



Marrickville Legal Centre

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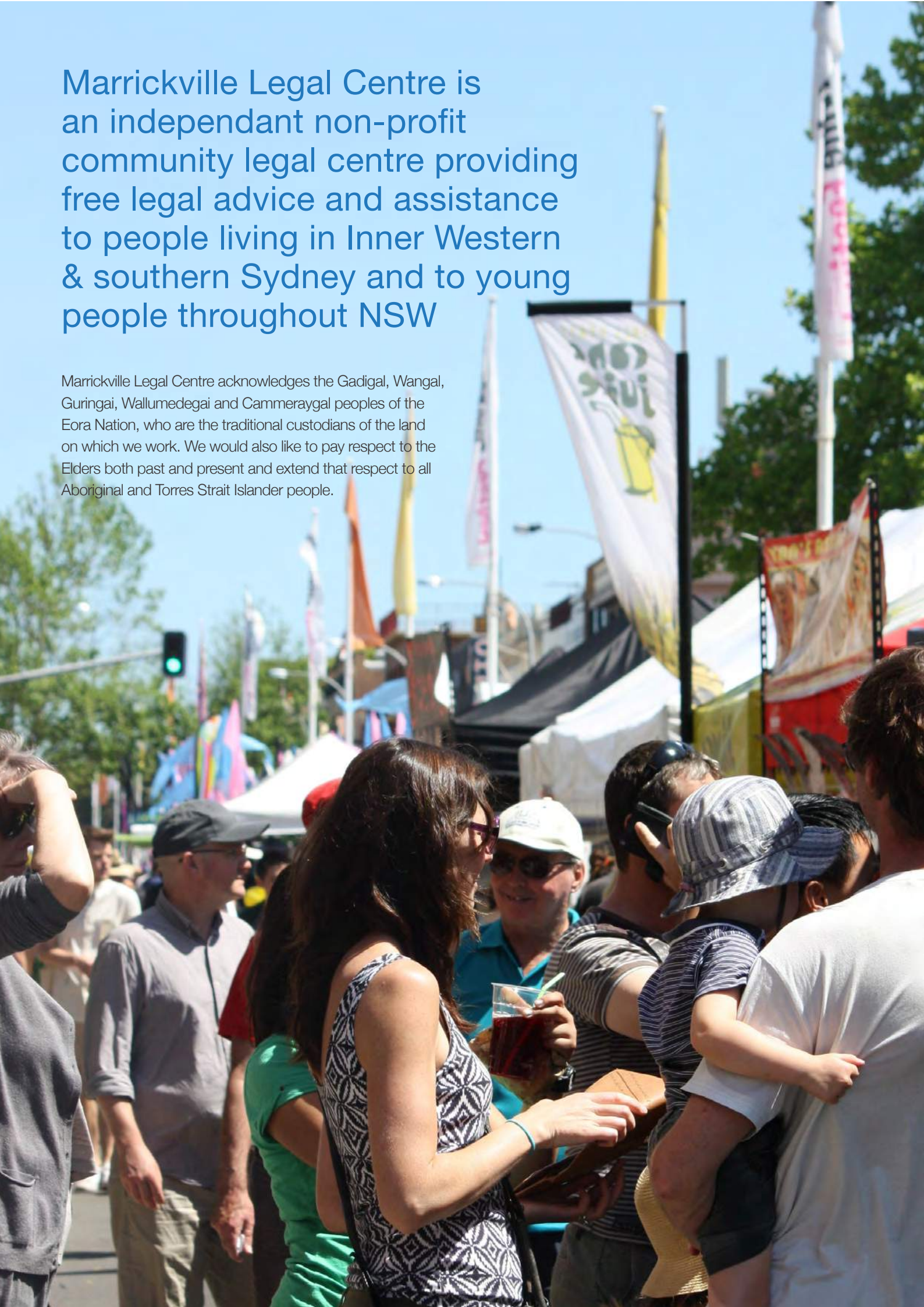
# Annual Report

2013 - 2014



# Marrickville Legal Centre is an independent non-profit community legal centre providing free legal advice and assistance to people living in Inner Western & southern Sydney and to young people throughout NSW

Marrickville Legal Centre acknowledges the Gadigal, Wangal, Guringai, Wallumedegai and Cammeraygal peoples of the Eora Nation, who are the traditional custodians of the land on which we work. We would also like to pay respect to the Elders both past and present and extend that respect to all Aboriginal and Torres Strait Islander people.



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# About Us

**Marrickville Legal Centre is a non-profit community legal centre that has been operating for 35 years.**

**We provide free legal advice and related services to disadvantaged people living in Inner Western & southern Sydney and to young people throughout NSW.**

**We offer community legal education, and advocate for equal access to justice and a better legal system through law reform.**

## **Our Vision:**

**Social justice through accessible legal services to those who need it most.**

## **Our objectives:**

1. To alleviate poverty, misfortune, distress and suffering by the provision of not-for-profit legal and related services to people living in our catchments
2. To involve people in the recognition, understanding and solution of legal and related problems
3. To provide and promote community legal education
4. To develop and be involved in appropriate networks
5. To initiate and participate in action for law & policy reform
6. To make our publications, operations and processes as accessible as possible to all.

## **MLC prioritises service delivery to:**

- indigenous people,
- young people
- boarding house residents and people facing homelessness
- people with a disability
- people with a mental illness
- people from culturally and linguistically diverse backgrounds
- older people
- lesbian, gay, bisexual, transgender, intersex & queer people



# Our Services

## The Generalist Legal Service

gives free legal advice through both telephone and face-to-face appointments with solicitors. The service offers drop-in clinics, and conducts outreach and community legal education. The Family Relationships Centre Partnership and the employment clinics are run by the GLS.

## The Youth Legal Service

provides free telephone legal advice to children and young people (up to 24 years of age) living anywhere in NSW. In some cases the service offers advocacy and ongoing assistance, and can also give advice to parents and carers of young people, and Youth and Community Workers.

## The Inner West Tenants' Advice & Advocacy Service and the Northern Sydney Area Tenants' Service

provide free telephone advice, advocacy and assistance to tenants living in Inner Western Sydney, and northern Sydney respectively. The tenancy services help tenants with issues such as:

- repairs and maintenance
- rent increases
- boarding house disputes
- disputes with Housing NSW & community housing
- lockouts and evictions
- going to the tenancy tribunal

## The Inner West Domestic Violence Pro Active Support Service

aims to improve the safety of domestic violence victims and their children. The service provides telephone support, information and referrals to people who have experienced domestic violence. Client referrals are received mainly from local police via Yellow Cards issued by police when a DV incident is recorded.

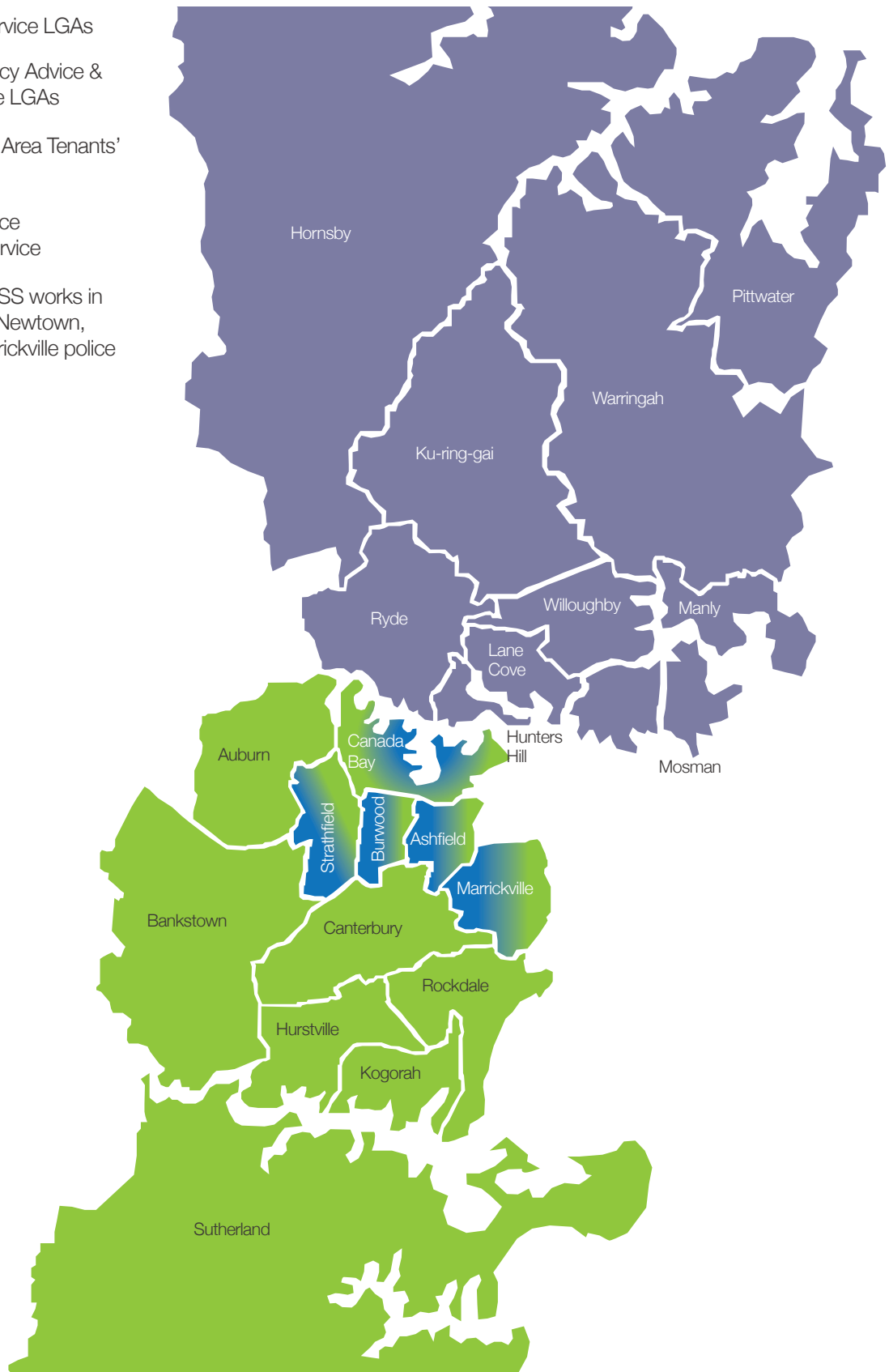
## Referrals

Marrickville Legal Centre has specialist expertise in some areas and an excellent referral network to ensure clients find the best possible help for their problem. We work closely with other community legal centres, legal aid, and many local and community organisations and know where to refer if we are unable to assist.



# Our Service Catchments

- General Legal Service LGAs
- Inner West Tenancy Advice & Advocacy Service LGAs
- Northern Sydney Area Tenants' Service LGAs
- Youth Legal Service is a state-wide service
- Inner West DVPASS works in conjunction with Newtown, Leichhardt & Marrickville police



# Message from the Chair



The past year saw Marrickville Legal Centre (MLC) both continuing to provide high quality legal services to those in our community who needed it most, as well as expanding the reach of these services. MLC is still providing outstanding work across its general legal, children's legal, tenancy and domestic violence programs across casework, advice, legal education and policy.

The most significant transformation in the 2013-2014 year was the Centre's decision to auspice the Northern Sydney Area Tenants Service (NSATS). MLC won the tender for this service and immediately set to work in acquiring premises, hiring new staff and putting supervision arrangements in place. Although well outside of our traditional catchment area, MLC's tenancy service and other staff were able to offer their expertise and hard work to speedily set up an effective tenancy service for Northern Sydney. Particular thanks go to the tenancy team, especially Eloise Parrab, for making this expansion of the tenancy practice possible.

Housing and funding remain the biggest hurdles still facing MLC. The Centre was able to find a little bit of extra wriggle room in accommodating staff by leasing small office space in its outreach premises in Belmore. The goal of finding affordable and suitable larger premises for the whole team remains unfulfilled. MLC has been fortunate in its receipt of one-off funding grants in previous years.

A commitment by the Commonwealth and State Governments to increase in recurrent funding is still required so that MLC is not put in the position of reducing both the range and span of its services to our community.

MLC is staffed by a team of multi-skilled and talented people. On behalf of the Board of Directors I would like to thank them all for their hard work, adaptability to change and commitment to the vision of MLC to provide the best possible legal services to our community. In particular I would like to thank both Catherine Dornan and Julie Robson for acting as Executive Officers during the past year. I would also like to thank Michael Walton for so capably and committedly leading the legal team as Principal Solicitor.

On behalf of the Board I would also like to thank all of MLC's legal and administrative volunteers and PLT students. The Centre's success could not have been achieved without the thousands of hours of unpaid work contributed by our volunteers.

Lastly, I would like to thank my fellow Board of Directors for their commitment to the Centre. They perform their role with diligence, patience, skill and style. I look forward to continuing to work together with the staff and volunteers of the Centre in the coming year.

**Dianne Anagnos**  
Chair, MLC Board



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SOLUTIONS AND PRINTING



# Message from the Executive Officer



Community Legal Centres are incredibly good value for money; we do a lot with a very little, and we do it well. Yet Community Legal Centres are fighting to survive.

In late 2013 the Government announced it would reduce funding across the legal assistance sector by \$43.1million over the following 4 years. These cuts will affect Community Legal Centres (CLCs) Aboriginal & Torres Strait Islander Legal Services, Aboriginal Family Violence Prevention Legal Services and Legal Aid Commissions.

Funding to CLCs will be reduced by \$19.61million over the four years.

The first of these cuts were the total defunding of the Public Interest Advocacy Centre NSW and Environment Defenders' Offices across Australia.

The exact details of the remaining cuts are unknown, but there are about \$4 million per annum of further cuts foreshadowed from the Community Legal Services Program (CLSP), starting from July 2015. Marrickville Legal Centre's core legal service is funded by the CLSP.

In March 2014 an announcement was made that the NSW Public Purpose Fund (PPF) would also be cut with over 40 CLC's across the state to experience a massive reduction in funding from 1 July 2015, and 2014-2015 funding levels for Aboriginal Legal Access Programs (ALAPs) to be cut by approximately 26.78 percent.

At the same time, attacks are being made on a central part of the work of CLCs with 2014-2015 CLSP one year roll-over agreements removing law reform and policy advocacy from core Commonwealth-funded activities.

All this despite the growing tidal wave of need in the community and the massive unmet demand for CLC services.

Meanwhile, Marrickville Legal Centre (MLC) has been getting on with the business of providing free legal services and equity in access to justice for disadvantaged people across our catchments.

This year, MLC was pleased to be awarded NSW Fair Trading three-year funding for the new Northern Sydney Area Tenants' Service. It was the expertise of MLC's experienced tenancy staff that allowed MLC to be in the perfect position to take up the mantle for the tenants of this new area. The massive undertaking of setting up the new service, including securing and fitting-out premises in Chatswood and recruiting and training 5 new staff, was met with enthusiasm and skill by Eloise Parrab and the whole tenancy team. I thank them for all their hard work.

In December Australia Post's 'Our Neighbourhood' community grant allowed us to update and expand our publicity materials in multiple community languages.

We found a short-term solution to our ongoing space constraints by opening a small office at the Belmore Youth Resource Centre, providing outreach through Canterbury Council Youth programs and direct client appointments.

We also continue to work with Marrickville Council and local advocates to find a new best place to call home. MLC still needs bigger premises. Our army of volunteers and wonderful pro-bono partnerships could be significantly expanded if we had the space to work.

In 2013-2014 Marrickville Legal Centre's combined services directly assisted a remarkable 3,600 people on around 4,900 occasions. As we move into the year ahead we look forward to continuing this impressive service record, bolstered by our unwavering aim to provide and fight for access to justice for all.

Catherine Dornan  
Executive Officer

# Special Thanks

## Funding

Marrickville Legal Centre relies on funding from a variety of government departments. We acknowledge and thank each of these departments and their individual program managers for their ongoing support.

- The General Legal Service, the Family Relationships Centre partnership and the Youth Legal Service, are provided through the Community Legal Services Program, funded by both Commonwealth & NSW Attorney General's Departments and administered by Legal Aid.
- The Inner West Tenancy Advice & Advocacy Service and the Northern Sydney Area Tenancy Service are both funded by NSW Fair Trading
- The Inner West Domestic Violence Pro Active Support Service is funded by Women NSW, a part of NSW Department of Family & Community Services.

## Grants

From time to time Marrickville Legal Centre applies for or is given one-off grants for special projects. We are very thankful for these opportunities to expand our resources and/or programs.

- In 2013 the Commonwealth Attorney General's Department gave a generous one-off grant to allow the continuation of the 'Linked-In' young person's civil law outreach program at Parramatta Children's Court. Originally funded in 2012 through a one-off grant from the Legal Aid Partnership Program, this new grant continued the two-days per week assistance for civil law issues raised by young people attending the Court on criminal matters.
- Australia Post's 'Our Neighbourhood Community Grants Program' gave a one-off grant to update and expand our publicity materials in multiple community languages.

## Partners & Secondee Programs

Marrickville Legal Centre acknowledges and thanks these organisations for their generosity. Their assistance greatly increases our capacity to meet demand on our services.

### St George Migrant Resource Centre drop-in

We thank the amazing staff at the St George Migrant Resource Centre at Rockdale for their support and assistance for our weekly drop-in clinic every Friday morning.

### Bankstown Multicultural Youth Service

We thank the staff of BMYS for their assistance with and referrals to our outreach program.

### Belmore Youth Resource Centre

We thank Youth Community Development Officer Joanne Morrison and other Canterbury Council staff for their warm welcome and assistance with our Belmore office and the developing outreaches.

### Corrs Chambers Westgarth Secondee Program

MLC thanks Corrs Chambers Westgarth for their continued support through the Corrs Secondee program. Our thanks too to 2013-14 Corrs secondees Sheetal Balakrishnan, Joanna Lawrence and Amelia Ho. Corrs also gave MLC & the Youth Justice Coalition use of their meeting rooms throughout 2013 and 2014.

### Gilbert+Tobin

G + T generously provide two solicitors every Tuesday night for evening advice sessions, and have given MLC & the Youth Justice Coalition use of their meeting rooms throughout 2013 and 2014.

We sincerely thank them for their continued support and ongoing assistance since May 2002.

### HWL Ebsworth Lawyers Secondee Program

This program grants assistance to the high number of marginalised clients with employment related debt. In particular we

thank Pro Bono Co-ordinator, Meghan Carruthers, Special Counsel; and secondees Jennifer Engle and Elle Twilight.

### The Employment Law Clinic Secondee Program

We thank the following law firms and participants for their generous support of this new program:

#### HWL Ebsworth Lawyers

Partner: Michael Connelly  
Secondees: Justin Le Blond; Sian Ryan, Irina Kolodizner. Sebastian McIntosh

#### Minter Ellison

Partners Gareth Jolly; Gordon Williams, Ajay Khandar, Jessica Middleby-Clements, Anna Hobson

#### NewLaw

Director, Bob Whyburn and the Board of NewLaw

Secondee: Joe Kennedy

#### Sparke Helmore Lawyers

Partner: David Davies  
Secondees: Sarah Wood, Felicity Edwards, Ian Bennet, Julie Kneebone





# Special Thanks

## Pro Bono Assistance

MLC would like to thank Harmers Workplace Lawyers, Lander and Rogers, Norton Rose Fulbright, and TressCox Lawyers for their assistance in the Unfair Dismissal Conciliation Project.

We would like to acknowledge and pay special tribute to the many solicitors and barristers who have donated many hours of pro bono assistance to the Centre and its clients over the year.

In particular we would like to thank:

Ingmar Taylor SC	State Chambers
Tom Dixon	State Chambers
Louise Goodchild David D'Souza	State Chambers
Mandy Tibbey	Second Floor Wentworth Chambers
Anne Cregan Laura Lombardo	Ashurst
David Hillard Jessica Morath	Clayton Utz
Michael Do Rozario	Corrs Chambers Westgarth
Danny Gilbert Michelle Hannon Katherine Shats Tamara Simms Jen Davidson Clancy King	Gilbert + Tobin
Annette Bain Emma Maple-Brown	Herbert Smith Freehills
Meghan Carruthers Julie Hamblin	HWL Ebsworth Lawyers
Ben Slade Giri Sivaraman Josh Mennen Elizabeth O'Shea Majed Issa	Maurice Blackburn
Joe Kennedy	NewLaw
Emma Scott	O'Neill Partners – Commercial Partners
Sharlene Wellard Katie Kossian Ben Motro	Piper Alderman

Carmine Santone Tina Santone	Santone Lawyers
Benita Howell Hannah Rose	Sparke Helmore
Zach Marrett	Tosh Legal
Peta Tumpey Edward Cregan	TressCox
Erin Steiner	Steiner Legal
Lee Critchley Ben Dougall Jackie Findlay Lauren Finestone Alex Grosart Monique Hitter Simon Howard Gerry Kaufman Rosie Lambert Mary Lovelock Bronwyn McCutcheon Paula Novotna Meredith Osborne	Legal Aid NSW
Kat Lane	Consumer Credit Legal Centre
Liz Pinnock	Hunter Legal Centre
Dan Stubbs	Inner City Legal Centre
Emma Gollidge Dianne Anagnos Kim Richardson	Kingsford Legal Centre
Stan Small	Macquarie Legal Centre
David Porter Elizabeth Morley Megan Cameron Natalie Ross	Redfern Legal Centre
Peter Multari	South West Sydney Legal Centre
Janet Loughman	Womens Legal Services

# Advice & Casework

**2013-2014 was another busy year for Marrickville Legal Centre's legal services. This year 2,185 legal advices were provided to 1,540 individual clients, more than half of whom were seen by the General Legal Service (GLS).**

## Victims Compensation

'Simon' was the victim of paedophiles during his childhood. After he ran away from home he was placed into a church hostel for adolescent boys. During this period he was sexually abused by multiple paedophiles. The Centre assisted Simon with 11 successful victims compensation claims. He was awarded the maximum compensation for each claim.

## Phone Bills

'Brett' sought help with two matters. The first was against a phone company for non-payment of fees and the cost of a mobile phone. MLC wrote to the company and was able to have the entire debt of \$2,300 waived.

The second matter was against a consumer credit provider for the purchase of electronic goods. In this instance, MLC negotiated the debt from \$900 to \$350 and arranged a payment plan for Brett.

## Clients

GLS' clients are a diverse range of people who often have difficulty accessing mainstream legal services. They include Aboriginal and Torres Strait Islander people, people from many different culturally and linguistically diverse backgrounds, people living with mental illness, people with disabilities and people who experience other forms of socio-economic disadvantage.

More than half of GLS clients (52%) are born overseas and 41% of clients speak a language other than English at home. This reflects the great diversity of the demographics in the vast catchment of Sydney suburbs that GLS serves.

## Advice

GLS' clients' most common legal issues involve motor cars. These include questions about the purchase of cars, car accidents, traffic fines and offences, and driver licencing issues such as licence suspension and driver disqualification. Other common legal questions include credit and debt, fines and consumer-related matters.

This year saw a new emphasis on providing one-off legal advice at daytime drop-in clinics. 'Drop-in' at the Centre on Mondays and another at Rockdale on Fridays are well-attended and suited to the socially disadvantaged demographics in the GLS catchment area. We also maintain a booked daytime clinic for more complex matters.

Our evening advice clinic for general legal advice was reduced from two

evenings to one evening per week. This was designed to focus our resources on delivering daytime advice to clients, while maintaining an evening service for clients who cannot attend during the day.

We could not run our evening advice clinics without an army of dedicated volunteer solicitors and front desk students. Gilbert+Tobin continue to assist the evening advice service by generously providing two solicitors every Tuesday night. GLS thanks them for their continued support and ongoing assistance since May 2002.

Because GLS' catchment area is so large (1.2 million people), one of the greatest challenges faced by the service is how to target services to clients of greatest need. The service has chosen a philosophy of, where possible, delivering face-to-face legal service where it is most convenient to our clients. To achieve this, there has been a deliberate focus on legal outreach in recent years. Our weekly drop-in clinic at the St George Migrant Resource Centre (MRC) at Rockdale continues to be popular. GLS thanks the amazing staff at the MRC for their support and assistance every Friday morning.

A measure of the success of the MRC drop-in is that general legal advice delivered outside the Marrickville office has risen from 1% of all advice given in 2011/2012 to 15% in 2013/2014. With MLC's new strategic plan underway, this trend is likely to continue as we look for ways to expand our outreach services into the Riverwood/Beverly Hills/Narwee area in partnership with local community service providers.



*Tenants' Advocate Julie Robson at 2013 Haldon Street Festival, Lakemba*



## High pressure sales

'Amy' was brought by her friend to a high-pressure sales seminar. Amy's only source of income is a Centrelink Newstart benefit. Amy purchased nearly \$7,000 worth of mattresses and bedding products because of the high-pressure sales tactics used in this seminar.

MLC made immediate representations under the national consumer credit protection legislation to both the sales representative and the bedding company. After lengthy communications, MLC was able to have the contract rescinded, the bedding returned and all monies (including the deposit) returned to Amy.

## Write-off Fines

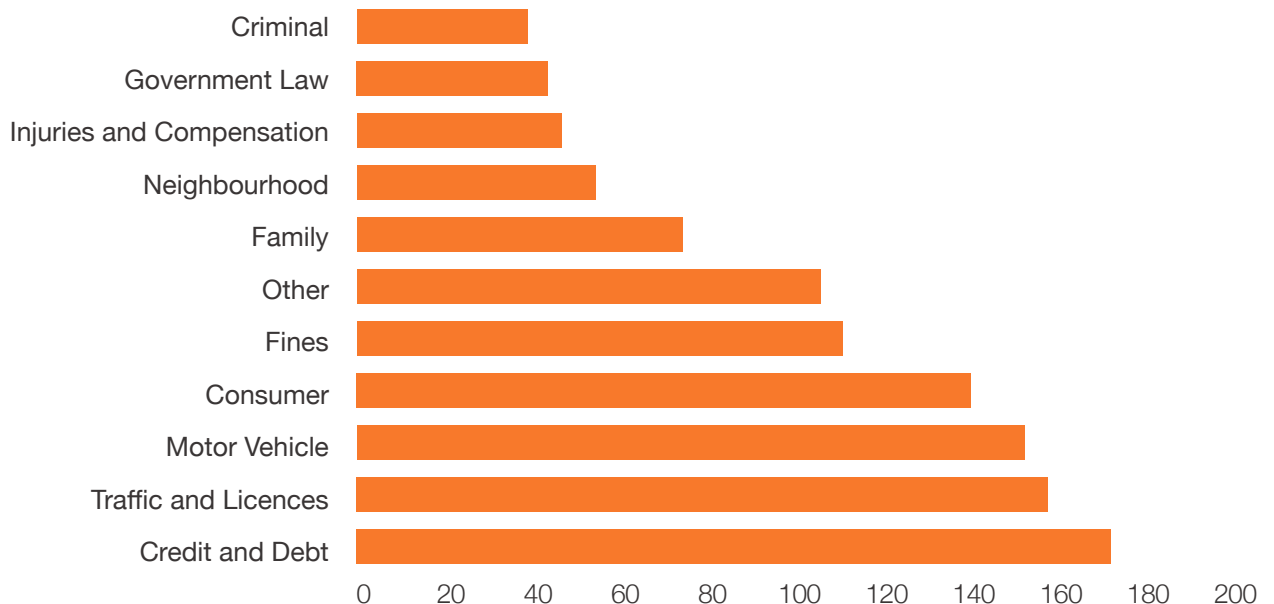
'Steve' came to the Centre with nearly \$9,000 in fines and enforcement orders that he had accumulated since 2005. The fines stem from transport offences and minor criminal offences. Steve is homeless, and has been for at least a decade. He also suffers from a mental illness that prevents him from being able to comprehend fully the offences he has committed and the penalties imposed upon him. Given his disability, a Work Development Order was not appropriate. MLC assisted the client to make a write-off application to the State Debt Recovery Office. The application was successful, which means that Steve will not have to pay the accumulated fines and enforcements orders. Steve can now concentrate on getting his life back on track.

## Car Purchase

'Costas' is an elderly Greek man with low fluency in English. Costas purchased a second-hand, large taxi to transport his severely disabled wife. The other party in this matter warranted that the motor vehicle was safe and capable of transporting disabled passengers. Costas claimed that the other party's representations were fraudulent and that the taxi was not safe or fit for purpose.

MLC assisted Costas to make an application to the Local Court seeking to return the money and to claim back the money. MLC represented Costas throughout the process including up to the Pre-trial Review where the matter was settled and consent orders made to rescind the contract.

## General Legal Service advice by problem type



# Family Relationships Centre Partnership Report

Marrickville Legal Centre (MLC) and Sutherland Family Relationship Centre (FRC) continue the successful partnership to provide legal assistance to clients undergoing family dispute resolution at the FRC, who are disadvantaged by a lack of financial resources or who may have complex needs.

The FRC/CLC programme, which began in 2009, is nationally funded by the Commonwealth Attorney General's Department.

The legal service provides legal advice to clients and assistance with the preparation of court documents. Marrickville Legal Centre represents clients at legally assisted mediations where the FRC identifies the need in particular cases. This may be due to a history of family violence, mental illness or substance abuse.

## Legally Assisted Mediation

Over the last four years, the partnership has assisted many clients to reach agreement about the shared care of their children, which has led to the drafting of parenting plans or consent orders. The legal service works collaboratively with our partners; the family dispute resolution practitioners and lawyers from other community legal centres who are involved with the programme.

Clients who undergo legally assisted mediation often require a series of ongoing interventions such as referral to counseling other support services or

parenting courses. The Legal Service provides assistance with the periodic review of client parenting arrangements. This often means repeat legally assisted mediations at three to six month intervals.

Where clients experience difficulties with certain aspects of a parenting plan after mediation, the legal service is able to offer representation to negotiate changes to arrangements that resolves the problem so they can then go on to sign their agreement.

In 2013-2014 MLC assisted in 17 legally assisted mediations resulting in 12 successful signed Parenting Plans.



*Solicitor Margie Martin with front desk volunteer Jason Nguyen*





## Case Study

We assisted 'Claire' in a legally assisted mediation. The father, 'Thomas', was refusing to allow their boys aged 7 and 9 years unsupervised contact their mother as he was concerned for the boys' health and safety. Thomas believed that Claire's home was not kept in a clean state and that her supervision of their sons and Claire's other young children with her new partner was not adequate such that they were likely to have accidents. Claire had a very challenging young 3 year old child and a baby to manage. In the past Claire had a history of drug abuse. A parenting plan was created and Claire was connected with the support services and counseling services to help her with the many challenges she faced. Further legally assisted mediations were scheduled to allow for a progression to unsupervised contact.

## Case Study

'Andrew' was referred to MLC by our partner FRC to represent him at a legally assisted mediation. Andrew and his ex partner 'Jillian' separated after the birth of their second child, 'Luke'. Andrew had a very close relationship with their first child, 'Anna', but a very minimal contact with their son. Andrew admitted to some substance abuse and an attempted suicide at the time of the initial separation, due to the stress of the marriage breakdown. He underwent psychological therapy and had not abused drugs for almost a year. Andrew was becoming increasingly frustrated at what he perceived were obstacles created by Jillian that were stopping him seeing his kids. He had not seen the children for more than six months. Jillian was insisting on supervised contact. Andrew almost abandoned the mediation in frustration. By offering post mediation support to Andrew the legal service was able to keep him engaged. A place at the contact centre became available and then Sundays at a grandparent's home meant that regular and significant time with the children was re-established.

# Employment Law

The demand for employment law advice is such that it constitutes the largest area of Marrickville Legal Centre's general practice, with employment matters representing 38% of advice provided by the Centre's adult legal service.

Marrickville Legal Centre's catchment area includes a high proportion of clients from socially and economically disadvantaged communities, many of whom experience considerable barriers attempting to exercise their workplace rights. Forty three per cent (43%) of clients receiving employment advice were born outside of Australia, many of whom were recent migrants or refugees.

These people experience particular difficulties in accessing assistance with employment matters because of social disadvantage due to low income level, language and literacy issues, having disabilities, suffering from workplace injuries, low education levels, lack of familiarity with basic employment rights and the Australian industrial relations system, and low union membership.

Frequently factors such as insecurity of employment may inhibit vulnerable workers making complaints about workplace rights while still employed, this is particularly the case for disadvantaged workers, young workers, mature age workers and those with dependants.

## Advice and assistance

During 2013-2014, the Centre provided 655 employment law advices to 345 individual clients. Twenty per cent (20%) of employment law clients received additional support with complex matters through the provision of minor case assistance.

Clients received assistance with their employment law matters at evening advice sessions, and those clients identified as vulnerable or disadvantaged and requiring more assistance than would be available through evening advice sessions were referred to the appropriate secondee program.

At evening advice sessions on Tuesday and Thursday nights, the Centre conducted telephone appointments to provide clients with information, advice and referrals on employment law matters. The Centre also assists clients with drafting applications and complaints. Clients are provided with on-going assistance at key stages of the process such as preparation for conciliation conferences, drafting responses and preparing evidence.

It is the Centre's experience that people often present with multiple employment problems. During the current period the number of clients obtaining minor case assistance continued to be high with 94 minor assistance cases. The majority of clients assisted were disadvantaged clients who received additional casework assistance with complex and multiple employment issues.

The Centre's capacity to assist vulnerable and disadvantaged clients was significantly enhanced during 2013-2014 by the introduction of the Employment Law Clinic Secondee Program and the continuation of the HWL Ebsworth Lawyers Secondee program.





## Types of legal problems

Overall, there was strong demand for advice on all areas of employment law. The highest single area of demand was for advice on conditions and entitlements, followed by enquires about unfair dismissal. This increase in demand for assistance with unpaid wages and entitlements claims would appear to coincide with a 2014 change in policy by the Fair Work Ombudsman to focus more on systemic issues leading to possible prosecutions rather than complaints by individual workers.

Frequently, disadvantaged clients seeking assistance from the Centre with involuntary terminations were also found to have issues with the underpayment of wages and entitlements. Factors such as sham contracts, business restructuring, company insolvency, inadequate records held by employers, ineligibility to claim under the Fair Entitlements Guarantee, or illegal phoenix activity were among the complex issues often experienced by clients who are owed money by former employers.

A significant number of enquiries concerned general employment issues such as bullying and harassment, work health and safety, workers compensation, employment contracts and workplace rights. The introduction of the new Anti-Bullying provisions from 1 January 2014, saw an increase in the number of enquires seeking advice on workplace bullying, in particular enquiries from young bullied workers.

The Centre handled a significant number of enquires for advice about protection from workplace discrimination and workplace rights. Demand for discrimination-related advice remained strong with complaints concerning disability discrimination, and pregnancy, parental leave and return to work being the most frequent enquiries.

The Centre assisted vulnerable clients with General Protections disputes in circumstances where clients had experienced adverse action as a consequence of making a workplace rights compliant and also matters concerning temporary absence from work due to illness or injury.

## Access to Legal representation

Access to legal representation on employment law matters continues to be an area of unmet need, particularly for the Centre's marginalised and disadvantaged clients. A significant number of these clients work in low paid occupations in largely non-unionised small businesses. Through the generous support of many private law firms the Centre was able to successfully obtain pro bono legal representation for a significant proportion of clients. However, at other times the level of demand exceeded the capacity of private law firms to undertake pro bono representation on employment law matters. Overall, it was clear that many clients need, but cannot obtain, access to legal representation.

## The Unfair Dismissal Conciliation Project (Project)

Between July 2012 and December 2013, the Centre participated in a pilot project that was a joint initiative of selected community legal centres in NSW, LawAccess, Legal Aid NSW and the Public Interest Law Clearing House NSW (now Justice Connect). Law firms Harmers Workplace Lawyers, Lander & Rogers Lawyers, Norton Rose Fulbright Lawyers and Tresscox Lawyers participated as project partners. The project established a new referral pathway that connected marginalised and disadvantaged individuals who had been dismissed with pro bono legal representation and advocacy up to and including a conciliation before the Fair Work Commission.

## Gilbert & Tobin Lawyers

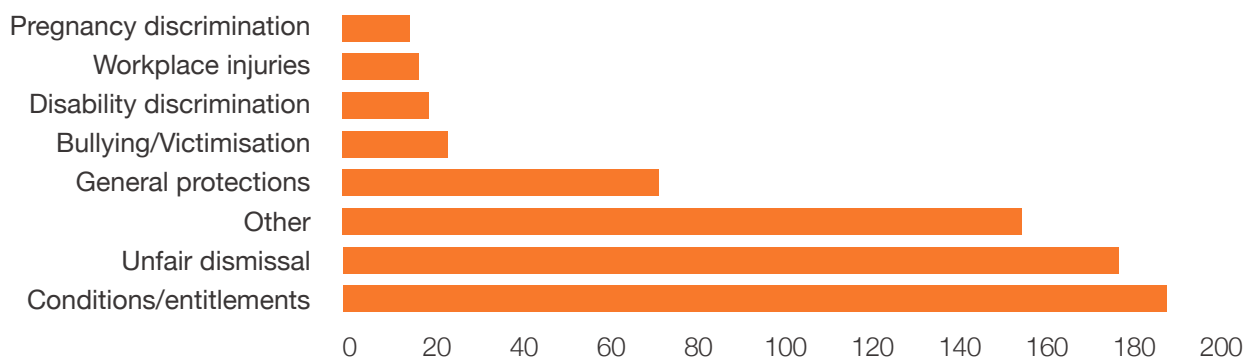
During 2013-2014, the Centre established a partnership with Gilbert and Tobin Lawyers, to provide a referral pathway for pro bono representation on General Protections matters at the Fair Work Commission. Young workers were identified as a specific priority for the program.

*“The project demonstrated that workers who were legally represented at conciliation were more likely to settle their claim (89% vs 81%); be reinstated (11% vs 2%), and receive higher awards of compensation when compared to official statistics from the Fair Work Commission (which includes applicants who are self-represented as well as applicants who are legally represented).”*

Unfair Conciliation Project Report (2014) page 3

The Project was intended to provide a platform for better understanding the impact of legal representation for vulnerable workers in unfair dismissal matters at the Fair Work Commission.

## Employment advice by problem type



## Redundancy, insolvency and unpaid entitlements

'Mikhail' and 'Amir', worked for "Sunny Valley" Products for some years. In 2013, Sunny Valley went into administration and both clients made claims under the Fair Entitlements Guarantee Act 2012 Cth (FEG). The owners of the insolvent company operated a number of different companies, and as the company employee records were in disarray, the client's applications were rejected on the basis that they were not listed as employees of Sunny Valley Products.

On behalf of the clients, the Centre assisted with a lengthy liaison process with the firm appointed as administrator to establish evidence that the clients were in fact employees of Sunny Valley Products, and therefore eligible to apply to FEG for their unpaid redundancy and other entitlements. The clients were able to successfully continue with their applications to FEG.

## Discrimination - Parenting leave

'Kendra' was 17 days short of meeting the 12 month period of continuous service criteria for parental leave. Her employer refused her requests to take a combination of accrued annual leave and unpaid leave to allow her to take 3 months off work. The employer had discretion to grant her request but refused to do so. The employer informed Kendra that she would have to resign as she was not eligible for unpaid parental leave. The Centre assisted Kendra to negotiate this matter. On the facts of the case, it was found that section 71(6) of the Fair Work Act provided a solution to this dilemma. Kendra's husband was an employer not an employee and her husband had agreed to have responsibility for the care of the child for the period between the birth of the child and the start date of her unpaid parental leave. On this basis, Kendra's parental leave could start at any time within 12 months after the date of the birth.

After extensive negotiations, and without conceding Kendra's eligibility for unpaid parental leave, her employer accepted her leave proposal and Kendra was able to take her unpaid parental leave after the baby was born.

## Employment Law Clinic Secondee Program

A new Employment Law Clinic Secondee Program commenced in March 2014, with the commitment of participating law firms HWL Ebsworth Lawyers, New Law, Minter Ellison Lawyers and Sparke Helmore Lawyers. The clinic operated on Thursday mornings with participating firms providing a secondee solicitor on monthly roster. The program provided an opportunity for vulnerable and disadvantaged clients, who frequently present with complex and multiple issues, to receive intensive casework assistance. MLC gives thanks to all those involved in this vital work.

A full list of all participating firms and secondee lawyers appears on the 'Special Thanks' pages of this report.

## Credit and Debt - HWL Ebsworth Lawyers Secondee Program

The HWL Ebsworth secondee program continued during 2013/2014. The program provides a secondee solicitor once a week on a pro bono basis. In response to the high number of marginalised clients requiring legal assistance with employment related debt, a significant proportion of matters undertaken by the program during 2013/2014, involved complex issues in relation to the underpayment of wages and entitlements.



Elle Twight,  
secondee



Jennifer Engle,  
secondee

# Domestic violence support

The Inner West Proactive Support Service (DVPASS) entered its fifth year of service this year, continuing to meet and fulfill its objectives, built on the partnerships with Sydney Women's Domestic Violence Court Advocacy Service (SWDVCAS), NSW Police, Elsie Refuge, and many other community organisations.

## Improving the safety of victims and their children

The concept of the DVPASS is to make contact quickly with and improve the safety of domestic violence victims and their children. Telephone advice and outreach support is provided to people who have experienced domestic violence, predominantly women with or without children, including repeat victims. The Coordinator undertakes a safety and risk assessment with each client and provides information and referrals, especially warm referrals to SWDVCAS to support the client with their safety plan.

The majority of client referrals are received from local police via the Yellow Card issued by police when a domestic violence incident is recorded. Other referrals are made by community welfare organisations or internally from Marrickville Legal Centre other services.

## Integrated, collaborative service provision & partnerships

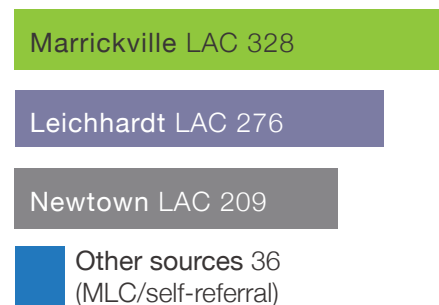
The service is co-located one day each per week in the three police stations of Leichhardt, Marrickville and Newtown Local Area Commands (LACs), and this has allowed for strong partnerships with police Domestic Violence Liaison Officers (DVLOs). The DVPASS Coordinator participates in the SWDVCAS Seconded Worker Roster on a bi-monthly basis at Balmain and Newtown Local Courts, improving communication between the services, and providing assistance and support to victims attending court.

The IWDVPASS Coordinator also attends various interagency and networking opportunities with other Domestic Violence community service providers in the local and metropolitan areas of Sydney, thus keeping abreast of recent and updated research, statistics and trends within Community service networks, and further improving referral pathways for clients.

## Case Study

'Stella' was in a relationship for over three months with 'Warrick', they lived together in various motels and were transiently homeless together. Warrick was always on ice and when he was high or coming down he would threaten, verbally abuse, and hit and kick Stella, she would try get away from him but he would come after her for money for his habit. Stella smoked pot but didn't do hard drugs, but disclosed she was suffering from bipolar. He kept a firearm under the bed on the night they had another argument, a guest of the motel called police when he witnessed Stella being dragged around the hallway by her hair. Police attended, arrested Warrick, he was charged with Assault, possession of a firearm, and drug possession. Stella was spoken to by police and offered the yellow card service. Stella decided to stay in the same motel that night after Warrick was taken away by police to be charged. DVPASS contacted Stella the next morning, after a conversation, DVPASS was able to make a warm referral for emergency housing with Links to Home, Homeless line and secure further accommodation at a different location, provide information and support around AVO that was put in place by police, discuss Safety Plan, organise a warm referral for Women's Domestic Violence Court Advocacy Service, a referral to Women and Girls Emergency Centre for food and showers, advocacy with Centrelink for a crisis payment, a referral to victims Services for counseling, and information about drug and alcohol support. DVPASS continues to provide information and support to Stella as she continues to put her life back together.

## Number of referrals received from agencies, by source:





## Staff

DVPASS Coordinator Stephanie Tredinnick has been successfully ensuring that the project continues to deliver quality service outcomes that are required under the agreed Protocol and Funding guidelines. Thanks also to staff Elsie's Women's Refuge for supporting IWDVPASS during staffing leave locums. The information, referrals, and advocacy assists hundreds of women to be supported and safer, and their fantastic work is greatly appreciated by Marrickville Legal Centre.

## Main partner agencies:

- Marrickville Legal Centre
- NSW Police Force Local Area Commands (Leichhardt, Marrickville, Newtown)
- Sydney Women's Domestic Violence Court Advocacy Service
- Elsie Women's Refuge
- Warringa Baiya Aboriginal Women's Legal Centre

## Participation in education and training with partners:

- WDVCSA seconded worker training
- Domestic Violence Legal Aid Training
- Attendance at Aboriginal Families DV and Child Protection training
- Attended Safe Relationships DV Training/Forum at Inner City Legal Centre
- Marrickville Professional Practice Group meeting
- White Ribbon Day stall with Police and SWDVCSA
- Community Legal Education – LGBTIQ Domestic Violence Safety Awareness Training at MLC

## Improving access to services and support for victims

The DVPASS aims to improve access to services and support for victims by proactive follow up of referrals via the telephone, with at least three attempts to contact each client. Extra attempts are made if the client is identified by police DVLOs as needing extra follow up. Info packs are sent out only where safe and appropriate. Upon contacting the client, the safety assessment is conducted, and information and referrals given to or made for the client.

## Materials produced and distributed

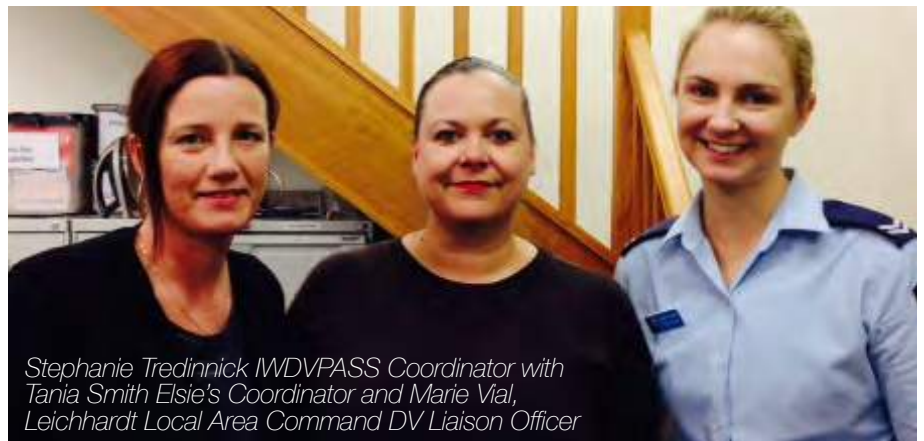
When appropriate and safe to do so, an information pack is sent out to clients by post or by email containing:

- power and control wheel
- equality wheel
- Safe from Violence booklet (or similar)

- cycle of violence info
- list of local support services/helplines/websites
- flyers for SWDVCSA, Victims Services, MLC, Leichhardt Women's Community Health Centre and other services
- flyer for financial support

DVPASS collates monthly, quarterly, and annual data in regard to quantity of yellow card referrals and the rates of "compliance" (the rate at which police officers offer victims the referral) and "consent" (the rate at which victims are consenting to follow up by DVPASS), these statistics overall are relatively similar to last year.

The service is aware that there are issues specific to people from particular groups and aims to have strategies in place to address these issues.



*Stephanie Tredinnick IWDVPASS Coordinator with Tania Smith Elsie's Coordinator and Marie Vial, Leichhardt Local Area Command DV Liaison Officer*

## Case Study

'Xin' is a Chinese single mother of three children, she recently separated from a boyfriend who was not the father of her children, but had previously provided financial assistance to Xin as a mutual arrangement. Her boyfriend was verbally and psychologically abusive toward her and her children when Xin was unable to meet his needs. Xin decided to end the relationship, but he wouldn't accept her decision and began to stalk her at work and at the children's school. One afternoon he waited outside the school in his car and started yelling at Xin who was waiting for her children to finish school. He got out of the car and started to intimidate and threaten Xin and her children outside the school grounds. A teacher witnessed this incident and called police. He was charged, AVO put in place, and Xin's statement also revealed that he had stalked her at her home as well. DVPASS contacted Xin via an interpreter and provided a warm referral to SWDVCSA, and a referral for counseling with a Mandarin speaking counselor through Marrickville Metro Resource centre. DVPASS provided information about AVO, Court Process and put a safety plan in place for Xin, and provided information to her about her Tenancy options with Department of Housing.

# Tenancy and Housing

**In late 2013, all NSW tenancy services were required to tender for renewal of their funding from NSW Fair Trading. In addition to making an Expression Of Interest (EOI) for our long-running Inner West Tenancy Advice and Advocacy Service (IWTAAS), MLC was given the opportunity to submit an EOI for a new catchment area of 11 local government areas across northern Sydney. Both EOIs were successful and the new Northern Sydney Area Tenants Service (NSATS) commenced operation on 1 December 2013. The NSATS Chatswood office opened its doors in March 2014, with the Hon Gladys Berejiklian, Member for Willoughby, cutting the ribbon at the official opening later in the year.**

There are now a total of 7 full-time-equivalent staff employed between the two tenancy services, across a combined area that has more than 135,000 bonds lodged with Fair Trading. Training for all new staff has been conducted collaboratively between the two services, particularly prior to the new office going 'live'.

In the wake of ever increasing demand for tenancy advice services, without a corresponding increase in funding, the tenancy services have been required to focus their resources on vulnerable tenants and those with complex problems. The services have targeted their phone intake criteria to identify vulnerability. Generally, this means giving fewer advices by number, but with a more strategic emphasis on tenants experiencing greater disadvantage, as well as taking on more complex casework.

In the past 12 months the tenancy services have assisted 2,194 clients. Of those clients 15.3% were boarders and lodgers and 19.8% were social housing tenants.

#### **NCAT and duty advocacy**

The 'super tribunal', the New South Wales Civil and Administrative Tribunal (NCAT) began operation from 1 January 2014, replacing the Consumer Trader and Tenancy Tribunal (CTTT). Whilst the

day-to-day operations of the tribunal remain much the same, the appeals process has increased significantly in both formality and expense.

Helping clients at hearings of the Tribunal is an important part of the tenancy services' work, and during the year 302 tenants were represented in proceedings before the Tribunal. Tribunal cases are often complex and many of those matters required attendances at two or more hearings.

Both tenancy services also provide duty advocacy at the NCAT Sydney registry weekly, providing on-the-spot advice and representation for tenants appearing before the Tribunal. This is an important part of tenancy services' work in preventing homelessness and assisting the most vulnerable tenants. The duty advocacy service also assists the Tribunal to achieve its aim of resolving disputes through conciliation, as most matters in which a duty advocate is involved are finalised without a hearing.

In October 2013 residents living in boarding houses obtained access to apply to NCAT to enforce occupancy principles under the Boarding Houses Act. The tenancy services have assisted a number of residents to obtain orders, particularly in relation to return of their bond.



## Millers Point

On 19 March 2014 the NSW Government announced that it would be selling all 293 social housing properties in Millers Point and the Sirius building within 2 years. The decision ignored recommendations made by consultants engaged by the government to assess the process, and has been described by Sydney Lord Mayor Clover Moore as 'social cleansing'. If left unchallenged, Millers Point has the potential to provide a blueprint for widespread selloff of valuable public housing stock.

In the context of ever dwindling supply of social housing and ever increasing demand, the removal of these tenants from Millers Point has placed further strain on the waiting list. Millers Point tenants, who never wanted to move, are now being placed at the top of the Housing Pathways waiting list, meaning that people escaping homelessness or living with domestic violence will wait longer to be housed.

In the immediate aftermath of the announcement, IWTAAS's Martin Barker took a leading role in the campaign, offering support and assistance to Redfern Legal Centre, in whose catchment area the selloff is occurring. Martin has now been seconded part-time to Redfern Legal Centre as an advocate for tenants of the area.



## Case Study

Late one afternoon at duty advocacy, just prior to leaving for the day, our advocate was asked by the Tribunal conciliator to see a tenant who had just walked in and who needed some advice. The tenant, Charlie, had a formal hearing set down in 15 minutes time.

'Charlie' was a public housing tenant who had regularly failed to pay rent and who had previously entered into, but failed to comply with, repayment plans.



During the hearing it was clear that the Senior Member was unimpressed with Charlie's rental record. The Member had presided over all hearings leading up to this hearing and was ready to terminate the tenancy immediately. The duty advocate, who had suddenly found himself conducting his first formal Tribunal hearing, advocated for Charlie by taking the Tribunal through a range of circumstances that meant that the tenancy should not be terminated and that Charlie should be given one last chance. These circumstances included that termination would lead to homelessness; Charlie was applying for visitation rights to his children and that if he was made homeless that application would fail; Charlie understood the gravity of the situation and undertook to repay all arrears and to pay rent on time; and that Charlie's ability to pay rent over the last period had been severely disrupted by him being incarcerated on several occasions.

The Member reserved her decision until the following day. Ultimately, the Member decided to dismiss the application for termination and thereby save Charlie's tenancy. Our service has stayed in contact with Charlie, helping him with other tenancy issues and referring him for advice about other legal problems.



## Case Study

'Con' was a boarding house resident and Newstart recipient who had been living in a property managed by a real estate agency for 12 months. He paid 2 weeks bond at the commencement of the agreement.

Con's poor health had recently caused some unexpected specialist medical appointments, only partially covered by Medicare. Consequently Con fell into 4 weeks of arrears and was being threatened with being locked out if he wasn't able to repay the whole amount the following day. He came to see IWTAAS at Newtown Neighbourhood Centre's weekly 'One Stop Shop' and told IWTAAS he was in the difficult position of having to make choices between his health and his housing.

IWTAAS organised an appointment with the Neighbourhood Centre's rent brokerage service and contacted Con's real estate agent to ask for their patience while IWTAAS got appropriate assistance to get his rent back on track. The next day the real estate agent, in response to our follow up email detailing the steps being taken to rectify the arrears and Con's circumstances, agreed to stop the eviction process. Con was relieved to be able to focus on addressing his health issues.

## Outreach

IWTAAS continues to provide a very successful outreach in collaboration with the Newtown Neighborhood Centre. The 'One-Stop-Shop' is a multi-agency outreach held every week at the Centre. Primarily targeted at boarding house residents and other people experiencing homelessness, the outreach is a simple and inviting way for people to get assistance with their housing problems.

NSATS has been working hard to establish outreaches in its catchment area, with a number of collaborations with community organisations due to commence in 2014-2015.

## Case Study

IWTAAS had been assisting 'Bao', a vulnerable non-English speaking Vietnamese Housing NSW tenant for 12 months with a range of issues, including termination due to alleged illegal use and unauthorised occupancy. Bao had serious mental health issues and was facing immediate termination of his tenancy. IWTAAS represented Bao at a number of hearings at the NSW Civil & Administrative Tribunal, having the matter adjourned while the service worked with Housing NSW and Bao's mental health worker to resolve the issues threatening his tenancy. Due to that work, Housing NSW have not only withdrawn the Tribunal proceedings, but have told Bao that he will be getting a refund for 4 years of overpaid rent.



Executive Officer Catherine Dornan with the Hon Gladys Berejiklian at the opening of the NSATS Chatswood office

## Case Study

A tenant, 'Cathy', contacted NSATS from prison for assistance, after she had a tribunal order made against her for bond and compensation totalling almost \$4,000. Although Cathy had arranged to attend the hearing via telephone, the call never came through and an order was made in her absence.

NSATS submitted an application to set aside the tribunal orders on the basis that Cathy had not been able to put her case to the tribunal. The set aside application was granted and NSATS represented the tenant at the re-hearing, as well as ensuring that Cathy was able to put her case over the phone.

At the rehearing the Tribunal dismissed the landlord's application, finding that sufficient grounds had not been established to award the landlord any amount of compensation.

# Youth Law

The Youth Legal Service is an integral part of Marrickville Legal Centre, providing a state-wide service to children and young people in NSW since 1979. The state-wide catchment area ensures that the phones are always ringing with young people calling for legal help. From change of name applications to drivers licence suspensions, mobile phone debts to drug charges, there is never a dull day for the Youth Legal Service.

This year the Centre was fortunate enough to welcome on board a second dedicated Youth Solicitor, Liam McAuliffe, which increased the Youth Legal Service capacity to advise and represent children and young people across the state.

Liam, together with Youth Solicitor Kate Duffy, and a team of excellent secondee solicitors, provided a wealth of telephone and face-to-face advice, represented young people in court and acted for young people in alternative dispute resolution practices.

## Goodlife Festival

MLC's Youth solicitors conduct regular community education sessions and attend community events to maximise young people's awareness of legal issues and their engagement with the service.

This year they participated in the Goodlife Festival, an under-18 music festival held in March 2014. The Youth Legal Service (YLS) stall was made possible with the work of Victoria Legal Aid and with the extraordinary help of Marrickville Legal Centre staff and volunteers.

The weather was perfect on the day, and the crowd numbered over 15,000 young people. The stall was filled with information regarding online bullying and "sexting", as well as more general information regarding fines, debt, traffic, and criminal law matters.

The stall also ran a 'photo booth' with life-size cut-outs of celebrities Ryan Gosling and Jennifer Lawrence for festival-goers to pose with. The service managed to procure a traditional "Polaroid camera" much to the amusement of the under-18s who were not used to waiting so long for film to develop! The service did not provide legal advice to young people on the day, instead focusing on promoting general awareness of the service and also of young people's rights and obligations in the community.

Overall this event was a lot of fun and a fantastic opportunity during which the Youth Law Service made direct contact with over 800 young people from across New South Wales.



Liam McAuliffe, Sheetal Balakrishnan,  
Kate Duffy at the 2014  
Goodlife Festival



## Mobile phone debt waived

'Yana' was a vulnerable 21 year old who was pregnant and from a refugee background. Yana had incurred a large debt from a mobile phone contract due to not understanding international call charges. Yana had received letters of demand from a law firm representing the mobile phone company. We acted for Yana responding to the letters of demand. We were able to get the debt waived in full and final settlement because of Yana's special circumstances.



## Outreach

The Youth Legal Service undertake a number of outreach programs to engage with children and young people "on their turf".

## Police charges dismissed

'Jo' and 'Ruby' were 19 year olds who participated in a planned street protest against the government. Both Jo and Ruby were charged with minor criminal offences whilst at the protest. We wrote representations to the police to get the police facts amended and represented Jo and Ruby at the local court. We were successful in getting their matters dismissed under section 10 with no convictions recorded.

## Bankstown

The fortnightly outreach at Bankstown continued for its 6th year. The outreach, which is a partnership with the Bankstown Multicultural Youth Service (BMYS), sees the Youth Solicitor attend the drop-in service run by BMYS on a Friday afternoon once a fortnight. The Youth Solicitor works closely with staff at BMYS who identify those young people who have legal problems and require legal advice.

## Parramatta – Linked In II

The civil law outreach program at Parramatta Children's Court continued for its second year with help from funding provided by the Federal Government. The outreach ran on a Tuesday morning once a fortnight. The Youth Solicitor worked closely with staff from the Children's Court Assistance Scheme to identify young people who had civil law legal problems and required legal advice.

## NEW Airids, Waratah Unit at the Reiby Juvenile Justice Centre

Youth Solicitor Kate Duffy began a new outreach program at the Waratah Unit a facility of the Reiby Juvenile Justice centre. The Youth Solicitor undertook community legal education sessions for young men living in the pre-release Waratah Unit on common civil law problems that young people experience.

These sessions have been especially productive because participant numbers are limited which allows for the service to focus on up-skilling young offenders, for example, in credit and debt matters.

## NEW Belmore outreach

This year also saw Youth Solicitor Liam McAuliffe start a new fortnightly outreach at Belmore Youth Resource Centre, giving legal advice and general legal information to young people attending the Centre. This service has been widely successful because of the assistance and close association with Canterbury Council, Mission Australia and Barnardos Australia.

## NEW Lakemba Library outreach

Youth Solicitor Liam McAuliffe also began a new weekly outreach program at Lakemba Library. Lakemba Library has recently been identified as an emerging hotspot for youth activity including encounters with the NSW Police Force. The Youth Legal Service has been working closely with the Canterbury Workers With Youth Network and the Inner West Youth Interagency to staff a drop-in service at the Library. This service has been extremely successful and has allowed the youth solicitors and other youth workers to engage with young people from this area.



## \$50,000 restitution order discharged

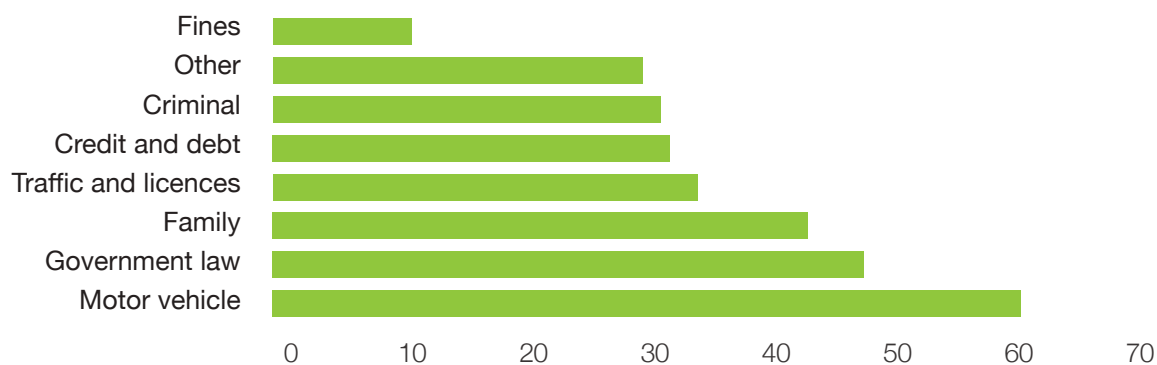
'Quin' was a young person who was homeless, had intellectual disabilities and whose only income was the disability support pension. On turning 18 years he received two notices of restitution totalling \$50,000 for offences he committed as a child. We represented Quin in the restitution proceedings gathering medical evidence; social science research and the transcript from the original court proceedings. We wrote submissions, which were successful in getting both restitution orders discharged.

## Change of name application successful

'Jane' was a 14 year old who had not spoken to her biological father for several years and wanted to change her last name. There had been previous issues of domestic violence between Jane's mother and the biological father. The biological father had previously told Jane that he wanted nothing to do with Jane and did not care what happened to her. We assisted Jane and Jane's mother to file in the District Court of New South Wales. Marrickville Legal Centre represented Jane in court where the matter was ultimately uncontested. Jane was successful in obtaining court orders to change her name without her biological father's permission.



### Youth Legal Service advice by problem type



## Corrs Chambers Westgarth Pro Bono Secondee Program

The pro bono partnership with Corrs Chambers Westgarth (Corrs) continues to flourish, providing additional and much needed resources to the Youth Legal Service.

The Corrs secondees for 2013/2014 were Sheetal Balakrishnan, Joanna Lawrence and Amelia Ho. Sheetal, Joanna and Amelia all made enormous contributions to the work of the Youth Legal Service. We extend our warm thanks to our seconded solicitors for their hard work and dedication to the Youth Legal Service.

The pro bono partnership between the Youth Legal Service and Corrs is now in its seventh year. We thank Corrs for their ongoing support and commitment and in particular pro bono partner Michael Do Rozario and human resources manager Sara Benvenuti for the role they have played in championing the secondment program.

The important partnership program was recognised as a nominee for the Community Legal Centres NSW Award at the 2013 Justice Awards.

### Sheetal Balakrishnan – Corrs Secondee (July 2013 – March 2014)

Over the last eight months, I have been afforded the rewarding opportunity of being seconded one-day-per-week to the Marrickville Legal Centre (MLC). While at MLC I have assisted Kate Duffy, the Youth Legal Service (YLS) Solicitor.

Throughout my secondment I was involved in interesting and rewarding work, ranging across matters relating to fines and debt, victims compensation and minor criminal charges.

I was also involved in the work of the Youth Justice Coalition (YJC), including attending bimonthly meetings and preparing a submission on behalf of the YJC to the NSW Commissioner for Children and Young People.

In addition to the great work the YLS does, it also conducts a number of outreach projects and I have had the opportunity of attending Parramatta Children's Court to assist young people involved in the criminal justice system with civil law matters, attending the Bankstown Multicultural Youth Service and preparing community legal education sessions for young people at the Reiby Juvenile Justice Centre.

As the YLS assists children and young people, commonly those from non-English speaking backgrounds, experiencing financial hardship or suffering from a mental or physical disability, it has been extremely rewarding to be able to make a positive difference to the wellbeing of these children and young people.

Through my secondment experience at MLC, I gained valuable legal skills, including client interviewing, client management, advocacy, drafting and file management, which will be relevant to my ongoing and future work as a lawyer.

I am extremely thankful to MLC for the opportunity to work as part of their team and under the supervision of experienced and well-rounded lawyers. It has been a valuable and memorable secondment experience.

### Joanna Lawrence – Corrs Secondee (March 2014 – August 2014)

Over the past six months I have been fortunate enough to spend each Monday working at Marrickville Legal Centre, assisting Kate Duffy and Liam McAuliffe as the Corrs seconded in the Youth Legal Service (YLS).

There is never a dull moment working in the YLS. Each day new and different matters would come in and I have had the opportunity to advise on a really broad variety of issues which could include criminal matters, fines, victim's compensation and debts - all in a single day. As well as advice work I have the opportunity to represent clients in court and I am proud to report that I have maintained a 100% advocacy success rate (one from one!).

The team at MLC work tirelessly within their community to assist individuals in need who require legal help and to promote legal rights and awareness within the community. As a seconded I was able to assist with a number of community outreach programs and presentations, which was a fantastic opportunity to see the type of grassroots legal work the MLC team do on a daily basis in action.

I couldn't recommend a secondment at MLC highly enough to anyone who is looking to engage with the community, work with a dedicated and professional team and develop a broad range of legal skills.



*Youth Solicitor Kate Duffy with Corrs seconded Sheetal Balakrishnan and Principal Solicitor Michael Walton*

# Community Legal Education

**Marrickville Legal Centre continues to conduct a series of Law for Community Workers workshops each year intended to inform community workers on legal processes, changes to the law, and legal issues faced by clients.**

**In 2013-14 the workshops hosted by the Centre included Legal Rights and Obligations of Youth Workers, Domestic and Family Violence and Australian Immigration Law, Priority Housing, and LGBTIQ Violence and Safe Relationships Training.**

**In addition to the in-house program, each of MLC's services regularly conduct CLE in the community.**



The General Legal Service (GLS) delivered a presentation on traffic law to the local Chinese-speaking communities at the new Burwood Library. Information was given about general road rules, what to do in a motor vehicle accident, common traffic offences, and an overview of the fines system. The 100 attendees were thoroughly engaged, asking many questions throughout the presentation.

During Law Week 2014, GLS delivered a presentation on 'Neighbours & the Law' to the local community at Marrickville Library. The session covered information about dividing fences, noise issues as well as disputes over trees and low-hanging branches. Participants engaged in lively discussion, sharing humorous anecdotes about common issues with neighbours.

MLC also takes part in the Inner Sydney Volunteer Solicitor training program. This year over 40 volunteer solicitors, from both private and community practice, attended MLC's session on 'Motor Vehicle Accidents: Property Damage'. The aim of these sessions is to up-skill volunteer solicitors on an area of law which many in commercial practice might not encounter as part of their day-to-day work schedule.

The Tenancy services' in-house Priority Housing workshop continues to be very popular with community workers, providing practical information on navigating the Housing Pathways system. In addition, the tenancy services have presented sessions on general tenancy rights to a numerous groups including newly arrived migrants through the Settlement Services at Brookvale TAFE, local community members at Burwood Library as part of Law Week 2014, and Housing NSW tenants in Gladesville,

The Youth Legal Service conducts many CLE sessions in schools, and in partnership with other community organisations. This year, youth solicitors attended Canterbury Boys' High School to speak to Year 11 and 12 legal studies classes focusing specifically on criminal procedure. An extremely rewarding session, students came armed with many questions regarding criminal law, issues of dealing with the police and young people's rights.



On a separate occasion, Youth Solicitor Liam McAuliffe met with parents at Canterbury Boys' High School for a morning-tea 'Coffee & Chat' session; a great opportunity to make closer connections with parents in the local area and to provide information about Marrickville Legal Centre's services for both young and older people.

MLC also participates in the Metro Migrant Resource Centre 'Dare to be Sensible' program, engaging young people from culturally and linguistically diverse communities. This year Youth Solicitor Kate Duffy ran a workshop on 'Young People and the Law' at South Strathfield High School.

In November 2013 Kate attended the Reiby Juvenile Justice Centre annual Expo Day, presenting information to boys aged between 12 and 18 years old about the work of the Youth Legal Service and common legal problems for young people. Further workshops were held at Mission Australia's "LivingSkills Workshop" and Belmore Youth Resource Centre's Links 2 Learning program, which targets young people who are at risk of leaving school, offering life skills and encouraging engagement with school and education.



*Liam McAuliffe presenting CLE in Mandarin to Chinese speaking communities at Burwood Library*



*Youth Solicitor Kate Duffy speaks with South Strathfield High School students as part of the 'Dare to Be Sensible' program*

# Law Reform

Marrickville Legal Centre continues to engage in law reform issues relating to our clients. The Centre frequently assists clients with driver licencing and debt problems, and as a result during the past year, the Centre wrote submissions to NSW Parliamentary Committees on issues such as driver disqualification reform and the debt recovery process in NSW.

It is vital to engage in the debate in this way, to ensure that Parliament understands the impact of legal issues on people from socially and economically disadvantaged backgrounds.

Community legal centres are in a unique position in their contact with the day-to-day legal problems faced by the community. Our large volume of clients enables us to identify and address areas of systemic injustice, to the benefit of both our clients and society as a whole. It is for this reason that advocacy through law reform remains a significant part of the identity of the work of community legal centres.

## [Australian Human Rights Commission 2013 Supporting Working Parents: Pregnancy and Return to Work National Review.](#)

The Centre provided submissions to the Australian Human Rights Commission 2013 Supporting Working Parents: Pregnancy and Return to Work National Review. This National Review examined the prevalence, nature and consequences of discrimination at work related to pregnancy, parental leave and return to work. The Centre's submissions focused on the prevalence of discrimination experienced by working parents within the Centre's catchment area.

## [The Law Society of New South Wales Employment Law Committee](#)

During 2014, Lisa Woodgate sat on the Law Society's Employment Law Committee. Participation on the committee provided a valuable opportunity to engage in law reform and policy development undertaken by the Law Society.

## [Boarders and lodgers](#)

MLC's tenancy services have continued to be very engaged in the implementation of new laws protecting the rights of boarders and lodgers. The Inner West Tenants' Advice & Advocacy Service is a participating stakeholder in the Boarding Houses Act 2012 Evaluation Project being conducted by the University of Western Sydney, contributing data and reports on our work with boarding house residents to the project. The tenancy services hope that the findings of the project will lead to a strengthening of protections for boarding house residents.

## [Youth Justice Coalition](#)

The Youth Justice Coalition (YJC) is a network of youth workers, children's lawyers, policy workers, and academics working to promote the rights of children and young people in NSW. The YJC is convened by the Marrickville Legal Centre's Youth Solicitor and meets on a

bimonthly basis. MLC and the YJC would like to thank Gilbert + Tobin and Corrs Chambers Westgarth for generously allowing us the use of their meeting rooms throughout 2013 and 2014.

This year, issues the YJC focused on included the Graffiti Amendments that came into effect in December 2012. The YJC collated a number of case studies of young people charged with graffiti offences and the outcomes. The group sought out a Greens MP to ask a question on notice in relation to the new law, and in partnership with Youth Action, compiled a policy paper on graffiti and street art, which highlighted the economic cost involved in sending a young person with a graffiti charge to court.

The YJC also focused on the issue of how young people in residential out-of-home care drift into the criminal justice system. YJC looked at the research available in Australia and overseas and sought to connect with residential out-of-home providers in Sydney. The YJC is now working closely with the new Legal Aid Children's Civil Law Service who have capacity and resources to work on this issue.





# Our Volunteers

**Marrickville Legal Centre could not provide accessible legal services as extensively as it does, without the assistance of its wonderful team of volunteers.**

**MLC draws on the contributions of a broad range of volunteers, including solicitors, students, and others.**

- Front desk volunteers play the vital role of being the first point of contact to the public; answering telephones and providing basic information and referrals
- Law students and graduates also assist with the smooth running of MLC's evening advice sessions – taking details from clients and notes during appointments, undertaking research, and of the sessions
- Volunteer solicitors are rostered to directly assist clients at MLC's legal advice nights on Tuesday and Thursday evenings, supervised by an MLC solicitor
- MLC has a Practical Legal Training (PLT) program, in which law graduates develop important work experience skills while performing the important daily tasks of client intake and advice session administration, and supporting GLS solicitors in their work
- MLC's Board is comprised of dedicated volunteer Board directors drawn from the sector, local & wider community.



*Volunteers Tom Mortimer, Sophie Clark, Julie Campbell, Julian Catling with Information & Referral Officer Maria Elena Ang*

#### PLT students

Tendani Barrie

Qwayne Guevara

David Lim

Sophie Clark

David Baddeley

Sousan Ghecham

Desmond Tsang

James Luiker

Michael Themis

Roy Jenkin

Lucy Liang

Stacey Stellatos

Kurt Nakkan

Julie Gordon

Susan Lee

Noriko Tamaru

Sajee Senanayake

In 2013-2014, Rod Stockell continued to volunteer weekly as a solicitor during the daytime. Rod's assistance is invaluable in delivering our Tuesday appointment clinics.

“Completing my PLT at MLC has been a fantastic and rewarding experience. Having the opportunity to assist clients who are experiencing hardship from a grass roots level has broadened my awareness of social justice issues and ignited my passion for the law.

Doing my PLT at MLC has allowed me to gain practical experience in a diverse range of practice areas, from employment to criminal or consumer complaints. Writing letters and case notes have also honed my writing and research skills. The PLT program allows you to work closely with staff and students as a team.

With all that said, it's really the staff here that makes it such a great

experience. I feel very fortunate to have worked alongside such talented and supportive people at MLC. It has been an honour and a pleasure to work with everyone at MLC.

James Luiker”





## Front desk volunteers

Nafi Ali  
Hadeel Al-Alosi  
Anna Blacket  
Christina Boyadjian  
Julie Campbell  
Andre Castaldi  
Julian Catling  
Christine Chan  
Cassidy Cockle  
Joanna Colautti  
Myles Cuneo  
Max Dixon  
Tim Filippi  
Donna Flood  
Sally Heweston  
Tara Holland  
Un-Ai Jo  
Peter Kwag  
Dyanna Leslie  
Ayatalla Lewih  
Sharon Liu  
James Luiker  
Shauna Mainprize  
Michael Manni  
Max Moffat

Ruthushan Muttusamy  
Kurtis Nakken  
Francesca Neely  
Jason Nguyen  
Jackie Nicholas  
Sundar Odgers  
Theodore Pasialis  
Emma Pendlebury  
Gloria Perin  
Dilara Reznikas  
Jessica Rogers  
Richard Schonell  
Hannah Sewell  
Tatiana Stein  
Stacey Stellatos  
Daniel Susetio  
Marie-Clare Tabuteau  
Palak Thaker  
Wendy Tian  
Joanne Tran  
Kevin Truong  
Mallika Uppal  
Jenny Wang  
Elizabeth Warning  
Sarah Wilson  
Wayne Zheng

## Evening Advice Volunteers

### Employment law

Melissa Adler  
Megan Cant  
Mark Dunstan  
Jannine Graham  
Joe Kennedy  
Amrita Kumar  
Fiona Lenhardt  
Katrina Mark  
Zach Marrett  
Jamie Martin  
Parnel McAdam  
Jessica Middleby-Clements  
Ruth Nocka  
Allison Rickett  
Dean Schubert  
Gabrielle Starr  
Erin Steiner  
Andrea Sun  
Belinda Viset  
Jeffrey Wang  
Jeane Wells  
Emma Woodford

### General legal

Gilbert & Tobin  
Secondee Solicitors  
Monica Aguinaldo  
Paul Ahearn  
Michael Baster  
Ljubica Belovic  
Sandra Berghofer  
Tom Bruce  
Michelle Bryant  
Louise Buchanan  
Simone Bush  
Clare Cahill  
Michelle Chau Hua  
Karla Deane  
Harish Ekambareshwar  
Rhonda Furner  
Rhonda Furner  
Sally Foskett  
Maria Guarnieri  
Kate Hehir  
Tina Higgins

Seong Hong  
Derek Ip  
Susan James  
Rebecca Jones  
Emma Kearns  
Nathan Kennedy  
Junior Khan  
Andrew Kinton  
Joshua Kirby  
Jo Kwan  
Christina Lam  
Hayley Le  
Mimi Le  
Marcus Lee  
Emma Liddle  
Kathryn Luis  
Kate McCrossin  
Ellyse McGee  
Virgina Minh  
Wayne Morrison  
Mary Nagle  
George Nguyen  
Lucia Pante  
Irfan Peerzada  
Jenni Pendergast  
Karen Schutte  
Robert Spence  
Ma'ata Solofoni  
William Staples  
Rod Stockell  
Mariya Thieviasingham  
Lynda Tran  
Adele Veness  
Alicia Wong  
[Evening Legal Assistants](#)  
Rachel Callinan  
Anne Clifford  
Bryan Do  
Zaven Fenerci  
Quentin Fry  
Tim George  
Kara Gorey  
Giacomo Graziano  
Fevzi Halil  
Noriko Iwasawa  
Roy Jenkin  
Hanna Kim

David Krasovitsky  
Calvin Lau  
Bob Liang  
Lucy Liang  
Jennifer Loutit  
Yusra Metwally  
Lien Mai  
Luke Power  
Deborah Tran  
Maria Voleynik  
Sarah Wilson  
Rui Yi Woo

"I was a front desk volunteer during my final year at university. I benefitted from the experience on a whole range of levels. I had conversations with people that exposed me to the types of 'everyday' legal problems, like traffic offences and fencing disputes, which are not taught at law school but which are incredibly practical to know. My problem solving and communication skills improved immensely by talking to different types of people with different types of problems. However, by far, my most valuable experience from the front desk, was getting to know and

empathise with the daily difficulties that people from disadvantaged backgrounds were suffering and which, were it not for my volunteer role, I would never have fully comprehended. It is an understanding that you cannot learn at university. Kurt Nakkan"



# Our Board



## Dianne Anagnos | Chair

Dianne Anagnos is a solicitor at Kingsford Legal Centre. She is particularly interested in anti-discrimination law, social security law and clinical legal education. Dianne has a long history of association with MLC, previously volunteering as an evening advice solicitor for 3 years and as director of the Board since 2008.



## Dorothy Bamblett

Dorothy Bamblett is a community liaison worker experienced in aboriginal outreach programs with a background in human resources. Dorothy became a Board director in 2013.



## Janet Loughman | Secretary

Janet Loughman is Principal Solicitor at Women's Legal Services NSW. She has been working with community legal centres for almost 30 years. She has lectured in legal issues relevant to community management, and has community management experience in a range of NGOs. She has served on the board of Legal Aid NSW and on the CLCNSW board on several occasions including as Chair. In 2005 she was awarded the NSW Justice Medal.



## Sarah Stellino

Sarah Stellino is a Social Worker who specialises in attachment and trauma work in the context of gendered violence. Sarah previously worked at MLC in the DVPASS project 2011-2012 and returned to the organisation in 2013 as a director of the Board.



## John McMahon | Treasurer

John McMahon is a semi-retired financial analyst with experience both in stock broking and funds management, as well as prior CFO positions. His background includes roles as Equity Analyst, Head of Research, Head of Equity Sales and Managing Director. He holds a B. Comm (Hons), MBA and is a Chartered Financial Analyst (CFA). He currently runs a family investment fund and is Chairman of NZX-listed Solution Dynamics. He knows lots about accounting, financial analysis and management, has limited legal knowledge, and has a strong sense of social justice.



## Danielle Cutrupi

Danielle Cutrupi is Legal Counsel at National Australia Bank. Danielle was introduced to MLC in 2011, when she undertook a secondment assisting MLC's Youth Legal Service. A Board director since 2014, Danielle is strongly committed to supporting accessibility to legal services for the broader community.

# Our Staff

## Legal Team

Michael Walton  
Margaret Martin  
Lisa Woodgate  
Trevor Collier  
Susan James

Principal Solicitor  
Generalist Solicitor (p/t)  
Generalist Solicitor  
Generalist Solicitor (April to June 2014)  
Generalist Solicitor (p/t) (March to October 2013)

## Youth Legal Service

Kate Duffy  
Liam McAuliffe

Youth Solicitor  
Youth Solicitor (from November 2013)

## Tenancy Team

Martin Barker  
Julia Murray  
Diana McMahon  
Elizabeth de Freitas  
Un-Ai Jo  
Melissa Martin  
Eloise Parrab  
  
David Baddeley  
Sousan Ghecham  
Sam Salvidge  
Meggan Fitzgerald

IWTAAS Tenants' Advocate  
IWTAAS Tenants' Advocate (p/t)  
IWTAAS Tenants' Advocate (p/t)  
IWTAAS Tenants' Advocate (p/t)  
IWTAAS Tenants' Advocate (p/t) (from February 2014)  
IWTAAS Tenants' Advocate (p/t) (February to June 2014)  
IWTAAS Tenants' Advocate (p/t)  
& Acting NSATS Coordinator (December 2013 – June 2014)  
NSATS Tenants' Advocate  
NSATS Tenants' Advocate  
NSATS Tenants' Advocate (p/t) (from February 2014)  
NSATS Intake Officer (p/t) (April – June 2014)

## Inner West DVPASS

Stephanie Tredinnick

Coordinator



# Our Staff

## Administration Team

Catherine Dornan  
Julie Robson

Catherine Thompson  
Maria Elena Ang  
Emma Kearns  
Tom Mortimer  
Cassandra Dawes

Sophie Clark  
Kurt Nakkan

Executive Officer (returned from parental leave November 2013)  
Financial Administrator (p/t)  
& Acting Executive Officer (to November 2013)  
locum Financial Officer (p/t)  
Information & Referral Officer  
Administrative Assistant (p/t) (to July 2013)  
Administrative Assistant (p/t) (from July 2013 to March 2014)  
Executive Assistant & Volunteer Coordinator (p/t)  
(from April 2014)  
Intake Officer (p/t) (December 2013)  
Administrative Assistant (March – April 2014)

## Casuals

Rafael Mazzoldi  
Morganne Blackburn  
Sandra Berghofer  
Sarah Drury

locum IWTAAS Tenants' Advocate and IT support  
locum DVPASS Coordinator  
locum Generalist Solicitor  
locum IWTAAS Tenants' Advocate



# Financial Report

**MARRICKVILLE LEGAL CENTRE**

**ABN 53 699 012 017**

## **DIRECTORS' REPORT**

The directors present their report together with the financial report of Marrickville Legal Centre for the year ended 30 June 2014 and auditor's report thereon. This financial report has been prepared in accordance with Australian Accounting Standards.

### **Information on directors**

The names of the directors in office at any time during or since the end of the year:

#### **Dianne Anagnos**

Special responsibilities                      Chair

#### **Janet Loughman**

Special responsibilities                      Appointed 29 July 2013  
Secretary

#### **Kieran Egan**

Special responsibilities                      Resigned 25 November 2013

#### **Jessica Dolan**

Resigned 25 November 2013

#### **John McMahon**

Special responsibilities                      Treasurer

#### **Dorothy Bamblett**

#### **Danielle Cutrupi**

Appointed 25 November 2013

#### **Sarah Stellino**

Appointed 25 November 2013

The directors have been in office since the start of the year to the date of this report unless otherwise stated.

### **Principal activities**

Marrickville Legal Centre provides free legal information, advice, representation and education to disadvantaged members of our local community and to young people across New South Wales.

**MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017**

**DIRECTORS' REPORT**

**Short-term and long-term objectives and strategies**

Marrickville Legal Centre's Constitution outlines the objectives of the company. To summarise, in all our work we aim to:

- (a) alleviate poverty, misfortune, distress and suffering by the provision of not-for-profit legal services to people living in our catchments;
- (b) involve people and groups affected by poverty, misfortune, distress and suffering in the recognition, understanding and solution of legal and related problems;
- (c) provide and promote community legal education;
- (d) develop and be involved in appropriate networks;
- (e) initiate and participate in action for law reform as well as reform to other policies and practices;
- (f) make the company's services, publications, operations and governance processes as accessible as possible to all, acknowledging that the company will not always have the resources to do so; and
- (g) provide related services which are necessary or incidental to the objectives listed above.

Due to access barriers that may prevent the following groups from receiving legal services, MLC prioritises service delivery to:

- Indigenous people,
- Young people
- boarding house residents and people facing homelessness
- people with a disability
- people with a mental illness
- people from culturally and linguistically diverse backgrounds.

The company's strategic goals are linked to related activities and performance targets. These are summarised below.



**MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017**

**DIRECTORS' REPORT**

Strategic Goals	Supporting Strategies
To assist disadvantaged people to access justice and the legal system	<ul style="list-style-type: none"> <li>• Provide information and referral service to disadvantaged people in our catchment area and others who contact the centre</li> <li>• Provide legal advice service to disadvantaged people in our catchment area</li> <li>• Provide a casework service to people within our catchment area</li> <li>• Provide access to pro bono legal assistance</li> </ul>
To remove inequalities in the laws, legal system, administrative practices and society as a whole that affect our clients and disadvantaged people generally by identifying those defects and inequalities and working for social and legal change to enhance respect for human rights.	<ul style="list-style-type: none"> <li>• Respond to opportunities for input to government inquiries into issues of concern to the communities we serve</li> <li>• Draw attention to issues of concern to the most marginalised and disadvantaged people in our catchment area</li> <li>• Contribute to the human rights debate with a view to enhancing human rights protection in Australia</li> </ul>
To educate disadvantaged people in legal rights so they can resolve problems and assert their rights.	<ul style="list-style-type: none"> <li>• Identify and respond to the community legal education needs of our community to provide skills and training opportunities on a needs basis to local community groups</li> <li>• Ensure that our staff and volunteers are aware of and up to date with the issues of concern to our clients and communities</li> <li>• Provide community legal education that is appropriate for people in our community</li> </ul>
To manage and provide services that show respect for clients and staff	<ul style="list-style-type: none"> <li>• Maintain a board of management that provides governance with integrity and diligence</li> <li>• Manage services that are effective and accountable</li> <li>• Provide a safe, meaningful and co-operative work environment</li> <li>• Ensure services are accessible, adaptable and non-judgemental services</li> <li>• Providing opportunities for students and volunteers to have valuable learning experiences</li> <li>• Review our activities and the needs of our clients and communities</li> </ul>
To promote community development by engaging effectively with our communities	<ul style="list-style-type: none"> <li>• Participating in community networks to have our work well known and respected</li> <li>• Supporting local community based organizations in their governance</li> </ul>

MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017

DIRECTORS' REPORT

Meetings of directors

Directors	Directors' meetings	
	Number eligible to attend	Number attended
Dianne Anagnos	10	10
Janet Loughman	10	8
Kieran Egan	4	3
Jessica Dolan	4	4
John McMahon	10	9
Dorothy Bamblett	10	2
Sarah Stellino	6	4
Danielle Cutrupi	6	4


Members guarantee

The company is incorporated under the *Corporations Act 2001* and is a company limited by guarantee. If the company is wound up, the Constitution states that each member is required to contribute to a maximum of \$10 each towards meeting any outstandings and obligations of the company. At 30 June 2014 the number of members was 25. The combined total amount that members of the company are liable to contribute if the company is wound up is \$250.

Auditor's independence declaration

A copy of the auditor's independence declaration under section 60-40 of the *Australian Charities and Not-for-profits Commissions Act 2012* in relation to the audit for the financial year is provided with this report.

Signed in accordance with a resolution of the board of directors.

Director:   
Dianne Anagnos

Director:   
John McMahon

Dated this 28<sup>th</sup> day of October 2014



**PITCHER PARTNERS**  
ACCOUNTANTS AUDITORS & ADVISORS

Level 22 MLC Centre  
191 Martin Place  
Sydney NSW 2000  
Australia

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GPO Box 9615  
Sydney NSW 2001  
Australia

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**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**  
**AUDITOR'S INDEPENDENCE DECLARATION**  
**TO THE DIRECTORS OF MARRICKVILLE LEGAL CENTRE**

In relation to the independent audit for the year ended 30 June 2014, to the best of my knowledge and belief there have been:

- (i) No contraventions of the auditor independence requirements of the *Australian Charities and Not-for-profit Commissions Act 2012*; and
- (ii) No contraventions of any applicable code of professional conduct.

Mark Godlewski

Partner  
PITCHER PARTNERS  
SYDNEY  
28 October 2014



**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**

**STATEMENT OF COMPREHENSIVE INCOME**  
**FOR THE YEAR ENDED 30 JUNE 2014**

	Note	2014 \$	2013 \$
<b>Revenue and other income</b>			
Grant and funding income	2	1,313,594	1,014,397
Other revenue	2	<u>57,363</u>	<u>37,113</u>
	2	<u>1,370,957</u>	<u>1,051,510</u>
<b>Less: expenses</b>			
Computer expenses		(12,415)	(21,404)
Depreciation and amortisation expense	3	(20,194)	(9,681)
Employee benefits expense		(1,185,252)	(924,263)
Insurance		(7,899)	(7,883)
Library resources and subscriptions		(14,750)	(12,184)
Occupancy expense		(27,103)	(21,280)
Printing and stationery		(14,293)	(11,714)
Telephone and fax		(34,702)	(25,229)
Volunteer costs		(3,304)	(2,755)
Other expenses		<u>(53,262)</u>	<u>(35,393)</u>
		<u>(1,373,174)</u>	<u>(1,071,786)</u>
<b>Surplus / (deficit) before income tax expense</b>		(2,217)	(20,276)
<b>Other comprehensive income for the year</b>		<u>-</u>	<u>-</u>
<b>Total comprehensive income</b>		<u>(2,217)</u>	<u>(20,276)</u>

**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**

**STATEMENT OF FINANCIAL POSITION**  
**AS AT 30 JUNE 2014**

	Note	2014 \$	2013 \$
<b>Current assets</b>			
Cash and cash equivalents	5	1,100,421	586,837
Receivables	6	7,068	7,759
Other assets	8	<u>25,685</u>	<u>8,837</u>
<b>Total current assets</b>		<u>1,133,174</u>	<u>603,433</u>
<b>Non-current assets</b>			
Property, plant and equipment	7	55,941	26,731
Other assets	8	<u>6,992</u>	<u>8,752</u>
<b>Total non-current assets</b>		<u>62,933</u>	<u>35,483</u>
<b>Total assets</b>		<u>1,196,107</u>	<u>638,916</u>
<b>Current liabilities</b>			
Payables	9	150,372	64,473
Provisions	10	211,813	145,169
Other liabilities	11	<u>566,243</u>	<u>172,030</u>
<b>Total current liabilities</b>		<u>928,428</u>	<u>381,672</u>
<b>Non-current liabilities</b>			
Provisions	10	126,893	112,481
Other liabilities	11	<u>6,992</u>	<u>8,752</u>
<b>Total non-current liabilities</b>		<u>133,885</u>	<u>121,233</u>
<b>Total liabilities</b>		<u>1,062,313</u>	<u>502,905</u>
<b>Net assets</b>		<u>133,794</u>	<u>136,011</u>
<b>Equity</b>			
Retained surplus	12	<u>133,794</u>	<u>136,011</u>
<b>Total equity</b>		<u>133,794</u>	<u>136,011</u>

MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017

STATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 30 JUNE 2014

	Retained surplus \$	Total equity \$
Balance as at 1 July 2012	156,287	156,287
Deficit for the year	<u>(20,276)</u>	<u>(20,276)</u>
Total comprehensive income for the year	<u>(20,276)</u>	<u>(20,276)</u>
Balance as at 30 June 2013	<u>136,011</u>	<u>136,011</u>
Balance as at 1 July 2013	136,011	136,011
Deficit for the year	<u>(2,217)</u>	<u>(2,217)</u>
Total comprehensive income for the year	<u>(2,217)</u>	<u>(2,217)</u>
Balance as at 30 June 2014	<u>133,794</u>	<u>133,794</u>



**MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017**

**STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 30 JUNE 2014**

	Note	2014 \$	2013 \$
<b>Cash flow from operating activities</b>			
Receipts from clients and community		22,262	12,547
Operating grant receipts		1,876,569	1,247,643
Payments to suppliers and employees		(1,358,552)	(1,143,868)
Interest received		<u>22,709</u>	<u>25,170</u>
<b>Net cash provided by operating activities</b>		<u>562,988</u>	<u>141,492</u>
<b>Cash flow from investing activities</b>			
Proceeds from sale of property, plant and equipment		-	55
Payment for property, plant and equipment		<u>(49,404)</u>	<u>(12,517)</u>
<b>Net cash provided by / (used in) investing activities</b>		<u>(49,404)</u>	<u>(12,462)</u>
<b>Reconciliation of cash</b>			
Cash at beginning of the financial year		586,837	457,807
Net increase in cash held		<u>513,584</u>	<u>129,030</u>
<b>Cash at end of financial year</b>		<u>1,100,421</u>	<u>586,837</u>

**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**

**NOTES TO FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2014**

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES**

The financial report is a general purpose financial report that has been prepared in accordance with Australian Accounting Standards - Reduced Disclosure Requirements, Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board and the *Australian Charities and Not-for-profits Commissions Act 2012*.

The financial report was approved by the directors as at the date of the directors' report.

The financial report is for the entity Marrickville Legal Centre as an individual entity. Marrickville Legal Centre is a company limited by guarantee, incorporated and domiciled in Australia. Marrickville Legal Centre is a not-for-profit entity for the purpose of preparing the financial statements.

The following is a summary of the material accounting policies adopted by the company in the preparation and presentation of the financial report. The accounting policies have been consistently applied, unless otherwise stated.

**(a) Basis of preparation of the financial report**

*Historical Cost Convention*

The financial report has been prepared under the historical cost convention, as modified by revaluations to fair value for certain classes of assets as described in the accounting policies.

**(b) Revenue**

Revenue from the rendering of services is recognised upon the delivery of the service to the customers.

Interest revenue is recognised when it becomes receivable on a proportional basis taking in to account the interest rates applicable to the financial assets.

All revenue is stated net of the amount of goods and services tax (GST).

**(c) Government Grants**

A non-reciprocal contribution or grant is recognised when the company obtains control of the contribution or grant and it is probable that the economic benefits will flow to the company, and the amount of the contribution or grant can be measured reliably.

If conditions attached to the contribution or grant that must be satisfied before the company is eligible to receive the contribution, recognition of contribution or income is deferred until those conditions are met.

When the company receives grants but is obliged to give directly approximately equal value to the contributor, recognition of grant income will be deferred until the delivery of service.

**MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017**

**NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2014**

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**(d) Income tax**

No provision for income tax has been raised as the company is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

**(e) Property, plant and equipment**

Each class of plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and any accumulated impairment losses.

*Plant and equipment*

Plant and equipment is measured on the cost basis.

The carrying amount of plant and equipment is reviewed annually by committee to ensure it is not in excess of the recoverable amount from those assets. The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have been discounted to present values in determining recoverable amounts.

*Depreciation*

The depreciable amount of all fixed assets is depreciated over their estimated useful lives commencing from the time the asset is held ready for use.

Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

**(f) Impairment of non-financial assets**

Assets with an indefinite useful life are not amortised but are tested annually for impairment in accordance with AASB 136. Assets subject to annual depreciation or amortisation are reviewed for impairment whenever events or circumstances arise that indicates that the carrying amount of the asset may be impaired.

An impairment loss is recognised where the carrying amount of the asset exceeds its recoverable amount. The recoverable amount of an asset is defined as the higher of its fair value less costs to sell and value in use.

The recoverable amount is assessed on the basis of the expected net cash flows which will be received from the assets employment and subsequent disposal. The expected net cash flows have been discounted to present values in determining recoverable amounts.



MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017

NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2014

**NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)**

**(g) Provisions**

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

**(h) Employee benefits**

*(i) Short-term employee benefit obligations*

Liabilities arising in respect of wages and salaries, annual leave and any other employee benefits expected to be settled within twelve months of the reporting date are measured at their nominal amounts based on remuneration rates which are expected to be paid when the liability is settled. The expected cost of short-term employee benefits in the form of compensated absences such as annual leave is recognised in the provision for employee benefits. All other short-term employee benefit obligations are presented as payables.

*(ii) Long-term employee benefit obligations*

Liabilities arising in respect of long service leave and annual leave which is not expected to be settled within twelve months of the reporting date are measured at the present value of the estimated future cash outflow to be made in respect of services provided by employees up to the reporting date.

Employee benefit obligations are presented as current liabilities in the statement of financial position if the entity does not have an unconditional right to defer settlement for at least twelve months after the reporting date, regardless of when the actual settlement is expected to occur.

**(i) Goods and services tax (GST)**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the statement of financial position are shown inclusive of GST.

Cash flows are presented in the statement of cash flows on a gross basis, except for the GST component of investing and financing activities, which are disclosed as operating cash flows.

**(j) Comparatives**

Where necessary, comparative information has been reclassified and repositioned for consistency with current year disclosures.

**MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017**

**NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2014**

	2014	2013
	\$	\$
<b>NOTE 2: REVENUE AND OTHER INCOME</b>		
Grants and funding income		
Legal Aid Commission - Commonwealth	168,278	171,694
Attorney General - Homeless Youth	73,558	72,468
Legal aid Commission - Linked In Project	45,333	-
Legal Aid Commission - State	303,704	293,264
Legal Aid Commission - Commonwealth (FRC)	58,132	56,244
Legal Aid Commission - Partnership Program	7,658	22,974
NSW Fair Trading - IWTAAS	305,742	297,202
NSW Fair Trading - NSATS	242,544	-
NSW Fair Trading - NSATS Start-up grant	8,645	-
Family & Community Services - DVPASS	<u>100,000</u>	<u>100,551</u>
	<u>1,313,594</u>	<u>1,014,397</u>
Interest income	22,659	25,170
Other revenue	<u>34,704</u>	<u>11,943</u>
Total revenue	<u>1,370,957</u>	<u>1,051,510</u>

**NOTE 3: OPERATING SURPLUS / (DEFICIT)**

Surplus / (deficit) before income tax has been determined after:

Depreciation		
- plant and equipment	20,194	9,681

**NOTE 4: KEY MANAGEMENT PERSONNEL COMPENSATION**

Compensation received by key management personnel of the company		
- short-term employee benefits	147,803	188,476
- post-employment benefits	<u>13,672</u>	<u>14,869</u>
	<u>161,475</u>	<u>203,345</u>

During the year there were 11 key management personnel, including directors.

**Directors Emoluments**

All positions on the Board of Directors are honorary. No director has received or become entitled to receive, during or since the financial year, a benefit because of a contract made by the company with the director, a firm of which a director is a member or an entity in which a director has a substantial financial interest.

**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**

**NOTES TO FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2014**

	2014	2013
	\$	\$
<b>NOTE 5: CASH AND CASH EQUIVALENTS</b>		
Cash on hand	450	300
Cash at bank	89,971	181,537
Cash on deposit	<u>1,010,000</u>	<u>405,000</u>
	<u>1,100,421</u>	<u>586,837</u>
<b>NOTE 6: RECEIVABLES</b>		
<b>CURRENT</b>		
Trade debtors	-	606
Other receivables	<u>7,068</u>	<u>7,153</u>
	<u>7,068</u>	<u>7,759</u>
<b>NOTE 7: PROPERTY, PLANT AND EQUIPMENT</b>		
<b>Leasehold improvements</b>		
At cost	42,690	42,690
Accumulated depreciation	<u>(42,690)</u>	<u>(42,690)</u>
	-	-
<b>Plant and equipment</b>		
Plant and equipment at cost	174,463	123,320
Accumulated depreciation	<u>(118,522)</u>	<u>(96,589)</u>
	<u>55,941</u>	<u>26,731</u>
Total property, plant and equipment	<u>55,941</u>	<u>26,731</u>
<b>NOTE 8: OTHER ASSETS</b>		
<b>CURRENT</b>		
Prepayments	19,827	8,837
Other current assets	<u>5,858</u>	-
	<u>25,685</u>	<u>8,837</u>
<b>NON CURRENT</b>		
Prepayments	<u>6,992</u>	<u>8,752</u>
	<u>6,992</u>	<u>8,752</u>



**MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017**

**NOTES TO FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 30 JUNE 2014**

	2014	2013
	\$	\$
<b>NOTE 9: PAYABLES</b>		
CURRENT		
<i>Unsecured liabilities</i>		
Sundry creditors and accruals	<u>150,372</u>	<u>64,473</u>
	<u>150,372</u>	<u>64,473</u>
 <b>NOTE 10: PROVISIONS</b>		
CURRENT		
Employee benefits	<u>211,813</u>	<u>145,169</u>
	<u>211,813</u>	<u>145,169</u>
NON CURRENT		
Employee benefits	<u>126,893</u>	<u>112,481</u>
(a) Aggregate employee benefits liability	<u>338,706</u>	<u>257,650</u>
 <b>NOTE 11: OTHER LIABILITIES</b>		
CURRENT		
Grants received in advance	<u>566,243</u>	<u>172,030</u>
	<u>566,243</u>	<u>172,030</u>
NON CURRENT		
Other non-current liabilities	<u>6,992</u>	<u>8,752</u>
	<u>6,992</u>	<u>8,752</u>
 <b>NOTE 12: RETAINED SURPLUS</b>		
Retained surplus at beginning of year	136,011	156,287
Net surplus / (deficit)	<u>(2,217)</u>	<u>(20,276)</u>
	<u>133,794</u>	<u>136,011</u>
 <b>NOTE 13: CAPITAL AND LEASING COMMITMENTS</b>		
(a) Operating lease commitments		
Non-cancellable operating leases contracted for but not capitalised in the financial statements:		

**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**

**NOTES TO FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2014**

	2014	2013
	\$	\$
<b>NOTE 13: CAPITAL AND LEASING COMMITMENTS (CONTINUED)</b>		
- not later than one year	22,550	-
- later than one year and not later than five years	<u>21,300</u>	<u>-</u>
	<u>43,850</u>	<u>-</u>

The property lease is a non-cancellable lease with a 2 year 5 month term commencing on 3 February 2013. Within the lease agreements terms, dictate that the minimum base payments shall be increased by CPI annually. Balances exclude GST.

**NOTE 14: EVENTS SUBSEQUENT TO REPORTING DATE**

There has been no matter or circumstance, which has arisen since 30 June 2014 that has significantly affected or may significantly affect:

- (a) the operations, in financial years subsequent to 30 June 2014, of the company, or
- (b) the results of those operations, or
- (c) the state of affairs, in financial years subsequent to 30 June 2014, of the company.

**NOTE 15: ECONOMIC DEPENDENCE**

The company is reliant on various government agencies for funding.

MARRICKVILLE LEGAL CENTRE  
ABN 53 699 012 017

DIRECTORS' DECLARATION

The directors of the company declare that:

1. The financial statements and notes, as set out on pages 6 - 15, are in accordance with the *Australian Charities and Not-for-profits Commissions Act 2012*; and
  - (a) comply with Australian Accounting Standards - Reduced Disclosure Requirements and the *Australian Charities and Not-for-profits Commissions Act 2012*; and
  - (b) give a true and fair view of the financial position as at 30 June 2014 and performance for the year ended on that date of the company.
2. In the directors' opinion there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

This declaration is made in accordance with a resolution of the Board of Directors.

Director: \_\_\_\_\_

  
Dianne Anagnos

Director: \_\_\_\_\_

  
John McMahon

Dated this

28<sup>th</sup>

day of

October

2014





**PITCHER PARTNERS**

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**MARRICKVILLE LEGAL CENTRE**  
**ABN 53 699 012 017**

**INDEPENDENT AUDITOR'S REPORT  
TO THE MEMBERS OF MARRICKVILLE LEGAL CENTRE**

We have audited the accompanying financial report of Marrickville Legal Centre, which comprises the statement of financial position as at 30 June 2014, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the directors' declaration.

*Directors' Responsibility for the Financial Report*

The directors of the company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Reduced Disclosure Requirements and the *Australian Charities and Not-for-profits Commissions Act 2012*, and for such internal control as the directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

*Auditor's Responsibility*

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement in the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the company's preparation of the financial report that gives a true and fair view 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 company's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.



**INDEPENDENT AUDITOR'S REPORT  
TO THE MEMBERS OF MARRICKVILLE LEGAL CENTRE**

*Independence*

In conducting our audit, we have complied with the independence requirements of the *Corporations Act 2001*.

*Opinion*

In our opinion, the financial report of Marrickville Legal Centre is in accordance with the *Australian Charities and Not-for-profits Commissions Act 2012*, including:

- (a) giving a true and fair view of the company's financial position as at 30 June 2014 and of its performance for the year ended on that date; and
- (b) complying with Australian Accounting Standards – Reduced Disclosure Requirements and the *Australian Charities and Not-for-profits Commissions Act 2012*.

Mark Godlewski

Partner

29 October 2014

PITCHER PARTNERS

SYDNEY







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