PENINSULA COMMUNITY LEGAL CENTRE

ANNUAL REPORT | 2013-2014

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OUR MISSION, VISION & VALUES

Mission

To empower and support disadvantaged community members of the South East and Westernport Region to use the law and legal system to protect and advance their rights and broaden their awareness of their responsibilties.

Vision

A fair and inclusive society that promotes and protects human rights and equality before the law.

Values



OUR OBJECTIVES

① To effectively and innovatively utilise, manage and expand resources to achieve our mission.

To provide free and accessible legal advice, casework
 and representation in the Centre's catchment area, targeted to assist the most vulnerable.

To provide community legal education to empower
 and inform the community about legal rights and responsibilities.

④ To initiate and participate in law reform and legal policy activities relevant to the Centre's client base

5 To develop, maintain and monitor relationships with stakeholders.

(6) To effectively promote services.

OUR TEAM

Management Committee

Chairperson John Wadsley

Vice Chairperson Victoria Campbell

Treasurer Jen Kelly

Secretary Paul Bradley

Members

Celestine Moon Christine Richards George Erlichster Julian Bartlett Richard O'Donovan

We thank our Management Committee members for their support, dedication and leadership in ensuring our services are accessible and responsive to our local community.



Staff

Chief Executive Officer Jackie Galloway

Deputy Chief Executive Officer Gillian Wilks

Legal Practice Victoria Mullings *Principal Lawyer*

Brendan Stackpole Deputy Principal Lawyer

General Managers Andrea Staunton Volunteers & Education

Sue Vincent Administration

Deputy Managers Hellen Argiriou *Administration*

Saskia Weerheim Volunteers & Education **Community Lawyers** Claire Williams Chris Gunasekera Danny Haworth Gregory O'Brien Kate Gustke Kate Ross Natalie Altman Sokha Um

Education & Policy Lawyer Saskia Rijfkogel

Advocates Cathie Currie Chris Horsburgh Elizabeth Divers Vanessa Saunders

Community Workers Chris Horsburgh Jasmin Underwood **Executive Support** Valmai Scully

Administrative Workers Beth Weerheim Caitlin Wilson Elle Hitchens Jasminka Kumbaric Nina Mitris Stacey Penny Vicki Holmes

Contract Staff Jodie De Gregorio *Finance Officer*

The following staff left during this period. Aimee Helleren Elsje Van Moorst Janine Harrison John Connell Kristie Quinlan Lisa Green Wendy March

We congratulate our staff for a year of outstanding work and thank them all for their enthusiasm, resilience and commitment to PCLC and our clients.

Volunteers

Lawyers

Trudy Ararat Chris Atmore Katherine Awad Leonie Bailey Helen Betros Adam Birch Rohani Bixler Bill Boucher Paul Bradlev Prue Burrell Victoria Campbell Jane Carter John Connell Jason Coppard Peter Coutts Michael Denison **Tess Dickie** Dean Ellinson

Paralegals

Sue Altundal Stefan Bagg Dean Balassis **Renee Barnes** Matthew Berry Nina Bigu Ashley Brown Rod Callaghan Phillip Carr Pamela Casagrande Thomas Chalk-Hatton Hannah Clarke Rosie Cole **Rachel Curnow** Adam Davis Luke Denham **Elizabeth Divers** Aija Dowling Andrew Doyle Samantha Dovle Amelia Edwards

George Erlichster Erin Ferguson Travis Fewster Kathrvn Footner Rebekah French David Galloway Canda Glanville Amanda Graham Chris Gunasekera Angelica Guz Aimee Helleren Chris Hill Ian Hone Chris Horsfall Kristen House **Kirsten Hughes** Amanda Humphreys Rhonda Kelly

Michael Labiris Justin Lewis Cara Litterick Damian Lynch Jennifer Maher Trina Malone Peter Martin Luke Martin Vivien Mavropoulos Quinn McCormack Danielle Mercuri Natalie Mikkelsen Michael Morehead Victor Moss Michael Nguyen Greg O'Brien Barbara Osafo-Kwaako

With diligence, compassion and generosity,

our volunteers helped advance justice

in our community. Thank you.

Lola Peeters Hayley Pope Jonathan Rhall Saskia Rijfkogel **Greg Russo** Trish Samson Ekta Shah Joel Silver Patrick Smith Will Stidston Carolyn Tadross Louise Turner Sokha Um John Wadslev Zoe Watson Terry Weerappah Scott Whitechurch

Carrie Ewin Sonari Fernando Natasha Futschik Marcus Fraiman Jackie Galloway **Riley Gay** Natalia Gorges Anna Grage Jade Gregory Nadeera Gunawardena Marcus Hannah Lauren Harston Vicki Holmes **Claire Humphreys** Cassandra Jansz Tammy Kamil Sarah Kennedy Shohan Khan Claire Loughnan Daizy Maan Alex Marcou

Katrina Markwick Danielle McCartin Adele McLeod Michele Mihailovic Kara Miller Vanettia Milne Sarah Mitchell Sandra Murray Benjamin Needleman Brylee Newman Jacqualine Newton Tanita Northcott Lillian O'Connor Allana Olah Kirsty Osborne Barbara Padfield Priya Padhye Thierry Pascal Olga Pecherski Heather Perry **Ricky Plummer**

Valerie Power Villy Raki Stephanie Richardson Emilv Rvdel Amber Salter Solina Sam Kelly Schober Geeta Shyam Luke Sinclair Jonathan Sise Shai Sommer Anthony Staunton **Bethany Stewart Claire Stratton** Emma Strugnell Aldo Taranto Brittany Tolson Allison Van Beers **Brigitte Wise** Rebecca Wright Teresa Zanca

"Volunteering is the ultimate exercise in democracy. You vote in elections once a year, but when you volunteer, you vote every day about the kind of community you want to live in." (Author unknown)

OUR AWARDS

Kath Neilsen Memorial Award

The Centre's highest distinction, the Kath Neilsen Memorial Award, was created in 2002 in honour of the late Kath Neilsen, a founder and strong supporter of the Centre. It is a way for the Centre to recognise a volunteer who has made an outstanding contribution.

The highly deserving winner of the 2013 Kath Neilsen Memorial Award was Amanda Humphreys, a lawyer volunteer who has been with the Centre for 15 years. Amanda has also assisted clients on a pro bono basis and is a pro bono mentor to staff lawyers in relation to complex child support and family law matters. Amanda is an accredited family law specialist and has been accepted into the International Academy of Matrimonial Lawyers. Amanda's unfailing generosity in sharing her time and expertise is greatly appreciated, and we commend her on receiving this Award.

Volunteer Encouragement Awards

Congratulations to Stephanie Richardson, Clair Humpheys and Claire Loughnan, for receiving 2013 Volunteer Encouragement Awards in recognition of their excellent commitment and service to the Centre. With pro bono support from Maurice Blackburn Lawyers, these volunteers each received \$100 book vouchers and a framed certificate.

Volunteer Long Service Awards

With pro bono support from Maurice Blackburn Lawyers, the Centre presented long service awards to 18 volunteers who have donated 10 or more years of service – a cumulative total of over 270 years!

We warmly congratulate:

- Heather Perry (10 years)
- Trish Samson (10 years)
- Jason Coppard (10+ years)
- George Erlichster (10+ years)
- Jennifer Maher (10+ years)
- Victoria Campbell (15 years)
- Lance Guymer (15 years)
- Amanda Humphreys (15 years)
- Vivien Mavropoulos (15 years)
- Lola Peeters (15 years)
- Patrick Smith (15+ years)
- Scott Whitechurch (15+ years)
- Greg Russo (15+ years)
- Justin Lewis (15+ years)
- Chris Gunasekera (15+ years)
- Chris Hill (25+ years)
- Michael Denison (30+ years)

Staff Long Service Awards

Congratulations to Hellen Argiriou on achieving 10 years of service to Peninsula Community Legal Centre.

OUR YEAR

Our year at Peninsula Community Legal Centre Inc. was one of many highlights and increasing challenges with the demand for, and importance of, our service never being greater. We held on to the safety net ever so firmly and stretched it as far as we could, in pursuit of our vision of a fair and inclusive society that promotes and protects human rights and equality before the law. We provided quality and accessible legal services to thousands of community members, and maintained our focus on early intervention and preventative work, as well as providing a voice for those who were unable to speak for themselves.

We were delighted to receive Tier One accreditation and certification after we had been actively and positively engaged with the National Association of Community Legal Centres Inc. Accreditation Scheme over the past three years. We have viewed participation in the Scheme as providing a framework and impetus for organisational review, strengthening and development. Following self-assessment and independent on-site audit processes in late 2013, we were advised in May 2014 that we had received three year accreditation and certification under the Scheme. As an organisation, we are committed to ensuring that we continue to have well thought through, current and relevant policies, practices and resources. This process supports quality, efficiency, transparency, accountability, management of risk and critical reflection across the organisation and for the benefit of our clients and communities.

We welcomed the opportunity to make a submission to the Productivity Commission's Inquiry into Access to Justice Arrangements in November 2013, highlighting the huge unmet need for legal assistance services and calling for increased funding for the sector. In response to the Commission's Draft Report released in April 2014 we made a further submission to the Inquiry. We were encouraged that the Draft Report recognised the important role played by legal assistance services like Peninsula CLC in increasing access to justice and generating net economic and social benefits to the community. Importantly, the report also acknowledged the pivotal roles CLCs play in identifying and acting on systemic issues. Our second submission congratulated the Commission for capturing many of the important issues relating to access to justice for disadvantaged Australians. We urged the Commission to carry out more work to capture the cost-effectiveness and cost-benefits of investing in the legal assistance sector.

While we were proud of our significant achievements this year, and the broad recognition of the valuable role of CLCs, we were disheartened with the Commonwealth Government's announcements of funding cuts to the legal assistance sector as well as the introduction of a requirement that Commonwealth funding is no longer able to be used for law reform or policy advocacy, a key aspect of the work CLCs undertake on behalf of vulnerable and disadvantaged community members. We understand that future funding arrangements for CLCs will be informed by the outcome of the Productivity Commission's Inquiry into Access to Justice Arrangements due to be completed in September 2014 and the findings of the review of the National Partnership Agreement on Legal Assistance Services.

In the interim we will continue to support the work of Community Law Australia in calling for greater financial support of the legal assistance sector. We continued to work in partnership with neighbouring community legal centres and Victoria Legal Aid on the South East Region Legal Needs Analysis Project. Through the Project, the partner organisations are working to collect comprehensive and credible evidence of current and predicted met and unmet legal need in the region. It is envisaged that this evidence will be used by the organisations, individually and collaboratively, to plan and prioritise legal services into the future. During the year work focused primarily on developing demographic profiles of the local government areas covered by the Legal Needs Analysis and on producing relevant and comparable client and service data.

The next stage of the project will involve stakeholder consultation and analysis of all the information which has been collected by the Project.

In addition to its key objectives, the South East Region Legal Needs Analysis Project is also consciously exploring and modelling a collaborative approach to service review and planning.

With a focus on ensuring that vulnerable and disadvantaged people in the region have access to appropriate legal services, all partner organisations are looking forward to being able to use the outcomes of the Legal Needs Analysis in the coming year to inform strategic and service planning.

We sought, and in many cases achieved, improved outcomes for our clients and supported the broader community. We would not have been able to do so without the support of our funders, pro bono supporters and community partners. We thank the wonderfully committed and talented Management Committee, staff and volunteers for their outstanding contributions. 2,659 Cases Opened

7,451

Advices

2,737 Court/Tribunal Activities

5,209 Clients Assisteded

OUR FUNDING

Peninsula Community Legal Centre is funded by the Australian Government Attorney General's Department and by the Victorian Department of Justice (administered by Victoria Legal Aid) to provide free legal services and undertake community legal education and law reform activities.

Consumer Affairs Victoria funds the Centre to deliver Tenancy Advice and Advocacy, Consumer Advice and Advocacy and Rooming House Outreach Programs.

The Centre receives financial assistance from local governments to support its work in those municipalities. Frankston City Council also provides in-kind support through the use of premises for the Centre's Pines Branch in Frankston North.

This year, the Centre received a grant from the Victoria Law Foundation to undertake the Legal Answers for Permanent Care Families Project and a grant from the William Angliss Trust to support community legal education activities. Key funding sources are demonstrated in the following graph. Full details of income appear in Our Financial Summary, later in this report.



 Victoria Law Foundation 		\$5,000.00
• The William Angliss (Vic) Chari	itable Tr	rust \$2,000.00
• Local Government		\$184,244.00
• Consumer Affairs Victoria		\$383,161.00
 Attorney General's Dept 		\$694,833.00
 Dept of Justice/VLA 		\$863,327.00
• Other		\$54,965.00
	Total	\$2,187,530.00



We are grateful for the generous donations from client and community members throughout the year.

OUR PRO BONO RELATIONSHIPS

Pro Bono Partnership

Our pro bono partnership with **Russell Kennedy**, now in its fifth year, has continued to exceed our hopes and expectations. We are delighted with the 'whole of firm' approach to pro bono that has helped us in many and varied ways – from the expertise of partners, to mentoring by special counsel, to administrative and printing support, and much more.

In 2013-14, Russell Kennedy's in-kind and financial support was costed at \$68,963.80. This included:

- Client disbursement fund;
- Continuing Professional Development Day for staff and volunteer lawyers with CLC-only practising certificates;
- Sponsoring staff recognition awards;
- Donating gifts for our volunteers;
- Sharing legal updates and client bulletins;
- Legal advice on updating our Rules of Association;
- Mentoring and advice on client files and community legal education resources;
- Design and printing of 2 editions of our public newsletter Community Law News;
- Printing and collating Volunteer Manuals;
- Design of PowerPoint template for community legal education presentations and brochure;
- Printing 160 copies of the Centre's Annual Report;

- Hosting 'Legal Answers for Permanent Care Families' Forum, a project undertaken by Peninsula CLC in partnership with Permanent Care and Adoptive Families, and providing assistance in relation to the fact sheet on Wills and Succession;
- Complimentary ticket to Better Boards Conference;
- Complimentary ticket to Justice Connect & Human Rights Law Centre 2014 Annual Human Rights Dinner.

Special thanks to Victor Harcourt, Principal, Sophie McNamara, Associate, Tamie Duncan-Bible, Legal Secretary, and the wonderful pro bono team at Russell Kennedy for their unfailing generosity and support.

Additional Pro Bono Support

We thank **Maurice Blackburn** for expanding their sponsorship of our volunteer awards (now \$600 per year), enabling us to create long service awards for volunteers of ten years or more, as well as continuing to support our Volunteer Encouragement Awards, and covering postage costs for distributing the same. We also appreciated their pro bono presentation on personal injury law for staff and volunteers.

The **Peninsula Pro Bono Discount Scheme** was piloted from our Rosebud Branch during 2013-14. This was an initiative of Michael Morehead of Moreheads Lawyers through which clients referred by us would be eligible for a discount of up to 50 percent. This was aimed at helping clients who did not qualify for legal aid, could not be assisted by the Centre on an ongoing basis and could not afford to pay market rates for legal help. We will continue to operate and monitor this pilot in the coming year, and explore possible expansion.

We have been fortunate to have a number of continuing professional development activities provided pro bono for staff and volunteers. In 2013-14, this included:

- Maurice Blackburn presenting on personal injury law;
- Lance Guymer, Meier Denison Guymer, presenting on Fair Work Australia;
- Amanda Graham, White Cleland, commencing a series of workshops on Family Law:
- Simon McDonald, Victoria Legal Aid, presenting to staff lawyers on child support;
- Tech IP providing 'at your desk' seminars on Family Law and Wills and Estates;
- TV Ed providing webinar on 'Determining Property Matters after Stanford and Bevan' at discounted charge, plus providing papers from Property Law Conference at no cost
- Victoria Legal Aid providing access to Law Guru (online legal information) and its Professional Legal Education seminars to staff lawyers and volunteer lawyers with a CLC practising certificate.

We welcomed two new pro bono mentors, who have made themselves available to assist our staff lawyers with complex matters. Thank you to **Amanda Humphreys**, Kennedy Partners, for becoming a family law and child support mentor and **Terry Weerapah**, Bayside Solicitors, for becoming a family law mentor.

We also thank James Gorman of Gorman and Hannon and John Wadsley, Barrister, for sharing their knowledge and experience of legal issues for permanent care families, as well as checking fact sheets we developed as part of our 'Legal Answers for Permanent Care' Families project.

Thank you to the many barristers who supported our clients by agreeing to reduced fee briefs.

OUR CLIENTS

CLIENT PROFILE SNAPSHOT

Female	58%
Relationship status - single	35%
Born in Australia	69%
Aged between 35-44	25%
Have a disability	21%
Family type - no dependents	35%
Low income - earn less than \$26,000 pa	75%
Income source - government benefit	53%
Family violence indicated	



CLIENT SATISFACTION SURVEY

We are committed to ensuring that our services are high quality, accessible and effective. We seek feedback from our clients through an annual client satisfaction survey, this year conducted in March/April 2014. Clients who completed the survey reported a high level of satisfaction, with comments demonstrating the importance of clients feeling valued and respected.

COMMENTS

"110% Excellent service and advice. I am very grateful"

"I am very grateful to everybody who helped with my case and they all treated me well and professionally"

"The service is very useful. It was great speaking to a lawyer who helped me understand all the complications of the other sides arguments"



OUR STATISTICS

LEGAL WORK UNDERTAKEN

Client Activities	10,110
Advice activities	7,451
Cases opened	2,659
Cases closed	2,544
Information activities	14,551
Telephone Enquiries	31,275

ADVICE TYPE

Face to Face	6,485
Telephone Advice	929
Mail/Email/Other	37

CLIENT ACTIVITIES AT BRANCHES

Frankston	3979
Cranbourne	1072
Bentleigh	903
Rosebud	817
Pines	142

CLIENT ACTIVITIES AT VISITING SERVICES

CAV Advocacy Outreach	444
Chelsea	137
Hastings	123
Centrelink	11
Home Visits	

CLIENT ACTIVITIES AT COURTS

Magistrates' Court Frankston	1410
Federal Circuit Court Dandenong	1066
Victorian Civil and Administrative Tribunal	261

PROBLEM TYPE

% PROBLEM TYPES

Family Law	52%
Civil Law	40%
Criminal Law	8%

TOP TEN PROBLEM TYPES

1,623
1,292
1,254
786
565
560
419
374
341
296

OUR SERVICES

Community Legal Services Programs

As one of the largest community legal centres in Australia, this year we provided almost 7,500 advices, and opened over 2,600 cases, as well as representing clients at courts and tribunals on over 2,700 occasions!

It is a remarkable achievement, and illustrates just a part of the range of services and activities that we provide to our community of over 938,000 people, stretching from the Mornington Peninsula in the south, to the boundaries of Caulfield in inner city Melbourne, and Cardinia Shire in the south east.

It is a very varied catchment, and includes substantial pockets of disadvantage, as well as having some of the highest family violence statistics in the state, and includes the growing areas throughout the City of Casey, where many young families struggle with issues arising from high debt levels and relationship breakdown.

It is no surprise then that the large percentage of family law and family violence enquiries we receive reflects the needs of that demographic, but within that group, we particularly target those whose vulnerabilities and financial resources limit their alternative legal assistance options.

While we have dedicated appointments for those who are undergoing the mediation process, we are conscious that there will always be those who are unable to settle their disputes amicably due to difficult or violent behavior. We have for many years operated a duty lawyer service at Frankston Magistrates' Court (Family Violence List) on three days each week, providing advice, negotiation and appearing in Court on behalf of our clients, many of whom are overwhelmed by the stress of the process. A large percentage of these matters involve children, and there is often pressure to reach agreement on contact arrangements whilst at court, not always a suitable venue for such discussions. As an alternative, we are able to provide internal referrals to our family law program, which prioritises matters where children are at risk, and may assist with negotiation and preparation of documents if necessary. The program's duty lawyer service assists with family law matters before the Federal Circuit Court at Dandenong, with clients drawn from the increasing numbers of self-represented litigants.

Additionally, we offer further assistance for those clients who have child support issues, including the requirement to provide proof of paternity for Centrelink purposes, and changes of assessment.

Issues identified through our casework, such as concerns over high-risk violence cases, and the effect of violence on debt, fines, and tenancy problems, are raised in our submissions and through the Federation of CLCs working groups to feed into law reform efforts, aiming to make the system more responsive and efficient. This year we have also been part of a team that is looking at the family violence system through the lens of a Coroner's hearing.

As with previous years, our general law program has been overwhelmed with clients who have enormous numbers of fines, and we welcome the recent legislative amendments which we hope will soon streamline the collection of fines, with appropriate options available for those with special circumstances or who cannot pay. We have also taken on an increasing number



Area 2,675 square kilometres Population 938,206 people

Source: Australian Bureau of Statistics, Estimated Resident Population, 2013

6 local government areas

Casev Cardinia Glen Eira Frankston Kingston **Mornington Peninsula**

of criminal matters where client vulnerabilities impact on their ability to cope with the charges they face. Our cost effectiveness in requiring only disbursement grants from Victoria Legal Aid for barristers and medical reports is an undoubted benefit when funding is tight.

Feedback indicates that over the past several vears the matters we handle have become increasingly complex. More clients present with multiple issues, and frequently face multiple disadvantages in dealing with their problems, and our strong links with local support services enable a co-ordinated approach to the various aspects of those matters. In particular, we thank Victoria Police, whose SupportLink referral

process has been exceptionally successful for us, with around 300 referrals made for legal assistance since its inception.

While it is clear that demand can never be fully met, we are facing the challenges by careful focusing on those in greatest need, utilizing resources, such as our invaluable team of volunteers, and mentoring and supporting staff to do the best possible with what is at our disposal.

Success is notoriously difficult to measure in the realm of community legal centres, and although both our numbers and client satisfaction surveys indicate that we provide an invaluable service to

our community, they are not always a completely reliable measure. We do know, from many clients who return for advice on other matters, that their legal outcomes would in many instances be impossible without our assistance. We aim always to provide the best possible advice and casework, self-help strategies which empower clients, and to have a role in the prevention of future problems, through linking clients with other non-legal supports, and enabling the casework to inform community legal education and law reform efforts.

"We now understand completely and are grateful for the advice to help us resolve our problem" (Client feedback, 2014)

Tenant and Consumer Advice and Advocacy Program

Consumer Affairs Victoria (CAV) provides funding for us to deliver the Tenancy Advice and Advocacy Program (TAAP), including Rooming House Residents Support, and the Consumer Advice and Advocacy Program (CAAP).

Advocates provide advice, casework, negotiation and tribunal representation for vulnerable and disadvantaged tenants and consumers.

People who live in the southern and eastern metropolitan regions and Gippsland are eligible to access the **CAAP program**. During the year roughly even numbers of males and females, most aged 50 years or older and most identifying as vulnerable and disadvantaged, were assisted by our advocates. Issues related to quality, consumer guarantees, contractual and delays/ failure to supply made up the bulk of matters in which we provided assistance. A number of solar panel, unsolicited sales and motor vehicle purchase matters were dealt with.

Over this year, our **TAAP program** assisted between 190 and 200 people per quarter. The majority of tenants were female and in the 26-59 age bracket, with most being private tenants. A significant number of those clients reported well-being, mental health or disability issues. Possession orders, rent arrears, compensation, lease break, urgent and nonurgent repairs and bonds matters were the main issues where help was sought. This year we provided representation at more than 250 hearings at the Dandenong, Frankston, Dromana and Melbourne Victorian Civil and Administrative Tribunal (VCAT) venues. During the year we also continued to offer the Duty Advocate Service at VCAT in Dandenong on Monday and Tuesday mornings and to provide appointments from the CAV regional office in Dandenong on those afternoons.

Concerns arising from tenancy casework over the period included an increase in matters with a family violence component and the numbers of clients dealing with mental health issues that were impacting upon their tenancies. The sustainability of tenancies due to tenants' limited income and increasingly high rents was an additional factor adding to the risk of homelessness.

"We are greatly impressed by the two TAAP workers professionalism and kind assistance. It made a huge difference in our case, as we are quite new in the country and attending VCAT seemed like an intimidating experience" (Client feedback, 2014)

The **Rooming House Residents Support** program operates across the southern and eastern metropolitan areas. The Outreach workers continue to use a range of approaches to achieve the objectives of the program, including visiting rooming houses across the regions, attending network meetings and events and linking with other key workers and organisations already in contact with rooming house residents.

The majority of rooming house residents with whom contact was made were in receipt of social security payments as their only source of income. Many residents were experiencing mental health and substance abuse issues, the majority were males and most were in the 26-49 years age range.

As in previous years, workers continued to report that many rooming house residents are living in very difficult circumstances and conditions. However, due to factors such as their vulnerability and lack of alternative housing options, the residents are often reluctant to take formal action to resolve their housing issues.

Volunteer Advices 2013-2014



Volunteers

We estimate that volunteers donate around 77 hours of service each week – the equivalent of around \$200,000 in-kind support per year. In 2013-14, our team of 170 lawyer and paralegal volunteers operated up to 9 additional free legal advice sessions each week, providing 1,988 free legal advices. This occurred primarily at day and evening volunteer advice services, at which lawyer volunteers provided free legal advice and paralegal volunteers coordinated sessions, conducted preliminary client interviews and provided administrative support

Over the past decade, requests for volunteer work have dramatically increased, largely in response to students being required to obtain practical legal experience as part of their law degrees, and likewise with law graduates and newly admitted lawyers seeking experience.

We created new volunteer roles this year, and thank the following volunteers for their exceptional contributions:

Alison Laird – 1 day per week of policy work (8 months);

Villy Raki – 4 days per week of casework support and exploring Trainee Lawyer Placement Program (6 months);

John Connell – 4 days per week of advice and casework support and trialing Volunteer Wills Service at Frankston and Rosebud (2 months) Emma Strugnell – 1 day per week of casework support (3 months).

Thank you to our talented and caring volunteers for supporting our organisation and community.

Family Relationship Centre and Legal Assistance Services Partnership

We were pleased to continue working in partnership with Family Life as the provider of Family Relationship Centre Frankston & Mornington Peninsula and Victoria Legal Aid (Peninsula Regional Office). We highly value our excellent working relationship with our partners, and thank them for their commitment and support of this program.

Key achievements included:

- 20 Legal Information for Parents workshops, delivered to 269 participants;
- 77 free legal advices provided to clients of the FRC;
- 13 ongoing cases undertaken;
- Quarterly Partnership Working Group meetings held;
- Two informal 'Meet and Greet' activities held for workers of partner organisations;
- Memorandum of Understanding extended to 30 June 2015.

OPEN HOURS

Head Office (Mon-Fri 9am-5pm)

Bentleigh (Mon, Wed & Thurs 9am-3pm)

Cranbourne (Mon-Fri 9am-5pm)

Pines Branch (by appointment) Rosebud (Mon, Wed & Thurs 9am-5pm)

Federal Circuit Court Dandenong (Mon-Fri 9.30am)

Magistrates' Court Frankston (Mon, Tues & Wed 9.15am)

SERVICES

Monday	Tuesday	Wednesday	Thursday	Friday
Family Law Duty Lawyer Service	Family Law Duty Lawyer Service	Family Law Duty Lawyer Service	Family Law Duty Lawyer Service	Family Law Duty Lawyer Service
Family Violence Duty Lawyer Service	Family Violence Duty Lawyer Service	Family Violence Duty Lawyer Service	CAV Advocacy	CAV Advocacy
CAV Advocacy	CAV Advocacy	CAV Advocacy	Family Law Appointments (Frankston & Bentleigh)	Telephone Advice
Telephone Advice	Family Law Appointments	Family Law Appointments	General Legal Appointments (Cranbourne)	Visiting Service (Chelsea/Hastings f/n)
Visiting Service (Chelsea/Hastings f/n)	Drop-in Service (1.30pm)	Child Support Appointments (Rosebud & Bentleigh)	Volunteer Service (1.00pm)	Rooming House Outreach
Child Support Appointments (Frankston & Cranbourne)	Volunteer Drop-in Service (1.30pm)	General Legal Appointments (Head Office & Rosebud)	Volunteer Night Service (Bentleigh)	
General Legal Appointments (Bentleigh & Cranbourne)	Volunteer Night Service (Cranbourne & Rosebud)	Volunteer Night Service (Frankston)	Rooming House Outreach	
Volunteer Night Service (Head Office & Bentleigh)	Rooming House Outreach	Rooming House Outreach		

OUR PUBLIC ADVOCACY

The Productivity Commission's Inquiry into Access to Justice Arrangements was a key focus of our public advocacy work during 2013-14. We made an initial submission to the Commission in November 2013 and a further submission in response to the Draft Report in May 2014. In our submissions, we outlined the important role of Peninsula CLC and other legal assistance providers, and the significant value added by volunteer and pro bono support, but noted that the strain of inadequate resourcing compromises access to justice and risks opportunities for early intervention and resolution of legal problems. We also addressed the importance of duty lawyers in assisting self-represented litigants, and community legal education in improving awareness and understanding of legal issues at local and broader levels.

Other important themes of our public advocacy this year were family violence, fines and human rights issues, with activities undertaken independently and in collaboration with the Federation of Community Legal Centres (FCLC) and Working Groups.

Activities included:

- Participated in research of the Australian Institute of Family Studies regarding evaluation of 2012 reforms to Family Violence provisions in the Family Law Act (commissioned by Commonwealth Attorney-General's Department);
- Participated in review of Magistrates' Court Family Violence Services with Department of Justice;
- Endorsed Joint Non-Government Organisations' Report on Australia's Human Rights Record: An Update on Australia's

Progress towards Implementing Universal Periodic Review Recommendations for the United Nations Human Rights Council;

- Submission to Australian Attorney-General's Department regarding proposed changes to the Racial Discrimination Act 1975.
- Endorsed the submission of the Infringements Working Group to the Sentencing Advisory Council's Court Fines and Infringement Fines Project;
- Supported the submission of the FCLC and other organisations to the Department of Justice regarding proposed changes to the Intervention Order System by writing to local Member of Parliament;
- Endorsed submission of the FCLC and other organisations to the Department of Justice regarding the Defensive Homicide: Proposals for Legislative Reform Consultation Paper (2013);
- Endorsed FCLC submission to Scrutiny of Acts and Regulations Committee, recommending the Summary Offences and Sentencing Amendment Bill 2013 be withdrawn.
- Endorsed submission of Women's Legal Service Victoria to Joint Standing Committee on Electoral Matters regarding protecting the privacy of silent electors, whose safety is jeopardised by family violence or stalking;
- Met with local Member of Parliament regarding creation of 'failure to protect' offence, due to concerns about adverse impact on women and children experiencing family violence.

Copies of our public submissions are available on our website, **www.pclc.org.au**

OUR STORIES

Zola's Story

'Zola' was a client of PCLC's duty lawyer service at the Magistrates' Court, and presented with an interim order against her former partner. He disputed the order, and the matter was adjourned to a further hearing.

Zola, however, was more concerned about the other party's guns, which he had apparently been allowed to place with a relative who lived nearby, having had his own gun license suspended. Enquiries with police and a check of the legislation revealed that this was allowed, provided the relative held a gun license.

PCLC had particular concerns for Zola's safety, given some alarming and high risk features of the alleged violence, and made sure that police were aware of the location of the guns, and of our misgivings about the situation.

This matter highlighted that court orders relating to gun seizure are being treated in a way which does not seem to comply with the intention of the legislation, even if the letter of the law is being adhered to. Plans are in place to advocate for reform of the legislation, particularly in light of the high levels of family violence death and injury in Victoria.

This matter illustrates how casework issues can highlight the need for legislative change, and how community legal services are well placed to act on the concerns that arise in this way, through their networks and working groups.

Jeff's Story

'Jeff', a man in his 40's, was referred from a homeless persons service in relation to some outstanding infringements. PCLC helped resolve to resolve these matters, but after discussions it emerged that he was facing some theft and minor drug charges.

He has had a serious drug problems since a very young age, and has been homeless on and off for the past two decades following a family death, mostly camping on the foreshore. He appears to have serious issues with short term memory, and has trouble keeping appointments. Social workers at Centrelink are assisting Jeff to apply for Disability Support Pension.

PCLC made a successful application to the Victorian Pro Bono Scheme to provide a barrister free of charge for his court case. Following a plea of guilty Jeff was placed on a 12 month Community Corrections Order that provides for drug and alcohol assessment and treatment, mental health assessment and treatment and community work. He was extremely happy with this result and was keen not to find himself before the Court again.

Following Jeff's sentence the legal centre has linked with Citylife, Community Corrections Victoria (CCV) and Centrelink as we all in our differing ways assist him to improve his situation. Although Jeff missed his first few assessment appointments under the court order, and we were advised that he was possibly facing breach, with broad support, he eventually attended his first appointment and is continuing to make progress.

Joe's Story

'Joe' moved into a caravan park, renting an on-site van with an annex. A few months later, the nearby creek overflowed after heavy rainfall causing flooding of Joe's van and annex. The park management were unhelpful, and offered no assistance. Within the next few months, Joe experienced two further floodings of his van and annex, and each time notified park management. After each incident, he asked to be relocated within the park away from the creek to a site which would not be prone to flooding. Joe was eventually relocated, but too late to prevent the loss or damage of much of his furniture and personal belongings.

Joe had been advised by other residents within the park that the site was prone to flooding and the previous resident had vacated because of the same issues.

PCLC assisted Joe to lodge a Victorian Civil and Administrative Tribunal application for compensation to cover his losses. The claim consisted of compensation for lost items, additional costs associated with cleaning and alternative accommodation, breach of privacy and quiet enjoyment and hardship.

The Park Manager attended the hearing with their company lawyer who refused to negotiate on any of the claimed items prior to the hearing. At the hearing concerns were raised about the park's actions in re-letting the site knowing that it was subject to flooding and the park's lack of action in relocating the resident. The Tribunal Member encouraged the parties to have discussions to settle and stood matter down for a short period of time.

An offer of six weeks rent free was put forward, however, Joe rejected this offer on our advice. The other party then came back with an offer of a three month rent free period which was agreed to. This was equivalent to approximately \$1,900, and Joe was very happy with that outcome.

Edith's Story

When 'Edith' was visiting a relative in a retirement village, she tripped and fell on a damaged pathway where there were no warning signs to alert the public to the hazard.

Edith suffered a badly broken bone, was admitted to hospital to have a plate inserted, and was in pain and incapacitated for a substantial period of time. She required physiotherapy and professional domestic care as well as much family support. In addition she lost wages from her part-time job, and incurred cost for various medications and appliances.

She contacted a private lawyer but was advised that they could not help her because the injury was not sufficiently severe or longlasting, as required to fit under under the legislation for any matters which can be taken to court.

However, because the retirement village had been clearly at fault, they were amenable to PCLC's negotiations, and offered a settlement in excess of \$8000, which Edith happily accepted.



Annie's Story

'Annie' was brought to Australia from overseas by her husband. There was a significant age difference between the spouses, and the only child of the relationship was still a baby at the time of separation. The parties separated due to family violence including physical assaults, control of finances, restrictions on Annie's movements and her husband's refusal to allow her to work or study. Failure to 'behave' was subject to retribution, and she was not permitted to have friends or a social life.

Ultimately, Annie was forced to arrange physical separation with assistance from a friend while her husband was absent from the home. The friend took Annie and the child into her home, where they remained for six months until she could secure emergency Department of Human Services housing.

The husband insisted on spending time with the child every weekend, despite minimal involvement during the relationship. Although changeover occurred at a local public location, the father used changeover to abuse and denigrate Annie in front of the child. She felt that she preferred to accept these arrangements as being better than the husband's threats to have the child live with him, or to have an equal time arrangement.

Mediation was deemed unsuitable and Annie was referred to PCLC for assistance, where a letter was sent to the husband proposing varied child arrangements, but these were not accepted.

The husband then issued proceedings in the Federal Circuit Court for both child and property issues. As a non-priority client, Annie did not meet Victoria Legal Aid guidelines, and so was assisted through the court process by the legal centre. A family report was tabled, with recommendations consistent with PCLC's advice, and children's orders and a fair property settlement were reached quite speedily. Without PCLC's help, Annie could not have managed to respond to the application, having insufficient English, and no means to seek private legal assistance, as well as the fear of facing her abuser.

Ernesto, Julia and Tibor's Story

Three tenants from a non-English speaking background, asylum seekers who had been in Australia for a relatively short time, approached the PCLC Duty Advocate after their matter was adjourned by the Victorian Civil and Administrative Tribunal to allow them to get advice. The landlord had lodged an application for bond and compensation of approximately \$8,500 for repairs, damage and cleaning of the premises.

The landlord's claim consisted of repainting premises, removal of mould from blinds in the bedroom and bathroom, repair of a water damaged vanity unit and rebuild/repair of a water damaged kitchen, carpet cleaning and repair of burn marks in floorboards. The premises were between 40-50 years old with poor ventilation and were extremely damp during the colder months, and the tenants had lived there only eight months. All of the claim was rejected by the tenants apart from the carpet cleaning and burns to the floorboards.

At the hearing, it became apparent that the landlord did not understand that VCAT works on the Australian Taxation Office's depreciation scale for items older than ten years. The claims for the kitchen and bathroom repairs and replacement of items were dismissed due to the age.

Ultimately, VCAT directed that the landlord receive \$1,242 compensation for painting, carpet cleaning, burn marks, and some cleaning. The remainder of the bond being \$61.28 was returned to the former tenants. PCLC's clients were relieved by the decision and were extremely grateful for the assistance they received.

Melissa and Brendan's Story

The Rooming House Outreach worker referred two rooming house residents to the PCLC Tenant Advice and Advocacy Program for assistance. The residents were paying \$160 per week rent and a bond of \$500 had been paid. During their tenancy, the owner of the premises had received a notice of compliance from the local council as the premises did not meet the new rooming house standards.

The owner subsequently issued all residents with notices to vacate. Only 22 days notice was given, which is insufficient notice under the Residential Tenancies Act and renders the notice invalid. The owner then threatened residents with disconnection of power and gas if they didn't vacate earlier than the specified date. The PCLC Advocate rang the owner and advised that they were in breach of the Act and if they proceeded with this action PCLC would assist the residents to seek restraining orders and, potentially, with a compensation claim.

The owner served a subsequent invalid notice to vacate for rent arrears providing only three days notice. PCLC advised the clients to proceed directly to the Victorian Civil and Administrative Tribunal and seek a restraining order, which they did. The Tribunal made an interim order and the matter was listed for the following day, but the owner did not attend the hearing. However, the Member called the owner during the hearing and advised them that they were in breach of the Act and must not take action against the residents. A restraining order was granted.

The residents did not wish to remain at the premises and found alternative accommodation about ten days later and moved out. The owner returned the bond and provided them with a reference.

OUR COMMUNITY LEGAL EDUCATION

Community Legal Education (CLE) Activities

Community legal education is a key strategy of the Centre. It is aimed at improving awareness and understanding of the law, preventing issues from arising or escalating, and encouraging early intervention. In addition to participating in public events and delivering workshops, we undertake substantial community engagement work, such as attending local networks, to ensure that other organisations who work with vulnerable people are alert to identifying legal issues and referring clients for assistance if needed. In total, we undertook 178 CLE activities in 2013-14 (excluding our Consumer Affairs Program).

Family violence has continued to be of paramount interest and concern in our local community. We provided workshops for community workers about intervention orders, family violence and tenancy and participated in a moot court to demonstrate the court process. With the support of the Outer South Integrated Family Violence Partnership and Peninsula Health, we delivered workshops to men's behaviour change programs in Frankston and Mornington. We also held a 'Ladies Morning' intervention order information and advice event in Hastings. This event was supported by Victoria Police and Victoria Legal Aid. We worked with a variety of seniors on issues like wills, powers of attorney and refusal of medical treatment – emphasising the importance of forward-planning to protect from potential abuse. We were pleased to work in partnership with Senior Rights Victoria, Peninsula Advisory Committee for Elders and Mornington Peninsula Shire to provide a 'Seniors Forum' in Dromana during Law Week (May 2014), attended by more than 100 seniors. We also provided several workshops to seniors' groups and participated in the City of Frankston's World Elder Abuse Awareness Day concert.

Vulnerable young parents were supported by Rent Ready workshops which we co-delivered, working in partnership with Peninsula Youth and Family Services, Communities for Children Anglicare, Department of Human Services (Centrelink), City of Frankston Maternal and Child Health Nurses and Headspace. These young parents were seeking to move out of unsuitable or transitional accommodation and rent for the first time, and needed information about their rights and responsibilities, budgeting and other life skills.



Community Legal Education Activities 2013-2014

Legal Answers for Permanent Care Families Project

Permanent care parents face a range of potential legal issues and many report difficulty in accessing accurate legal information and affordable legal help. We welcomed the opportunity to work in partnership with Permanent Care and Adoptive Families (PCA Families) in tackling these issues.

With a grant from the Victoria Law Foundation and pro bono support, we produced a series of six fact sheets, namely:

- Now that I have a Permanent Care Order (PCO), What do I Need to Know?
- Rights of the Child in Permanent Care
- Contact Arrangements
- Now that the PCO is in Place, Do I have to go Back to Court?
- Wills and Succession Rights
- Other Legal Issues.

We also held a forum on 30 April 2014, attended by more than 100 people. Speakers included Dan Barron (a permanent care parent and Board Member of PCAF), Beth Allen (Assistant Director, Child Protection, Department of Human Services), Robyn Hamilton (Children's Law Specialist, Victoria Legal Aid) and His Honour, Magistrate Francis Zemljak (Children's Court of Victoria). Our evaluation of participants showed substantial interest in further legal information and forums in the future. We await legislative reforms in this area with much interest, and will explore possible continuation or expansion of this project.

Copies of the fact sheets are available from Peninsula CLC's website, www.pclc.org.au or from PCA Families' website, www.pcafamilies.org.au

OUR COMMUNITY RELATIONSHIPS

Local Relationships

We were pleased to participate in a variety of community networks in 2013-14, including:

- AAA Housing Committee (Mornington Peninsula Shire);
- Adolescent Violence in the Home Strategic Reference Group;
- Bethel House Service Providers Network;
- Booroondara Rooming House Network;
- Child Support Stakeholder Engagement Group;
- Cranbourne and District Community Services Group;
- Court Users' Meetings (Frankston Magistrates' Court and Dandenong Family Law Courts);
- Cranbourne and District Community Services Group;
- Critical Linkages (Casey-Cardinia Family Violence Network);
- Dandenong Homeless Alliance;
- Family Relationship Services Reference Group Frankston and Mornington Peninsula;
- Frankston and Mornington Peninsula Family Violence Network;
- Frankston Housing Reference Group;
- Inner Middle South Family Violence Network;
- Local Connections to Work Co-located Agencies Group;
- Local Connections to Work Community Partnership Meeting;
- Mornington Peninsula Combined Service Provider Network;

- Outer South Integrated Family Violence Partnership;
- Peninsula Community Development Network;
- Peninsula Housing Network;
- Rooming House Network Inner South;
- Southern Emergency Relief Network;
- VCAT Residential Tenancies User Group Melbourne.

We also took part in various public events in our local community throughout 2013-14, including:

- Ageing Well Expo (Frankston & Mornington Peninsula);
- Bring Your Bills Day (Rosebud);
- Careers and Jobs Expo (Mornington Peninsula);
- Local Stakeholders / Services Expo (Cranbourne);
- Mayor's Family Picnic (Frankston);
- 'Meet the Providers' events targeted at local, unemployed people (Frankston and Carrum Downs Libraries);
- Pines Pride Festival (Frankston North);
- Peninsula Proud GLBTIQ Health and Wellbeing Forum (Safety Beach).

Some further examples of activities undertaken in collaboration with local agencies and other legal assistance providers are included in the Community Legal Education section of this report.

Legal Assistance Sector

We are highly engaged within the legal assistance sector, and regularly meet with Victoria Legal Aid (Peninsula Regional Office), neighbouring community legal centres and the Federation of Community Legal Centres (FCLC).

Workers participated in the following FCLC Working Groups in 2013-14:

- Applicant Lawyers Group;
- Child Protection Working Group;
- Community Development & Community Legal Education Workers Working Group;
- Elder Law Working Group;
- Infringements Working Group;
- Tenancy Working Group;
- Violence Against Women and Children Working Group.

Peninsula CLC was the convenor of the Community Development and Community Legal Education Working Group, which involved organising and chairing meetings, arranging guest speakers and organising a Professional Development Day, held in June 2013, which was attended by 31 workers from community legal centres and Victoria Legal Aid.

OUR FINANCIAL SUMMARY

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME

FOR THE YEAR ENDED 30 JUNE 2014

		2014	2013	
		\$	\$	
CONTINUING OPERATIONS				
INCOME				
Grant Funding	2	2,089,073	2,055,530	
Other Income	3	98,457	106,444	
		2,187,530	2,161,974	
EXPENSES				
Communication Expenses		(41,601)	(41,070)	
Depreciation Expense		(74,500)	(77,362)	
Employment Expenses		(1,669,411)	(1,745,166)	
Finance Expenses		(12,326)	(43,478)	
Occupancy Expenses		(178,422)	(165,969)	
Office & Administrative Expenses		(127,573)	(130,918)	
Repairs & Maintenance Expenses		(25,372)	(18,821)	
Resources Expenses		(29,808)	(31,857)	
Travel & Accommodation Expenses		(32,657)	(23,622)	
		(2,191,670)	(2,278,263)	
NET PROFIT/(LOSS)		(4,140)	(116,289)	
OTHER COMPREHENSIVE INCOME				
- Items that will be reclassified subsequently to profit or loss when specific conditions are met		-	-	
- Items that will not be reclassified subsequently to profit or loss		-	-	
TOTAL COMPREHENSIVE INCOME		(4,140)	(116,289)	

STATEMENT OF FINANCIAL POSITION

AS AT 30 JUNE 2014

		2014	2013
		\$	\$
CURRENT ASSETS			
Cash at Bank and on Hand	10a	217,091	162,479
Receivables		2,271	18
Accrued Income		21,073	23,674
Term Deposit		450,000	300,000
Other Assets	4	9,973	7,886
TOTAL CURRENT ASSETS		700,408	494,057
NON-CURRENT ASSETS			
Fixed Assets	5	217,192	291,692
TOTAL NON-CURRENT ASSETS		217,192	291,692
TOTAL ASSETS		917,600	785,749
CURRENT LIABILITIES			
Trade and Other Payables	6	67,780	65,252
Payroll Liabilities	7	66,165	59,558
Employee Provisions	8	184,062	131,319
VLA Unused Funds	9	84,737	10,904
TOTAL CURRENT LIABILITIES		402,744	267,033
NON-CURRENT LIABILITIES			
Employee Provisions	8	44,845	44,565
TOTAL NON-CURRENT LIABILITIES		44,845	4 4,565
TOTAL LIABILITIES		447,589	3 11,598
NET ASSETS		470,011	474,151
EQUITY			
Retained Earnings		470,011	474,151
TOTAL EQUITY		470,011	474,151

STATEMENT OF CHANGES IN EQUITY

FOR THE YEAR ENDED 30 JUNE 2014

2014	2013
\$	\$

RETAINED EARNINGS		
Opening Balance	474,151	590,440
Profit / (loss) in the current year	(4,140)	(116,289)
CLOSING BALANCE OF RETAINED EARNINGS	470,011	474,151
TOTAL EQUITY	470,011	474,151



Expenses

• Employment	\$1,669,412
• Occupancy	\$178,421
Office & Administrative	\$127,860
Depreciation	\$74,501
• Finance	\$12,325
Communication	\$41,602
Resources	\$29,524
Travel & Accommodation	\$32,656
Repairs & Maintenance	\$25,372



Income

• Grant Funding	\$2,089,072
• Other Income	\$98,458

HEAD

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Hours: Mon-Fri 9am-5pm 28 Mahogany Avenue Tel: 03 9786 6980

ROSEBUD

Mon, Wed & Thurs



