

Federation of Community Legal Centres (Vic) Inc
Annual Report

07/08



Contents



Federation of
Community Legal Centres
VICTORIA

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Chairperson and Executive Officer's Report

Brendan Sydes **Chair, Management Committee**, Hugh de Kretser **Executive Officer**

Community legal centres (CLCs) play a key role in providing access to justice for disadvantaged Victorians and building a fairer legal system. The Federation of Community Legal Centres (Vic) is the peak body for Victoria's 52 CLCs. It leads and supports Victorian CLCs in their work.

The importance of CLCs' contribution to access to justice was underscored by the Federal Government's review of its CLC funding program. The review, finalised in April 2008, confirmed the key role CLCs play in assisting the community with legal and related problems and recognised CLCs' expertise and innovation.

In handing down the review, the Federal Government announced a one-off injection of \$10 million into CLCs nationally, a welcome and much-needed boost which reversed the trend of declining Federal CLC funding. Federal Attorney-General Robert McClelland, noting the link between social inclusion and legal services for the disadvantaged, stated that without legal support, "people can be prevented from fully participating in society, causing their problems to escalate and entrenching disadvantage."

For the Federation, the year was a strong one which featured the consolidation of existing initiatives and which lay the foundation for new directions and growth.

Our work on the prevention of family violence was a highlight. Together with Domestic Violence Victoria, the Federation led a coalition of organisations calling for the implementation of the recommendations of the Victorian Law Reform Commission's 2006 family violence report. The Victorian Government responded by introducing landmark legislation designed to make our family violence laws more accessible and effective. The legislation represents the culmination of years of advocacy by CLCs, domestic violence organisations and victims/survivors.

It is underpinned by the roll-out of 8 specialist family violence lawyers across Victorian CLCs, supported by the Federation's Best Practice Project which produced a detailed Code of Practice setting benchmark standards for CLC family violence court support services.

In April, the Federation welcomed the establishment of Seniors Rights Victoria, a specialist CLC focused on preventing elder abuse in Victoria. Seniors Rights Victoria is a consortium of the Council on the Ageing Victoria, Loddon Campaspe CLC, Public Interest Law Clearing House and Eastern CLC. The service seeks to eradicate the abuse of older people in all its forms, and was one of the outcomes of the Victorian Government's elder abuse prevention strategy.

The ongoing commitment of Victorian CLCs to improvement and accessibility was demonstrated through the Federation's Inclusion & Disability Project, which resourced CLCs to establish Disability Action Plans to remove barriers for people with a disability in accessing CLC services. The Federation also conducted a project to assist CLCs to "walk the talk" by ensuring their own internal operations are compliant with the Victorian Charter of Human Rights and Responsibilities.

The Charter, which became fully operational in January, is a significant advance in protecting disadvantaged Victorians rights. The initial signs are encouraging, with the Victorian Equal Opportunity & Human Rights Commission providing a generally positive scorecard on the government's preparations for human rights compliance. The Federation is committed to realising the Charter's full potential. It has established its Human Rights Charter Working Group and embarked on a partnership with RMIT's Australian Centre for Human Rights Education to educate CLC clients about their rights and how to promote them. It has undertaken initial training

of CLC workers and others on using the Charter in their casework and it has engaged with the Victorian Government about its legislative and policy obligations under the Charter.

Partnerships were a key theme of the year with the Federation supporting the Attorney-General's Community Law Partnerships scheme, under which law firms and CLCs partner to promote access to justice in Victoria. It was pleasing to see the new partnership between Middletons and Gippsland CLC and the support this provided to a group of Gippsland residents who challenged the local council's imposition of a \$10 million development charge on them through litigation.

One significant victory for the year was Vickie Roach's successful High Court challenge against Federal legislation banning all sentenced prisoners from voting. The High Court recognised a constitutionally protected right to vote and found that the legislation was invalid to the extent it banned prisoners serving sentences of less than 3 years from voting. The case was conducted under a successful co-counselling arrangement between the Human Rights Law Resource Centre, Allens Arthur Robinson and a team of barristers. Vickie, an Indigenous prisoner, was recognised for her commitment and courage in bringing the case, receiving the 2007 Tim McCoy Award alongside human rights advocate Charandev Singh.

The Federation remains in a strong position, with capable and committed staff, an experienced management committee and sound finances. The year to come presents continued challenges for Victorian CLCs, particularly around civil law where demand continues to be overwhelming. However, there are new opportunities for collaboration and legislative and policy reform to help make access to justice and human rights a reality.



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About the Federation of Community Legal Centres (Vic) Inc

The Federation is the peak body for fifty two CLCs across Victoria. The Federation leads and supports community legal centres to pursue social equity and to challenge injustice.

The Federation:

- provides information and referrals to people seeking legal assistance
- initiates and resources law reform to develop a fairer legal system that better responds to the needs of the disadvantaged
- works to build a stronger and more effective community legal sector
- provides services and support to community legal centres
- represents community legal centres with stakeholders

The Federation assists its diverse membership to collaborate for justice. Workers and volunteers throughout Victoria come together through working groups and other networks to exchange ideas and develop strategies to improve the effectiveness of their work. The Federation regularly works in partnerships and alliances with education, government, private and community organisations.

The Federation is an incorporated association. Its seven-member committee of management is drawn from its member centres.

About Community Legal Centres

Community legal centres are independent, community organisations that provide free legal services to the public. Community legal centres provide free legal advice, information and representation to more than 100,000 Victorians each year.

Generalist community legal centres provide services on a range of legal issues to people in their local geographic area. There are generalist community legal centres in metropolitan Melbourne and in rural and regional Victoria.

Specialist community legal centres focus on groups of people with special needs or particular areas of law (eg: mental health, disability, consumer law, environment etc).

Community legal centres receive funds and resources from a variety of sources including state, federal and local government, philanthropic foundations, pro bono contributions and donations. Centres also harness the energy and expertise of hundreds of volunteers across Victoria.

Community legal centres provide effective and innovative solutions to legal problems based on their experience within their community. It is our community relationship that distinguishes us from other legal providers and enables us to respond effectively to the needs of our communities as they arise and change.

Community legal centres integrate assistance for individual clients with community legal education, community development and law reform projects that are based on client need and that are preventative in outcome.

Community legal centres are committed to collaboration with government, legal aid, the private legal profession and community partners to ensure the best outcomes for our clients and the justice system in Australia.

Federation Management Committee

Chair & Secretary

Brendan Sydes (Environment Defenders Office)

Treasurer

Phil Lynch (Human Rights Law Resource Centre)

General Members

Cynthia Manson (Wyndham Legal Service)

Alex Mactier (Loddon Campaspe Community Legal Centre)

Jackie Galloway (Peninsula Community Legal Centre)

Julie Phillips (Disability Discrimination Legal Service)

Celia Tikotin (Consumer Action Law Centre)

Standing Group Convenors

Justice Initiatives

Helen Yandell (Springvale Monash Legal Service)

Sector Development

Cynthia Manson (Wyndham Legal Service)

Federation Office Staff

Executive Officer

Hugh de Kretser

Policy Officers

Chris Atmore & Sarah Nicholson

Sector Development Officer

Annie Nash

Administrator

Alison Rayner

Finance Officer

Sally Goldner

Federation Project Staff

Family Violence Best Practice & Women's Voices for Justice Projects

Catherine Plunkett

Sexual Offences & Cognitive Impairment Project

Maree Kelly

Policy Project Officer

Prue Elletson

Disability & Inclusion Project Officer

Alyena Mohummadally

Federation Volunteers

Tim Bertsch, Aimee Cooper, Marcus King, Philip Marshall, Stephanie Morrow, Phuong Nguyen, Shelly Snir Teo

Federation External Representatives

CAV Working Together Forum – Jackie Galloway (Peninsula)

Department of Justice Infringements Oversight Unit Standing Committee – Gary Sullivan (West Heidelberg)

Family Violence Court Evaluation Committee

– Jenni Smith (Eastern)

Family Violence Projects Monitoring Committee

– Chris Atmore (Federation)

Family Violence Stakeholder Reference Group (DOJ)

– Chris Atmore (Federation)

Human Rights Law Resource Centre Advisory Group

– Sophie Delaney (Mental Health)

Legal Services Commissioner Community Consultation Committee – Gary Sullivan (West Heidelberg)

Law Institute of Victoria Access to Justice Committee

– Hugh de Kretser (Federation)

NALC State Representative – Michael Smith (Eastern)

State-wide DHS Family Violence Round Table

– Penny Drysdale (Women's)

State-wide Steering Committee to Reduce Family

Violence – Flora Culpan (Broadmeadows)

State-wide Steering Committee to Reduce Sexual

Assault - Chris Jennings (DVRC)

VCOSS-DARU – Jill Richardson (Mental Health)

VCOSS Peaks Forum - Hugh de Kretser (Federation)

Victorian Pro Bono Forum – Annie Nash (Federation)

Victoria Legal Aid Community Consultative Committee

– Helen Constan (Peninsula)

Victorian Equal Opportunity and Human Rights

Commission Education Strategy Committee

– Tiffany Overall (Youthlaw)

Victorian Government Elder Law Advisory Group

– Hugh de Kretser (Federation)

Corrections Victoria Stakeholders Forum

– Cameron Shilton (Darebin)

Victorian Government Human Rights Leadership Forum

– Hugh de Kretser (Federation)

Women's Correctional Services Advisory Committee

– Cameron Shilton (Darebin)

Youth Referral and Independent Persons Program

(YRIPP) – Annie Nash (Federation)

Funding and Support

The Federation's core funding is provided by the Victorian Government and Victoria Legal Aid. The Federation thanks them for their ongoing support. We would also like to thank the following organisations for their support:

Collie Foundation – ANZ Trustees
Helen Macpherson Smith Trust
Legal Services Board
Law Institute of Victoria
Reichstein Foundation
Victoria Law Foundation

Sector Development

The Federation works alongside CLCs to build a strong, effective and well-resourced community legal sector. The Sector Development Standing Group provides strategic guidance for this work.

The Federation has continued to implement priorities identified through the 06/07 Capacity Building Project and the Attorney-General's Community Law Partnerships Project. Copies of these reports are available on www.communitylaw.org.au in the online toolkit.

The Inclusion and Disability Project: Removing the Barriers in Community Legal Centres, funded by the Collie Foundation, was aimed at ensuring that people with disabilities can better access CLC services and participate more fully in the justice system. Project Worker Alyena Mohummadally trained CLCs and provided resources to help them develop their Disability Action Plans – plans which identify actions required to remove barriers for people with disabilities to access CLC services. The project will lead to a positive change in CLC practice, expanding on existing strengths of CLCs as role models of social justice and human rights.

The 2008 Victorian CLC Conference, "Leading Justice" reinforced the strength, innovation and diversity of the Victorian CLC sector. The conference was attended by around 200 delegates from CLCs and other justice and community organisations who heard from keynote speakers including Deputy Premier Rob Hulls, Debbie Kilroy of Sisters Inside and Tony Douglas of Essential Media Communications. The conference program featured CLCs showcasing material from across the spectrum of their work including: innovative programs for working with young people; policy issues around tasers and capsicum spray; the case for CLCs to work with women and girls trafficked as sex slaves; prison reform within a decarceration framework; reducing our carbon footprint; amendments to the infringements system; using the Human Rights Charter in CLCs; identifying and responding to legal need; CLC governance and frameworks for mentoring and leadership.

The Federation's partnership with RMIT University, initiated in 2007, has so far resulted in three important sector development projects:

- Student Placements of Legal and Dispute Studies in CLCs to enhance student learning and build the capacity of CLCs in administration, reporting and compliance. The students helped CLCs prepare annual reports and AGMs and performed paralegal and administrative work. One student is now employed in a CLC and two will be undertaking law degrees next year.

- Public Policy Masters students consulted widely with representatives from CLCs and provided the Federation with a draft report on options for mentoring and leadership in the CLC sector. This report will guide the Federation in building an effective mentoring and leadership program.
- We are working with RMIT to engage Public Policy Masters students on a capacity building project involving the lowest funded CLCs. These students are working alongside CLCs to gather evidence to identify strategic funding and capacity building opportunities.

The Federation has continued to provide ad hoc advice and support to CLCs on a range of operational issues. This role is enhanced through the ongoing development of our online toolkit which contains resources to assist CLCs with governance, accountability, management and service delivery.

Throughout the year, we hosted professional development sessions for CLC workers and acted as a clearing house to notify CLCs of external opportunities available through VCROSS, PILCH Connect, Our Community and others. We also hosted a networking event for CLC management committee representatives and workers that featured presentations from Joan Staples and Jude McCulloch on the role of CLCs and NGO's in building a more democratic society.

We have continued to facilitate processes around the CLC Multiple Business Agreement – a multi-employer certified agreement involving 27 CLCs, their staff and the Australian Services Union. The agreement will deliver improved employment conditions for CLC workers supported by funding from Victoria Legal Aid. The Federation also assisted CLCs with funding submissions and provided updates on funding opportunities via the intranet, our website and our new look community law newsletter. The Federation welcomed the Legal Services Board's grants program. CLCs were well represented in the Board's first ever grants round, with a range of diverse and worthwhile projects being funded. The Federation worked closely with member CLCs to develop the 08/09 State Budget Funding Submission.

Through the Attorney-General's Community Law Partnerships Scheme, the Federation has played an important role in brokering and facilitating a range of new partnerships between CLCs and firms. Pivotal to this role is the ongoing communication and support provided by the Department of Justice, Legal Services Branch, and the Community Law Partnerships Reference Group. In conjunction with brokering individual centre and firm partnerships, the Federation established relationships with Blake Dawson and FOI Solutions to provide state-wide professional development opportunities to the CLC sector. Over the past twelve months, community law partnerships have contributed significantly to CLC capacity through secondments, case work support and other assistance. The vast majority of CLCs now have one or more partnerships with firms.

This year saw www.communitylaw.org.au and associated CLC "sub-webs" transferred to a new host, the Centre for eCommerce and Communications (CeCC) at the University of Ballarat, with some initial improvements including a new content management system and a CLC jobs page. Through project funding from the Legal Services Board, the site is currently undergoing a major upgrade to improve its look, navigation, effectiveness and content.

CLCs have been helping disadvantaged Victorians for close to four decades. Two academics from Monash University, Jude McCulloch and Mark Peel, obtained a significant Australian Research Council grant to write the history of Victorian community legal centres: "Justice for All: A History of the Victorian Community Legal Centre Movement". The three year project was launched at the 2008 State Conference.

Justice Policy

The Federation leads law reform and policy work in the Victorian CLC sector and promotes collaboration between centres and other relevant organisations. The Justice Initiatives Standing Group provides strategic direction for our justice policy work and reviews and updates our Justice Policy Positions. The Federation's structure ensures that the client-driven work of CLCs across Victoria informs our law reform and policy activities.

The Federation's policy work this year centred on family violence, equal opportunity and human rights. As set out in the Chairperson's report, the Family Violence Protection Bill 2008 represented the culmination of years of advocacy by CLCs, domestic violence organisations and victims/survivors for more effective and accessible family violence laws. The Federation, together with Domestic Violence Victoria, led a coalition of organisations and individuals calling for reform including Victorian Council of Social Service, Domestic Violence Resource Centre, Amnesty International, the Women's Electoral Lobby, No To Violence Male Family Violence Prevention Association and the Victorian Women with Disabilities Network. The campaign was funded by the Reichstein Foundation and Victorian Women's Trust. The consultation processes around the new legislation were particularly effective, with the Attorney-General noting the "unprecedented collaboration" involved.

The Federation's Best Practice Project, conducted by Catherine Plunkett, produced the Code of Practice for Family Violence Court Based (Applicant) Programs. The Code documents CLC knowledge, expertise and practice in providing legal support to family violence victims and sets benchmark standards in family violence service delivery. The Project was funded by Helen Macpherson Smith Trust, the Department of Justice and the Victoria Law Foundation. The Project also involves a professional development package for CLC family violence workers. The first four day session was conducted by Women's Legal Service and Domestic Violence Resource Centre in January.

The Federation was active in responding to the Equal Opportunity Review conducted by Independent Reviewer Julian Gardner. The Final Report, which sets out options for making our anti-discrimination laws more effective, adopted many of the key recommendations made by the Federation and CLCs. The Federation also responded to the Victorian Government's review of Exceptions to the Equal Opportunity Act. The Federation believes that there should be significant reforms to the Act in order to reduce the number of lawful exceptions and make it more difficult for discrimination to be justified. In responding to both Reviews, the Federation argued that the EO Act needs to be able to better facilitate effective responses to systemic discrimination alongside improved investigation of individual complaints. These changes must be enacted in a manner that recognises the close relation-

ship between the Act and the *Charter of Human Rights & Responsibilities Act 2006*.

The Federation continued to play an important role in promoting the Charter, through delivering initial training and developing resources for CLC workers. The Federation also promoted the Charter through the media and other forums, and engaged with Government around its responsibilities. The Federation believes that the Charter will make a difference to the lives of disadvantaged Victorians. Experience from overseas jurisdictions, particularly the UK, is that human rights charters lead to improved policy outcomes and public services. The Federation also contributed to the preparation of the NGO shadow report to the UN Human Rights Committee on Australia's compliance with the International Covenant on Civil and Political Rights.

The Federation continued to be active in responding to a range of reviews by government and law reform bodies around issues including civil justice, alternative dispute resolution, prison legislation, sentencing, Indigenous land rights, restorative justice, anti-terror laws, privacy and citizenship. Federation submissions are available on our website www.communitylaw.org.au. The Federation's capacity to undertake proactive policy work is constrained by our limited resources, but we were able to engage in proactive policy work around police use of stun guns and their proposed expansion, State liability for police misconduct, the humane treatment of prisoners and access to compensation for victims of crime.

Assisting the Community with Information and Referrals

The Federation provides a direct information and referral service for the public via telephone and our website www.communitylaw.org.au. Our contact details are widely listed as a referral point for CLCs.

Last year, we provided around 600 telephone referrals to members of the public, many of whom were distressed and unsure about how to find help to deal with their legal problem. Our website, which hosts and provides links to CLC websites and a range of legal information, received almost 100,000 visits, a significant increase on previous years.

Community Legal Centre Fellowship

The CLC Fellowship is an initiative of the Victoria Law Foundation, based on a sabbatical model, which provides funding to a CLC to allow a staff member to undertake a project of lasting significance to the sector and the community.

The 2007/08 Fellowship was awarded to Nicole Rich (Consumer Action) who studied how US public interest groups use a range of advocacy strategies to advance their work, including citizen advocacy that directly engages the public in their lobbying and campaigns. Nicole's project involved developing recommendations and tools for the use of citizen advocacy strategies in the Victorian context.

The 2008/09 Fellowship has been awarded to Tamar Hopkins (Flemington Kensington) who will research best practice police accountability systems. Our thanks go to the Victoria Law Foundation for continuing this important initiative. For more information visit www.victorialaw.org.au.

Working Group Reports

About Federation Working Groups

The Federation's structure has been developed over the past 20 years to coordinate and lead the community legal sector in collaborative law reform and legal policy work. Workers in legal centres across Victoria work together on common justice concerns in a range of working groups supported by Federation staff. Working groups promote collaboration, networking and information sharing and build the Federation's capacity to respond to issues by drawing on the expertise, experience and skills of member CLCs. The Justice Initiatives and the Sector Development Standing Group, with representatives from member centres, provide oversight and guidance for the working groups.

Access to Interpreters Working Group

Convenor: Suzy Fox (St Kilda)

The Working Group continues to liaise with Victoria Legal Aid on the funding allocated to CLCs for onsite interpreters and translation services provided by the Victorian Interpreting & Translating Services and VICDEAF to facilitate access to legal services for members of our culturally and linguistically diverse communities and those with hearing impairments. At the Federal level, the Working Group monitors the provision of interpreters through the Telephone Interpreting Service (TIS) funded by the Commonwealth Attorney-General's Department.

Anti-Terrorism Laws Working Group

Convenor: Marika Dias
(Western Suburbs)

The Anti-Terrorism Laws Working Group continues to be one of the most active and effective Federation Working Groups. It provides education, information and advice relating to anti-terrorism laws, and works on law reform and community development projects. Working Group members include CLC staff, volunteers, academics and members of other community organisations.

This year, the Working Group produced a comprehensive guide to anti-terrorism laws for CLC lawyers, funded by the Victoria Law Foundation. The guide was distributed in hard copy to CLCs nationally and is available on www.community-law.org.au.

In April, the Working Group and the Australian Tamil Rights Advocacy Council convened a forum at the Melbourne Town Hall to bring together communities affected by anti-terrorism

laws and policing. The forum, supported by funding from the Reichstein Foundation, involved members of the Tamil, Islamic, Somali and Kurdish communities as well as academics and activists.

Working Group members have attended and been involved in numerous conferences and events relating to anti-terrorism laws including a symposium at the University of New South Wales and a forum on counter-terrorism policing organised by Monash University and Victoria Police. Working Group members were also on the organising committee and spoke at a colloquium convened by Amnesty International, and presented at the National Association of Community Legal Centres conference and a forum for community workers.

The expertise of the Working Group has continued to be drawn on through guest lectures at the Monash University Law School's "Law Reform & Community Development" subject. The theme of these lectures has been engagement with parliamentary processes as a way of seeking law reform. Some of the Working Group's submissions to parliament have also been included in the reading materials for criminology students at the University of Melbourne and the Working Group has assisted some students with further information for their research.

Working Group members contributed to a special anti-terrorism laws edition of Chain Reaction magazine and assisted with the NGO shadow report to the United Nations on Australia's implementation of the International Covenant on Civil and Political Rights, writing sections on anti-terrorism laws and policing.

Children's and Youth Issues Working Group

Convenors: Tiffany Overall (Youthlaw)
& Chris Ryan (Wyndham)

This year, the Working Group's activities have concentrated on:

- organising, in partnership with the City of Geelong, an anti-bullying forum for teachers and youth workers with a focus on the disturbing trend of cyber bullying; and
- surveying CLCs to identify common issues for children and young people they work with. The areas of focus included police powers and young people's rights, public transport fines and dealing with authorised officers, and the new graffiti laws.

The Working Group's next focus will be to arrange a forum for later in 2008 to monitor how the graffiti laws are being implemented and the experience of young people to date.

Child Support Working Group

Convenor: Elsie Stokie (Barwon)

This has been an interesting year with the final major amendments to the child support scheme taking effect on 1 July 2008. These changes have had negative impacts on many lower income payees and payers alike, depending on their circumstances. Working Group members have been working hard to familiarise themselves with the new laws.

The Working Group members are staff from CLCs with specialist funded child support workers (Springvale Monash,



Peninsula and Barwon CLCs) alongside attendees from generalist CLCs and Victoria Legal Aid's child support service. The group discusses new issues in the law, difficult or interesting cases and law reform ideas. The group also undertakes community legal education projects.

Community Legal Education Workers Working Group (CLEWS)

Convenor: Steve Womersley
(Loddon Campaspe)

CLEWS supports community legal education in Victoria and operates as a clearinghouse for plain English legal education information across the Victorian CLC sector. In 2007/08, CLEWS worked with several specialist CLCs and regional, rural and remote CLCs to deliver a series of legal education sessions across Victoria, commencing with nine sessions in Bendigo as part of Law Week 2008. The Working Group hosted several guest speakers (including the Victoria Law Foundation (VLF), Rural Law Online, Victoria Legal Aid (VLA), Infocchange and the Language Factory) and met with the VLF and VLA to further discussions and support for an online portal for plain English legal information in Victoria and a Publications Clearinghouse to support CLCs publishing legal information.

CLEWS also engaged with relevant agencies and networks (including VCOSS, the Human Rights Charter Working Group, the Access to Interpreters Working Group, the Legal Publishers Forum and the Disability Inclusion Project) to exchange information and to increase sector capacity. CLEWS worked with the producers of Infocom to refine and better target this referral software to pilot program participants and to improve legal referral practices across the sector. In June, CLEWS facilitated an Expo of the community legal education work of specialist CLCs at the 2008 State Conference. The CLEWS membership would like to thank Tim Bloxsome for his work as Convenor until December 2007.

Corrections Working Group

Convenor: Cameron Shilton (Darebin)

The focus of the Corrections Working Group this year has been on supporting Brimbank Melton CLC's project, funded by the Reichstein Foundation, to establish a Centre for the Human Rights of Imprisoned People (CHRIP). The CHRIP project established a representative steering group, researched different

models for a prisoners legal service and built a compelling case in support of improving access to justice for imprisoned people which was documented in the report "A Prisoners Legal Service for Victoria". Through the project, Brimbank successfully applied for funding from the Legal Services Board to establish a pilot prisoner legal service visiting 2 prisons, and to research the need for an ongoing service.

Disability Working Group

Convenor: Jill Richardson (Mental Health Legal Centre)

Over the last 12 months, the Working Group has concentrated on assisting CLCs to develop their own Disability Action Plans, acting as a reference group for the Federation's Inclusion & Disability Project, funded by the Collie Foundation. Project worker Alyena Mohammadally conducted training sessions in Geelong, Melbourne and at the CLC State Conference. The final session was recorded and the DVD and guide were distributed throughout the community legal centre sector. The Federation, Villamanta Disability Rights Legal Service, Disability Discrimination Legal Service and Mental Health Legal Centre have committed to have Disability Action Plans completed by the end of 2008 and lodged on the Human Rights & Equal Opportunity Commission's website. The Working Group will offer ongoing support and assistance to enable all Victorian CLCs to develop Disability Action Plans.

Infringements Working Group

Convenor: Caro Adler (PILCH Homeless Persons Legal Clinic)

The Infringements Working Group continues to monitor the implementation of the *Infringements Act* and the impact of the infringements system on disadvantaged communities. The Working Group uses its expertise to advocate for improvements to the infringements system, particularly in relation to the special circumstances regime. In the last 12 months, the Working Group has been involved a range of activities, including:

- Sitting on the Department of Justice Infringements Standing Advisory committee, along with Victoria Police, the Magistrates' Court, local councils and other key stakeholders in the infringements system.
- Providing training around the trial expansion of the infringements system to include additional offences including shop theft, wilful damage, and obscene language.
- Advocating for amendment of the *Infringements Act* to remove the time limit on appeals from the Infringements Court.
- Meeting regularly with the Infringements Court to discuss practice issues and provide training around the special circumstances regime.

Human Rights Charter Working Group

Convenors: Ben Schokman (Human Rights Law Resource Centre) & Tiffany Overall (Youthlaw)

The Human Rights Charter Working Group formed in 2008 and seeks to raise awareness of the Victorian Charter of Human Rights and Responsibilities Act 2006, and to encourage and support CLCs to pursue effective advocacy work on behalf of clients through practical application of human rights and Charter arguments.

As a first step the Working Group is surveying community legal centres to ascertain current awareness and use of the Charter. We want to hear from CLCs about what information, resources and support would be useful to assist them to use the Charter in their everyday work.

The Working Group conducted a practical workshop on the Charter at the State conference and plans to hold similar workshops every 2 months to explore ways to use the Charter in relation to client advocacy and policy work in relation to particular themes such as tenancy, mental health and disability, policing, and family violence.

Police Issues Working Group

Convenors: Tamar Hopkins (Flemington & Kensington) & Will Crawford (Fitzroy)

The Working Group has been involved in campaigns to reform the law around the State liability for police wrongs and abuses. The current legislation effectively denies access to justice for many victims of human rights abuses by police. The Working Group has also been active in monitoring the police use of capsicum spray and tasers and in opposing calls for the expansion of tasers to all operational police. The Working Group has been calling for reform around police accountability mechanisms.

Professional Standards Working Group

Convenors: Gary Sullivan (West Heidelberg) & Peter Noble (Loddon Campaspe)

The Working Group helps CLCs to meet their obligations under the *Legal Profession Act* and the national CLC professional indemnity insurance scheme. It has continued to be an essential collaborative mechanism to assist CLCs to address common legal practice issues and to promote excellence in the delivery of legal services. In March 2008, the Working Group organised a CPD day attended by around 90 CLC lawyers at the Law Institute of Victoria. The Law Institute heavily subsidised the cost of attending.

Older Persons Law Working Group

Convenors: Sally Smith (Loddon Campaspe) & Jeni Lee (SouthPort)

The Working Group continues to advocate on older persons legal issues:

- The Working Group successfully campaigned for the Victorian government to adopt a community legal centre model to address elder abuse. A number of working group members partnered with the Council of the Ageing to successfully tender and establish Seniors Rights Victoria which commenced in April 2008.
- The House of Representatives Report "Older people and the law" was released in September 2007 and makes significant references to the submission by the Working Group and recommends increased funding for CLCs for outreaches and community education.
- The Working Group made a submission to the VLRC regarding the draft Family Violence Bill in October 2007. We argued that paid and unpaid carers should be covered by the proposed definition of family member.
- The Working Group is a forum for exchange of information about legal assistance and community education strategies, discussion of legal issues facing older people and identification of future law reform issues.

Violence Against Women and Children Working Group

Convenors: Belinda Lo (Fitzroy) & Jenni Smith (Eastern)

The Working Group monitors government and police responses to family violence. The group has links with women's refuges and domestic violence services and engages with relevant agencies, including government, courts and law reform bodies to lobby for, and respond to, legislative and non-legislative family violence issues.

The Working Group was closely involved in the productive consultations around the Family Violence Protection Bill and also participated in the Breach of Intervention Order Sentencing Advisory Council Consultation. The Working Group was also instrumental in the development of a Family Violence Best Practice Project which delivered a Code of Practice for Family Violence Court Based (Applicant) Programs and associated tools. The Working Group plays a role in the ongoing support of CLC court based family violence duty lawyer programs.

Federation Members 07/08

Three new members joined the Federation in 07/08:

Seniors Rights Victoria, Muslim Legal Service and Association of Employees with Disability.

Generalist Centres

Albury Wodonga Community Legal Service
Barwon Community Legal Service
Brimbank Melton Community Legal Centre
Broadmeadows Community Legal Service
Casey Cardinia Community Legal Service
Central Highlands Community Legal Centre
Darebin Community Legal Centre
Eastern Community Legal Centre
Essendon Community Legal Centre
Fitzroy Legal Service
Flemington & Kensington Community Legal Centre
Footscray Community Legal Centre
Gippsland Community Legal Service
Loddon Campaspe Community Legal Centre
Monash Oakleigh Legal Service
Moreland Community Legal Centre
Murray Mallee Community Legal Service
North Melbourne Legal Service
Peninsula Community Legal Centre
SouthPort Community Legal Service
South West Community Legal Centre
Springvale Monash Legal Service Inc
St Kilda Legal Service Co-Op
Surfcoast Community Legal Service
West Heidelberg Community Legal Service
Western Suburbs Legal Service
Whittlesea Community Legal Service
Wyndham Legal Service

Specialist Centres

Aboriginal Family Violence Prevention & Legal Service
(Victoria)
Association of Employees with Disability
Asylum Seeker Resource Centre
Communications Law Centre
Consumer Action Law Centre
Disability Discrimination Legal Service
Disability Employment Action Centre
Domestic Violence Resource Centre Victoria
Environment Defenders Office (Victoria)
Family Mediation Centre
Human Rights Law Resource Centre
Job Watch
Melbourne University Student Union Legal Service
Mental Health Legal Centre
Mildura Aboriginal Corporation Indigenous Family Violence
Prevention Legal Service
Muslim Legal Services Victoria
Public Interest Law Clearing House (Vic)
Refugee & Immigration Legal Centre
Seniors Rights Victoria
Student Legal Service
Tenants Union of Victoria
Victorian Aboriginal Legal Service
Villamanta Disability Rights Legal Service
Welfare Rights Unit
Women's Legal Service Victoria
Youthlaw



Federation of Community Legal Centres (Vic) Inc

Financial Report for the Year Ended 30 June 2008

INCOME STATEMENT FOR THE YEAR ENDED 30 JUNE 2008

NOTE	2008 \$	2007 \$
INCOME		
State Grant (recurrent)	348,235	335,269
CLC Program – Other Income	5,101	6,719
OP – Anti-Terror Laws	–	3,000
OP – Family Violence Project (Dept of Justice)	–	26,436
OP – Grant Income	–	1,400
OP – Inclusion and Disability	2,402	30,000
OP – Sexual Offences (Reichstein Foundation)	–	21,000
OP – Smart Justice	–	18,517
OP – Women’s Justice	–	15,982
OP – Best Practice (Department of Justice)	12,500	–
OP – Is Community a Crime? (Reichstein Foundation)	2,000	–
OP – Website (Legal Services Board)	26,500	–
OP – Scoping (Australian Centre for Human Rights Education)	5,000	–
OP – Sexual Offences (Helen Macpherson Smith Trust)	15,155	–
OP – Victoria Law Foundation	11,491	–
Donations	84	–
Membership Fees	16,916	16,000
Membership – Other Income	467	6,237
Interest	15,015	11,014
State Conference – Registrations	26,432	–
State Conference – Sponsorship	4,500	–
Management Fees	10,378	19,700
Miscellaneous Income	6,959	(909)
	519,135	510,365

EXPENDITURE		
Salaries	293,919	276,062
Superannuation	32,606	26,494
Workcover	2,873	5,892
Provision – Annual Leave	5,701	(5,662)
Provision – Long Service Leave	–	(3,865)
Provision – Parental Leave	(2,929)	6,500
Rent	10,950	10,634
Other Premises Costs	4,292	7,396
Staff Training	3,691	2,318
Staff Recruitment	–	2,744
Communications	16,046	7,696
Office Overheads	8,465	14,056
Insurance	885	880
Finance, Audit & Accounting Fees	16,609	15,844
Library, Resources & Subscriptions	2,521	2,414
Travel	3,299	2,621
Programming and Planning	3,337	2,286
Other Expenses	587	876
Depreciation	5,588	6,893
Loss on Disposal	–	12,061
State Conference Expense	32,656	–
Transfer To (From) Project Balances	(4,541)	6,800
Project Expenses	42,314	10,844
Project Expenses – Membership	13,111	2,090
Management Fees	10,378	19,700

		502,358	433,574
Profit before income tax		16,777	76,791
Income tax expense	2	—	—
Profit after income tax		16,777	76,791
Transfer From(to) Capital Reserve	9	22,934	15,826
Retained Profits at the beginning of the financial year		166,020	73,403
Retained Profits at the end of the financial year		205,731	166,020

BALANCE SHEET AS AT 30 JUNE 2008

	NOTE	2008 \$	2007 \$
CURRENT ASSETS			
Cash and cash equivalents	3	285,817	220,305
Trade and other receivables	4	19,276	50,319
TOTAL CURRENT ASSETS		305,093	270,624
NON-CURRENT ASSETS			
Property, plant and equipment	5	20,407	22,935
TOTAL NON-CURRENT ASSETS		20,407	22,935
TOTAL ASSETS		325,500	293,559
CURRENT LIABILITIES			
Trade and other payables	6	47,937	31,004
Amounts received in advance	7	38,765	43,306
Provisions	8	33,067	30,295
TOTAL CURRENT LIABILITIES		119,769	104,605
TOTAL LIABILITIES		119,769	104,605
NET ASSETS		205,731	188,954
MEMBERS' FUNDS			
Retained profits		205,731	166,020
Capital Reserve	9	—	22,934
TOTAL MEMBERS' FUNDS		205,731	188,954

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2008

	NOTE	2008 \$	2007 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from Gov't Grants – recurrent		382,172	303,382
Receipts from Gov't Grants – non-recurrent		75,608	121,875
Receipts from Other Sources		73,667	41,028
Interest received		15,015	11,014
Payments to Suppliers and Employees		(454,955)	(394,177)
Net Cash provided by operating activities	10	91,507	83,122

CASH FLOWS FROM INVESTING ACTIVITIES

Payments for purchase of property and equipment	(3,061)	(263)
Net Cash provided by (used in) investing activities	(3,061)	(263)

CASH FLOWS FROM FINANCING ACTIVITIES

Proceeds from capital replacement reserve	(22,934)	(15,826)
Net Cash provided by (used in) financing activities	(22,934)	(15,826)
Net increase (decrease) in cash held	65,512	67,033
Cash at the beginning of the year	220,305	153,272
Cash at the end of the year	285,817	220,305

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2008

NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporations Act (Vic.). The committee has determined that the association is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the Associations Incorporation Act (Vic.) and the following Australian Accounting Standards:

AASB 101	Presentation of Financial Statements
AASB 112	Income Taxes
AASB 107	Cash Flow Statements
AASB 108	Accounting Policies, Changes in Accounting Estimates and Errors
AASB 110	Events after the Balance Sheet Date
AASB 116	Property, Plant and Equipment
AASB 118	Revenue
AASB 119	Employee Benefits
AASB 137	Provisions
AASB 1031	Materiality

No other applicable Accounting Standards, Urgent Issue Group Interpretations or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

The financial report has been prepared on an accrual basis and is based on historical costs and does not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

The following material accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

A. INCOME TAX

The charge for current income tax expenses is based on profit for the year adjusted for non-assessable or disallowed items. It is calculated using tax rates that have been enacted by the balance sheet date.

The Association is exempt from paying income tax by virtue of Section 50–45 of the Income Tax Assessment Act, 1997. Accordingly, tax effect accounting has not been adopted.

B. FIXED ASSETS

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all fixed assets are depreciated over the useful lives of the association commencing from the time the asset is held ready for use. Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

C. EMPLOYEE BENEFITS

Provision is made for the association's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits that are expected to be settled within one year have been measured at the amount expected to be paid when the liability is settled.

Employee benefits payable later than one year have been measured at the present value of estimated future cash outflows to be made for those benefits.

Sick Leave is not provided for on the balance sheet.

D. PROVISIONS

Provisions are recognised when the Association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

NOTE	2008 \$	2007 \$
NOTE 2: INCOME TAX EXPENSE		
Prima facie tax payable on operating profit at 30% (2007: 30%)	5,033	23,037
Less tax effect of:		
– non-taxable member income arising from principle of mutuality	(5,033)	(23,037)
Income tax expense	–	–

NOTE 3: CASH AND CASH EQUIVALENTS

Cash at bank	285,617	220,105
Cash on hand	200	200
	<u>285,817</u>	<u>220,305</u>

NOTE 4: TRADE AND OTHER RECEIVABLES

Accounts Receivable	<u>19,276</u>	<u>50,319</u>
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NOTE	2008 \$	2007 \$
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NOTE 5: PROPERTY, PLANT AND EQUIPMENT

Furniture and fittings – at cost	92,661	89,600
Less accumulated depreciation	(72,254)	(66,665)
	<u>20,407</u>	<u>22,935</u>

NOTE 6: TRADE AND OTHER PAYABLES

Creditors and accruals	47,937	29,205
Payroll liabilities	–	1,799
	<u>47,937</u>	<u>31,004</u>

NOTE 7: AMOUNTS RECEIVED IN ADVANCE

Victoria Legal Aid – Website Phase 3	–	1,494
CLC program – EAP	2,292	2,292
OP Family Violence (Dept of Justice)	846	–
OP Anti-Terror	1,142	3,000
OP Imprisoned People	–	1,400
OP Inclusion and Disability	12,496	30,000
OP LSB Website	16,600	–
OP Is Commun a Crime	389	–
OP Scoping	5,000	–
OP Sexual Offences	–	1,746
OP Women's Justice	–	3,374
	<u>38,765</u>	<u>43,306</u>

NOTE 8: PROVISIONS CURRENT

Provision for annual leave	21,486	15,785
Provision for parental leave	11,581	14,510
	<u>33,067</u>	<u>30,295</u>

NOTE 9: CAPITAL REPLACEMENT RESERVE

Opening balance	22,934	38,760
Transfer to/(from) reserve	(22,934)	(15,826)
Closing balance	–	22,934

NOTE 10: RECONCILIATION OF CASH FLOW FROM OPERATIONS WITH PROFIT FROM ORDINARY ACTIVITIES AFTER INCOME TAX

Profit after income tax	39,711	92,617
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Cash flows excluded from operating profit attributable to operating activities

Non-cash flows in profit

– Depreciation	5,588	6,893
– Loss on disposal	–	12,061

Changes in assets and liabilities;

– (Increase)/decrease in trade and other debtors	31,043	(33,066)
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– Increase/(decrease) in trade and other payables	16,934	17,843
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– Increase/(decrease) in amounts received in advance	(4,541)	(10,198)
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– Increase/(decrease) in provisions	2,772	(3,028)
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Net cash provided by Operating Activities	<u>91,507</u>	<u>83,122</u>
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STATEMENT BY MEMBERS OF THE COMMITTEE FOR THE YEAR ENDED 30 JUNE 2008

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 1 to 8:

1. Presents a true and fair view of the financial position of Federation of Community Legal Centres (Vic) Inc. and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that the Federation of Community Legal Centres (Vic) Inc. will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Brendan Sydes, *Chairperson*

Dated: 29 September 2008

Philip Lynch, *Treasurer*

Dated: 29 September 2008

CERTIFICATE BY MEMBER OF THE COMMITTEE

I Brendan Sydes, and I Philip Lynch, certify that:

This annual statement was/will be submitted to the members of the association at its annual general meeting.

Brendan Sydes, *Chairperson*

Dated: 29 September 2008

Philip Lynch, *Treasurer*

Dated: 29 September 2008

INDEPENDENT AUDIT REPORT TO THE MEMBERS OF FEDERATION OF COMMUNITY LEGAL CENTRES (VIC) INC. REPORT ON THE FINANCIAL REPORT

We have audited the accompanying financial report, being a special purpose financial report, being a special purpose financial report, of Federation of Community Legal Centres (Vic) Inc., which comprises the balance sheet as at 30 June 2008 and the income statement, cash flow statement for the year ended on that date, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

Committee's Responsibility for the Financial Report

The committee of the association is responsible for the preparation and fair presentation of the financial report and have determined that the accounting policies described in Note 1 to the financial statement, which form part of the financial report, are consistent with the financial reporting requirements of the Associations Incorporation Act (VIC 1981) and are appropriate to meet the needs of the members. The committee's responsibilities also include establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conduct our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

The financial report has been prepared for distribution to members for the purpose of fulfilling the committee's financial reporting under the Associations Incorporation Act (VIC 1981). We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

Auditor's Opinion

In our opinion, the financial report of Federation of Community Legal Centres (Vic) Inc. presents fairly, in all material respects the financial position of Federation of Community Legal Centres (Vic) Inc. as of 30 June 2008 and of its performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

Sean Denham

Dated: 20 August 2008

Sean Denham & Associates

CPA's

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Community Legal Centres
VICTORIA

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