

Annual Report 2016



Board

Chair: Mark Edmonds

Treasurer: McFarlane Pattinson

Secretary: Julie Clarke

Board Members: Bernadette McCartney

Clare Barrett Emma Wagg **Ian Parsons**

Jacqui Heffernan Kylie Schulberg#

Staff

Executive Officer: Nick Hudson

Principal Lawyer: Mandi Hyland

Principal Social Worker Lee FitzRoy

Community Lawyers: Carolyn Howe

Christian Schultink*

Elsie Stokie

Geordie Konieczka Jeanette Connolly

Lee Bolton

Louise Thorsen Marijana Graljuk Mikala McIntyre Sam Hawkins

Community Legal Education & Jillian Chapman

Development Co-Ordinator:

Administration Officers: Grace Forrest

Charmaine Floyd

Liz Flynn

* resigned during year

Level 1, 63 Thomson Street Belmont VIC 3216 ph: 1300 430 599

hours: 9am - 5pm Monday - Friday www.barwoncls.org.au

Vision

A just society in which all people have equal access to, and status under, the law; and a legal system which is humane, fair and equitable.

Mission

To promote, protect and enhance the rights and interests of individuals, groups and organisations within the BCLS catchment region who are disadvantaged in their access to justice; and contribute to reform of laws and structural inequities to achieve humane, fair and equitable outcomes.

Barwon Community Legal Service (BCLS) receives funding from a range of different government and nongovernment sources. BCLS provides a range of services including legal advice, referral to specialist casework services, social work, community legal education, community development and policy and law reform activities to assist members of our local community. All advice provided by BCLS is done so by qualified lawyers and our service is governed by the same regulations and professional standards as all legal practices. BCLS acknowledges the funding gratefully received from the following sources:

	Amount	Program
Commonwealth Attorney General's Department	489,728	CLSP
	32,696	ERO Implementation
Victoria Legal Aid	425,576	CLSP
	93,560	ERO Implementation
Consumer Affairs Victoria	107,847	TAAP
Department of Justice & Regulation	52,174	Family Violence
		Project
	45,000	Social Work Project
RE Ross Trust	24,710	Seeking Refuge Project
Deakin University Student Association	55,419	Sort It! Legal service
		for students
Deakin University	6,000	Legal Internship
Victoria Law Foundation	8,310	Law Week Event

Chair & Executive Officer Report

Mark Edmonds & Nick Hudson

This year we celebrated 30 years of BCLS providing free legal advice, education and support to the local community. We started in 1986 with one lawyer and a half time administration worker. From the beginning our work has focussed on law reform and community education as well as providing direct legal assistance to people. This approach recognises the relative efficiency a systemic and education and empowerment approach provides when compared to direct legal assistance. In 1986 we also established a volunteer night service which allowed us to greatly increase our capacity.

We believe we have made a huge difference to thousands of clients and many more in the broader community. We still have the first lawyer who started 30 years ago with us today and continuing to provide great service to the community. We also have at least one volunteer continuing from that first year, an incredible contribution to our service and the community. We are committed to promoting, protecting and enhancing the rights of individuals and groups within our community, and whilst we are fortunate to have had good continuity of staff and volunteers, BCLS has evolved and changed to meet the changing environment and legal need of our community.

This year has been an interesting one for BCLS. We were successful in attracting three new lots of funding which have allowed us to establish new programs providing social work support to our clients, legal assistance to Asylum Seekers and an enhanced response for our family violence clients. We have been busy implementing these programs across the service and it is a real credit to the dedication of staff employed for the new programs and to the flexibility of our existing team how seamlessly these programs have been included in our service offering. Seeking Refuge, the Asylum Seeker project, has recruited over 50 volunteers to assist clients and managed to raise over \$70,000 to pay for the necessary interpreters, an impressive feat whilst also busy seeing clients and completing the 70 page temporary protection visa applications. The social work program involves students from both Deakin and Monash universities undertaking placement with us and these students have worked well with the rest of our team to help deliver additional support to our clients. The client feedback from these services has been great and we are hopeful that we can use the evaluation to demonstrate the value of the program and secure ongoing funding.

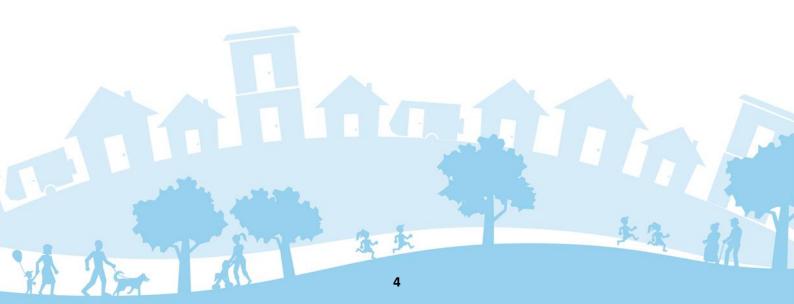
We continue to be busy with clients, networking and providing an innovative education program to our community. We are proud to have delivered over 100 education events during the year, a particular highlight was the 'Pop Up Legal Health Check Shops' project that we ran at Market Square, Bellarine Village and Colac Woolworths during Law Week in May.

We have also been busy making preparations for moving office. In September we are going to finally leave Pakington Street after 13 years for newer, bigger, brighter and better premises in Belmont, which should provide a great new base for BCLS.

We'd like to thank all of our team of paid staff, students and over 100 volunteers who have delivered services in areas including Colac, Norlane, Corio, Warrnambool, Hamilton, Portland, Geelong West, Geelong and Waurn Ponds and provided over 100 education sessions to community members and colleagues from the community sector. Your work and dedication is fantastic and the services we offer through your efforts are outstanding.

We would also like to thank the board of BCLS – a group of dedicated volunteers committed to ensuring high standards of good governance and the effective development and monitoring of our strategic plan.

The board looks forward to the year ahead in working with the whole team at BCLS in further delivering a range of diverse and valuable programs



Volunteers

John Butler

Rachel Somers

Lawyers

Allison Rowe Lorraine Clarke Amelia Rayson Luke Griffin Andrew Weinmann Martin Ching Andrew Zingler Megan Alford Ashleigh Lincoln Michelle Fielding Brendan O'Halloran Mikarla Perisic

Caetlyn Wells-Simon Panayiota Karnis Collette Crehan Paul Cahill Guanqi (Lucky) Zhou Rachel Dalton **Hannah Dawes** Rebecca Hocking Jaz Cornish **Rob Considine**

Robyn Davis Kim Lamb Stephanie Mawby

Practical Legal Training

Amanda Smith **Robert Considine** Annica Akerfeldt Rusy Primrose **Hugh Boulton** Simone Miller Stepahnie Chow Kayla Kristensen Luke McGowan Tony Whitman

Paul Scarmazzino Vincent Lie

Students

Aleks Dukovski Dorna Pakzamir Mercy Wanyonyi Alexandra Trower **Emily Fraser** Olivia Meagher Amy Loughnan Emma Lee Rachael Somers

Anai Lindsay Imogen Aitken Raphaelle Meikle-Stewart

Anna Oliveira-Fry Jack Williams Rebecca Richert Arlena Barton Jess Hegarty Roslyn Hames

Caitlin Doble Joyce Pan Sophia Young Caitlin O'Keefe Lauren Cruickshank Stephen Hunt

Charrie Mata Lauren Handreck Tanya Nenov Chloe Franz Lauren Hutson Taylah McWilliams

Daniel Tkaczuk Lisa Patterson Thomas Edwards Venezia Scudellaro Danika Pamplin Meg McNeel

Volunteers

Seeking Refuge Project

Andrew Alexander Arwinder Singh Bianca Sealey Jane Elliot Joseph Messina Kate Fitzgerald Lee Bolton Lydia De Raad Mark Henricks Mark Sehler Naomi Kinsella Nicole Carter Oz Ozturk Sandra Kerr Victor Galaz

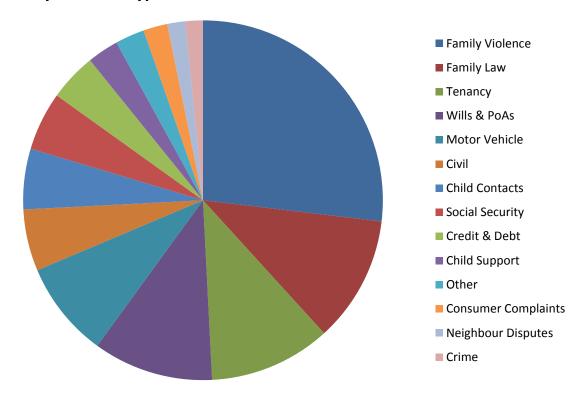
Alice Coakley
Amy Stagg
Austin Paterson
Babita Chawla
Brenton Gordon
Chloe Taylor
Chris Brydon
Christine Hodgson
Deanne Woodman

Drita Halimi
Emily Forbes
Emma Cvitak
Georgina Mitchell
Gosia Bucki-Smith
Helen Brereton
Helen Dwyer
Joan Gill
Joshua Baravelli

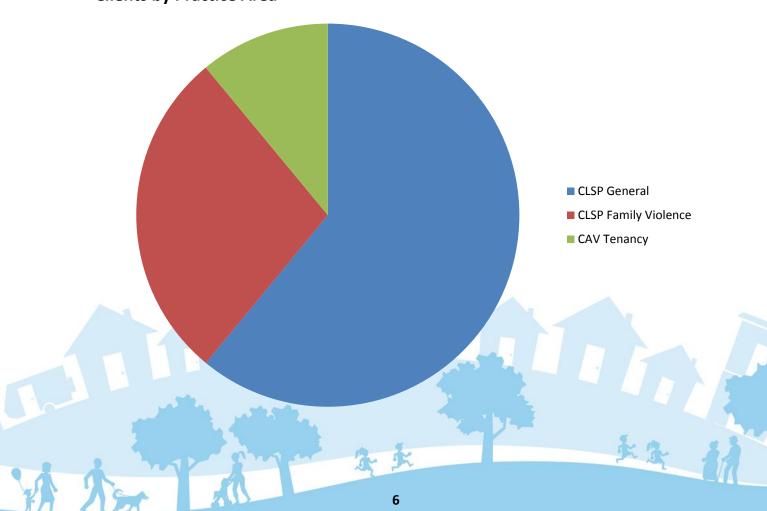
Jovita Protacio Joyce Pan Karen Agudelo Kath Welch Liz Flynn Lynne Knight **Mandy Bridges** Mandy Kennedy Margaret Griffith Maria Castro Miriam Williams Niamh Harrington Sascha Davies Stephanie Powell Stephen Chen Suvini Dissanayake Yaseen Tiry

Client Statistics

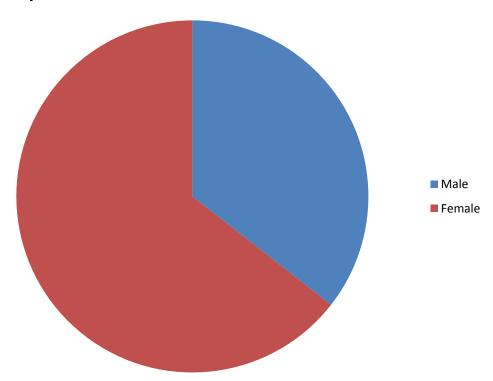
Clients by Problem Type



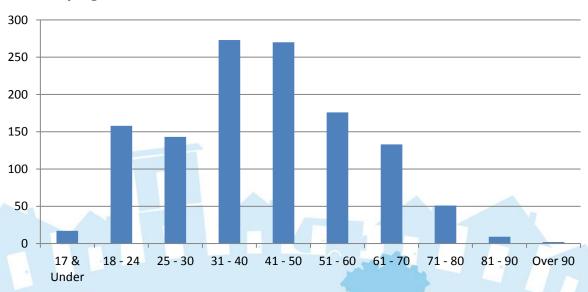
Clients by Practice Area

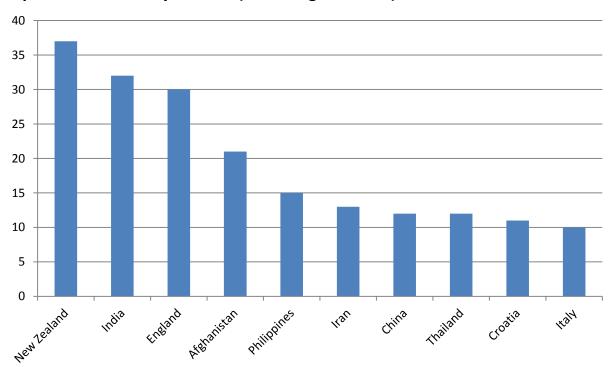


Clients by Gender



Clients by Age





Top 10 Client Country of Birth (excluding Australia)

Case Studies

1. Family Violence

Amy and Bill were married for 7 years and have two young children together aged 4 and 6. Bill had an extensive criminal history and during their marriage he had lost his license numerous times.

Bill was often intoxicated during both the day and night. He was frequently violent and controlling and threatened to kill Amy, the kids and himself. Bill repeatedly yelled at Amy, was physically violent and harassed her via phone calls and text messages. The children were often present during these incidents.

Although Amy and Bill were divorced, Bill moved back in with Amy and the two children because he wanted to spend time with the kids. During this time, Amy was too scared to ask Bill to leave.

Amy applied and was granted a Family Violence Intervention Order against Bill on behalf of herself and their two children. This meant Bill could not commit family violence against them or get anyone else to do so.

Bill registered his car in Amy's name and intentionally incurred roughly 25 driving infringements over a 4 year period, worth roughly \$8,000. Bill was the main source of income for the family and consequently Amy was unable to pay these fines on her own. Amy and the children moved into crisis accommodation and she was unable to work as she was the sole carer of the two children. Amy received Centrelink benefits however they were not sufficient to provide a living for her children and pay the fines in her name.

Through the assistance of lawyers at BCLS and Women's Legal Service Victoria, Amy was able to have some of the fines waved by the Victorian Infringements Court and the rest withdrawn by the Victorian Police

2. Social Security

Marie came to see BCLS after Centrelink had cancelled her Disability Support Pension (**DSP**) which she had been receiving for the past 7 years following a serious accident. Marie worked part-time under the Federal Government supported wage scheme, did her tax annually and attended appointments with Centrelink and her Job Services Australia provider when required. Despite complying with these requirements, Centrelink raised a \$10,000 debt over a four year period.

We obtained Marie's Centrelink file through a Freedom of Information request and the file showed that Marie had provided Centrelink with the correct information; this information had been incorrectly actioned by Centrelink; and there had been a review of Marie's income finalised in Marie's favour during the time period of the debt.

With this information we prepared a submission to Centrelink's Authorised Review Officer, who reaffirmed their original decision. BCLS then prepared Marie's subsequent appeal to the Social Security Appeals Tribunal (**SSAT**).

Marie successfully appealed to the SSAT which ruled that part of the debt arose due to sole administrative error and should be waived. The remaining debt was waived under special circumstances provisions. The entire debt of over \$10,000 was waived.

Marie was very relieved that the debt was waived as she has been able to keep her housing and can now pay for living expenses and her medication costs.

Whilst the appeal was ultimately successful, the time and uncertainty of the appeals process negatively impacted on Marie's physical and mental health.

Acknowledgements

BCLS gratefully acknowledges the support of the following organisations and people during the year:

94.7 The Pulse

Amanda George

Asylum Seeker Resource Centre

Barwon Centre Against Sexual Assault

Barwon Health – Corio Community Health

Centre

Bay FM

Bellarine for Refugees

Bellarine Village Shopping Centre

Bethany Community Services

Camperdown & District Community House

City of Greater Geelong

Christine Couzens

Colac Area Health

Combined Refugee Action Group Geelong

Consumer Action Law Centre

Deakin University

Deakin University Student Association

Diversitat

Eastern Community Legal Service

Federation of Community Legal Services

FoRt

Geelong Law Courts

Glenelg Libraries Portland

The Gordon

Gunditjmara Aboriginal Cooperative

Hamilton Community House

Ian Munt

Jane den Hollander

Jobwatch

Market Square Geelong

Martin Ching

Minerva Community Services

Monash University

Norlane Child and Family Centre

Peninsula Community Legal Centre

Queensland Public Interest Law Clearing

House

Rambling Ranga

Reclaim the Night

RE Ross Trust

Refugee Legal

Regional Information and Advocacy

Centre

Richard Marles

Robert Hayt

Sarah Henderson

Senior Rights Victoria

Surfcoast Rural Australians for Refugees

Victoria Law Foundation

Victoria Legal Aid

Victoria Police

Villamanta Disability Rights Legal Service

Wesley Centre Geelong

WEst Justice

Women's Legal Service Qld

Woolworths Colac

Everyone who generously donated to the Seeking Refuge campaign

INDEPENDENT AUDIT REPORT TO THE MEMBERS OF BARWON COMMUNITY LEGAL SERVICE INC

Report on the Concise Financial Report

The accompanying concise financial report of Barwon Community Legal Service Inc comprises the statement of financial position as at 30 June 2016, the statement of comprehensive income, the statement of cash flows and the statement of changes in equity for the year ended then ended, derived from the audited financial report of Barwon Community Legal Service Inc for the year ended 30 June 2016. The concise financial report does not contain all the disclosures required by the Australian Accounting Standards.

The Committee's Responsibility for the Concise Financial Report

The Committee is responsible for the preparation and presentation of the concise financial report in accordance with Accounting Standard AASB 1039 Concise Financial Reports. This responsibility includes establishing and maintaining internal control relevant to the preparation of the concise financial report; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

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

Our procedures in respect of the concise financial report included testing that the information in the concise financial report is derived from, and is consistent with, the financial report for the year, and examination on a test basis, of evidence supporting the amounts and other disclosures which were not directly derived from the financial report for the year. These procedures have been undertaken to form an opinion whether, in all material respects, the concise financial report complies with Accounting Standard AASB 1039 Concise Financial Reports.

Our responsibility is to express an opinion on the concise financial report based on our audit procedures. We have conducted an independent audit, in accordance with Australian Auditing Standards, of the financial report of Barwon Community Legal Service Inc for the year ended 30 June 2016. Our audit report on the financial report for the year was signed on 13th December 2016 and was not subject to any modification. The Australian Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report for the year is free from material misstatement.

Independence

In conducting our audit, we have followed applicable independence requirements of Australian professional ethics pronouncements.

Auditor's Opinion

In our opinion, the concise financial report of Barwon Community Legal Service Inc for the year ended 30 June 2016 complies with Accounting Standard AASB 1039 Concise Financial Reports.

Stephen Kirtley **Director**

Dated this 13th day of December 2016.

Davidsons Assurance Services Pty Ltd 101 West Fyans Street Geelong Victoria 3220

STATEMENT OF COMPREHENSIVE INCOME FOR YEAR ENDED 30 JUNE 2016

	NOTES	2016 \$	2015 \$
REVENUE FROM ORDINARY ACTIVITIES	2	1,335,732	1,149,974
EXPENSES FROM ORDINARY ACTIVITIES			
Employee Benefits Expense		962,096	837,803
Depreciation		14,106	22,348
Administration Expenses		205,345	204,638
TOTAL EXPENDITURE FROM ORDINARY ACT	TIVITIES	1,181,547	1,064,789
NET RESULT FROM ORDINARY ACTIVITIES		154,185	85,185
OTHER COMPREHENSIVE INCOME		-	-
TOTAL COMPREHENSIVE INCOME FOR THE	YEAR	154,185	85,185

STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2016

	NOTES	2016	2015
CURRENT ASSETS		\$	\$
Cash Receivables	3 4	709,628 7,165	510,495 7,121
TOTAL CURRENT ASSETS		716,793	517,616
NON-CURRENT ASSETS			
Fixed Assets TOTAL NON-CURRENT ASSETS	5	38,935 38,935	41,685 41,685
TOTAL NON-CURRENT ASSETS		30,733	41,003
TOTAL ASSETS		755,728	559,301
CURRENT LIABILITIES			
Payables	6	153,032	120,383
Provisions TOTAL CURRENT LIABILITIES	7	166,544 319,576	145,736 266,119
NON-CURRENT LIABILITIES			
Provisions	7	33,960	45,175
TOTAL NON-CURRENT LIABILITIES		33,960	45,175
TOTAL LIABILITIES		353,536	311,294
NET ASSETS		402,192	248,007
EQUITY			
Reserves	8	9,040	9,040
Retained Profits TOTAL EQUITY	9	393,152 402,192	238,967 248,007
TOTAL EQUILI		402,192	440,007

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2016

	NOTES	2016	2015
CASH FLOWS FROM OPERATING ACTIVITIES		\$	\$
PAYMENTS			
Payments to Employees		(910,291)	(797,936)
Other Operating Expenses		(214,952)	(207,855)
RECEIPTS			
Government Grants		1,218,485	1,062,054
Interest Received		8,791	10,801
Other Operating Income		108,456	77,119
NET CASH PROVIDED BY OPERATING ACTIVITIES	10	210,489	144,183
CASH FLOW FROM INVESTING ACTIVITIES			
Payments for purchase of Fixed Assets		(11,356)	(1,752)
NET CASH PROVIDED BY INVESTING ACTIVITIES	_	(11,356)	(1,752)
NET INCREASE IN CASH HELD		199,133	142,431
CASH AT THE BEGINNING OF THE REPORTING PERIOD		510,495	368,064
CASH AT THE END OF THE REPORTING PERIOD	3 =	709,628	510,495

STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2016

	NOTES	RETAINED PROFITS	RESERVES	TOTAL
	-,	\$	\$	\$
BALANCE AT 01.07.14		153,782	9,040	162,822
Total Comprehensive Income for the Year	•	85,185	-	85,185
BALANCE AT 30.06.15	8 & 9	238,967	9,040	248,007
Total Comprehensive Income for the Year	•	154,185	-	154,185
BALANCE AT 30.06.16	8 & 9	393,152	9,040	402,192

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2016

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements are special purpose financial statements prepared in order to satisfy the financial reporting requirements of the *Associations Incorporation Reforms Act 2012 (Vic)* and *the Australian Charities and Not-for-Profits Commission (ACNC) Act 2012*. The committee has determined that the association is not a reporting entity.

The financial statements have been prepared on an accruals basis and are based on historic costs, which do not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

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

(a) Fixed Assets

Fixed assets are brought to account at cost. The depreciable amount of all fixed assets are depreciated over the useful lives of the assets to the association commencing from the time that the asset is held ready for use.

(b) Employee Entitlements

Employee entitlements have been measured at their nominal amount.

(c) Depreciation

All assets are depreciated over their estimated useful lives. The depreciation rates used for fixed assets are the applicable Australian Taxation Office rates.

(d) Revenue

Revenue from Government Grants is recognised when received by the entity.

Revenue from the contribution of assets (including cash) is recognised when the company gains control of the contribution or the right to receive the contribution.

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

Revenue from the sale of assets is recognised upon delivery of the assets to customers.

Interest revenue is recognised on a proportional basis taking into account the interest rate applicable to the financial assets.

(e) Cash

For the purposes of the Statement of Cash Flows, cash includes cash on hand, at banks, and on deposit.

(f) Income Tax

Barwon Community Legal Service Inc. is exempt from income tax.

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2016

NOTE 2: REVENUE FROM ORDINARY ACTIVITIES	2016 \$	2015 \$
CLSP Grant Income	1,110,638	960,932
Non CLSP Grant Income	107,847	101,122
Interest	8,791	10,801
Other	108,456	77,119
TOTAL REVENUE FROM ORDINARY ACTIVITIES	1,335,732	1,149,974
NOTE 3: CASH ASSETS		
Cash at Bank	709,084	509,918
Cash on Hand	544	577
TOTAL CASH ASSETS	709,628	510,495
NOTE 4: RECEIVABLES		
Accounts Receivable	220	2,640
Accrued Income	278	4,481
Other Receivable	6,667	
TOTAL RECEIVABLES	7,165	7,121
NOTE 5: FIXED ASSETS		
Plant & Equipment	205,697	214,256
Accumulated Depreciation	(166,762)	(172,571)
	38,935	41,685
Motor Vehicles	39,422	39,422
Accumulated Depreciation	(39,422)	(39,422)
	-	-
TOTAL FIXED ASSETS	38,935	41,685

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2016

NOTE 5: FIXED ASSETS continued

Movement In Assets Note:	Plant & Equipment \$	Motor Vehicles \$	Total \$
Balance at 1 July 2014	53,253	9,028	62,281
- Additions	1,752	, -	1,752
- Disposals WDV	· -	_	-
- Depreciation	(13,320)	(9,028)	(22,348)
Balance at 30 June 2015	41,685	-	41,685
- Additions	11,356	-	11,356
- Disposals WDV	-	-	-
- Depreciation	(14,106)	-	(14,106)
Balance at 30 June 2016	38,935	-	38,935
		2016	2015
NOTE 6: PAYABLES		\$	\$
Trade Creditors		4,509	14,072
Revenue in Advance		75,521	47,425
Staff Benefits		39,866	26,999
GST Payable		21,248	23,400
PAYG Payable		10,372	7,674
Credit Cards	_	1,516	813
TOTAL PAYABLES	_	153,032	120,383
NOTE 7: PROVISIONS			
Current Provision			
Provision for Annual Leave		83,309	77,033
Purchased Leave Provision		4,087	1,938
Provision for Long Service Leave	_	79,148	66,765
Total Current Provisions	_	166,544	145,736
Non current Provisions			
Provision for Long Service Leave		33,960	45,175
Total Non Current Provisions	-	33,960	45,175
TOTAL PROVISIONS	<u>-</u>	200,504	190,911

NOTES TO AND FORMING PART OF THE ACCOUNTS FOR THE YEAR ENDED 30 JUNE 2016

	2016	2015
NOTE 8: RESERVES	\$	\$
Asset Revaluation Reserve	9,040	9,040
TOTAL RESERVES	9,040	9,040
NOTE 9: RETAINED PROFITS		
Retained Profits at 1st July	238,967	153,782
Net Profit	154,185	85,185
Retained Profits at 30th June	393,152	238,967
NOTE 10: RECONCILATION OF NET CASH PROVIDED BY O ACTIVITIES TO OPERATING RESULT	PERATING	
	2016 \$	2015 \$
Operating result		
	\$	\$
Operating result Depreciation (Increase)/decrease in other receivables	\$ 154,185	\$ 85,185
Depreciation	\$ 154,185 14,106	\$ 85,185 22,348
Depreciation (Increase)/decrease in other receivables	\$ 154,185 14,106 (44)	\$ 85,185 22,348 (3,217)