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marrickville legal centre

annual report
2007/2008

MARRICKVILLE LEGAL CENTRE



Mural Graffiti Art Courtesy of: Marrickville Youth
Resource Centre -
Aerosol Art Program July 2008

Cover photography: Frederica Mantel

Cover Design: Wendy Neill

Editing: Elizabeth De Freitas

Layout: Maria Elena Ang

Coordination and

Technical Support: Frederica Mantel

Contents

Chairperson's Report	Page 4
MLC Board Members 2007-08	Page 7
Co-ordinator's Report	Page 8
Law and Justice Awards Nominee	Page 14
MLC Staff 2007-08	Page 15
Daytime Volunteers	Page 17
Volunteer Voices	Page 18
General Legal Service	Page 20
Volunteer Evening Advice Solicitors 2007-08	Page 23
Some Statistical Snapshots	Page 26
Volunteer Profile	Page 29
Children's Legal Service	Page 30
Newtown Women's Domestic Violence Scheme	Page 36
Inner West Tenancy Advice and Advocacy Service	Page 42
Tenancy Hotline Volunteer Profile	Page 44
MLC Financial Statements for the Year Ended 2007-08	Page 49
Media Contact	Page 65

This report is written against a background of staff effort that may well be unprecedented in the Centre's impressive history. The 2007/2008 year saw an increase in workload and continuing concerns relating to funding.

Early 2008 saw careful and necessary staff management of funding changes, program reviews and amendments, some of which have not yet been finalised. All seem to have one characteristic - more administration, reporting and compliance being pushed onto the Centre (and all other community legal centres), whilst real levels of funding continue to remain static. The Board has been looking to maintain service delivery and support to staff, without compromising our existing resources.

Within this context, we were delighted to receive a most positive form of recognition, from the Federal Attorney General, Robert McClelland, in the form of a \$59,000.00 one-off grant. It was a very timely recognition of the contribution of our staff and volunteers and a positive indication of the new Federal government's commitment to the aims and ethos of community legal centres. The way that staff are applying that grant across the programs of the Centre is remarkable for both the amount of benefit provided to the client groups and the spirit of co-operation in which it is being done.

The quality, outcomes and high standard of service delivery that is provided to the community belies the funding provided in real terms. It was that type of "value" for the Government dollar that we believe was recognised by the Attorney General when he looked at the work performed and the benefits provided to the community through community legal centres. The grant was a great boost to the Centre's morale and will enhance the legal services provided to the community.

One reason for that continuity of spirit and direction is the long-standing service - on the Board and at the Centre - of Janet Loughman, Pat Mc Donough and Nick Yetzotis. We have also benefited immeasurably by the presence of Diane Anagnos and Michelle Williams, who continue to provide invaluable expertise and the benefit of their knowledge of the sector and associated areas. We have unfortunately lost some outstanding contributors at Board level. William Dermody joined the Centre two years ago but a recent posting to Boston meant that he had to leave us. Will's input was very much valued and he continues to contribute as a volunteer in the Boston community law sector. Kristian Bolwell provided well over a year of service and his knowledge of, amongst other things, industrial law was invaluable to the Centre.

One focus for the Board has been that of staffing. Our Principal Solicitor position was vacant after Emma Keir resigned and her position was filled by Andrew Taylor. Andrew has since similarly moved on to but thankfully, Margaret Martin agreed to act in the position temporarily until it was permanently filled again. We welcome the arrival of our new Coordinator, Frederica Mantel, who in the short period of time at the Centre has provided much needed stability in an effective and dedicated manner. Frederica's arrival allowed Lisa Woodgate to finally end her extended period in the role and concentrate on her solicitor position with the General Legal Service. We thank Lisa for her ongoing commitment to this position. We also welcomed Katrina Wong, to the Children's Legal Service, as Children's Solicitor.

Finances have been a strong focus over the last 12 months and our new Financial Administrator, Linda Shepherd, has done an outstanding job in revamping many of the reporting and associated mechanisms, whilst performing all the day-to-day operational financial duties and liaising with the Board.

Our partnerships with our pro-bono firms have as usual been of great assistance. Danny Gilbert, from Gilbert + Tobin, has been very generous

in the assistance provided to the Board, particularly in relation to the review of our Constitution. Blake Dawson, Clayton Utz, Allens Arthur Robinson, Maurice Blackburn Lawyers and Turner Freeman provided pro bono assistance to clients, with Gilbert + Tobin, Corrs Chambers Westgarth and DLA Phillips Fox also providing structured volunteer solicitor attendance and secondee placement. We hope we have reciprocated by assisting with exposure to the matrix of on the ground community legal issues facing disadvantaged clients.

Away from the Centre, it is quite remarkable how well and widely respected our Centre is known for its quality and passion in helping the community. Our Women's Domestic Violence Court Assistance Scheme team is renowned, as is our Children's Legal Service. I can attest to that from comments received at Children's Courts and other Courts from areas that go beyond our legal service geographical boundary. Our Tenancy Advice and Advocacy Service has seen a significant increase in queries from tenants, no doubt in part due to the housing affordability crisis. Our General Legal Service has also excelled again, responding to increased demand for legal services and providing much needed advice to the community.

Among other priorities, the Board is currently looking at three areas:

- Funding, and the current levels of resources provided for the administration of those funds in an era of greater accountability and increased compliance costs;
- Funder definitions and specifications associated with future grants and renewals, which are sometimes of concern due to the resulting changes to service delivery; and
- Physical space and location of the Centre. We do not have a spare inch of space, let alone any way to expand or use existing areas more effectively. Consequently, it is increasingly difficult to give quality service to clients and to reasonably accommodate staff in the premises.

STOP PRESS:

As with all good news, it wouldn't be memorable without a challenge thrown our way. In August 2008, the Centre experienced flooding as a result of a faulty hot water system in the units above the Centre. Staff were greeted on a Monday morning with an awash carpet, a wall overflowing with water and damage to furnishings. Special mention must go to all staff who went to incredible lengths in undesirable conditions to ensure that clients were represented, advised and assisted. The Centre had to be closed as a result of the flood (7 days in all) and staff worked from home and adapted their work conditions to ensure that members of the community continued to receive legal services. Their commitment and resilience in such difficult circumstances is indicative of the spirit of the Centre and should be commended.

John Gooley

MLC Board
Members 2007-08



John Gooley
Board Chair
Appointed 22nd October 2007



Nick Yetzotis (Secretary)
Appointed 22nd October 2007



Patricia McDonough
appointed 22nd October 2007



Dianne Anagnos
Appointed 22nd October 2007



Kristian Bolwell
Appointed 22nd October 2007
Resigned 5th February 2008



Janet Loughman
Appointed 22nd October 2007



Michelle Williams
Appointed 22nd October 2007



William Dermody
Appointed 22nd October 2007

Marrickville Legal Centre (MLC) is a non-profit community organization, which, for the past 29 years, has provided free legal advice, assistance and advocacy to disadvantaged people in our community.

MLC achieves a great deal with limited resources, hence much of our success is generated from the passion, commitment, skills and experience of staff, the Board and countless volunteers.

Being resourceful is essential as Lisa Woodgate, our Generalist Solicitor, demonstrated when she took on the role of Acting Coordinator. Various unforeseen events meant that the temporary appointment was protracted, lasting almost 2 years. I was appointed to the Coordinator role in February 2008. I am grateful for the time and effort Lisa gave to assist me, her detailed handover making my transition into the position a relatively easy one.

In my short time as Coordinator I have observed that staff work hard to ensure that clients are always provided with accessible, professional and beneficial services. I would like to thank my colleagues for always doing more than is expected, achieving much with very little and maintaining a sense of humour when it counts. I would also like to thank the many volunteers who gladly give their time to enhance the Centre's services.

Governance

At the 2007/2008 Annual General Meeting the following Board members were elected unopposed:

John Gooley (Chair), Nick Yetzotis (Secretary and Public Officer) Dianne Anagnos, William Dermody (resigned June 2008), Janet Loughman, Pat McDonough, Kristian Bolwell (resigned 5th February 2008) and Michelle Williams.

The Centre is fortunate to have

a dedicated and capable Board of Directors who undertake their governance duties in such a proficient manner. The Board attended Governance Training in May covering legal and ethical responsibilities, effective planning and developing policies & procedures. We thank Michelle Jones, Executive Officer of Tenants Union, for conducting the training and providing a range of useful resources.

During the past year law firm, Gilbert & Tobin (G&T), started a review of MLC's original Constitution and Articles of Association. We would like to thank MLC founding member Danny Gilbert and G&T Managing Partner and Rachel Launder, G&T Partner, for undertaking this important process on a pro-bono basis.

All reporting requirements for the funding bodies, including the Legal Aid Commission and the Office of Fair Trading and regulatory agencies, such as ASIC, were submitted and approved. The annual OH&S Audit was undertaken and key criteria met and MLC was found to be compliant at every level during the annual Professional Indemnity Insurance Cross Check.

We would like to acknowledge the Federal Attorney General, Robert McClelland's, one-off grant of \$60,000, in recognition of the important work performed by the Centre. The grant has enabled us to extend service in the legal service.

Marrickville Legal Centre Catchment area profile

Marrickville Legal Centre covers a catchment area that includes the following local government areas: Ashfield, Burwood, Canada Bay, Marrickville, Strathfield, Bankstown, Sutherland Shire, Kogarah, Auburn, Hurstville, Rockdale and Canterbury and comprises a total of 1,065,233 people (ABS stats June 2007). This is an increase of 35,852 people from the 2006 Census figures.

Sydney's population grew by 4.1% between the 2001 and 2006 censuses. By comparison, the inner west areas of Homebush Bay, Newington and Rhodes grew by 10%. Moreover, the Australian Bureau of Statistics reported that in the period July 2006-June 2007, the annual growth rate of all of Sydney's 43 local government areas (LGA's) was 1.2%, representing an increase of around 52,000 people. Twenty-four LGA's in Sydney recorded a 2006-2007 growth rate higher than the NSW rate of 1.1%. Two of the areas above this rate were Strathfield (2.9%) and Canada Bay (2.5%) in the inner west of Sydney.

Sydney rents also rose considerably within MLC's catchment area, most notably in Canada Bay, which experienced a rent increase of 25%. This was 14% above the State average and represented the most significant rent rise in NSW for a 3 bedroom house.

Interpreter use

MLC is located in an area rich in cultural and linguistic diversity. Proportionally, the languages that are spoken more in Marrickville than in Sydney as a whole, are Greek (4.5% more) and Vietnamese (2.3% more). Although to a lesser extent, Portuguese and Indonesian are also similarly over represented in the area compared to the rest of Sydney. In the Marrickville area 33% of the community speak another language at home, which includes 33 of the 35 most common languages listed in the 2006 Census report.

Although we do not have the 2007-2008 statistics, we are able to gauge that the area increasingly continues to be highly diverse, when we observe MLC's overall interpreter usage:

Year	No. and Type
2004-2005	126 face to face interpreters
2005-2006	154 telephone interpreter and 130 face to face interpreters
2006-2007	214 telephone interpreter and 108 face to face interpreters

Currently, MLC has the highest interpreter usage in NSW, the figure being the same as usage for all community legal centres combined.

General Legal Service

The General Legal Service has seen many changes in staff during this period. Nonetheless, the service continued to perform outstanding work and maintained its good reputation within the sector and within the community at large.

In May, Andrew Taylor, along with Katrina Wong from the Children's Legal Service, met with a delegation from the Beijing Legal Aid Office for Rural Migrants as part of the China-Australian Human Rights Technical Cooperation Program. The service participated in a panel discussion on the role of community legal centres in providing legal services to vulnerable and disadvantaged groups in Australia.

Children's Legal Service

As the only designated Children's Legal Service in NSW, our Children's solicitor Katrina Wong is high in demand. Highlights for the service this year include an article in the December 2007 issue

Marrickville Legal Centre supports
EARTH HOUR
SATURDAY, MARCH 29
8:00 PM TO 9:00 PM
please turn off your lights

Aside from their already busy service delivery, MLC staff and volunteers also participated in such events as Earth Hour, an anti-breast cancer breakfast party, information dissemination on elections to young people.

of the Alternative Law Journal titled, "Publicly stigmatising young offenders" and participation in the China-Australian Human Rights Technical Cooperation Program.

Newtown Women's Domestic Violence Court Assistance Scheme (NWDVCAS)

Lee Taylor is the Coordinator for the NWDVCAS and ensures that the service operates to the highest standards. Lee is also currently undertaking study to complete a Graduate Diploma of Frontline Management at UTS, bringing further knowledge to the service and the Centre as a whole. Trieste Corby has adeptly assisted Lee at Court and with follow up work in the office, and Maria Ang has plodded on with all the mandatory NWDVCAS administrative tasks.

Toni Brown, as the Access worker for people from culturally and linguistically diverse backgrounds, has focused much of her time on the completion of the report "No Licence to Abuse in Anyone's Culture". The report, the product of a Forum held in May 07, will be made available on our website.

2008/2009 will bring with it many changes: a new name, Women's Domestic Violence Advocacy Service, a new Service Agreement and a set of new policies and procedures.

Inner West Tenants Advice and Advocacy Service (IWTAAS)

The much-lauded Tenancy team had a busy year providing advice, advocacy, Consumer, Trader and Tenancy Tribunal (CTTT) representation to an ever increasingly number of tenants in the area. CTTT Duty Advocacy continues to be a highly valued feature of the service, with tenants and CTTT Members and Conciliators alike, recognising it's benefits.

The Tenancy service has been operating since 1995 with funding from the Office of Fair Trading.

The Service was successful in its Expression of Interest for further funding for the period 2008-2011. We would like to thank Board member, Michelle Williams, for her invaluable input into the submission.

The Minister for Fair Trading, the Hon. Linda Burney, attended the Centre in June to present the cheque accompanied by our local state member, the Hon. Carmel Tebbutt.

Administration

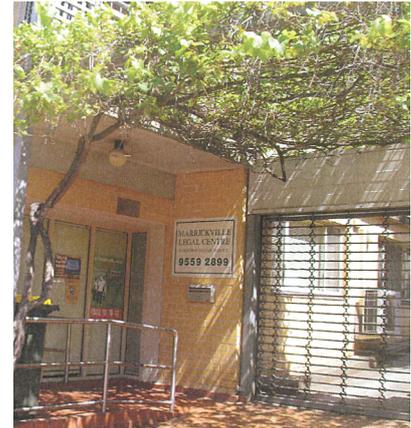
After a long period of instability stemming from an ever changing stream of locums, Linda Shepherd's appointment to the role of Financial Administrator in September 2007 was most welcome. Linda is responsible for the overall administration and coordination of administrative functions and oversees the compliance requirements of all MLC's programs. When needed, Lee Taylor has donned her financial administrator assistant hat to help Linda access and manage relevant MLC systems and processes. Our auditor, Sandra Grolmus, completed the 2007/2008 Audit. We thank Sandra for her efficiency and input throughout the year and for agreeing to conduct the 2008/2009 Audit.

A new phone system and several new computers were installed and upgraded to assist the Centre to streamline communications and produce a broader range of information.

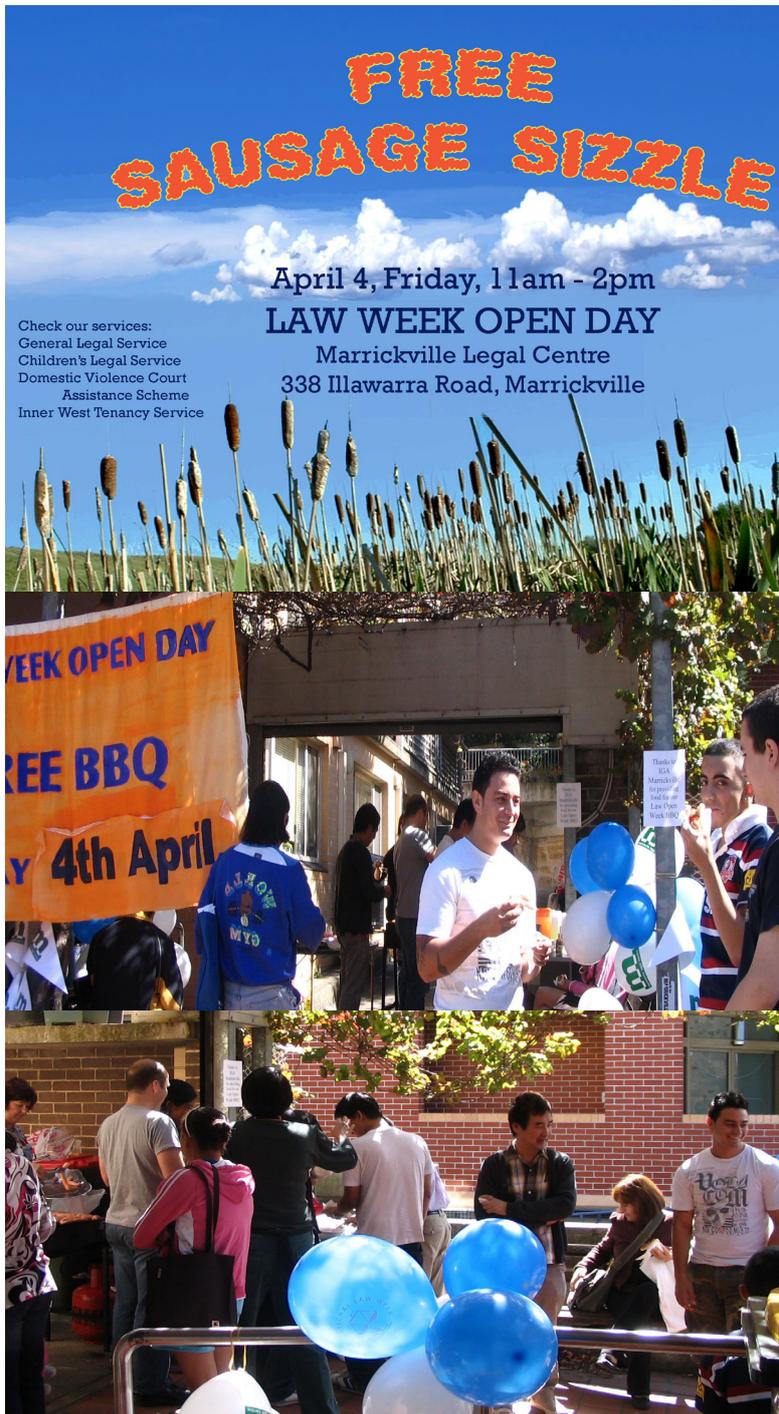
The front desk continues to be as hectic as ever. As the face of MLC for the past 12 years Maria, our Information and Referral Officer, has seen it all. We once again acknowledge her dedication to the Centre and her on-going supervision of a revolving door of daytime volunteers.

Volunteers

MLC benefits from the enthusiasm of the numerous daytime law student volunteers who assist on the front desk. The Centre offers training sessions and



Marrickville Legal Centre premises.



Law Week Open Day has always been a busy and successful day of interaction with the public.

resources such as the MLC Student Volunteer Manual, a comprehensive tool containing community service information and relevant legal referral contacts. 30 volunteers attended formal training sessions this year and further individual training sessions were provided on access and equity principles in accordance with Centre policies. We would like to thank all our volunteers for their assistance and commitment.

Networking

Dr. Albin Smdl, Assistant Secretary Attorney General, visited the Centre in May, giving staff an opportunity to highlight MLC's achievements, outline our range of services and demonstrate our dedication to improving community access to legal processes. Representatives of Gilbert & Tobin and Clayton Utz similarly visited the Centre. These visits are an occasion to exchange information and help build on existing relationships with our pro bono law firms.

Combined Community Legal Centre's Group NSW (CCLCG) Group and the National Association of Community Legal Centres

The annual State Conference was held in April and with the theme, "CLCs celebrating change and connecting communities". Staff attended workshops such as "Valuing Volunteers" and "Relationship Building with Law Firms". The CCLCG Quarterly meetings are well attended by MLC staff as the forum enables representatives of urban and rural centres to exchange ideas and information. I attended several training sessions including "Aboriginal Cultural Awareness" and "OH & S" training.

The National Conference "Justice in a Climate of Change: CLCs looking to the future" was held in Brisbane. Olga Havnen from the NT Council of Aboriginal



Post Christmas Party for our dedicated daytime and nighttime volunteer solicitors, assistants and law students was a day of 'barefoot in the park' lawn bowls, fun, socializing and relaxation at the Marrickville Bowling Club.



Organisations and ACOSS Board members, Jackie Katona and Chris McGrath were keynote speakers.

Inner Sydney Group (comprising of Marrickville, Inner City, Redfern and Kingsford CLC's)

I would like to thank the other Coordinators, Helen Campbell (Redfern), Anna Hartree (Kingsford) and Robyn Solomon (Inner City) for the ongoing support they have given me. Having an independent sounding board, which meets regularly, has proved useful, particularly in the development of policies and procedures.

Law Week

As part of Law Week in April, MLC held an Open Day to highlight our services to the general public and to local organisations. A photograph of staff in front of the Centre, holding a banner promoting the event, appeared in the Inner West Courier.

Community involvement

The Centre continues to play an active networking role within the community. We distribute pamphlets in community languages at local events such as the Marrickville Road Fair, International Womens Day, Dulwich Hill Festival, Brewhaha Festival and the Ashfield Carnivale of Cultures. The free guessing competition is always a crowd-pleaser!

Post Xmas Party

This festive occasion provides an opportunity for MLC to acknowledge the valuable contribution made by volunteers, including Board members, throughout the year. This enjoyable event was held at Marrickville Bowling Club and was very well attended.

In February 2009, Marrickville Legal Centre will have been in operation for 30 years – we look forward to celebrating the anniversary!

Frederica Mantel Coordinator



Wendy Neill - MLC nominee for the Law and Justice Awards

Earlier this year MLC nominated Wendy Neill for the Law & Justice Foundation's annual "Justice Awards". Wendy was nominated under the Volunteer category and attended the event with Maria Elena Ang, Lisa Woodgate and Lee Taylor from the Centre.

Whilst Wendy's nomination did not result in an award, MLC would like to acknowledge her amazing work for the Centre during the year.

Wendy is a graphic designer and web designer and has volunteered her skills and time to undertake graphic design projects for the Centre, such as designing the Annual Report cover, leaflets and invitations. Wendy has also undertaken the major project of re-designing and building the Centre's website on a pro bono basis. The Website will be launched early next year.

The website will improve access to justice for socially and economically disadvantaged people within our catchment area. The format will assist clients who are vision and hearing impaired to be able to access information and has also been designed to be more readily accessible for CALD clients. The Centre and its clients will receive considerable benefits from the development of the new website. The Website will be launched early next year.

MLC Staff 2007-08

Legal Team		
Emma Keir	Principal Solicitor	On leave until April 2008 to work at Law Access. Resigned May 2008.
Andrew Taylor	Principal Solicitor	Locum until April 2008, when permanently appointed. Resigned June 2008.
Margaret Martin	Generalist Solicitor (p/t)	
Lisa Woodgate	Generalist Solicitor	Seconded to Coordinator role until Feb 2008
Megan Cameron	Locum Generalist Solicitor Evening Advice Supervisor (casual)	Until Dec 2007 Feb 2008 to current.
Deborah Henwood	Locum Generalist Solicitor	From Feb to May 2008
Casual Solicitors		
Paul Ahearn	Casual Generalist Solicitor	
Anne Pridham	Casual Generalist Solicitor	
Children's Legal Service		
Katrina Wong	Children's Solicitor	Appointed August 2007
Tenancy Team		
Eloise Parrab	Tenant Advocate	On leave from April 2008
Elizabeth de Freitas	Tenant Advocate (p/t)	
Felicity Flanagan (nee Johnson)	Tenant Advocate (p/t)	On leave from February 2008
Julia Murray	Locum Tenant Advocate (p/t)	2007/2008
Sophie Farrell	Locum Tenant Advocate (p/t)	Nov 2007 to April 2008
Alex Azarov	Locum Tenant Advocate (p/t)	April 2008 to current
Sarah Drury	Locum Tenant Advocate (p/t)	March 2008 to current

Joo Youn Hea	Locum Tenant Advocate (p/t)	Aug to Nov 2007
Tenancy Locums (casual)		
Katherine Boyle	Julianne Elliott	Jo Kwan
Mary Flaskas	Geri Kaufman	
Agne Ratomyskyte	Elizabeth Szabo	
Newtown WDVCS		
Lee Taylor	Coordinator (p/t)	
Toni Brown	CALD Access (p/t)	
Trieste Corby	Assistant Coordinator/ Administration Assistant (casual)	
Administration		
Frederica Mantel	Centre Coordinator	Appointed Feb 2008
Lisa Woodgate	Acting Centre Coordinator	Until Feb 2008
Maria Elena Ang	Information & Referral Officer	
Linda Shepherd	Financial Administrator (p/t)	Appointed Sept 2007
Lee Taylor	Financial/Administration (casual)	2007/2008
Administration Assistants (Casual)		
Katherine Boyle	Monica Szuskiewicz	Mary Flaskas
Colin Hesse		

Daytime Volunteers

Adele Veness
Agne Ratomskyte
Alex Azarov
Alysha McKenzie
Andrew Luboski
Andrew McLeod
Andrew Terret
Angela Huang
Anita Sundaram
Anna Chochula
Caterina Lim
Cay Lynn Ng
Christine Le
Daniella Levot
Edward Chee
Fahim Reza Khan
Gemma Lardner
Gene Mitchell
Ha Tat
Han Yong
Hyun-Tae Choi
Jane Taylor
Janine Ding
Jennifer Stanton
Jessica Evans
Justine Harper
Karen Li
Kate Morton
Lee Power
Liam Cavell
Ling Lu
Mack Wan
Melissa Leong
Meredith Simons
Molly Wen
Monika Szuszkiewicz
Naomi Sadler
Olga Constantinova
Opal Wu
Phoebe Finch-Martin
Renaë Carter
Richard Lee
Rosana Quach
Sarah Awad
Teresa Mesch
Thao Tran
Todd Wu
Tracy Liu
Trieste Corby
Warren Oakes
Youn Hea Joo

Judy Mc Lallen

Volunteer Voices



Ningji Hu

This is my second term volunteering at Marrickville Legal Centre (MLC). During my first term here at MLC, I was involved in the tenancy advice and advocacy service, which was very exciting. I have learnt so much about tenant rights. I was offered a graduate job with a major accounting firm and had to put my volunteering on hold. I have now returned for my second stint as a volunteer and I am now involved doing paralegal work with the Children's Legal Service. MLC has training programs available for volunteers on legislative change and I found this to be invaluable to my studies. MLC provided me with the opportunity to give back to the community and allowed me to utilise my legal knowledge. The work here gives me exposure to all kinds of legal issues from people from all walks of life. There are many opportunities to learn and apply legal knowledge. It is great working with experienced staff who are willing to teach and guide volunteers. The staff are friendly and welcoming, which is part of the reason why I have returned to volunteer again. I really enjoyed my time here at MLC. I would recommend any law student who is considering volunteering to join a community legal centre and help the community.



Ling Lu

Working within the law doesn't necessarily involve mulling over remedies with corporate clients: chequebook in one hand, cocktail in the other. Fundamentally, it entails helping people. And that's what I see each day at Marrickville Community Legal Centre: some of the most disadvantaged people in society having their problems solved.

Liam Cavell

Volunteering at MLC gave me a first-hand look at the common legal issues faced by people. Working at the front desk has improved my communication skills and knowledge of the range of services that can assist people with their legal issues. I have thoroughly enjoyed my time with the wonderful people at MLC.



Han Yong

I am a first year law student and Marrickville Legal Centre has provided with me invaluable experience in the field. It has given me an insight into the practical side of applying the law and allowed me to become a part of the day-to-day lives of people within the community. It is a pleasure volunteering with such a group of friendly people, from the supervisors and solicitors, to fellow volunteers.



Andrew McLeod

After a year's absence, spent completing Honours in chemistry, I rejoined the ranks of Marrickville's friendly army of volunteers early this year. Perhaps the greatest impact that working at this legal centre has had, and continues to have, on me is the poignant reality of the law in operation. The esoteric doctrines of equity, contract and property, among other subjects over which a law student labours during semester, sometimes give the mistaken impression that law is practised in a distinctly rarefied atmosphere. This misconception was no more strongly dispelled than in cases of mothers seeking guardianship of incapacitated sons or octogenarian pensioners battling avaricious neighbours or even in the seemingly prosaic circumstances of a contested traffic infringement. As volunteers, we see the humanity inherent in the provision of legal assistance and regularly I feel humbled by the obstacles overcome by ordinary members of the community.

Marrickville Legal Centre was founded in 1979 and has provided a General Legal Service (GLS) in the local government area of Marrickville for 29 years. It now covers 12 local government areas in the inner west, south west, and south of Sydney with a combined population of over one million people.

The General Legal Service has been busy this past year combining the provision of free legal advice, with targeted casework, community legal education, law reform and policy work in a strategic approach to service delivery.

Our Clients

The GLS has a diverse client base consisting of people from all cultural and linguistic backgrounds including Aboriginal and Torres Islander people, and those who have difficulty accessing legal services due to mental illness, disability, and socio - economic disadvantage.

During the year the GLS provided legal advice and assistance on approximately 1322 occasions. Advice was provided either face to face, by telephone, or in writing.

Our outreach advice service at St George Migrant Resource Centre continued enabling the GLS to extend the provision of legal advice and information to people in the St George area.

Our Staff

This year the GLS has been staffed by:

- Emma Keir - Principal Solicitor, who had been on leave during the year and resigned to take up a position at LawAccess;
- Andrew Taylor

commenced as locum principal solicitor in Emma's place in June 2007 and was appointed Principal Solicitor in April 2008 but left in June 2008 to take up a position at the Legal Aid Commission as coordinator of the Homeless Persons Legal Service;

- Lisa Woodgate who had been acting coordinator from January 2006, took up her position as full time generalist solicitor in May 2008;
- Megan Cameron full time locum generalist solicitor from December 2006 to November 2007. Currently locum evening advice supervisor;
- Deborah Henwood filled the generalist solicitor position as locum from February to May 2008. She is now Principal Solicitor at Inner City Legal Centre;
- Margie Martin is our part time generalist solicitor acting as Principal Solicitor since 20 June 2008 pending the arrival of the new permanent appointee.
- Anne Pridham and Paul Ahearn have been casual solicitors.

The Evening Advice Service

The GLS continued to provide evening advice on Tuesday and Thursday evenings. The advice sessions are staffed by volunteer solicitors and barristers as well as assistants and are supervised by solicitors from the Centre.

The advice sessions aim to provide information, advice and basic

assistance on a range of matters, including:

- Minor criminal matters
- Employment law
- Discrimination
- Family law
- Victims compensation
- Credit and debt matters
- Consumer complaints
- Motor vehicle property damage
- Complaints about professionals and Government organisations

Demand for advice in traffic matters and fines increased over the year and the demand for employment law advice continues to be high. We aim to limit appointments for employment matters to clients on low incomes and to those who are likely to experience difficulties with self-representation due to language, disability or age.

The evening advice sessions provided basic advice to clients and information in order to assist them to solve their legal problem. Direct assistance was provided by explaining the meaning of a legal document or writing a letter for the client to sign and send to the other party. Significant assistance was provided by Gilbert + Tobin who have provided two solicitors every Tuesday night in the evening advice roster. We thank them for their continued support which has contributed to ongoing legal service delivery to the community.

The GLS solicitors follow up matters referred by the evening volunteers and in some cases provide on-going assistance or representation. The decision whether to provide on-going assistance is made taking into account the needs of the client, the nature of the legal problem and the capacity of the GLS to take on the matter.

Daytime appointments

Daytime appointments were offered on alternate Monday

mornings and Thursday afternoons at the Centre to women who experienced domestic violence, sexual assault and clients with victim's compensation claims. Daytime appointments were offered to clients who had difficulty attending the Centre at night.

Legal Outreach Clinic at St George Migrant Resource Centre

The GLS outreach at St George Migrant Resource (SGMRC) entered its third year of service to the local ethnic communities of the St George area. Demand



for the service has remained strong since it began in February 2005. The outreach advice service has increased access to legal assistance for residents of the St George area, particularly those experience disadvantage, those from linguistically and culturally diverse background, people with disabilities, the aged and single mothers who have difficulty travelling to the Centre in Marrickville to attend an evening advice session.

The outreach service operates on Monday afternoons on a fortnightly basis at the SGMRC in Rockdale. Four appointments are made for each session. Advice was also provided on a drop-in basis where time permitted. Information, advice and referral was provided on various legal problems including: domestic violence, complaints about police and other government bodies,

Solicitors from Clayton Utz, one of many providing pro bono assistance to MLC clients, visit the centre.

discrimination, fines, credit and debt, motor vehicle property damage, employment law and family law.

Casework

The GLS provided assistance and representation to clients with various legal problems including debt, victim's compensation, unfair dismissal, and discrimination. We were able to secure representation for several clients through the pro-bono programs of some of the larger private law firms and we are grateful for the continued assistance of, Clayton Utz, Blake Dawson Waldron and Gilbert and Tobin for accepting referrals particularly in victims compensation, employment and discrimination law.

Policy and law reform

The GLS adopted the Strategic Service Delivery Model when providing legal services. It actively pursued policy and law reform activities in conjunction with providing advice and casework assistance. We also engaged in policy and law reform in collaboration with the Combined Community Legal Centres Group, the National Association of Community Legal Centres and our other networks.

Community Legal Education

Twice a year the Centre holds a Law for Community Workers series of workshops designed to inform community workers on legal process, changes to the law and legal issues faced by clients. During 2007/2008 the

GLS conducted the following workshops: Legal problem solving & referral, Common consumer credit & debt issues, Child support: recent changes to the regime and Welfare rights.

During the year the GLS provided CLE sessions to community groups and workers, client groups and to our evening advice solicitor volunteers, which included: Victims Compensation, Duty of care for community workers, Guardianship & Power of Attorney and Women & Discrimination

Acknowledgements

We would like to acknowledge and pay special tribute to the 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:

Barristers Ingmar Taylor (State chambers)

Michelle Hannon, Tamara Simms, Charles Beasley and Danny Gilbert from Gilbert & Tobin

David Hillard and Louise Cox from Clayton Utz

Anne Cregan and Amelia Davis from Blake Dawson

Nicky Friedman from Allens Arthur Robinson

Nicholas Patrick from DLA Phillip Fox

Turner Freeman

Evening advice volunteers

Our volunteer solicitors, barristers and front desk assistants provided an invaluable service volunteering their time to assist clients who attended our evening advice sessions. Without the commitment and dedication of evening advice volunteers the Centre would not have been able to meet the continuing demand for our services.

We would like to express our appreciation to our wonderful team of volunteers for their time and dedication to the Centre and its clients.

A full list of volunteers who have provided their time on the evening advice roster during 2007/2008 can be seen on next page. A special mention should go to all those long-term volunteers who have demonstrated such a high level of dedication to the Centre.

Family Law Solicitors

Anne Day (since 2000)
Ric Gonzalez
Philippa Hofbrucker
Wayne Morrison (since 1999)
Veronica Lavulo (2005)

Employment Solicitors

Nick Yetzotis (since 1997)
Emma Maiden
Chris McArdle
Adrian Barwick (since 1995)
Lachlan Hespe (since 2004)
Michael Green
Adam Walkaden (since 2005)

General Solicitors

Adrian Coombes
Andrew Stewart
Anne Pridham (since 2001)
Ben Webster
Brae Sinclair
Chloe Mason
Christina Wu
Clifford To
Daniel Kelly
Dianne Anagnos
Erin Gough (since 2005)
Elizabeth Szabo
Irene Ferles
Jessica Brown (since 2005)
Jo Kwan
Joe Daniel (since 2002)
Justine Field (since 2005)
Kamal Boutros
Kaye Sato

Maria Guarnieri
Michael Easton (since 2002)
Nadya Haddad
Owen Munn
Rebecca Haynes
Shalini Perera
Stuart Lloyd
Tibby Morgenstern (since 2004)
Tony Nedim
William Dermody (since 2003)

Assistants

Andrew Stewart (since 2005)
Angela McClung
Aziza Lai (since 2000)
Ben Lau (since 2002)
Elizabeth Bushby
Emma Toohey (since 2004)
Jessica Sita
Julian Dight (2005)
Lucy Boyle
Madeline Kulakowskas
Marie Delaney
Neda Asadamraji
Kate Pepper
Pepi Henri
Rachel Callinan (2001)
Roza Lozusic (since 2004)
Sam Indyk
Sandy Hackworth
Sarveswari Gopalakrishnan
Steven Stokes
Suraya Turk (since 2005)
Talei Richards

CASE STUDIES

Employment: Unlawful Termination

We assisted a woman who was dismissed after telling her employers she was pregnant. Typically the employer claimed that there were ongoing performance issues, and the fact that our client was pregnant, was only coincidental. Our client was employed in August 2007 and dismissed in February 2008. The employer had not provided any written warnings prior to our client informing them she was pregnant, although she conceded that her employer did bring up a discrepancy in her work at one stage early in her employment. The matter was settled at the ADB with the employer agreeing to pay our client \$8,000.00 in general damages and to provide her with a statement of service.

Victims Compensation

We made an application for victim's compensation for a man who suffers from schizophrenia. He said that he had a bottle of beer at home one evening and the next thing he remembered was coming out of some kind of black out, days later in an Oxford Street pub. He had no recollection of the days before, but due to his injuries, it slowly began to dawn on him that he had been drugged and sexually assaulted. He attended his local GP who wrote a report, which supported our client's belief that had been drugged and sexually assaulted. Our client was successful in his claim for compensation and was awarded \$9,250.00.

Employment: Unlawful Termination

A client approached the service for employment law advice after being retrenched. The client felt that she had been selected for retrenchment because of her union membership and because she had previously participated in proceedings against the employer. We helped the client to complete her application for relief in relation to unfair and unlawful dismissal. The client returned for more advice when the AIRC conciliation did not resolve the application. We then took the client on as a casework matter. Ingmar Taylor agreed to accept a pro bono brief and we filed proceedings in the Federal Magistrate's Court, alleging unlawful termination on the grounds of sex, family responsibilities and union membership. We also made claims in relation to breach of the client's right to freedom of association and in relation to breach of contract. After our evidence had been filed, the Court convened a mediation conference and the matter settled. The client was paid a further redundancy payment of nearly 17 weeks pay and the company was required to provide a nominated contact person to deal with enquiries from prospective employers.

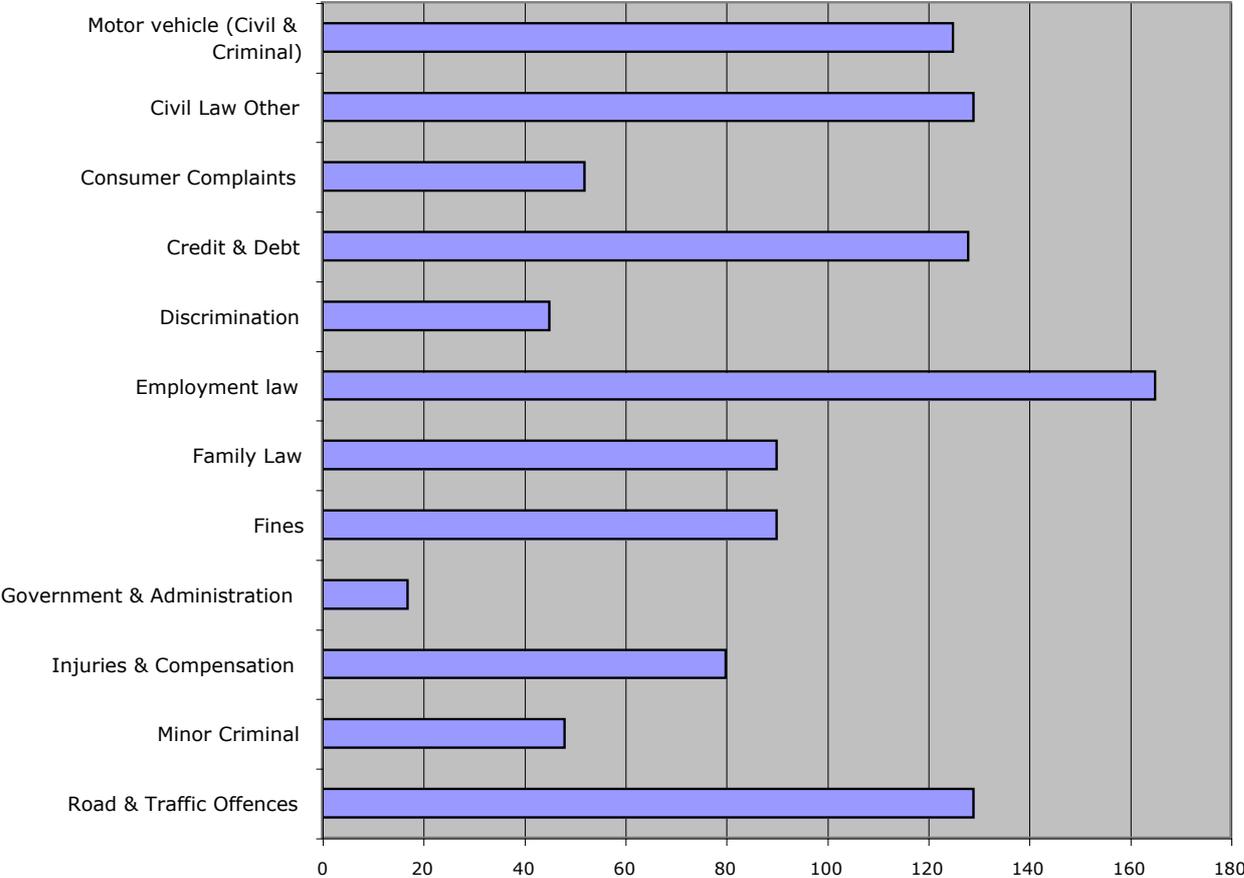
Consumer Complaint

Our clients were a couple who did not speak English as a first language. Both of them had very limited English literacy. Door-to-door sales people had approached the couple trying to sell them a mobile phone plan. The sales people were agents, not employed by any of the phone companies who they were representing. Our clients were convinced to sign a contract for 24 months with a minimum monthly commitment of \$275 - this contract was represented as being a "\$0 per month plan". Our clients alleged that a signature was forged on the contract. When our clients discovered their large monthly commitment, they cancelled the plan. The phone company charged the clients early cancellation penalties of nearly \$4000 and sued the clients to recover it. The clients approached us after default judgment had been granted and subsequently set aside. We drafted a defence and request for particulars and we gave the clients extensive written and oral advice about their options. After receiving the request for particulars, the solicitors for the plaintiff agreed to discontinue the action with no order as to costs.

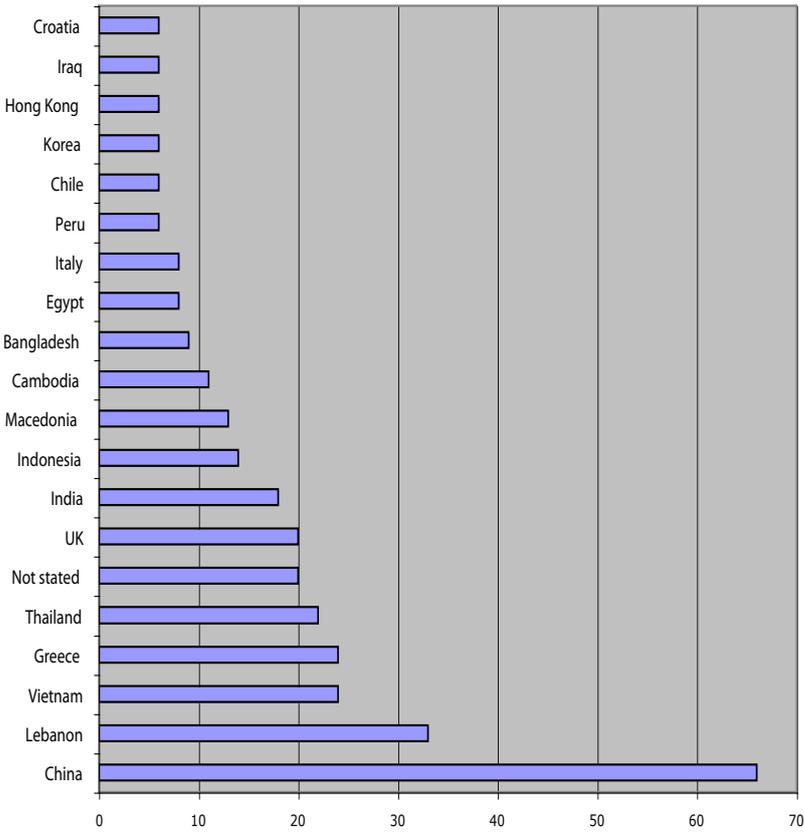
Employment: Unfair dismissal

Our client approached us for advice through the St George Migrant Resource Centre outreach service. Our client had been dismissed and was 104 days out of time to make an unfair dismissal application. It was our client's view that he had been dismissed for something he had not done, and that the underlying reason for his dismissal was that he was not a member of the union. We assisted the client to complete his unfair and unlawful dismissal application. We gave the client extensive advice on preparing his submissions and evidence for the hearing on whether he should be granted an extension of time. The application for the extension of time was granted. We then gave the client lengthy telephone advice on a number of occasions to help him to prepare for the conciliation of his matter. We helped the client establish a relationship with a private solicitor to assist the client in the event that conciliation was unsuccessful. However, after two conciliation conferences, the matter settled on the basis of a payment to the client of about 20 weeks' pay and the provision of a nominated contact person.

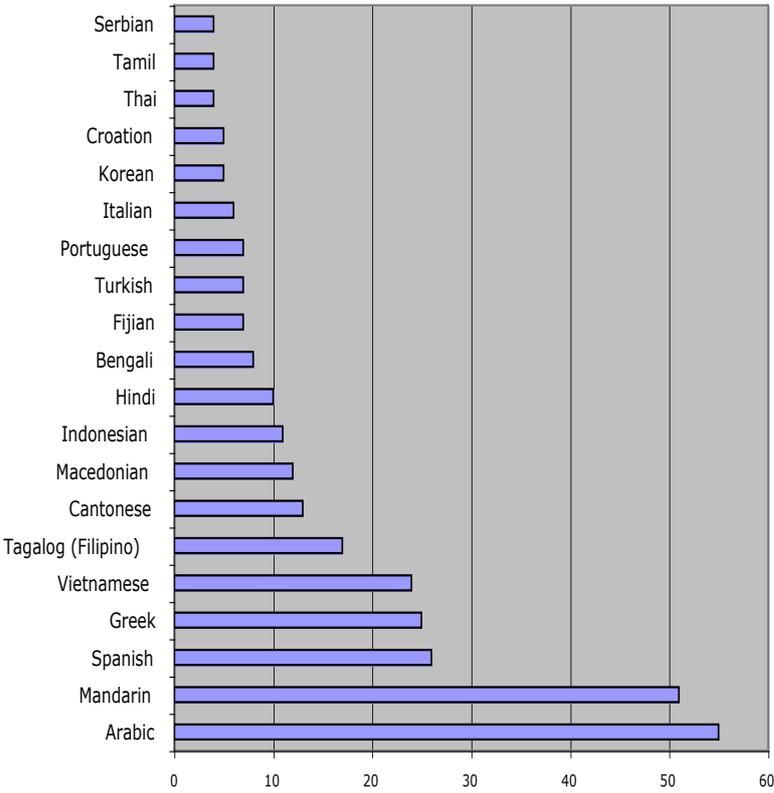
Legal Matter Types handled by General Legal Service 2007/2008



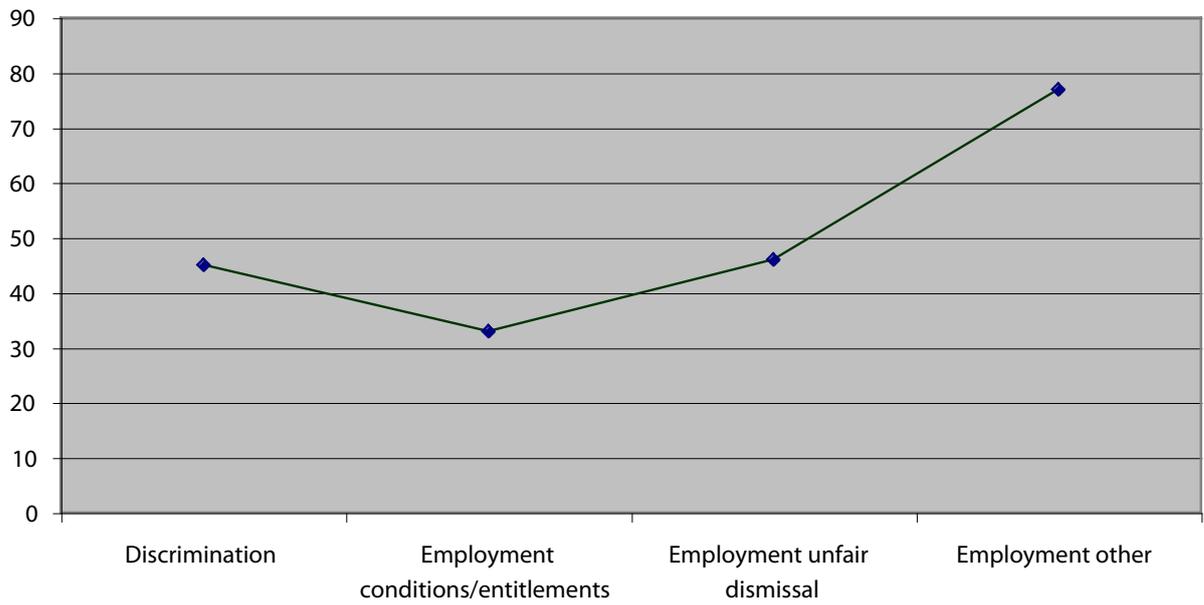
GLS Clients' Country of Birth (after Australia)



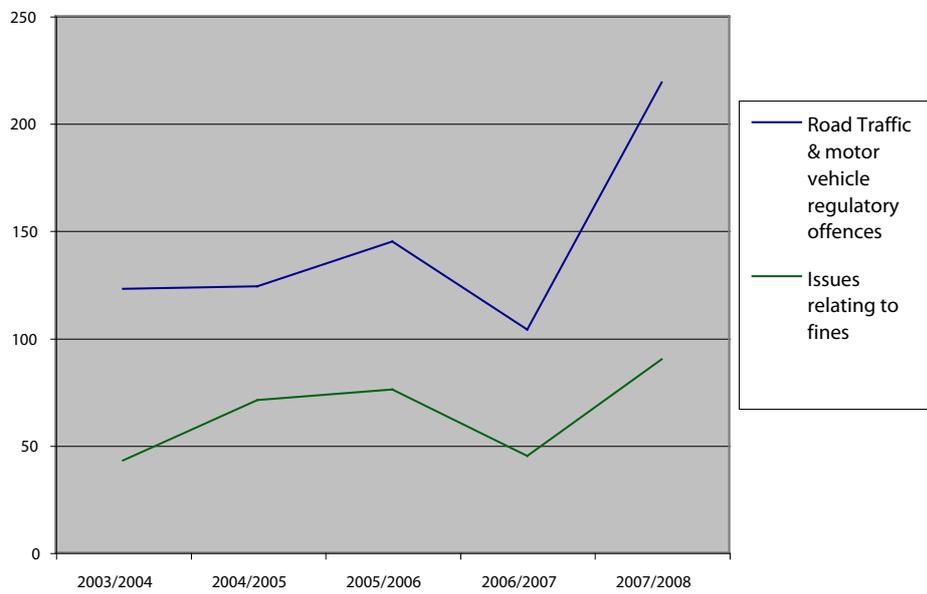
Main Language Spoken at Home by GLS Clients (after English)



Employment matter types



Fines and Traffic Offences



Michael Easton awarded 2008 Marrickville Citizen of the Year

In recognition of Michael Easton's contribution to the Marrickville community, he was awarded the 2008 Marrickville Citizen of the year award. This award is in recognition of outstanding contributions from individuals within the Marrickville community. On Australia Day, whilst presenting the award to Michael, the Mayor of Marrickville, Dimitrios Thanos said, "Michael has helped to demonstrate how the Council and the community can work together."

Michael Easton is an active community volunteer in the Marrickville area. In addition to volunteering as a solicitor at Marrickville Legal Centre since 2002, Michael has been a volunteer with a number of key local environmental groups. These have included Marrickville Landcare, the Cooks River Committee, the Illawarra Road Subcatchment Working Group, as well as acting as a Water Ambassador promoting storm water management initiatives. One of his other recent projects has been an initiative called Bush Pockets, where he canvassed a team of volunteers to re-vegetate a small barren road reserve in Marrickville, improving its visual and environmental amenity. Michael also volunteers at the Arts Law Centre of Australia. Michael has this to say about his experience volunteering at



Marrickville Legal Centre:

"I've volunteered at MLC since moving to Marrickville in 2002. I work in the area of entertainment law, so providing advice here about car crashes, invading trees and dodgy gym memberships help keep me grounded. I'm often astounded at the situations clients get themselves into - it is a constant reminder as to how vulnerable some people are. I find volunteering here very satisfying, even if some evenings leave me feeling a bit drained! MLC provides an invaluable service to the community and the staff here are fantastic at maintaining a friendly, welcoming and professional place for clients and volunteers."

It is readily apparent from the scope of Michael's volunteering activities that he brings enormous commitment, experience and enthusiasm to all areas of his volunteer work. Marrickville Legal Centre can only concur that Michael has made an outstanding contribution to the Marrickville Community.

The Children's Legal Service (CLS) is an integral part of Marrickville Legal Centre and has provided a state-wide service to children and young people in NSW since 1979. The CLS was initially set up to meet an identified gap in service delivery for young people under the age of 18, and is funded with the limited resources of the Centre's core Legal Aid Commission grant.

There are just a few solicitors in the NSW community legal sector who provide advice to children and young people and we are very proud to have the only designated Children's Legal Service at Marrickville Legal Centre.

in education and employment, debts, complaints about government bodies, care and protection matters, and other civil proceedings.

The CLS is also committed to providing a strategic and responsive community legal education program. We work closely with various youth services and provide regular workshops, talks and Q & A sessions for young people, as well as community sector workers working with young people. We also contribute to the Centre's Community Legal Education program.

Staffing and Volunteers

Katrina Wong joined the Children's Legal Service as the full time children's solicitor in August 2008. Thank you to the other generalist solicitors, particularly Margaret Martin and Andrew Taylor, who took on children's files before Katrina began.



Volunteers

The CLS has been lucky to have been supported by the enthusiastic and dedicated assistance of many law student volunteers. These volunteers provided essential support in administration, legal research, policy and law reform projects (through the Youth Justice Coalition) and general legal support. Many thanks go to all the CLS student volunteers, including:

- Sarah Awad
- Edward Chee
- Richard Lee
- Gemma Lardner
- Han Yong
- Andrew Terrett

Service Overview

The Children's Legal Service provides information, advice and legal representation for young people under the age of 18. Our clients experience a range of legal problems including criminal matters, fines, victim's compensation, rights

My name is Sarah Awad and I am a law student in my penultimate year at UTS. I have been volunteering at Marrickville Legal Centre for well over a year now. At first, I began volunteering in the General Legal Service until Katrina Wong invited me to work closely with her as a paralegal. During that time I have had the opportunity to learn more specifically about legal matters as they relate to young people, particularly minor criminal matters. One of my more memorable experiences was having the opportunity to visit Rosemount Youth and Family Services and listen to Katrina answer questions addressed to her by the students, particularly about the powers (or lack thereof) of City Rail Transit Officers! Working with Katrina has really been an insightful and valuable experience that has not only increased my knowledge of the law but also better prepared me for life as a lawyer.

The CLS plays a key role in responding to policy and law reform issues affecting young people. This is undertaken through the usual work of the CLS, as well as through participation in the Youth Justice Coalition, the National Youth Advocates Network and local Youth Interagencies.

Casework

The CLS aims to provide an accessible service to children and young people throughout NSW and provides both a telephone and face-to-face legal advice service to young people and youth workers. We give free advice or information and referral on any legal issue affecting young people. The CLS is frequently used by young people, adults calling on behalf of young people and youth workers calling on behalf of their clients. Over 25% of the young people who used the CLS were from a non-English speaking background, and 14% were from Aboriginal or Torres Strait Islander background.

The CLS undertook a significant amount of casework during the past year. We provided assistance, advice and representation to young people in a variety of legal matters, most predominantly in the area of criminal law, fines, victim's compensation, complaints about police and young people's rights in public spaces.

In making the CLS as accessible as possible to young people, we are currently in the process of working with a number of youth centres and services to develop regular times when a children's solicitor can be available to answer questions young people have about their legal rights. We are anticipating that such an outreach service will commence in the next financial year and will take place in the Bankstown area.

Our casework is supported by private solicitors and barristers, who either provide pro bono advice and assistance or accept legal aid briefs in very complex matters. We would like to thank Carmine Santone from Maurice Blackburn Cashburn, and the pro bono coordinators at Blake Dawson, Gilbert + Tobin and

Clayton Utz.

Corrs Chambers Westgarth Pro Bono Secondee Program

In 2007, Marrickville Legal Centre welcomed the partnership of Corrs Chambers Westgarth (Corrs) in developing a Pro Bono Secondee program, which provided for a graduate solicitor to assist with the work of the CLS during a 3 month placement. In July 2007, the first Corrs secondee solicitor began at Marrickville Legal Centre on a once a week basis. We have since had two secondee solicitors and they have provided invaluable support and assistance in the advice and casework of the CLS and in reform initiatives through

the Youth Justice Coalition (YJC), including legal research and submission writing.

We would like to acknowledge and thank the two Corr solicitors who took part in the Pro Bono Secondee Program in 2007-08, Monali Pandey and Terri Bell. We have immensely enjoyed having them both at the Centre - they were highly valued members who contributed significantly to the provision of legal service to young people and children.

Many thanks to the Corrs Chambers Westgarth Pro Bono committee, particularly Dixon Harder and Louise Camenzuli for playing such a key role organising and bringing to fruition the secondee program. We look forward to another year of working with Corrs!



Monali Pandey

"I spent one day a week for a period of 6 months at MLC as part of a secondment program undertaken by Corrs Chambers Westgarth. During this period, I assisted the then Principal Solicitor, Andrew Taylor with general legal files and the Children's Solicitor, Katrina Wong with victim's compensation matters and general legal research and policy work.

The work was diverse, interesting and at times emotionally intense, but always rewarding. There was always a feeling of immediacy to the legal problems faced by MLC's

clients and a sense of responsibility that dealing with the clients on a one-to-one basis carried. Often the legal issues were complicated by language barriers and delays in the lodgment of letters of objection. It was fantastic to be able to assess a situation, considered to be quite complicated and hopeless by a client, and to investigate the legal avenues of redress that were available to them. What made it all the more worthwhile was that often a course of action would be able to be decided on right then and there and the client could leave with a letter drafted by MLC on their behalf. Although my time there was limited, I nevertheless felt like I was contributing to individual files in a not insubstantial manner.

I particularly enjoyed getting to know the dedicated and tireless staff at the MLC, and never ceased to be amused by Andrew and Katrina's weekly attempts to resist the allure of Vietnamese 'bun'!"

Community Legal Education

The CLS conducted a wide range of community legal education workshops, seminars, Q&A's and presentations on issues relating to police powers, street rights, victim's compensation, fines, graffiti law and criminal law, including the following:

- Providing regular legal education workshops for young people at Rosemount Youth and Family Services day program; Marrickville Youth Resource Cen



- NSW Law Reform Commission in relation to

Youth Law Week celebrations.

young people with mental health issues in the criminal justice system;



YJC election info campaign aimed at young students.

- NSW State Plan consultations;

• Participation in the Children in Detention Advocacy Project

The YJC was also active in campaigning for

young people's right to vote during the federal election, particularly with the changes in the early closure of the electoral roles which meant that many young people would have lost their right to vote. With the assistance of Kit Yap and Gilbert + Tobin, an "enrol to vote" postcard was developed and handed out to many young people at various universities and TAFEs.

Fines

During the year we have continued to be involved with fines reform, both as a Centre and through our involvement with the Youth Justice Coalition. The YJC's submissions in relation to fines, both to the

Law Reform and Policy Work

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 auspiced by the Centre, with meetings being held on a bi-monthly basis, hosted alternatively by Gilbert + Tobin and Blake Dawson. Since August 2007, Katrina Wong acted as con

The YJC were also involved in a number of consultations, namely:

venor of the YJC. The major law reform and policy activities undertaken by the YJC this year were:

- Submission to the NSW Sentencing Council on the suitability of fines as a sentencing option;
- Review of the Legal Aid Commission's Children's Legal Service;
- Submission to the "Reducing Red tape review" - Office of State Revenue, which resulted in the introduction of a number of reforms
- Submission to the NSW Attorney General's Department on the review of graffiti laws;

tre's 'Links to Learning' Program; and at a variety of youth refuges

- Responding to requests for workshops for youth workers and young people from local youth interagencies, youth services and TAFE
- Presenting a session on young people and bail at the State Combined Community Legal Centre's Group Conference
- Participating in the Centre's CLE program by presenting workshops to community workers on fines, care and protection and young people's rights in education

Sentencing Council and to the Office of State Revenue, have led to significant changes in the operations of the State Debt Recovery Office, including the creation of a separate telephone line for advocates and the introduction of Centrepay for clients across a broader basis. The YJC have also been working in consultation with the Attorney General's Department in relation to amendments to the Fines Act and in highlighting how fines negatively impact on young people.

Juvenile Justice Issues

The last year has seen a renewed focus on juvenile justice issues in NSW, particularly with the changes to bail legislation which has made it more difficult for young people to make an application for bail. This combined with a proactive approach by police to monitor young people on bail has led to an overcrowding crisis in the State's detention centres.

YJC has been active in promoting public awareness on this issue through the use of media. YJC is particularly interested in focusing on young people's access to accommodation in the juvenile justice system, most notably when a young person is placed in custody due to homelessness. The YJC are currently working in cooperation with the Legal Aid Commission, Public Interest Advocacy Centre and the Youth Accommodation Association on the development of a law reform project focusing on this issue.

NYAN

Our involvement with the National Youth Advocacy Network has continued this year and the focus of NYAN has continued to be in campaigning for consistency in relation to juvenile justice issues across NSW. NYAN's efforts will be focused on the preparation of the NGO shadow report to the United Nations on Australia's Compliance with the United Nations Convention on the Rights of the Child.



Legal education sessions with young people are always rewarding.



Children's Solicitor Katrina Wong and Principal Solicitor Andrew Taylor meet up with Chinese delegation.



Chinese association's Family Law Expo provided MLC opportunity to reach out to one of the biggest CALD groups in Sydney.

CASE STUDIES

Restitution (Victims Compensation)

Our client was a 17 year old Aboriginal male who had spent most of his adolescence in juvenile detention. After our client was released from custody, restitution proceedings were brought against him for an offence he committed when he was 13 years old. The Victim's Compensation Tribunal were seeking restitution for the amount of \$50 000 – our client had no means to pay for this amount. Our client had also been a victim of sexual assault when he was placed in foster care and had been awarded a sum of compensation. However, this compensation was being held against the amount he owed in restitution, so that our client not only would not receive any of his compensation, but would also be \$32 000 in debt. We represented him in a hearing in the Victim's Compensation Tribunal. The Tribunal took into account our client's age, his lack of financial means and the need for our client to have access to compensation that would assist in his rehabilitation. Our client was successful in having his debt significantly reduced and in our client being given access to \$8000 of his original award of compensation.

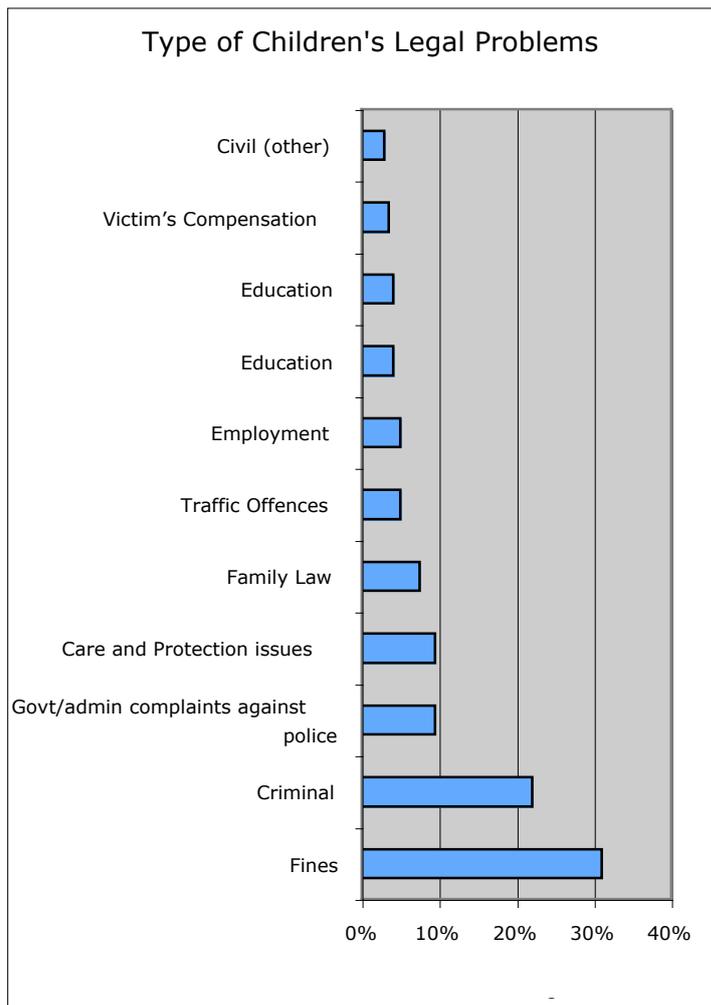
Criminal

Our client was an 18 year old male who suffered from severe depression. He had been experiencing homelessness and had only just secured medium term accommodation with a local youth supported accommodation service. Our client was charged with a number of criminal offences and we successfully made submissions in the local court to have his matters dealt with under section 22 of the *Mental Health (Criminal Procedure) Act*. This allowed for the Court to deal with our client by diverting him away from the court system and allowing for him to be treated in the community.

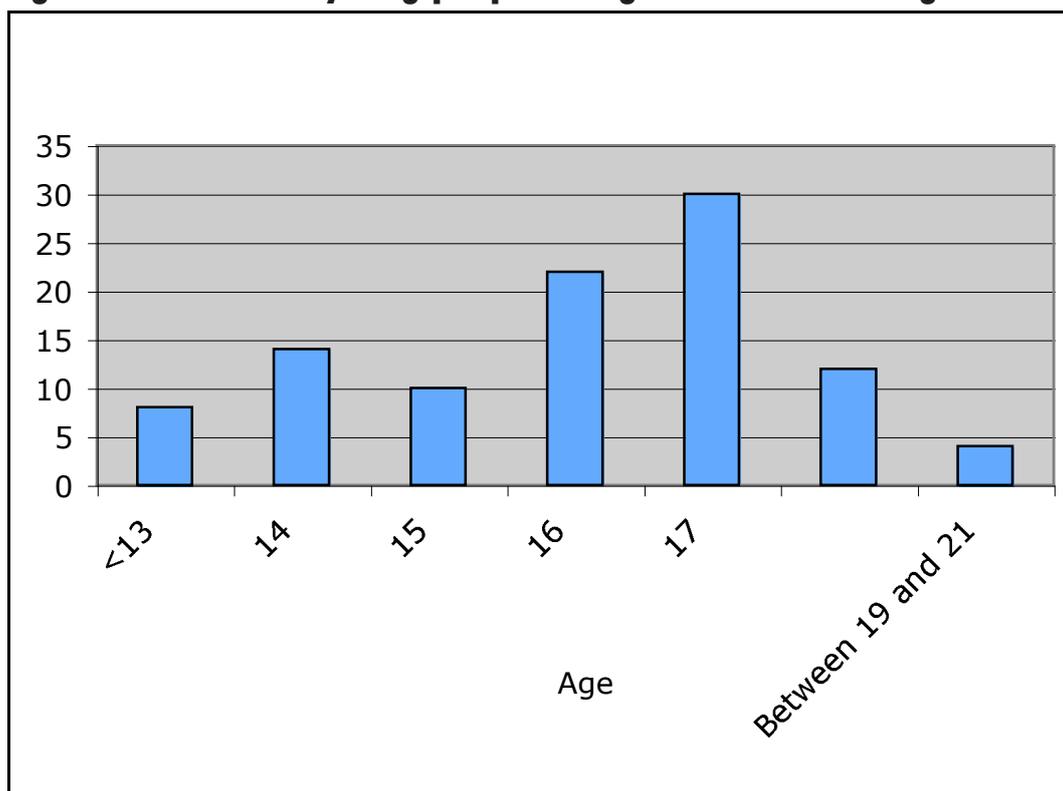
Fines

Our client was a 16 year old young person who had accumulated over \$3500 worth of traffic fines. Our client had come from a socially and economically disadvantaged background and could not afford to pay for the fines. As these matters could not be heard at the Children's Court, we assisted in representing the young person at the local court and successfully made submissions to reduce the young person's fines. The Magistrate took into account our client's age and his lack of financial capacity in reducing the amount to \$525. This significant reduction allowed our client an opportunity to arrange to pay this more affordable amount in instalments.

Top Ten Legal Problems in the Children's Legal Service



Age Distribution of young people using the Children's Legal Service



The Newtown Women's Domestic Violence Court Assistance Scheme (NWDVCAS) works holistically to provide women and children with information about domestic violence, assistance through the legal process in applying for Apprehended Domestic Violence Orders (ADVO's) and access to appropriate services while acknowledging the impact of culture, religion, sexuality, disability and other 'access' issues.

This year has seen many challenges met by NWDVCAS with the focus constantly given to providing a professional and reliable service for women and children. This has been achieved by the commitment and dedication of staff: Lee Taylor (Coordinator), Trieste Corby (Acting Assistant Coordinator/Admin), Toni Brown (CALD Specialist Worker) and Maria Ang (Admin).

Due to extended leave throughout this year and the development of the CALD Forum Report (July 2007 - April 2008) Toni Brown has not been available to the NWDVCAS for the same degree of client contact. Trieste Corby (paid staff member Acting Assistant Coordinator/Administration since February 2008) has provided much needed assistance to NWDVCAS Coordinator.

The NWDVCAS is well supported by Marrickville Legal Centre as service provider through the MLC Board, MLC Coordinator (Lisa Woodgate July 07-February 2008 and Frederica Mantel from February 2008) and other services within MLC (General Legal Service, Children's Legal Service and the Inner West Tenant's Advice and Advocacy Service). Women who contact NWDVCAS often have a myriad of issues to deal with such as: housing; family law; victim's compensation/counselling; employment and child protection concerns. Other services at MLC can be easily accessed as a source of referral for NWDVCAS staff and clients.

Seconded Workers

NWDVCAS acknowledges and gives thanks to other community

services in the local area who provided commitment and support to NWDVCAS with the provision of seconded workers to the roster at Newtown Local Court on Monday (ADVO 'list' day) to June 2008. Ongoing contributions have been made by: Elsie Women and Children's Refuge; Jean's Place; Leichhardt Women's Community Health Centre; May Murray Neighbourhood Centre; Marian Centre; Newtown Neighbourhood Centre and Marrickville Family Support Service.

NWDVCAS could not function without the participation of these services.

Training sessions for new and current seconded workers were held in November 2007 and February 2008 with the NWDVCAS coordinator providing ongoing supervision and training. Two workers who could not attend these sessions had separate meetings with NWDVCAS coordinator for training and orientation to the NWDVCAS.

Newtown Local Court

NWDVCAS has continued to foster and build on positive relationships with Newtown Local Court staff. We appreciate the ongoing support given to NWDVCAS from the team at Newtown Court. The approachability of staff enables us to: provide women with copies of their orders in a timely manner and accurate information about the status of their ADVO (or related charge) matter; ensure interpreters are at court when required and develop practices that best meet changes to legislation, provide information on Police Standard Operating Procedures, WDVCA/MLC requirements and the judicial environment.

Partnerships with Police

Relationships with Domestic Violence Liaison Officers (DVLO's) from Newtown and Marrickville Local Area Commands are constantly strengthened by NWDVCAS practicing approachable behaviours, negotiation and information sharing to enhance

From Volunteer to Staff Member

Making the transition from law student volunteer to employee at NWDVCAS has been a steep learning curve, but one that has given me untold benefits and one I feel quite privileged to have been given.

The level of responsibility undertaken as an employee was noticeably different to that of a volunteer. As a volunteer my role was quite clearly outlined. Rather than having clearly designated and generally administrative-based tasks, as an employee I am required to use my own judgement and problem solving skills when dealing with clients. While initially I found this quite daunting, with appropriate training, supervision and encouragement from the NWDVCAS coordinator and building on relationships with court staff and Domestic Violence Liaison Officers (DVLO's), my knowledge of court processes has vastly improved as has my confidence and ability to provide assistance to clients in difficult circumstances.

The best thing about my job is assisting clients and knowing that the information they receive makes a difference to their lives. Prior to having contact with WDVCAS at court, many of our clients are under the misapprehension that they cannot continue a relationship and have an ADVO; that they cannot live under the same roof with an ADVO. With an awareness of options available, knowledge about the dynamics of domestic violence and referral to services available to assist them, women are empowered to make choices they may not have considered possible.

Accepting that sometimes there are no "good outcomes" is the most difficult aspect of working for NWDVCAS. On some occasions it is about assisting our client as best we can through often tragic and seemingly impossible circumstances. In essence, simply "being there" for them. NWDVCAS makes a difference by providing women with a safe environment at court, access to information and support, knowledge that they are not alone and a pathway to consider changes to their lives.

Over the time I have been working with NWDVCAS, the number of clients assisted face-to-face has changed. Women are often excused from attending court by the DVLO after their first mention date until the hearing date. Consequently, our role now requires managing matters without women present and post-court follow up to communicate results to clients to ensure they are informed about the progress of the Apprehended Domestic Violence Order (ADVO) and often a related charge matter.

The level of support the NWDVCAS receives from Police, local court staff, community workers, non-government organizations and other government departments is paramount to its functioning. Without strong relationships with each of these stakeholders, the provision of service to women would be very difficult especially considering the minimal opportunity for face-to-face contact the process provides. The complex nature of domestic violence requires a collaborative approach. Relying upon the judicial system alone (and an ADVO) does not work.

Trieste Corby

communications and outcomes for women and children seeking ADVO's and information about domestic violence.

The unremitting commitment from Newtown and Marrickville DVLO's to NWDVCAS and the provision of a professional and reliable service continues and is greatly appreciated. The DVLO's Constable Steve Marsh (Newtown) and Senior Constable Peter King (Marrickville) support the NWDVCAS both on 'list' day and between court dates. They are accessible to NWDVCAS and provide regular information and updates about the progress of a matter. The NWDVCAS Coordinator and DVLO's share information in collaboration with women, who are considering an ADVO application or who have an ADVO application, in order

to obtain best possible outcomes with minimal distress. Often women can speak to NWDVCAS staff/seconded workers about circumstances they were unable to discuss with Police at the time of the incident. The positive partnership with the DVLO's creates an avenue to share this information.

Thank you to Newtown and Marrickville Local Area Commands for their ongoing commitment to support the DVLO's in their often difficult and challenging role.

Legal Representation

With almost 95% of ADVO applications taken out by Police at Newtown Local Court, the

provision of private representation by solicitors in ADVO matters has declined this year. DLA Phillips Fox provided solicitors at Newtown Local Court for mentions every two to three weeks. It is a relief to have a solicitor at court when representation is required for a private application or if a woman is faced with a cross-application from the defendant in her Police application. The service provided by Phillips Fox is always professional, informed in relation to domestic violence issues and reliable.

Further, DLA Phillips Fox has provided representation in a number of ADVO hearing matters, acting as solicitors instructing a barrister, with very favourable outcomes for our clients. On other occasions NWDVCAS has utilised services from DVAS and other pro

bono solicitors from firms such as Gilbert and Tobin, Minter Ellisons and Mallesons Stephen Jaques.

In addition, Rachael Martin, a solicitor from Wirringa Baiya Aboriginal Legal Services, attended court every four to six weeks to provide representation and assistance to women and their children. Rachael has had a long-standing commitment to NWDVCAS and her knowledge and contribution to the scheme is a welcome addition.

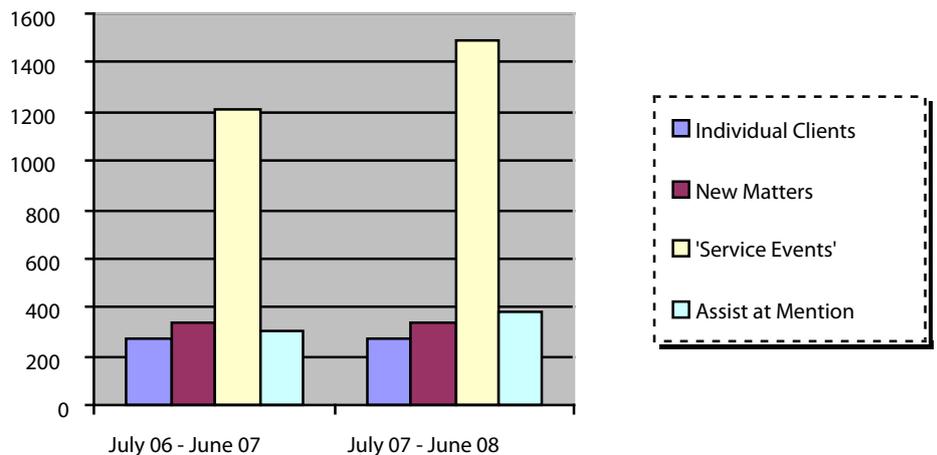
to the NWDVCAS as well as workers from other community service organisations such as: Immigrant Women's Speakout; various neighbourhood centres; Family Support Services; Wesley Mission; Barnardos; Smith Family; Salvation Army; Creating Links; Police and other legal services

What do the statistics tell us?

The Power of Networks

Apart from networks built and maintained with Police, Local Courts, community services, which provide seconded workers to NWDVCAS, other MLC services and solicitors, the NWDVCAS works tirelessly to maintain other networks throughout the community sector in order to further knowledge of DV and the capacity to deliver appropriate services by:

- Attending the following meetings:
 - WDV CAS Coordinator Network and coordinator workshops;
 - Marrickville/Leichhardt Domestic Violence Liaison Committee (MLDVLC);
 - Central Sydney VAW Regional Reference Group (to May 2008), now Central Sydney Violence Against Women Prevention Forum;
 - Marrickville Council CALD Interagency;
 - Marrickville Legal Centre Board on a quarterly basis
- Involvement with 16 days of Activism to Stop Violence Against Women in raising awareness of White Ribbon Day (wearing and promoting throughout various networks and local schools) and assisting with a Stop DV Day stall at Leichhardt Marketplace with other services associated with MLDVLC.
- Conducting Community Legal Education sessions at MLC (detailed later). The CLE's are attended by seconded workers



Comparison of data 2006-07 to 2007-08 of Individual Clients, Matters assisted with, contacts with clients and numbers assisted at 'Mention'

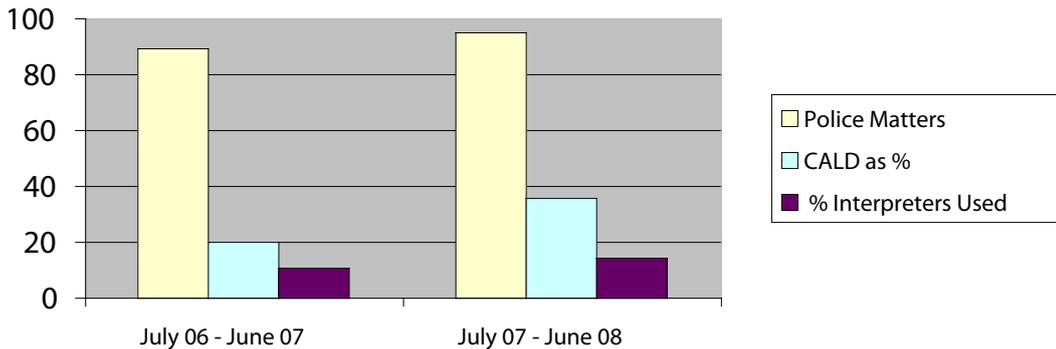
Whilst statistics rely on diligence in collecting information, efficient file-keeping processes and accurate data entry, the NWDVCAS Coordinator develops and maintains appropriate data collection sheets, provides ongoing training to and supervision of seconded/paid workers and audits data entry (where time permits) in order to obtain reliable data. The information presented is from statistics obtained from the WDV CAP / Legal Aid NSW database.

Whilst individual clients seen by NWDVCAS and number of matters generated by clients has remained consistent with 2006-07, the actual number of contacts for individual clients has increased substantially

- ('Service Events' from 1212 to 1493). This can be attributed to:
 - increased follow-up with court results when matters are adjourned to non-ADVO 'list' days at Newtown Local Court or other Courts, on days when there is not a WDV CAS available. Keeping track of matters and informing women of outcomes provides updated information about their ADVO application and related charge matters.
 - 26% increase in matters assisted at mention stage from 2006-07. When considering there are similar client numbers, this increase indicates more adjournments for ADVO applications. Additionally, the increase in matters assisted at mention stage anecdotally reflects less ADVO's being

withdrawn on the first mention which provides NWDVAs and Police more opportunity for contact with women, liaison with services to provide assistance and education.

Comparison of data for ADVO applications made by Police, for Women of CALD background and when interpreters have been used 2006-07 to 2007-08



- 15% increase in CALD matters assisted by NWDVCAS (20% to 35%). Women from CALD backgrounds often require more contact with NWDVCAS to ensure understanding of the process and outcomes, the provision of accurate information and culturally appropriate referrals and follow-up.
- Increase in use of interpreters (11% to 15%) for 'service events' with which reflects commitment from NWDVCAS to ensure CALD women are well informed.

The requirement for good working relationships with Police is highlighted by the overwhelming number of ADVO applications initiated by the Police (94.95%).

Culturally and Linguistically Diverse Communities (CALD)

As indicated in previous graph, assistance to women and children from CALD backgrounds has increased by 15% along with use of interpreters. Marrickville/Newtown Police and Newtown Local Court

are generally efficient in providing women (and defendants) with interpreters to allow matters to proceed through the court process more effectively. Building and maintaining relationships with local court staff and Police DVLO's is a priority for NWDVCAS in order to maintain this good practice. On occasions where interpreters were not booked by general duties Police for the first mention, the circumstance is communicated to the DVLO by the NWDVCAS coordinator and relayed back to the Police responsible to prevent future oversights.

Ninety seven women identifying as from CALD backgrounds were assisted from 36 different countries, with women from Lebanon, Egypt, Kuwait, Iraq and Syrian Arabic Republic totalling 3.7%, China (3.6%), Fiji (2.6%), Greece (2.2%), Vietnam (1.9%) and Bangladesh (1.8%) of all women seen. Interestingly, the data shows that Arabic (4%), Vietnamese (2.7%), Greek (2.7%) and Bengali (1.8%) were the 'First Language' most identified.

Volunteer from MLC Thao Tran wrote an article for Inner South-West Infonews (September 2007) on the CALD Forum (May 2007).

CALD Specialist Worker Toni Brown

participated in:
Development of CALD Report through liaison with working party/co-authors Rouada El-Ayoubi, Judith Levitan and Thao Tran following CALD Forum - No Licence to Abuse in Anyone's Culture. Are We Equal Before the Law? (May 2007)

- Development of a proposal to Legal Aid NSW to fund No Licence to Abuse 'Forum' Report;
- Working party meeting to organise International Women's Day in Marrickville;
- Marrickville Council's Multicultural Interagency meetings in order to identify domestic violence and emerging communities as priority in Council Plan;
- Provided feedback to Marrickville Council regarding Safety Plan in relation to domestic violence;
- Attended WDVAS CALD Specialist Worker meetings regarding job specifications, input into WDVAS Policy Review and development of priorities for CALD Specialist Workers;
- Arranged speakers for CLE at MLC in May 2008 on Muslim Women and the Law (Ghena Kayaram - Sydney University and Maha Najjarine -

- Women's Legal Services).
- ❑ Attended and participated in half-day training organised by Marrickville Council with Interfaith leaders on domestic violence and NWDVCAS;
- ❑ Newtown Neighbourhood Centre Stall in Newtown Square

Referrals to NWDVCAS

Whilst majority of referrals made to NDVCAS are from Police, other agencies refer clients directly to NWDVCAS:

Generally, women who are seeking an ADVVO will be referred from other community services to Police prior to contact with WDVCS.

Referrals to DVCAS by:	Total %
Police	76.1
Local Courts/Prior DVCAS Contact	17.6
Marrickville Lefal Centre	1.2
Other Public Legal Services	1.2
Others - including Welfare/Accommodation/Counsellor	3.9

Other Community Education and Initiatives

- ❑ **TAFE:** NWDVCAS Coordinator provided information session at St George TAFE for Community Welfare students in July and October 2007. These sessions were extremely well received by both teachers and students with NWDVCAS invited to deliver further sessions in 2008 (unfortunately this had to be declined due to staffing shortages). Lee was approached by TAFE to supervise a welfare student from October 2007 until December 2007 (Hayley Shannon). Hayley provided general administrative support to NWDVCAS and assistance at Court on 'list' day. Hayley's

contributions to NWDVCAS over this period were very welcome, especially her warm and caring nature when speaking with women in the 'safe' room.

- ❑ **Police Training Day (12 July 2007)**

Vicki Arender (Marrickville Local Area Commander) was extremely supportive in providing Education and Development Officer (Leah Bolzan) and Constable Julie Eggins (assisting Leah) to co-conduct a training day with Lee Taylor at Marrickville Police Station. Some 24 police attended the training session. Lee organised for presenters from various community services to speak on the day.

There were very positive evaluations received from Police. The community workers who presented all commented favourably about the experience and opportunity to liaise with Police. The EDO, Leah Bolzan, invited NWDVCAS to conduct future collaborative events with Marrickville Police.

An article was written for the Inner South-West Infonews and published in September 2007.

- ❑ **Community Legal Education:**
 - Family Law, Family Relationship Centres & Domestic Violence (October 2007) at MLC was attended by 13 community workers from various community organisation (this was full capacity for the venue so a wait list was generated). Lee Taylor arranged for Anne Day (Family Law Solicitor) and Julie Dale (Manager, Family Relationship Centre, Sutherland) to attend and facilitated the session to discuss the impact of changes to legislation on women when domestic violence is a consideration.

The CLE was well received by the workers who attended with positive evaluations given. Both presenters commented very favourably on the wealth of experience in the room when dealing with women experiencing domestic violence and the value gleaned from the general discussion and during question time.

- **Muslim Women and the Law (May 2008)** attended by 9 community workers attended CLE at MLC on Islamic Women and the Law. Toni Brown arranged speakers Ghena Kayaram (Sydney University) and Maha Najjarine (Women's Legal Services). Whilst Toni was unable to attend this

session Trieste Corby very ably welcomed workers and speakers and assisted with the proceedings as required.

Events and Training Attended by Staff

- ❑ 2007 WDVCA Conference (1-2 August 2007) - attended by Lee and Toni
- ❑ Access for All (22 August 2007) at Parliament House Sydney - Women's Legal Services NSW Publications Launch (Long Way to Equal, Partnerships Prevention & Rural Aciton II and Women's Legal Services NSW Pictorial Pamphlet) - Toni
- ❑ Reflections on Ten Years of Change (31st August 2007) at Sydney University, Kensington - Australian Domestic & Family Violence Clearinghouse - Lee
- ❑ Same Sex Domestic Violence: Trends and Responses 2007 (21st September 2007) at Kings Cross - Same Sex Domestic Violence Interagency - Lee
- ❑ Statewide Coordinator consultation meeting with Julie Stewart (WDVCA - Legal Aid NSW) regarding review to policies and procedures for WDVCA - Lee
- ❑ Avoiding Worker Burnout (16 November 2007) run by Jackie Burns at Mt Annan - Macarthur WDVCA - Lee
- ❑ Attendance at International Women's Day (7 March 2008) in conjunction with MLC for promotion of NWDVCA - Toni
- ❑ Lee Taylor commenced Diploma in Business (Frontline Management) at UTS (Training and Development Services) in April 2008 a welcome initiative of Legal Aid NSW, supported by WDVCA and MLC. Attendance at UTS to end June 2008 has provided



DVCA holds information stall and conducts training among police regarding domestic violence.



access to education in relation to professional and personal development and creating an effective team. The opportunity to participate is greatly appreciated and has had a positive impact on both the functioning of the NWDVCA and in an individual capacity. The Diploma will be completed December 2008.

- ❑ Cross Cultural Communication and Using Interpreters in a Legal Setting (30th May 2008) at Sutherland Legal Aid - provided by Legal Aid NSW - Lee
- ❑ Seconded Worker Training/ Peer support meeting (11 March 2008) - MLC - NWDVCA - Trieste

Service overview

The tenancy service provides an advice and advocacy service to tenants and boarders and lodgers living in the following Local Government Areas: Marrickville, Ashfield, Strathfield, Burwood and Canada Bay.

The service also provides community education for tenants and community workers on a range of tenancy issues.

Tenancy workers

The current members of the tenancy team are Elizabeth De Freitas, Eloise Parrab (currently on maternity leave), Julia Murray (locuming for Eloise) and Felicity Flanagan (currently on extended leave).

We have been very lucky to have the following locum workers to assist us during the last 12 months:

- Alex Azarov
- Sarah Drury
- Sophie Farrell
- Mary Flaskas
- Agne Ratomyskyte
- Julianne Elliott
- Jo Kwan
- Katherine Boyle
- Elizabeth Szabo
- Youn Hea Joo
- Geri Kauffman

Special mention goes to Sophie Farrell who began work with the centre as a social work placement student in July 2007. Sophie participated enthusiastically in a range of centre activities, always displaying a willingness to develop her skills and knowledge, and consistently showing initiative. Following the completion of her 3 ½ month placement, Sophie began paid locum work, and was a valuable member of the tenancy team until she embarked on an overseas holiday in April 2008. She made a valuable contribution to the tenants' service and the centre, and we look forward to working with her again when she returns from her travels.

Special thanks to Peter Alexander at NATS, Nassim Arrage, Grant Arbutnot and Elizabeth Szabo

from the TU for backup CTTT assistance and Blake Dawson solicitor, Miguel Cassie, for his assistance with an elderly tenant facing eviction. Special mentions also go to Eloise Parrab and Lisa Woodgate for holding the service together during staff shortages and for just being fabulous.

Casework

We have been providing advice every day of the week either face to face or via the telephone. At all times the Centre has been open we have been available to provide urgent advice and assistance. Our tenancy telephone advice hours are Monday, Wednesday & Thursday 2pm -5pm , Tuesday 10am - 5pm and Friday 9am - 1pm.

We provided advice to 1882 tenants in the last 12 months covering a range of issues. We provided 164 face-to-face advice sessions and attended 24 home visits. We sent written information to 603 tenants as a follow up to our advice. We provided assistance in preparing to the Consumer, Trader and Tenancy Tribunal to over 450 tenants. We also represented tenants at the Consumer, Trader and Tenancy Tribunal 168 times in the last 12 months. The majority of these statistics represent a substantial increase in workload on the previous 12 month period.

The greatest increase in demand for advice this year was in relation to rent increases. During the year there was also an increase in enquiries regarding mortgagee repossession and 60 day 'no grounds' notices of termination.

Duty Advocacy

We continued to provide a Duty Advocacy Service at the Consumer, Trader and Tenancy Tribunal during this period. This service operates on Wednesdays at the Sydney Registry. Advocates from all the Sydney TAAP services on a roster system staff this service. Our service provides an advocate once a fortnight. We have attended as Duty Advocates

on 87 occasions and have found that the service has been very well received and utilised by tenants and CTTT staff alike. We are able to provide advice and information as well as negotiate on a tenant's behalf in conciliation and representation at hearings if required.



Fair Trading Minister Linda Burney (bottom right) with MLC Coordinator Frederica Mantel (l) and state MP Carmel Tebbutt (c) at the Tenancy cheque presentation.

Tenants Union Hotline

The tenants service continued to contribute to the Tenants Union hotline throughout the last 12 months, conducting a shift each Thursday morning. We have been pleased to be able to offer some of our experienced hotline volunteers locum work when it becomes available. The volunteers that have contributed to the Hotline over the last year are:

- Alex Azarov
- Youn Hea Joo
- Richard Lee
- Paul Ahern
- Agne Ratomskyt
- Natalie Kozlov
- Astrid Chan
- Melissa Leong

We are very grateful for their contribution to our service.

Community Legal Education

Over the last 12 months we have had a dramatic increase in work conducted in the area of community education. We now have a range of new template presentations and materials, for CALD communities in particular. Thank you to Sophie Farrell and Sarah Dury, both of whom have made a wonderful contribution to the service.

Policy work

We made a submission to the NSW Government's review into the Residential Tenancies Act. We hope to hear the results of the proposed changes to the Act in the coming months.

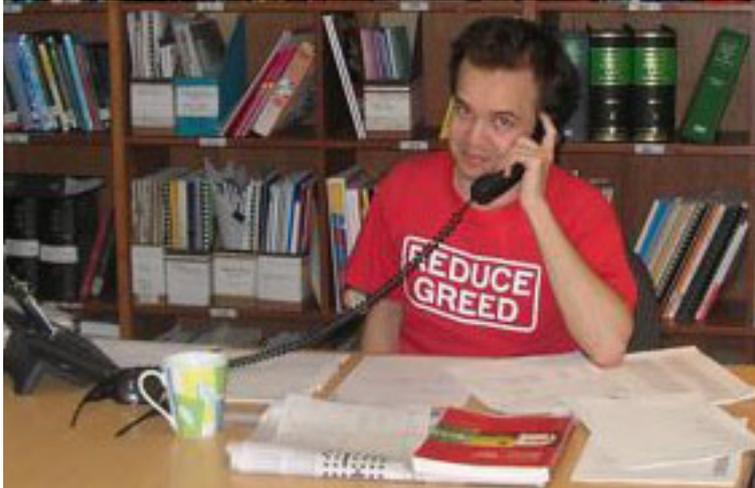
We continued to be involved in all the Tenants Union working parties with regular participation in the Boarders and Lodgers Action Group, Public Housing Issues Working Party and Tenancy Legal

Working Party.

Our service continued to be actively involved in lobbying for law reform for boarding house residents. We met with Office of Fair Trading Minister Linda Burney and pressed our case for legal protection for boarders and lodgers.

We also contributed to a number of articles in our local newspapers. We have been asked to comment on a range of issues including the recent rises in rents and the lack of affordable housing in our area.

We have provided some case studies, which highlight the variety of work we undertake in the



Alex Azarov
Tenancy Hotline Volunteer

tenancy service.

"Your first caller is Anna. She has a month-old baby and is living with her husband in one bedroom because the rest of the house is soaked and mouldy from the rain. After battling it out with the landlord they received a notice of termination that expires.... tomorrow.

They've had more referrals than a GP and are verging on breakdown when they hear your friendly voice – the hotline volunteer. This is it. You've done the training. You read the factsheets and skimmed (alas) through the tenants rights manual and The Act but these are real people and they've got real problems. Time to step up.

"Good news, Anna!" you say calmly. "You can relax because you don't have to move out tomorrow." Saying this simple phrase, and their resulting relief is what takes it to another level. When you figure out that they could challenge the eviction, claim compensation and get orders for repairs they're over the moon. There is finally someone out there who's on their side. Instant job satisfaction - you just have to experience it.

The more you do it, the more you learn and the easier it gets. I went from writing everything down, researching, summarising and then calling back the tenant to sorting out everything in one go and even being able to cheer them up. Eventually, just giving 'information' and referring stopped being enough. I wanted to help tenants write letters, represent them at the Tribunal and the holy grail – to confront and conquer the infamous REA (Real Estate Agent) or LL (Landlord). Auspiciously, that's when I got promoted to the rank of tenant advocate locum.

It's not always so hectic but your friends start calling you asking for advice. You become everyone's tenancy guru and know exactly how to deal with your landlord. And when you don't, you have a great team to brainstorm and to have a laugh with. A whole new world opens up – policy and law reform, casework, community education. You learn new skills and start seeing what people go through out there in the big world.

So it's a simple choice really - stay bored and comfortable or dive in and experience

CASE STUDIES

Breach by Landlord

Our client had signed a 12 month lease. A few months into the tenancy she discovered that the en-suite bathroom had a leak, which affected her bedroom and living room. The Real Estate Agent and Strata sent around many tradespeople to prepare quotes but no action was taken to fix the leak. The tenant contacted us 4 months after she first notified the landlord about the leak. By this stage the walls were mouldy and peeling and the carpet was very damp and mouldy which was adversely affecting the tenant's health. She issued a 14 day notice of termination for breach and vacated the property. We assisted her in lodging an application to the Consumer, Trader and Tenancy Tribunal (CTTT) for economic loss compensation to cover her moving expenses, non-economic loss compensation and the return of her rental bond. The landlord lodged a cross application claiming the tenant had denied access for repairs and seeking compensation for the cost of repairing the damage. Our service spent a number of hours with this client assisting her to prepare for her hearing at the CTTT. This included explaining the process of the Tribunal, preparing documents for her case and putting together a submission outlining legal arguments in support of her case. The tenant represented herself and was very nervous, as the Agent had been extremely rude in the past. The tenant was successful in having her bond returned and was awarded \$1,239 in compensation. The landlord's application was dismissed. The tenant was extremely pleased with the outcome and her ability to represent herself in this forum.

Compensation claim by Landlord

Our client was an Aboriginal woman living in an Aboriginal Housing Office (AHO) property managed by the Department of Housing (DOH). Our client had been transferred from a previous AHO property for health and safety reasons as the property needed extensive maintenance work and was considered uninhabitable. Three months after being transferred DOH lodged an application to the CTTT for compensation of almost \$3,000 for alleged damage to the property. At the first hearing DOH arrived unprepared and requested that the matter be adjourned and directional orders made for the exchange of evidence. We disputed this request and asked that the application be dismissed on the basis that it was lodged two months after the limitation period. Whilst the Tribunal member would not dismiss the matter, he ordered that DOH provide submissions justifying an extension of time to have the matter heard. The matter was adjourned. In their subsequent submission DOH stated that the late application was an "oversight" and referred to what they believed was damning evidence against the tenant, photographs taken five months prior, as the reason why the matter should be heard. In our response we pointed to the fact that DOH were well versed in CTTT procedures and as the largest provider of housing to tenants in NSW they were well aware of the requisite limitation period. The application was also two months late and therefore beyond a mere oversight. Moreover, we argued that DOH's failure to lodge an application by the prescribed time would cause significant prejudice to our client in trying to prove the state of the premises at the time of the alleged breach. At the next Tribunal hearing the member agreed that our client would be highly prejudiced by the delay and refused to grant the extension of time. The matter was dismissed.

Compensation claim by Tenant

Our client was in a DOH property. She first became aware of a serious rodent issue when getting her car fixed. The mechanic reported that the car had been damaged by rodent gnawing – cost of repair \$500. The tenant notified DOH of this issue and advised that she lived near a boat ramp and that neighbours had recently disturbed their backyard, perhaps causing the rodent infestation. DOH eventually sent a pest expert to premises to investigate. They gave best and second best options for action, DOH selected the second best - rat baiting. The rodent problem continued “unabated” and the tenant recontacted DOH to see if the pest company needed to follow up under the warranty. The tenant was advised that since DOH didn’t adopt the number first option, the warranty was not valid. The tenant’s washing machine broke down and was assessed by a repair man and found to be completely unserviceable due to rat gnawing. The tenant contacted us as DOH were not responding and she was spending increasing amounts of money on rat baits and visiting the Laundromat. The situation was causing the tenant considerable distress, exacerbating her already underlying depression. The tenant had also relocated her dryer to another part of her house in an attempt to prevent similar damage. We wrote a letter on the tenant’s behalf to DOH seeking further action. They replied that they were ‘investigating’. The tenant subsequently advised that the DOH had not made any further contact with her, nor had they sent anyone out to the premises. We helped the tenant lodge an application to the Consumer Trader and Tenancy Tribunal for orders seeking repairs and compensation. We also assisted the tenant to prepare her evidence for the hearing and outlined the process and procedures the tenant could expect at her hearing. The tenant attended the tribunal, the DOH did not appear. The tribunal member heard the evidence presented by the tenant and awarded her compensation for her washing machine, baits and Laundromat expenses. The tribunal also made orders for the DOH to conduct repairs.

Fixed term agreement dispute

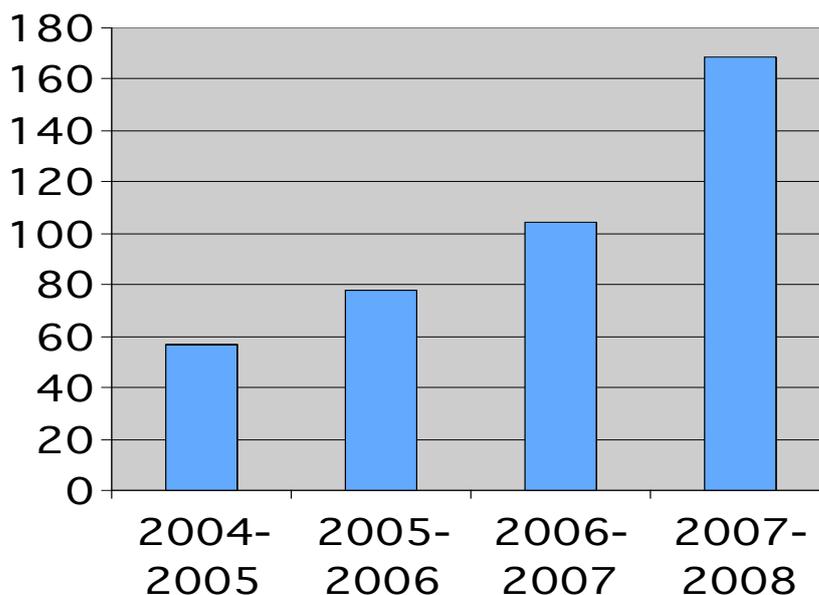
The tenant had signed a fixed term agreement for 12 months with 2 additional ‘options’ that the tenant had the choice of exercising to extend the agreement at the completion of each year of her tenancy, for a maximum of three years. During the first year of the agreement, the premises were sold. The terms of the tenancy agreement were explained to all prospective buyers. Shortly after settlement, the new owners wrote to the tenant requesting that they end their agreement early in return for compensation offered by the landlord. The tenants declined. Shortly after the end of the first year of the agreement, once the tenants had exercised the first of their options, the landlord engaged a new Real Estate Agent who issued a 60 day ‘no grounds notice’ of termination. We advised the tenants that we felt they had a fixed term agreement for 3 years if they wished to stay. The tenants remained in the premises and the landlord made a tribunal application to seek termination. We attended the tribunal with the tenants and asserted that the agreement was a 3 year fixed term. The tribunal adjourned the matter, ordered exchange of evidence and suggested that the landlord seek legal advice. The landlords did not meet their document deadline. We assisted the tenants with their document preparation. The tenants subsequently received a notice from the tribunal advising that the landlord had withdrawn their application for termination.

Tenancy Top 10 Enquiries	2006 -2007	2007 - 2008
1. Termination	491	656
2. Repairs	323	383
3. Bond	218	271
4. Rent Increase	136	260
5. Compensation	157	210
6. Consumer Trader and Tenancy Tribunal	152	147
7. Rent Arrears	148	123
8. Access	106	112
9. Breach of Quiet Enjoyment	61	45
10. Boarders and Lodgers	46	35

We can see from this table that termination enquiries have increased significantly during the last 12 month period. This is largely attributable to an increase in 'no grounds' termination enquiries from tenants. The theory behind this is that landlords are seeking to end tenancies in order to 'try their luck' at obtaining higher rents with new tenants.

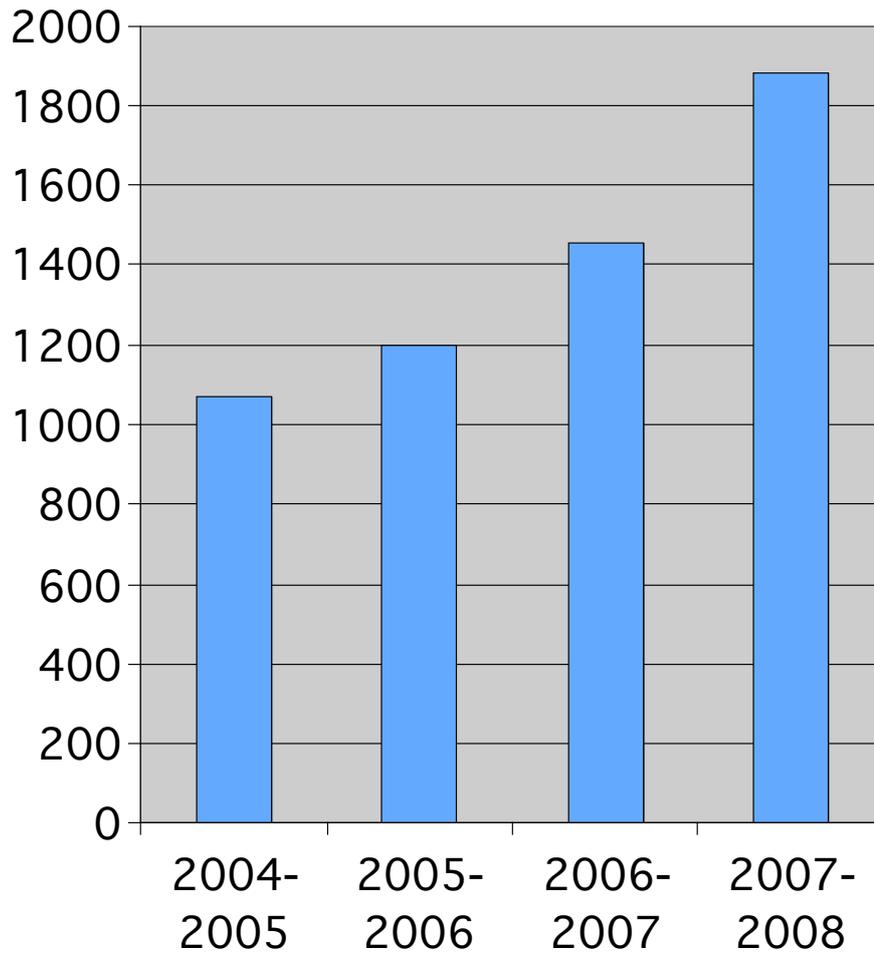
The number of rent increase enquiries has almost doubled in the past year, moving the enquiry from seventh highest last year to fourth highest this year. This also follows on from a significant increase in rent enquiries last financial year from the year before that.

Clients Assisted via CTTT Representation



This graph speaks for itself. There has been a marked increase in the numbers of people our service has represented at the Consumer Trader and Tenancy Tribunal. This dramatic increase is in part due to our regular duty advocacy advice shifts.

Total Clients Assisted



Our total number of clients assisted increased by more than 25% during the last financial year. This follows on from increases in numbers of tenants assisted for each of the last four years.

Marrickville Legal Centre
 Financial Statements
 For The Year Ended
 30 June 2008

Contents	
Report by the Committee	1
Auditor's Independence Declaration	3
Balance Sheet as at 30 June 2008	4
Income Statement for year ended 30 June 2008	5
Cash Flow Statement	6
Notes to Financial Statements	7
Schedule of Expenditures	12
Committee's/(Directors') Declaration	14
Independent Audit Report to the Members of MLC	15

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

FINANCIAL STATEMENTS – 30 JUNE 2008

<u>CONTENTS</u>	<u>PAGE NO.</u>
Report by the Committee	1
Auditor's Independence Declaration	3
Balance Sheet	4
Income Statement	5
Cash Flow Statement	6
Notes to Financial Statements	7
Detailed Income Statement	11
Schedule of Expenditure	12-13
Committee's Declaration	14
Independent Audit Report to the Members	15

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
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REPORT BY THE COMMITTEE

The Committee, which is the Board of Directors of the Company, presents its report on the Financial Statements for the year ended 30 June 2008.

The Committee has determined that the Company is not a reporting entity.

DIRECTORS

The following persons are Members of the Committee at the date of this report:

DIANNE ANAGNOS
Appointed: 16/10/06

KRISTIAN BOLWELL
Appointed: 16/10/06
Ceased: 05/02/08

JOHN MICHAEL GOOLEY
Appointed: 16/10/06

WILLIAM DERMODY
Appointed: 16/10/06
Ceased: 03/06/08

JANET LOUGHMAN
Appointed: 16/10/06

PATRICIA McDONOUGH
Appointed: 16/10/06

NICK YETZOTIS
Appointed: 16/10/06

MICHELLE WILLIAMS
Appointed: 22/10/07

PRINCIPAL ACTIVITIES

The Company's principal continuing activities during the year involve the provision of legal advice for migrants, children under 18 and adults in special underprivileged need.

REVIEW OF OPERATIONS

The Surplus from operations for the year was \$50,417 (2007: Surplus of \$74,324).

MARRICKVILLE LEGAL CENTRE

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MATTERS SUBSEQUENT TO THE END OF THE FINANCIAL YEAR

At the date of this report, the Committee is not aware of any circumstances which have arisen since 30 June 2008 which would significantly affect:

- (a) The Company's operations in financial years subsequent to 30 June 2008;
- (b) The results of those operations; or
- (c) The Company's state of affairs, in financial years subsequent to 30 June 2008.

LIKELY DEVELOPMENTS

At the date of this report, the Committee is not aware of any matter or circumstances that have arisen since 30 June 2008 which would significantly affect:

- (a) Likely developments in the operations of the Company; or
- (b) The expected results of those operations.

COMMITTEE MEMBERS' BENEFITS

Since 30 June 2007 no Committee Member has received or become entitled to receive a benefit because of a contract made by the Company or related body corporate with the Committee Member or with a firm of which he or she is a Member, or with a Company in which he or she has a substantial financial interest.

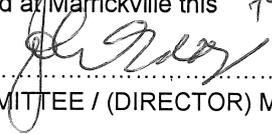
COMMITTEE REMUNERATION

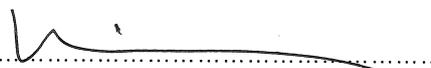
All Committee Members act in an honorary capacity. No fees are paid or payable and no statistics kept on attendances.

AUDITOR'S INDEPENDENCE DECLARATION

A copy of the Auditor's Independence Declaration as required under Section 307C of the Corporations Act, 2001 is set out on Page 3.

Signed at Marrickville this *fifteenth* day of *September* 2008.


.....
COMMITTEE / (DIRECTOR) MEMBER


.....
COMMITTEE / (DIRECTOR) MEMBER

Auditor's
Independence
Declaration

SANDRA D. GROLLMUS

Registered Company Auditor
Registered Tax Agent

7 BURRANEER CLOSE
ALLAWAH 2218
TELEPHONE 9546 7366
FAX 9546 2267

AUDITOR'S INDEPENDENCE DECLARATION
UNDER SECTION 307C OF THE CORPORATIONS ACT, 2001
TO THE DIRECTORS OF MARRICKVILLE LEGAL CENTRE

I declare that to the best of my knowledge and belief, during the year ended 30 June 2008, there have been:

- (i) No contraventions of the auditor independence requirements as set out in the Corporations Act, 2001 in relations to the audit; and
- (ii) No contraventions of any applicable code of professional conduct in relations to the audit.

Dated:

15/9/08



SANDRA GROLLMUS
Registered Company Auditor
Registered No. 1254

Balance Sheet
as at 30 June 2008

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

BALANCE SHEET AS AT 30 JUNE 2008

	<u>NOTES</u>	<u>2007</u> \$	<u>2008</u> \$
<u>CURRENT ASSETS</u>			
Cash	5	409,822	367,678
Receivables		12,473	9,756
Prepayments		<u>9,874</u>	<u>14,437</u>
		<u>432,169</u>	<u>391,871</u>
<u>NON-CURRENT ASSETS</u>			
Property, Plant & Equipment	6	23,592	34,821
Prepayment		<u>19,312</u>	<u>17,552</u>
		<u>42,904</u>	<u>52,373</u>
<u>TOTAL ASSETS</u>		<u>475,073</u>	<u>444,244</u>
<u>CURRENT LIABILITIES</u>			
Creditors & Accrued Expenses		38,377	30,472
Deferred Grants		5,326	3,693
Provisions	7	<u>46,927</u>	<u>46,818</u>
		<u>90,630</u>	<u>80,983</u>
<u>NON-CURRENT LIABILITIES</u>			
Provisions	8	119,762	119,598
Deferred Grant		<u>19,312</u>	<u>17,552</u>
		<u>139,074</u>	<u>137,150</u>
<u>TOTAL LIABILITIES</u>		<u>229,704</u>	<u>218,133</u>
<u>NET ASSETS</u>		<u>245,369</u>	<u>226,111</u>
<u>EQUITY</u>			
Accumulated Funds		<u>245,369</u>	<u>226,111</u>

The above Balance Sheet should be read in conjunction with the accompanying Notes.

Income Statements
for the Year Ended
30 June 2008

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

INCOME STATEMENT
FOR THE YEAR ENDED 30 JUNE 2008

	<u>NOTES</u>	<u>2007</u> \$	<u>2008</u> \$
Operating Revenue	2	774,006	871,106
Interest Received		<u>23,534</u>	<u>29,664</u>
		<u>797,540</u>	<u>900,770</u>
Less:			
<u>EXPENDITURE</u>			
Administration		95,320	96,240
Client / Community Servicing		14,185	21,490
Occupancy		10,876	10,318
Staff		<u>602,835</u>	<u>722,305</u>
		<u>723,216</u>	<u>850,353</u>
OPERATING SURPLUS		<u>74,324</u>	<u>50,417</u>
Accumulated Funds brought forward		171,045	245,369
Transfer Prior Period Surpluses		-	(74,324)
Prior Period Adjustments		-	4,649
		<u>171,045</u>	<u>175,694</u>
ACCUMULATED FUNDS carried forward		<u>245,369</u>	<u>226,111</u>

Cash Flow Statement

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

CASH FLOW STATEMENT
FOR THE YEAR ENDED 30 JUNE 2008

<u>NOTES</u>	<u>2007</u>	<u>2008</u>
	\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES & GOVERNMENT GRANTS		
Receipts from clients/legal costs awarded/ community (incl. GST on Government Grants)	203,076	129,722
Government Grants	<u>736,130</u>	<u>755,172</u>
	939,206	884,894
Payments to creditors, employees & GST	<u>(873,184)</u>	<u>(935,032)</u>
NET OPERATING CASH FLOWS	66,022	(50,138)
Interest Received	<u>23,534</u>	<u>29,664</u>
NET CASH FLOWS FROM ALL ACTIVITIES	89,556	(20,474)
Adjustment Petty Cash	-	200
Payments for property, plant & equipment	<u>(2,593)</u>	<u>(21,870)</u>
NET (DECREASE) / INCREASE IN CASH HELD	86,963	(42,144)
Cash at the beginning of the Financial year	<u>322,859</u>	<u>409,822</u>
CASH AT THE END OF THE FINANCIAL YEAR	5 <u>409,822</u>	<u>367,678</u>

The above Cash Flow Statement should be read in conjunction with the accompanying Notes.

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2008

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose report prepared for use by Directors and Members of the Company, and the funding bodies. The Directors have determined that the Company is not a reporting entity.

The financial statements are prepared in accordance with the relevant Accounting Standards, other mandatory professional reporting requirements and the disclosure requirements of Schedule 5 of the Corporations Regulations.

The results of operations and financial position of the Centre are accounted for and reported in these financial statements under the historical cost convention. Such convention has no regard either to the changing value of money, or the increased cost of replacing operating capability used in operations.

These policies are consistent with previous years.

(a) Depreciation

Depreciation is calculated on a straight line basis to write off the net cost of each item of property, plant & equipment over its useful life. Additions are depreciated from date of acquisition.

(b) Income

Special Purpose Grants from which benefits will be derived in future periods are credited to Deferred Grants for release in such future periods.

(c) Cash

For purposes of the Cash Flow Statement, cash includes deposits at call which are readily convertible to cash on hand and which are used in the cash management function on a day-to-day basis.

(d) Employee Entitlements

The amounts expected to be paid to employees for their pro-rata entitlement to long service and annual leave are accrued annually at current pay rates. In accordance with employment contracts an amount has been set aside in the event of redundancy.

Notes to
Financial Statements
(continued)

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2008

	<u>2007</u>	<u>2008</u>
	\$	\$
2. OPERATING REVENUE		
Grants received from:		
Legal Aid Commission – Commonwealth	145,257	144,953
Legal Aid Commission – State	246,662	254,801
Legal Aid Commission – Deferred Grant	13,600	-
Tenants Advice and Advocacy Service	253,410	261,621
Domestic Violence CAS	90,801	93,797
Prior Year Surpluses brought forward	-	69,875
Other	3,824	1,760
Legal Costs Received	9,873	34,919
Donations and Memberships	806	328
Other	<u>9,773</u>	<u>9,052</u>
	<u>774,006</u>	<u>871,106</u>
3. OPERATING SURPLUS		
Operating Surplus is arrived at after Charging the following specific items:		
<u>Charges</u>		
Depreciation – Plant & Equipment	9,847	10,641
Provision for Employee Entitlements	<u>54,538</u>	<u>74,431</u>
4. INCOME TAX		
Marrickville Legal Centre is exempt from Income Tax, being a charitable institution Under Section 23 (e) of the Income Tax Assessment Act.		
5. CURRENT ASSETS - CASH		
Cash on Hand	-	300
Cash at Bank	5,271	35,567
Deposits at Call	<u>404,551</u>	<u>331,811</u>
	<u>409,822</u>	<u>367,678</u>

Notes to
Financial Statements
(continued)

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2008

	<u>2007</u>	<u>2008</u>
	\$	\$
6. NON-CURRENT ASSETS		
– Property, Plant & Equipment		
Land & Buildings		
Leasehold Improvements – at cost	38,000	38,000
Accumulated Amortisation	<u>(38,000)</u>	<u>(38,000)</u>
	-	-
Plant & Equipment		
At Cost	101,657	102,088
Accumulated Depreciation	<u>(78,065)</u>	<u>(67,267)</u>
	<u>23,592</u>	<u>34,821</u>
Total Property, Plant & Equipment	<u>23,592</u>	<u>34,821</u>
7. CURRENT LIABILITIES - Provisions		
Employee Entitlements	33,106	32,997
Equipment Replacement	<u>13,821</u>	<u>13,821</u>
	<u>46,927</u>	<u>46,818</u>
8. NON-CURRENT LIABILITIES – Provisions		
Employment Entitlements	<u>119,762</u>	<u>119,598</u>
9. REMUNERATION OF AUDITOR		
Audit Fee	3,520	3,950
Other Benefits	-	-

10. INCORPORATION

Marrickville Legal Centre was incorporated on 16 May 1983 as a Company Limited by Guarantee. In accordance with Clause 7 of the Company's Memorandum of Association, each Member's Liability is limited to \$100.

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

NOTES TO FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2008

	<u>2007</u>	<u>2008</u>
	\$	\$
11. SEGMENT REPORTING		
The Company provides legal advice for Migrants, children under 18 and adults in special underprivileged need within Australia, its revenue being principally derived from State and Commonwealth Grants.		
12. RECONCILIATION OF NET CASH OUTFLOW FROM OPERATING AND GOVERNMENT & COMMUNITY ACTIVITIES TO OPERATING SURPLUS.		
Net cash (outflows) / inflows from operating activities & Government grants	89,556	(20,474)
Surpluses – 2007- brought forward	-	69,875
In Kind Donation	3,148	-
Depreciation & Asset Replacement	(16,299)	(10,641)
Change in operating Assets & Liabilities		
Increase / (Decrease) in Receivables	3,472	(2,717)
Increase / (Decrease) in Prepayments	(509)	2,803
Decrease / (Increase) in Creditors & Accrued Expenses	295	7,905
Decrease / (Increase) in Employee Entitlements Provision	(20,502)	273
Decrease / (Increase) in Deferred Grant	<u>15,163</u>	<u>3,393</u>
OPERATING SURPLUS	<u>74,324</u>	<u>50,417</u>

13. DEFERRED GRANT

A grant of \$44,000 received during the year ended 30 June 1993 related to the lease premium and is being recognised as revenue over twenty-five years as benefits are derived from the lease.

Income Statement
for the year ended
30 June 2008

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

INCOME STATEMENT
FOR THE YEAR ENDED 30 JUNE 2008

	<u>2007</u>	<u>2008</u>
	\$	\$
<u>INCOME</u>		
Grants – Legal Aid Commission		
Commonwealth	145,257	144,953
State	246,662	254,801
Deferred Grant	13,600	-
- Tenants Advice & Advocacy Service	253,410	261,621
- Domestic Violence CAS	<u>90,801</u>	<u>93,797</u>
	749,730	755,172
Prior Period Surpluses brought forward	-	69,875
Unspent Grants brought forward	403	-
Other Grants	3,421	1,760
Casework Income		
Legal Costs Received	9,873	34,919
Consultancies	2,835	2,818
Interest Received	23,534	29,664
Membership Fees & Donations	806	328
Seminars / Conferences	1,000	1,418
Sundry Income	1,350	4,565
Workers Compensation Claims	<u>4,588</u>	<u>251</u>
	797,540	900,770
Less:		
<u>EXPENDITURE</u> – Schedule	<u>723,216</u>	<u>850,353</u>
SURPLUS FOR THE YEAR	<u>74,324</u>	<u>50,417</u>

Schedule of Expenditure
for the year ended
30 June 2008

MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)
A.B.N. 53 699 012 017
A.C.N. 002 059 485

SCHEDULE OF EXPENDITURE
FOR THE YEAR ENDED 30 JUNE 2008

	<u>2007</u>	<u>2008</u>
	\$	\$
<u>EXPENDITURE</u>		
<u>Administration Expenses</u>		
Accounting Fee	14,984	6,271
Advertising / Staff Recruitment	8,045	14,618
Audit fees	3,582	3,950
Bank & Financial Charges	1,352	1,910
Committee / Miscellaneous Expenses	275	682
Computer Expenses	6,355	10,983
Depreciation	9,847	10,641
Equipment – Minor	6,602	3,445
Insurance – General / PI	6,150	7,343
Levies	5,968	3,906
Miscellaneous Expenses	-	53
Postage / Courier	2,951	2,490
Stationery / Office Supplies	5,295	5,096
Subscriptions / Library	7,263	7,270
Telecommunications	<u>16,651</u>	<u>17,582</u>
	<u>95,320</u>	<u>96,240</u>
<u>Client / Community Servicing Expenses</u>		
Catering / Venue Hire	1,086	395
Community Development	1,234	1,811
Non-Recoverable Disbursements	560	837
Printing / Production	8,197	14,583
Travel / Accommodation	2,051	2,584
Volunteers' Expenses	<u>607</u>	<u>1,280</u>
	<u>14,185</u>	<u>21,490</u>
<u>Occupancy Expenses</u>		
Cleaning	4,337	4,261
Electricity	2,763	2,790
Rent / Leasehold Expenses	1,760	1,760
Repairs / Maintenance	1,338	554
Security	<u>678</u>	<u>953</u>
	<u>10,876</u>	<u>10,318</u>

Schedule of Expenditure
for the year ended
30 June 2008
(continued)

MARRICKVILLE LEGAL CENTRE

(A Company Limited by Guarantee)

A.B.N. 53 699 012 017

A.C.N. 002 059 485

SCHEDULE OF EXPENDITURE
FOR THE YEAR ENDED 30 JUNE 2008

	<u>2007</u>	<u>2008</u>
	\$	\$
<u>EXPENDITURE cont...</u>		
<u>Staffing Expenses</u>		
Conferences / Seminars	1,654	7,266
Consultants	1,993	436
Other Salary Related Expenses	1,691	1,643
Practising Certificates	863	1,909
Staff Training	709	2,537
Superannuation	44,580	55,709
Wages / Salaries	547,363	649,933
Workers Compensation Insurance	<u>3,982</u>	<u>2,872</u>
	<u>602,835</u>	<u>722,305</u>
 <u>TOTAL EXPENDITURE</u>	 <u>723,216</u>	 <u>850,353</u>

Committee's/Directors'
Declaration

MARRICKVILLE LEGAL CENTRE

(A Company Limited by Guarantee)

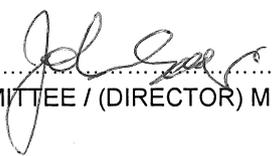
A.B.N. 53 699 012 017

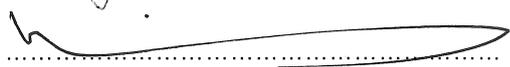
A.C.N. 002 059 485

COMMITTEE'S / (DIRECTORS') DECLARATION

The Committee / (Directors) Members declare that:

1. The financial statements and notes, as set out on pages 4 to 13, are in accordance with the Corporations Act, 2001 and:
 - (a) Comply with Accounting Standards and the Corporations Regulations, 2001; and
 - (b) Give a true and fair view of the financial position as at 30 June 2008 and of the performance for the year ended on that date of the Company.
2. The Chief Executive Officer and Chief Finance Office have each declared that:
 - (a) The financial records of the Company for the financial year have been properly maintained in accordance with Section 286 of the Corporations Act, 2001;
 - (b) The financial statements and notes for the financial year comply with Accounting Standards; and
 - (c) The financial statements and notes for the financial year give a true and fair view.
3. In the Committee / (Directors) Members' 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.


.....
COMMITTEE / (DIRECTOR) MEMBER


.....
COMMITTEE / (DIRECTOR) MEMBER

Signed at Marrickville this  day of  2008.

Independent Audit
Report to Marrickville
Legal Centre Members

SANDRA D. GROLLMUS

Registered Company Auditor
Registered Tax Agent

7 BURRANEER CLOSE
ALLAWAH 2218
TELEPHONE 9546 7366
FAX 9546 2267

INDEPENDENT AUDIT REPORT TO THE MEMBERS OF
MARRICKVILLE LEGAL CENTRE
(A Company Limited by Guarantee)

SCOPE

I have audited the financial statements of MARRICKVILLE LEGAL CENTRE (A Company Limited by Guarantee) for the year ended 30 June 2008 as set out on pages 4 to 13. The Company's Committee Members are responsible for the financial statements. I have conducted an independent audit of these financial statements in order to express an opinion on them to the Members of the Company.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatement. My procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion as to whether, in all material respects, the financial statements are presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements and statutory requirements so as to present a view which is consistent with my understanding of the Company's financial position, the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

INDEPENDENCE

In accordance with ASIC Class Order 05/83, I declare to the best of my knowledge and belief that the Auditor's Independence Declaration set out on page 3 of the financial report has not changed as at the date of providing my audit opinion.

AUDIT OPINION

In my opinion, the financial statements consisting of Balance Sheet, Income Statement, Cash Flow Statement, Schedule and Notes of MARRICKVILLE LEGAL CENTRE are in accordance with:

- (a) The Corporations Act, 2001, including:
 - (i) Giving a true and fair view of the Company's financial position as at 30 June 2008 and of its performance for the year ended on that date; and
 - (ii) Complying with Accounting Standards in Australia and the Corporations Regulations, 2001; and
- (b) Other mandatory professional reporting requirements in Australia.

Dated: 15/9/08


SANDRA GROLLMUS

Registered Company Auditor
Registered No. 1254



Legal week hots up

Marrickville Legal Centre has operated in the Marrickville area for more than 25 years campaigning for law reform to aid the disadvantaged in the community. The centre will hold an open day with a free sausage sizzle on April 4, as part of Law Week, between 11am and 2pm. The centre provides children's legal service for those under 18 years old, tenants advice and an advocacy service.

Photo: ERIN BYRNE

*FROM: Alternative Law Journal
December 2007*

DownUnderAllOver Developments around the country



NEW SOUTH WALES

Publicly stigmatising young offenders

The NSW Government is looking at changing current laws that prohibit the public naming of young offenders. The New South Wales Legislative Council's Standing Committee on Law and Justice is currently conducting an inquiry into these laws with invitations for submissions due on 12 December 2007.

The current inquiry to review the laws so that juvenile offenders can be publicly named is both counter productive and unnecessary, particularly given that the law already allows for circumstances where the Court can authorise the publication of the name of a young offender in serious children's indictable offences, such as murder or aggravated sexual assault.

The primary principles adopted in the juvenile justice system of rehabilitation, reintegration and diversion recognises that children and young people do not have the same developmental capacity and maturity as adults and, as such, different responses are required when dealing with young offenders. The naming of young offenders does not have the effect of 'shaming' them into not doing something — rather the labelling and stigmatisation of being an offender contributes to the alienation of a young person in their community and increases the likelihood of them coming back into the juvenile justice system.

A better diversion of resources would be to devote more funding to early intervention and rehabilitative programs that will assist in diverting young offenders from the juvenile justice system back into the community. Considerations of punishment and deterrent must be given less weight in favour of responses that prioritise the rehabilitative needs of the young offender.

KATRINA WONG is Children's Solicitor at Marrickville Legal Centre

MAY 2008

village
VOICE
-com-au

Rental crisis hits home

By Nicole Hasham

Evidence is mounting that Canada Bay is now firmly in the grip of a rental crisis, with an acute shortage of rental properties pushing prices through the roof.

The latest figures from Housing NSW show the median rent price of a three bedroom dwelling in Canada Bay surged almost 25 per cent to \$560 a week in the 12 months to March this year. The jump represents the largest rise in NSW for the three bedroom category, 14 per cent above the State average.

Median rent for a one bedroom unit rose 17 per cent to \$400 a week, three per cent above the State average.

Steve Martin, president of the Real Estate Institute of NSW president, said property vacancy rates in Sydney have now reached a record low of 0.7 per cent, with inner west suburbs like Concord the hardest hit.

The area's proximity to the city and public transport networks means rentals are in huge demand, Mr Martin said.

"As a result, when properties fall vacant there is a very long queue of tenants waiting for rental accommodation, and they'll pay whatever they can to

Continued on page 4

Rents on the rise as demand exceeds supply

Continued from page 1

secure the tenancy," he said.

The State Government should address the crisis by abolishing property taxes, which would entice investors back to the market, Mr Martin said.

Debra Wilde from Burrigge First National said the shortage of properties in high-demand suburbs like Drummoyne meant prospective tenants were spreading out to suburbs like Five Dock and Russell Lea.

People desperate to secure a tenancy were offering rent well above the advertised price, which over time pushed up market rents, Ms Wilde said.

Julia Murray from the Inner West

Tenancy Advice Service said while it welcomed government measures aimed at improving the supply of affordable housing, many residents would reach crisis point before the changes took effect.

Federal Government budget commitments included a \$500 million housing affordability fund, a \$620 million national rental scheme and a \$10 million financial counselling service to assist people under housing stress.

Meanwhile, Canada Bay Council has secured 20 affordable housing dwellings in George Street, North Strathfield, the first expected to be available in August this year.

"These things take a while to kick

in, [but] rents are only going to increase, so people who've been managing to keep their head above water will start to fall through the cracks," Ms Murray said.

The service has been swamped with phone calls from local tenants complaining about "shocking" rent increases which often exceed \$50 a week. Some landlords are using the current climate of high interest rates to hike up rents beyond what is reasonable, she said.

"It has a flow on effect. In the short term people wonder where money will come from, but in the long-term people are at saturation point. They just can't meet the increase," Ms Murray said.

Dodgy agents drive rental bidding wars



Searching: Belinda Moore with her children Jayde, Lincoln and Tara yesterday

Picture: Gary Graham

Evicted after just four days

THE irony is not lost on Belinda Moore, who has spent the past two months darting between motels and family's couches waiting to find a rental home.

The single mother was threatened with criminal charges after entering her former home when it was repossessed by a bank — the owner had gone bust.

"If they throw me in jail at least I'll finally have a permanent place to stay," she joked yesterday.

"My daughter's medication is locked up in the house and I couldn't wait for the bank to determine what belongs to the owner and what belongs to me."

Ms Moore has since been given

permission to enter the house but her rental nightmare is far from over.

It began in April 2007 when she moved to Ourimbah on the Central Coast.

The three-month lease wasn't ideal but after another two-month search and 25 applications, she was desperate.

She started looking for the next place almost immediately. Sweet relief came in July with an Ourimbah house for \$390 a week, a little too expensive but with a housemate it was affordable enough.

"Four days later the Sheriffs came and kicked us out because the landlord hadn't kept up the mortgage," Ms Moore said.

"Who's going to choose me?"

Justin Vallejo
Property Reporter

DESPERATE tenants are being exploited by real estate agents using the housing crisis to drive up rents.

Would-be renters are spending months applying for dozens of properties in good faith, only to lose out due to dodgy tactics.

More than 1000 complaints are being made every week as agents undervalue rental properties to draw huge crowds of potential tenants to open days, triggering silent bidding wars that drive rents up even further.

Since the city's property bubble burst in 2003, leading to the decline in rental stock, complaints against landlords and property managers to the Department of Fair Trading have blown out by more than 180 per cent — from 403 at the end of 2004 to 1085 in the 2008 financial year.

The Consumer Trading and Tenancy Tribunal received 51,080 rental disputes by tenants in 2008, up from 46,498 at the end of 2004.

"We've become very concerned about some agents using a tactic called rent ranging to trigger rent auctions," NSW Tenants Union policy officer Chris Martin said.

"They advertise at a range of rents, say between \$250 to \$300, and get all these people along to inspections, which exaggerates the level of interest when in reality less than half would actually be able to afford the place.

"Most are never going to get a look in but it appears there is a lot of interest and this starts a bidding war."

While rent ranging cannot be policed by the Department of Fair Trading, solicitor Elizabeth De Freitas, from the Marrickville Legal Centre, said there are blatant examples of illegal practices going unchecked.

"Recently local real estate agents are charging just for applications, which is illegal," Ms De Freitas said.

"We got a report and I rang the agent pretending to be a tenant and they asked for \$15 for an application. I asked what it would be used for and they said it was an application fee."

With properties easily attracting 40 applications on average, the practice is a big earner for real estate agencies.

On the rise

	Average rent per week	Yearly Increase
Auburn	\$340	25.9%
Botany Bay	\$350	25.0%
Canterbury	\$275	25.0%
Leichhardt	\$530	20.5%
Ku-ring-gai	\$450	20.0%
Penrith	\$220	18.9%
Marrickville	\$380	17.8%
Liverpool	\$235	17.5%

*all properties are two-bedroom dwellings

How has the rental crisis affected you? Tell us dailytelegraph.com.au

Police broke my rib, alleges lawyer who came to man's aid

- **Joel Gibson**
- July 7, 2008

A SYDNEY solicitor and civil liberties campaigner was arrested, handcuffed and allegedly had his rib broken by police after offering legal assistance to a man being searched in public.

Kristian Bolwell said police manhandled him and broke his rib last week after he displayed his solicitor's identification card to a man being searched in a pub and said, "Hi, I am a solicitor, would you like any help?"

Mr Bolwell is a member of a group campaigning against NSW Government regulations that give police power to stop people from causing annoyance or inconvenience

to World Youth Day participants. The penalty is a fine of up to \$5500.

Mr Bolwell said his experience was proof that police powers needed to be curtailed, not extended.

The 36-year-old lawyer was dining at the Coopers Arms Hotel in Newtown about 9.30pm on Thursday when eight to 10 police entered the pub with a sniffer dog and began searching patrons, he said. After Mr Bolwell offered assistance to one of them, he said he had a "short conversation" with police, who then pushed him and pinned him face-down on the floor.

He was later charged with hindering police, resisting police in execution of duty and failure to obey a police direction.

He said he had consumed only a few drinks over four hours.

A medical report from the Royal Prince Alfred Hospital on Saturday confirmed he had a fractured rib and moderate bruising on his left side.

He said the police actions were "unwarranted, disproportionate and offensive" and that he had behaved appropriately at all times "despite being provoked, assaulted and physically hurt by the police".

Mr Bolwell, a former Greens staffer and director of the Marrickville Legal Centre, is involved with the NoToPope Coalition, which is campaigning against the new police powers and the Catholic Church's policies on condoms, homosexuality and abortion.

He said his experience showed police had "too much power and too little training" and were not capable of managing the broad powers covering much of Sydney's CBD this month.

He hired a solicitor, Peter O'Brien, to defend the criminal charges and to pursue civil action against NSW police.



Kristian Bolwell at the pub where the incident occurred. Photo: *Dean Sewell*

Continued next page

The NSW Council for Civil Liberties has said it gets more complaints about police searches than any other issue. Last year, NSW Premier Morris Lemmon extended powers legislated after the Cronulla riots, which mean police only need a "suspicion" of illegality before they can undertake an intrusive search.

Superintendent Wayne Cox, from Leichhardt Local Area Command, confirmed Mr Bolwell was involved in an incident on Thursday night and had been charged, but said he could not comment further because the matter was before the court.

SMH 27/05/08

It is frustrating to learn that there are more than 120,000 unoccupied residential properties in Sydney ("Empty dwellings in a city desperate for places to live", May 26). The 1200 houses that fall into the hands of the public trustee annually should automatically become part of the desperately needed social housing stock, rather than simply be sold, with the proceeds going to the state.

Julia Murray Enmore

**Marrickville Legal Centre
338 Illawarra Road
Marrickville 2204**

**Website: www.mlc.asn.au
Phone: (02) 9559 2899
Fax: (02) 9558 5213
ABN 53 699 012 017**