer

During the 2024/2025 financial year, SWCLC again partnered with Waratah Support Services to deliver integrated social and legal for self-represented litigants in Family Court matters. SWCLC provided advice, assisted with negotiations, drafted documents and represented multiple clients during the Family Court of Western Australia Bunbury circuits.

Shuttle Conferencing

SWCLC provides assistance to clients attending Magistrates Court Shuttle Conferences. As at 30 June 2025, SWCLC had provided assistance in 49 Shuttle Conferences, and have assisted clients to agree 32 Conduct Agreement orders, 18 Undertakings and the cancellation of 9 Family Violence Restraining Order applications.



Community Legal Education

During the 2024-2025 financial year, SWCLC provided fifty one Community Legal Education (CLE) activities. During the 2024-2025 financial year, SWCLC partnered with the Western Australian Family Pathways Network to deliver 'Walk in their Shoes' Tours. These tours explain the paths that clients take during Restraining Order matters, and separately through the Family Court.

Outreach

SWCLC continued to provide in person and remote assistance to clients located all over the South West. Over the past 12 months, SWCLC traveled to Harvey, Collie, Manjimup, Bridgetown, Margaret River, and Busselton to deliver face to face legal services.

Tenancy

Our tenant advocate, Lee, did an incredible job in the 2024-2025 financial year, exceeding many targets set for SWCLC's services for this year. Unfortunately, the South West region continues to experience an accommodation crisis. Lee has indicated that many clients continue to be concerned about pursuing tenancy matters for fear that it may prejudice their existing tenancy, but a number of clients have still been empowered to fight for their rights as tenants.



CLIENT FEEDBACK

“Thank you so much Amanda your help was invaluable ”

“Whole process was smooth and easy to understand and communicate ”

“Keep up the great work and exceptional guidance and expertise”

“I really appreciated everything done and your patience for me.”

**“Southwest Women’s Legal Service is outstanding.
Without the wonderful women that have supported me through all the hard times I would not have made it through.**

**Their patience, kindness and empathy are second to none.
They are excellent at their job and I have nothing but admiration and praise for their efforts in helping me through such a trying time.”**

**“Thank you so much for helping me today, so much appreciated.
I feel so confident and no so much stress.”**

“Thank you, very grateful for the assistance.”

“Thankyou so much to all the wonderful staff involved with the Wills Clinic. It has been a great opportunity to receive legal advice and update my will. All the staff have been so lovely, kind, empathetic, helpful and very professional.”

**“I was ready and prepared for trial and I wanted a chance to be heard, and for him to be held accountable, however I realise the time and stress that a trial can bring so I am glad its over.
Thank you for all of your help. Its been a bit of a rollercoaster and you really helped me so much in those last few sessions. Ill be sure to submit the survey.
All the best to you Renee”**





Case Study: Shuttle

Case Title: NLAP Shuttle Conference Funding

Court: Magistrates Court of Western Australia

Background:

Our lawyer represented the applicant in this shuttle conference.

The parties had been separated for 9 years and had one teenage child together, who lived with our client.

Our client has had 3 previous FVROs against the other party. After the expiry of the most recent order, which had been made by agreement, the other party had started excessively contacting our client again, with tens to hundreds of calls and messages per day, some very abusive.

In addition, our client had PTSD and ongoing fear of the other party due to prior incidents including:

- Stalking
- Harassment with hundreds of calls per day
- Abusive messages
- Verbal abuse
- Breaking into her home
- Attempting to burn down her home with their child inside
- Attacking our client with a knife

Advice:

Our lawyer provided advice to our client about the shuttle conference process, family violence restraining orders generally and her options for the settlement at the conference (Conduct Agreement Order (“CAO”), Undertaking, no-agreement, etc).

Negotiations:

Respondent Proposal:

- 12 month undertaking
- Change to some conditions for the purpose of facilitating handover

Applicant Counter Proposal

- 2 year CAO
- Consent to proposed changes to the conditions
- A cap on communication between the parties about parenting matters so that the Respondent cannot message our client excessively, even if about parenting matters. Suggested Respondent can message no more than 5 times.

Respondent Counter Proposal

- 6 month CAO followed by 12 month undertaking
- Respondent agreed to cap on communication but wanted to be able to respond to communications initiated by the Applicant (even if more than 5 times).



Case Study continued: Shuttle

Case Title: NLAP Shuttle Conference Funding
Court: Magistrates Court of Western Australia

Applicant Counter Proposed

- 12 month CAO followed by 12 month undertaking
- Clause that the Respondent can message Applicant no more than 5 times per day, or if the Applicant initiates communication, the Respondent can respond more than 5 times.

Respondent accepted Proposal

Other Advice Provided:

Our lawyer was also able to provide parenting advice to our client while they were waiting for responses from the Respondent. After providing general parenting advice, including best interests of the child, mediation and court process, our lawyer advised that in the client's circumstances, we did not recommend applying to the Family Court for orders at this time, as the current arrangements where the child only went to the other party sporadically, if agreed, sounded like what our client would be seeking in any case.

If our client applied to the court for more certainty or to avoid any time with the other party, orders might be made by the court which were not what the client or child wanted. It was better to wait for the other party to apply to the court if he was not happy with the current arrangements.

Outcome:

Our client was pleased with the result, as she was on the verge of dropping the order altogether due to being tired of going through this process with the Respondent. It also meant that she was able to receive parenting advice at the same time. We were able to make a warm referral to a local family violence service to help the client improve their safety planning at home and we also put them on the waitlist for criminal injuries compensation advice.





Case Study: NLAP Baseline Funding

Family Law Property File Client Matter

Overview:

We are proud to share a case study on a family law property matter on which we worked with a client at first discretely and then intensively as a file over 6.5 years.

At first we assisted the client through discrete advice and task services at one of our regional outreach locations, then hybrid through Bunbury and outreach locations, then by taking on her property file and providing her with Family Court representation.

Background to Matter:

Our client first contacted South West Community Legal Centre ("SWCLC") in relation to her property matter in late 2018. She had just separated from her Husband and needed post separation advice. It was immediately clear that there was a major power imbalance between the parties and the Husband had been committing financial abuse, as well as some physical abuse.

Throughout 2019 and 2020 we assisted the client through discrete advice services, as well as duty lawyer services, with obtaining a family violence restraining order, plus helping with her parenting, divorce and property matters.

Property Matter – Discrete Assistance:

The property settlement became the key issue between the parties. Our client attempted to mediate with the Husband through FDR as well as negotiate through correspondence, with our assistance. By mid 2020 it was becoming increasingly clear that the Husband was purposefully dragging out the matter by avoiding disclosure, making agreements then reneging, and saying he would do things, like getting finance approval, and then not doing it.

Concerning aspects of the property matter were:

- The Husband owned two properties in his own name which he had re-financed the jointly owned family home to purchase
- The jointly owned family home was therefore in negative equity
- He was living in the family home and had not been meeting the mortgage re- payments
- Our client worked for his business and was never paid or received superannuation
- The Husband was doing both of their tax which had resulted in tax discrepancies.
- Our client had no superannuation, while the Husband had a moderate amount.

The parties' divorce was finalised resulting in a limitation date for filing for property orders in the Family Court. After an unsatisfactory mediation, where even the mediator apparently commented that there were problems with disclosure and an imbalance of power, we began preparing draft Form 1, Form 13 and Affidavit for the client to assist her to apply to the Family Court of WA for property orders before the time limit in 2022. The client filed the documents within the timelimit and then sought further advice from our office.



Case Study continued: NLAP Baseline Funding

Family Law Property File Client Matter

Property Matter – Case File:

In 2022, SWCLC began to open more case files to give vulnerable clients more intensive assistance, as a strategy to better align with the Department of Justices' 5 pillar objectives. After assisting the client with discrete assistance and Family Court duty lawyer services, towards the end of 2022 this client was one of the early matters to be opened as a file because her matter was due for a conciliation conference and it was clear that she would derive immense benefit from a lawyer assisting her in the conference.

By the date of the conciliation conference:

- the husband has still not filed any documents or made any disclosure; and
- the husband was living in the family home and not meeting the mortgage repayments.

The Long Road to Consent Orders:

In the conciliation conference our lawyer assisted the client to come to a without prejudice agreement with the Husband that the Husband would keep the family home, but pay her out a lump sum, and she would receive superannuation.

We assisted our client to draft consent orders, the other party signed them and we filed them. The Family Court then required submissions as to why the orders were fair and equitable. The Husband at this point withdrew his consent to the orders.

The matter was then referred to Legal Aid Family Dispute Resolution ("FDR"). After the Husband pulled out the day before the first conference, it was then booked for a second conference. We again assisted client our client to reach agreement in the conference with the other party.

Consent orders were subsequently filed and pronounced by the Family Court of WA.

Enforcement of Orders:

However, unfortunately, the Husband then failed to meet his payment obligation in the consent orders.

We then assisted the client to apply for an enforcement order. In the hearing, our lawyer successfully made submissions regarding the need for enforcement and ultimately orders were made that the Husband was to sell off one of the properties and pay out our client a lump sum. Further that if he was not able to re-finance the family home, our client would be made sole trustee for sale of the property.



Case Study continued: NLAP Baseline Funding

Family Law Property File Client Matter

The Husband did pay our client the lump sum but did not re-finance the family home, so that he remained living there and it remained in his name. We therefore next assisted our client to sell the family home as sole trustee. The sale process required quite a lot of communication between us, the real estate agent, the bank, the other party lawyer and later when they went off record, the other party himself.

Outcome:

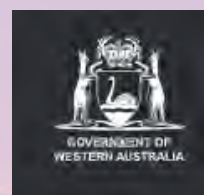
The property sale finally settled in the first half of this year and our client was thrilled it had finally finished and was extremely thankful for all of our assistance.



OUR FUNDERS

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

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Financial Report

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