

NACLC

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About NACLC and community legal centres

The National Association of Community Legal Centres (NACLC) is the peak national organisation representing community legal centres in Australia. Its members are the state and territory associations of community legal centres that represent the over 200 centres in various metropolitan, regional, rural and remote locations across Australia.

Community legal centres (CLCs) are not-for-profit, community-based organisations that provide free legal advice, casework, information and a range of community development services to their local or special interest communities. CLCs' work is targeted at disadvantaged members of society and those with special needs, and in undertaking matters in the public interest. CLCs have been advocating for a rights-based approach and equitable access to the justice system for over 30 years.

CLCs and their associations work collaboratively with their communities and with all levels of government, community and private service providers, business, professional bodies and a range of philanthropic organisations.

NACLC's purpose is to assist disadvantaged and marginalised people in the Australian community obtain access to legal services by:

- supporting and assisting CLCs to provide these services
- providing a national forum for CLCs
- developing and coordinating national CLCs' policy and
- advancing the interests of CLCs within Australia

NACLC provides a range of services direct to CLCs and in other ways actively supports CLCs in their work. It also undertakes social justice campaigns itself, particularly by advocating for the legal protection of human rights. NACLC provides practical and financial support to a number of National Networks of CLCs that work in specialised areas and works in collaboration with a number of these Networks and individual CLCs on many of its law reform and other projects.

NACLC's governing body, the Management Committee, comprises elected state and territory representatives and office holders and meets several times each year. The Committee sets the priorities for NACLC in line with the fundamental principles set out in its strategic plan. Those principles include a commitment to being guided by the vision of Aboriginal and Torres Strait Islander peoples and working with them to achieve access to justice. When committing to projects, NACLC ensures that it remains sufficiently flexible to ensure that it can anticipate and respond to emerging or changing issues and needs.

NACLC is funded through contributions from centres, income which it generates and project funding from the Australian Government, Attorney-General's Department and other bodies.



Convenor's Report

After 10 years as National Convenor this is my last report. I will continue in the sector as Manager of the Kimberley Community Legal Service. Rural, Regional and Remote (RRR) Australia has been one of the areas for which NACLC has done a lot of work over the years and I am very excited to join the RRR CLC team.

The NACLC RRR Practical Legal Training (PLT) scheme has continued to grow and prosper with some excellent experiences for the graduates and CLCs. Our thanks to the Legal Workshop at the Australian National University (ANU) for their support in the first year of getting this initiative off and running. NACLC and RRR CLCs have been fortunate to have the ongoing commitment of Judy Harrison at the ANU and the NACLC RRR PLT project officer, Rachna Mudagounni.

In June 2010 NACLC received a large new project grant to investigate recruitment and retention strategies for all free legal services providers in RRR areas and to work with the Law Council of Australia on some other initiatives to support recruit and retention for all lawyers in RRR Australia.

The highlight of the past year was the achievement of extra recurrent funding from the Commonwealth Attorney-General's Department.

The Family Law System seems to be creaking towards some crucial changes. I have been a member of the Family Law System Reference Group and attended the Family Law System Conference.

I also attended the Family Violence Prevention Legal Services Conference where I was invited to present a paper about NACLC.

CLCs, NACLC and the National Human Rights Network were all active participants in the National Human Rights Consultation. This year, NACLC human rights work in general but particularly in partnering with other NGOs to present important UN reports has been outstanding and is set out later in this Report.

There have been a number of issues regarding the collaboration between CLCs and Family Relationship Centres, notably about the role of CLC advocates in the mediation process. These will hopefully be resolved in 2010/11.

The reform of the Legal Profession Act has been ongoing and we have been involved in discussions on the definition of CLCs and their roles in the new Act. Thanks to all involved but in particular to Hugh de Kretser from the Victorian Federation of Community Legal Centres for his assistance.

Thanks to all the National Office staff who do such a great job in our under-resourced sector; and to all the State Representatives and the staff in the various associations who make such an important contribution each year. Special thanks to Julia Hall who amongst all her other tasks has done the hard yards on accreditation and on negotiation with Commonwealth Attorney-General's Department on the Service Agreement. And finally I would like to record my appreciation of the work of Marilyn Hall and Brooke Palmer for getting the National Conference together each year since 2003.

Liz O'Brien



Staff and Volunteers at CLCs

*From figures provided
by about 85% of CLCs
(NACLC survey, April 2010)*

State	Full-time staff	Part-time staff	Volunteers
ACT	19	14	52
NSW	252	224	1140
NT	44	22	90
QLD	112	146	816
SA	49	45	98
TAS	14	20	82
VIC	224	269	988
WA	108	136	371
Total	822	876	3637

Executive Director's Report

The 2009-2010 year started, as it would end, with NACLCL involved in extensive consultation and negotiation about the Community Legal Services Program (CLSP) draft Service Agreement and Guidelines. Happily, the end of the year saw the new Service Agreement and Guidelines finally provided to centres. The final documents, while perhaps not perfect, do contain a number of amendments that came from CLCs' feedback and NACLCL input, and are a testament to the constructive and cooperative relationship between the sector and the Commonwealth and State CLSP Managers.

Throughout the year, NACLCL continued to lobby for more funding for CLCs and for community legal assistance providers generally. NACLCL made formal submissions to the Budget process and other sector funding submissions to Government: reiterating the need for recurrent funding; calling for sustainable annual indexation to be applied the CLSP; and advocating for transparency in funding decisions. NACLCL also prepared briefing material to assist individual CLCs in lobbying for funding, and assisted some of the National Networks with their drafting of funding submissions.

It was with much jubilation, that we received news in the May 2010 Federal Budget of a significant injection of money, over a three year period, into CLCs and other legal assistance services. We were particularly pleased to see recurrent funding allocations for the first time in well over a decade, and a number of existing CLCs being added to the Commonwealth CLSP. There was also a number of substantial one off grants made to CLCs. It is a fact of NACLCL's role that even this good news is a reminder of more work to be done: to keep on advocating for sufficient funding to ensure that all CLCs are operating at the minimum strategic service delivery model.

A significant amount of our work this year has been on progressing the joint project of NACLCL and the state/territory associations in implementing certification and accreditation of member CLCs. During this year every state and territory association has agreed to adopt the common membership rules for CLC associations. For the first time in sector history, there is now a common definition of CLC and, with implementation, all full

member CLCs will be required to comply with nationally consistent baseline quality assurance and legal practice risk management standards. NACLCL has engaged consultants to develop an online assessment tool tailored to CLCs, and practical resources to make adopting compliant policies and procedures comparatively easy.

One of NACLCL's major roles and strategies is to work collaboratively with key sector partners. These can be external, such as our role on the Australian Legal Assistance Forum, and with other peak bodies such as ACOSS. Other collaborative work that we were involved in this year included participating on the Reference Group for the NSW Law & Justice Foundation's Data Digest project.

One very pleasing feature of this past year has been the increase in the collaborative work we have been able to undertake in the area of human rights with the addition of a full time Policy and Projects Officer, Louise Edwards, who has brought great energy and expertise to our law reform projects..

Other areas of collaboration have included sector responses to the income management proposals as they affect welfare and human rights, NADRAC consultation in relation to alternative dispute resolution and COAG reforms in the areas of consumer policy and the national legal profession.

Each year, NACLCL makes, itself and in partnership, or endorses, many submissions. Some examples from this year are:

- short submission on the value provided by CLCs to the Productivity Commission Inquiry into the Contribution of the NFP Sector and significant contributions to the ACOSS submission to that Inquiry
- letter to the Attorney-General prepared by the LGBTI Network about the need for federal discrimination laws prohibiting discrimination on the grounds of sexual orientation and gender identity
- response to the Report of the NHR Consultation Committee



Julia Hall

- submission to the Senate Committee Inquiry into *National Security Legislation Amendment Bill 2010* and *Parliamentary Joint Committee on Law Enforcement Bill 2010*
- written update of the major NACLC submission last year to the Senate Committee Inquiry into Access to Justice, oral evidence before the Senate Committee and responses to questions on notice
- submission in response to the Report by the AGD Access to Justice Taskforce
- in consultation with the EDOs, a letter in response to a suggestion in the Report by the Senate Committee on Access to Justice that CLCs be 'politically neutral' as a requirement for funding
- letter endorsing certain recommendations made by the EDO (NT) to the Radioactive Waste Management Bill Senate Inquiry
- detailed submission with the National Welfare Rights Network regarding the Australian Human Rights Commission's Draft Income Management Guidelines
- NACLC endorsement, with a number of other organisations, of a letter to the Prime Minister calling for the immediate reinstatement of the Racial Discrimination Act (RDA) in relation to the NT Intervention
- detailed submission, and a supplement, to the Senate Committee into the Welfare Reform and Reinstatement of the RDA Bill 2009 and Related Bills and a letter to the PM in support of proposals by the NWRN seeking additional time so that the Committee could hold public hearings in the NT to facilitate consultation with Aboriginal people
- submission, with the Victorian Federation and a number of CLCs, to the AGD on the Discussion Paper on National Security Legislation), and
- endorsement of a letter to the Attorney-General from Women With Disabilities Australia (WWDA), the national peak organisation representing women with disabilities, regarding the need for action concerning the ongoing practice in Australia of the non-therapeutic sterilisation of minors

NACLC has continued to have significant success in attracting sector development and other project funding, and undertaking and managing projects is a very large part of NACLC's work.

NACLC publications this year, provided free to CLCs and sector stakeholders, have included:

- *Indigenous Employment Strategy*, a resource for CLCs
- *Community Legal Centres: Putting social inclusion into practice* – a sector education and lobbying resource that contains information about the work of CLCs matched against the Social Inclusion Principles
- *NACLC Discussion Paper: The Australian Government's social inclusion agenda: why it matters to community legal centres* – examines a number of examples of CLC work that prevent social exclusion and of CLC service delivery performed in socially inclusive ways, as well as looking at some of the challenges for CLCs of a social inclusion agenda
- NACLC Fair Work Act information sheet for CLCs, and
- *2010 Australian & New Zealand CLCs Directory*

In addition, Bill Mitchell, the National Professional Indemnity Insurance Network and I have worked hard, on a substantial revision of the National Risk Management Guide for CLCs, to be launched in late 2010.

NACLC has also commenced work on developing an improved website facilitating members' access to more online resources.

I take this opportunity to thank the very many people who have supported NACLC this year: our NACLC staff who worked with their customary commitment and good cheer: Chris Anna, Jane and Lou; on BBS support: Phill and Jacqui; our consultants working on various projects and services, particularly Justin and Kaeleene from Finrea, and Rachna; the NACLC Management Committee; the convenors and members of the National Networks; and our colleagues in the state and territory associations. Thank you all for your help in supporting CLCs and the communities they serve.

Julia Hall

Accreditation & certification of community legal centres: a major sector led initiative

This year has seen very significant developments in this major joint initiative of the state and territory associations of CLCs and NALCLC. The project is driven by a sector commitment to ensure nationally consistent, quality service delivery to CLC clients and to actively support organisational development.

During 2009–2010, all state and territory associations adopted the common membership rules.

To be eligible to apply for certification and accreditation, organisations must be full members of a state or territory CLC association, and full members are required to satisfy the NALCLC accreditation criteria. Importantly, NALCLC accreditation is a tiered system: it is possible for a CLC to be accredited if it has satisfied the state/territory association that it is actively working towards complying.

Much work this year has gone into investigating and developing possible models for implementing accreditation, and in related consultation among the sector. In the end, the NALCLC Management Committee, comprising state and territory representatives, decided to engage a consultant, Breaking New Ground (BNG), to develop assessment processes, including indicators for the standards under the accreditation criteria, and resources to support member CLCs.

BNG is developing for NALCLC a version, tailored for CLCs, of their online product, the Standards and Performance Pathways (SPP), that will carry baseline resources to assist CLCs in completing the tasks necessary to show compliance with the standards. It is an easy, electronic system for completing standards assessments, supported by resources to enable NGOs to complete improvement tasks, and, through comprehensive cross referencing, provides a way of reporting against multiple sets of standards (for multiple funders) through a single assessment process.

To further reduce the administrative burden on centres seeking to demonstrate compliance, it was decided that the accreditation criteria should reflect the requirements of the Community Legal Centres Program

Service Standards and the requirements of the NALCLC Risk Management Guide.

The NALCLC SPP will be launched at the National CLCs Conference in October 2010, and its resources will be made available to CLCs shortly thereafter.

In June 2010, the Attorney-General's Department made a one off grant to NALCLC which will meet a significant part of the cost of the SPP for the first year. Even so, NALCLC's financial investment in this project has been and will continue to be over the next few years, very significant.

Additional support for CLCs – Management Support Online for CLCs

This year NALCLC engaged BNG to develop a tailored Management Support Online Service (MSO) for CLCs. The MSO will complement the SPP's baseline resources by supplementing them with quality improvement resources. The NALCLC MSO portal will provide an integrated suite of detailed tools, templates and guided activities covering aspects of governance, management, administration and service delivery not addressed in baseline standards but key to improving service delivery performance. These include diagnostic tools for organisational performance and sustainability, detailed good practice guides for areas such as financial management, staffing, risk management, organisational planning and reporting, and skills development programs for staff and board members.

The MSO will be launched at the CLCs National Conference in October 2010, and will be available to all 'member' CLCs free for at least its first year. At the end of 2009/10, AGD provided a one off grant which has meant that NALCLC will also be able to provide free for one year the MSO advice service.

Report Against Annual Work Plan 2009–2010

This document reports performance against the NALCLC 2009-10 Annual Work Plan which set out the priorities for the first year of NALCLC's 2009–12 Strategic Plan.

STRATEGIC GOAL 1: NALCLC will operate on a basis that is viable and sustainable

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Act to ensure staffing and resources are appropriate for work to be performed	Done	Staffing expanded and profile adjusted – requires ongoing monitoring
Take action to ensure annual budget achieves 5% minimum surplus	Done	
Implement improvements to NALCLC financial and management systems	Done	Needs further work
Ensure all project management requirements met	Done	Good feedback from AGD about timeliness and standard of project reporting
Complete office manual	Not completed	Need to take Administrator off line to do this

STRATEGIC GOAL 2: NALCLC will develop and maintain mutually beneficial partnerships within the sector and with its key stakeholders, seeking and listening to the views of CLCs and the communities they seek to serve

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Actively advocate for CLSP Review implementation that provides benefit to CLCs and their clients, without adding to CLCs' administration burden, and includes an easily understood Service Agreement and Guidelines, and communicate regularly and clearly with CLCs about CLSP developments	Done	Ongoing work to be done in relation to development of evidence based and transparent funding model. Commenced development of online assessment tool to assist centres to demonstrate compliance with CLSP Service and other Standards
Strategically campaign for increased funding for CLCs (not just those currently within CCLSP)	Done	Budget increased Cth recurrent funding to CLSP, additional centres in CCLSP; prior to that significant one off grants of funds made to number of CLCs
Reestablish and/or maintain regular communications with CLCs and State Associations	Communication maintained but not regular	Need to reestablish regular communications – investigate suitable mode
Continue provision of NALCLC services to CLCs and collaborative projects and campaigns that support them in their work	Done	All services maintained and some new ones commenced, range of new collaborations achieved

STRATEGIC GOAL 3: NALCLC's work and operations will reflect its commitment to human rights protection and to achieving justice for Aboriginal and Torres Strait Islander peoples

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Launch and distribute to all CLCs NALCLC <i>Indigenous Employment Strategy for CLCs</i> with appropriate advocacy	Done	
Identify and commence new project or campaign that promotes equal access to justice for Aboriginal and Torres Strait Islander peoples and/or increasing and supporting the involvement of Aboriginal and Torres Strait Islander people in the CLCs' sector	Done	<p>Wrote and collaborated on significant written submissions on human rights issues arising out of income management and NTER and other Government action and inaction, including breaches of RDA, currently working on CERD Report</p> <p>Providing ongoing support, with the National Welfare Rights Network, of NTER Welfare Rights outreach project (WROP)</p>

STRATEGIC GOAL 4: NALCLC will develop and implement policies and projects that: promote and progress the use of evidence based research on legal and related needs, are based on current best practice, and are aimed at improving the quality and consistency of CLCs' services

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Develop project plan and write funding submission for national roll out of Legal Needs Assessment Framework and its Strategic Planning toolkit to CLCs around Australia	Done	Submitted to AGD September 2009, funding granted June 2010
Develop and agree models for accreditation and certification process with the State and Territory Associations and obtain necessary resources to commence	Done	Consultants retained and work commenced to develop model and support, consultation ongoing. Significant one off funding obtained June 2010
Advertise benefits of accreditation/certification and quality assurance among sector and stakeholders	Done	Including presentations to S/T Associations reps, Cth and State CLSP Managers
Actively advocate for development of CLSP funding model based on evidence-based assessment on legal needs	Done	

STRATEGIC GOAL 5: NACLC will be an organisation that: has transparent decision-making, provides for accountability at all levels at all times, has effective communication internally and externally, exhibits its organisational values at all levels, and values its staff, management and volunteers and provides its staff with opportunities to develop their skills and supports them in their work/life balance

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Review NACLC communications modes and commence implementation of improvements	Done	Improvements in progress

STRATEGIC GOAL 6: NACLC will plan for its future

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Hold Management Committee induction session and distribute updated MC members Kit	Done	
Create policy/project position at NACLC and recruit	Done	Commenced November 2009

STRATEGIC GOAL 7: NACLC will take opportunities to strengthen relationships and communities in order to promote social inclusion

WORK PLAN ACTION	DONE/NOT DONE	COMMENT
Research and publicise role of CLCs in preventing and reducing social exclusion of individuals and communities	Done	Brochure on CLCs and their role in preventing social exclusion written and distributed widely; discussion paper written and distributed among CLC sector & stakeholders; major sessions at National Conference; presentation at major conference in UK
In consultation with sector, devise next action or project to advance CLCs' social inclusion work	Done	Ongoing research & evaluations, conference presentations

Background

In 2009–2010, NALCL developed a work plan setting out the priorities for 2010–2011, the second year within its current planning period. Major actions include:

Priorities for Year 2: 2010–2011

STRATEGIC GOAL 1: NALCL will operate on a basis that is viable and sustainable

- Acting to ensure staffing and resources are appropriate for work to be performed
- Taking action to ensure annual budget achieves 5% minimum surplus of core funding
- Ensuring all project management requirements met

STRATEGIC GOAL 2: NALCL will develop and maintain mutually beneficial partnerships within the sector and with its key stakeholders, seeking and listening to the views of CLCs and the communities they seek to serve

- Actively advocating for CLSP Review implementation that provides benefit to CLCs and their clients, without adding to CLCs' administration burden, especially with regard to proposed funding model
- Investigating and implementing most appropriate mechanism for maintaining regular communications with State Associations
- Managing and working on RRR employment project for all Australian Government funded legal assistance services, in effective collaboration with those organisations and the Law Council
- Continuing provision of existing NALCL services to CLCs and National Networks, developing, implementing and advertising new services
- Continuing collaborative work with other relevant peak bodies and key external partners

STRATEGIC GOAL 3: NALCL's work and operations will reflect its commitment to human rights protection and to achieving justice for Aboriginal and Torres Strait Islander peoples

- Significantly contributing to human rights protection law and policy reform debate and advocacy in Australia and relevant UN forums
- Ensuring access to justice for Aboriginal and Torres Strait Islander peoples remains a priority and key focus in NALCL human rights work

STRATEGIC GOAL 4: NALCL will develop and implement policies and projects that: promote and progress the use of evidence based research on legal and related needs, are based on current best practice, and are aimed at improving the quality and consistency of CLCs' services

- Developing and implementing national roll out of Legal Needs Assessment Framework and its Strategic Planning toolkit to CLCs around Australia
- Developing agreed models and communications strategies for accreditation of CLCs with the State/Territory Associations and commencing rollout
- Actively advocating for evidence-based assessment of legal needs as the basis for effective CLC strategic planning and a CLSP funding model

STRATEGIC GOAL 5: NALCL will be an organisation that: has transparent decision-making, provides for accountability at all levels at all times, has effective communication internally and externally, exhibits its organisational values at all levels, values its staff, management and volunteers and provides its staff with opportunities to develop their skills and maintain a work/life balance

- Reviewing organisational structure of NALCL, developing statements of delegated authority and monitoring
- Further reviewing and improving NALCL communications

STRATEGIC GOAL 6: NALCL will plan for its future

- Reviewing and streamlining the organising of the National Conference
- Providing support for new officeholder in role of National Convenor

STRATEGIC GOAL 7: NALCL will take opportunities to strengthen relationships and communities in order to promote social inclusion

- Researching and publicising role of CLCs in preventing and reducing social exclusion

>> NALCL Major Services and Projects, 2009/2010

With the support of annual project grants, NALCL provided a range of free services to CLCs in 2009–2010 including:

- CLSIS training and support, both face to face and online utilising WebEx
- a package of online legal resources and an optional additional discount arrangement, for hard copy legal resources, from Thomson Reuters
- access to a range of WebEx collaborative online services (for meetings, training etc) and some associated free teleconferencing
- a program information and liaison role between CLCs and the Commonwealth and State Program Managers in relation to the Community Legal Services Program
- advice and support in relation to best telephony options for CLCs, including practical guides to assist centres making a telephony choice
- a published employment strategy for Indigenous workers in CLCs, addressing recruitment, inclusion, support and retention
- a DVD version of the formerly hardcopy 'CLCs Storybooking' to highlight some of the work of CLCs across Australia to be used as a marketing and lobbying aid for CLCs
- an informative flyer, *Community Legal Centres: Putting social inclusion into practice*, that explains how CLCs' work matches each of the ALP's Social Inclusion Principles and that can also be used as a marketing tool for CLCs, and
- subsidies to attend the National Conference of CLCs, and financial support for National Networks meetings

Some projects and initiatives that NALCL was involved in during this year were:

Ongoing (unrelenting) project to improve remuneration for CLC workers

In early 2010, NALCL and the NSW State Association of CLCs agreed to jointly retain Mercer Consultants to update their 2006 report comparing CLC worker's salary rates with those of Commonwealth and Legal Aid lawyers. The 2006 Mercer report is often cited by CLCs

and their associations in funding submissions and an updated version should be a valuable resource in our ongoing campaign for more funding to improve remuneration for CLC workers.

In late June 2010, NALCL was informed that its application for funding to obtain a social and economic cost benefit analysis of CLCs was successful. This work will enable us to show in an academically rigorous analysis, the 'benefit' produced by CLCs delivering justice outcomes by comparison with their cost to the public. The project has a number of research strategies including sampling of some CLC cases – with, of course, the relevant CLCs' agreement and client permissions.

One off grants for CLC clinical legal education Initiatives

During 2009-2010, NALCL assisted the Attorney-General's Department (AGD) by administering AGD's allocation of one off project funds totalling \$300,000 to a number of CLCs for exploring partnership arrangements with universities to provide clinical placement opportunities for students undertaking or interested in family law'. The grants were made to a number of CLCs for one year but towards the end of the 2009-2010 financial year, the Australian Government extended funding for these projects to three years.

Improving coordination of community legal education & law reform activities

In response to an AGD request, NALCL wrote and submitted a scoping report and a proposal for an improved mechanism or procedures for coordinating community legal education and law reform work (including campaigns) being performed by the CLCs' sector, with a view to maximising capacity to leverage on past experience and expertise and most effectively utilise that knowledge. NALCL consulted extensively within the sector for this exercise and thanks everyone who provided input, particularly our CLEWS 'partners'. NALCL's paper set out three options, and at the time of writing it appears that one off funds will be granted for a proposal that includes the development of a central database, some coordinating support at the NALCL office and some support for the National CLEWS Network.

A public, online 'termbank' about family law for non lawyers

This project was initiated by Simon Rice of ANU's Law Reform and Social Justice unit, and academic linguist Pam Peters. They propose to develop a 'termbank' that would offer an accessible definition/explanation of each key term in a particular legal area – starting with family law, and show its place in legal structures or relationship to other terms in the same set, including by means of diagrams where appropriate (e.g. the steps in a legal process, or the hierarchy of appeals). The pages for related terms are also hyperlinked, to make it easy to find meanings for everything mentioned. In addition, each page is linked to an index of source documents, selected according to the key terms nominated by the user. Termbanks have been developed for other areas, eg accountancy, and are constructed by lexicographers in consultation with experts in the topic area.

NACLC and National Legal Aid agreed to be partners in this initiative, including agreeing to contribute comparatively small amounts of money and, in NACLC's case, also support in kind, because of Termbank's potential as an access-to-justice tool. NACLC has consulted and would hope to partner with WLSA and the CLEWS Networks if this project proceeds.

A not insignificant amount of work went into a university funding application, which was unsuccessful, and funding is now being sought from the Australian Government.

NTER Welfare Rights Outreach Project

During its second year of operation, the project involved a welfare rights outreach project (WROP) in the Northern Territory. With AGD funding negotiated by NACLC, the North Australian Aboriginal Justice Agency and the Central Australian Aboriginal Legal Aid Service each hosted two secondees from the National Welfare Rights Network (NWRN) to provide welfare rights advice, casework and assistance in their respective regions for a 12 months period. NACLC provided support in the establishment phase of the project under a partnership MOU with NAAJA and CAALAS. The WROP workers are supported through regular teleconferencing with a NWRN subcommittee to provide peer support and advice.

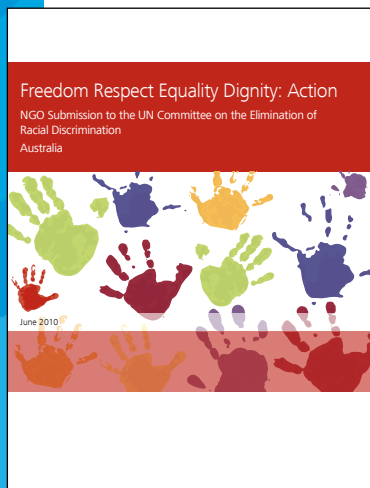
Law graduates undertaking their practical legal training work experience in RRR Centres

NACLC received a second annual grant from AGD to continue its feasibility study into a program for placement of law graduates to work in RRR CLCs for their Professional Legal Training (PLT) work experience. The aim is to encourage law graduates to consider RRR CLCs as a career option and to provide some additional support to RRR CLCs. The second year has involved a number of placements of ANU College students, evaluating the respective parties' experiences and refining the placement process and related communications. At the end of this year, we received confirmation of a third year's funding.

Development of a National Legal Needs Assessment Framework

During the year, NACLC developed and submitted to AGD a funding application and a detailed project plan to develop different state and territory versions of the NSW Legal Needs Assessment Framework, a resource that provides CLCs with a tool to better assess legal need in their areas (geographic or special interest), and prepare targeted strategic plans using that information. It leverages substantially on work done for a CLCNSW project. NACLC is asking the consultant to prepare two versions of the strategic planning toolkit: one for centres using CLSIS, one for those that do not. In late June 2010, NACLC was granted funding for this project by AGD.

>> NACLC Major Human Rights Work 2009/2010



CERD

Australia's Combined 15th, 16th and 17th Periodic Reports under the International Convention on the Elimination of all Forms of Racial Discrimination (CERD) was lodged with the CERD Committee on 7 January 2010, in preparation for its formal review by the CERD Committee in Geneva during August 2010.

NACLC, in partnership with the Human Rights Law Resource Centre, co-wrote *Freedom Respect Equality Dignity: Action – NGO Submission to the UN Committee on the Elimination*

of Racial Discrimination (June 2010). The report, which was prepared with support from a high-level NGO strategy group and endorsed by 113 community organisations and NGOs, will be presented during Australia's review by the Committee in August 2010.

While Australia has made some progress since the Committee's previous Concluding Observations on Australia in 2005, it is still not currently meeting all of its obligations under the Convention. The NGO report documents areas in which Australia is falling short of fulfilling its obligations and focuses on areas that have been the subject of extensive NGO research in Australia.

Subjects detailed in the report include:

- the lack of sufficient legal protection from racial discrimination in Australian law, policy and practice, including the ineffectiveness and, at times, unavailability of remedies for violations
- the ongoing discriminatory outcomes experienced by Aboriginal and Torres Strait Islander people in the enjoyment of many civil, political, economic, social and cultural rights
- the impact of the Northern Territory Intervention on Aboriginal and Torres Strait Islander peoples
- the adverse impact of laws, policies and practices on asylum seekers, refugees and other non-citizens

- the various forms of discrimination faced by migrant communities in Australia
- the impact of Australia's counter-terrorism laws on Somali, Kurd and Muslim communities in Australia
- the need for better implementation of Concluding Observations of human rights treaty monitoring bodies and a worrying trend in Australia's response to views of those bodies

The report contains concrete recommendations for Australian authorities, which would bring Australia more fully into compliance with its obligations under the Convention: an Australia in which all persons can live with freedom, respect, equality and dignity.

Universal Periodic Review (UPR)

Australia will be reviewed under the UPR in February 2011. The UPR is a mechanism of the UN Human Rights Council which reviews the human rights records of all 192 UN Member States.

NACLC made a submission to the Attorney-General's Department during its consultation on Australia's draft UPR report. NACLC's submission highlighted a number of significant gaps between Australia's international human rights obligations and Australian law, including:

- the lack of constitutional protection of human rights
- impediments to access to, and the administration of, justice and the right to a fair trial due to inadequate funding to legal aid commissions, community legal centres, Aboriginal Legal Services and Family Violence Prevention Legal Services
- significant barriers to the full enjoyment by Aboriginal and Torres Strait Islander peoples of civil, political, economic, social and cultural rights
- barriers for women to enjoy their human rights equally with men
- aspects of policing law and policy that pose significant challenges to non-discrimination, freedom from ill-treatment, freedom from arbitrary detention, freedom of assembly and association, and the protection of children
- the continuing policy of mandatory immigration detention

- barriers to the realisation of economic, cultural and social rights in Australia

In preparation for Australia's review, NACLC is working in partnership with the Human Rights Law Resource Centre, the Kingsford Legal Centre and a working group of interested NGOs to coordinate the preparation of a joint NGO Report. The report will canvass issues including:

- Australia's constitutional and legislative framework, cooperation with human rights mechanisms
- equality and non-discrimination
- Aboriginal and Torres Strait Islander peoples' rights
- migrants, refugees and asylum seekers
- administration of justice
- right to social security and to an adequate standard of living
- human rights and counter-terrorism
- business and human rights
- international assistance

Submissions to Federal Parliament

Submissions to Senate Inquiries included:

- to the Senate inquiry into the *Welfare Reform and Reinstatement of the Racial Discrimination Act Bill 2009*, recommending that the Government redesign the Northern Territory Intervention measures in a manner that is consistent with its international human rights obligations, and objecting to the proposed roll out of compulsory income management
- to the Senate inquiry into the *National Security Legislation Amendment Bill 2010* with the Victorian Federation of CLCs, expressing concerns and making recommendations to improve the Bill to include appropriate safeguards for the protection and promotion of human rights standards in Australia's counter-terrorism responses
- to the Senate inquiry into the future direction and role of the Scrutiny of Bills Committee, recommending that the role of the Committee be enhanced by mandating scrutiny of proposed legislation against the Commonwealth's human rights

obligations, and by establishing a Joint Parliamentary Committee on Human Rights to review all Bills for compliance with the Commonwealth's human rights obligations

- co-signed a joint letter to the Attorney-General requesting the application of the Disability Discrimination Act to the Migration Act to end discrimination in migration status on the basis of health

Other activities

- Press releases calling on the Attorney-General to support key recommendations of the National Human Rights Consultation Committee, particularly in relation to a Human Rights Act for Australia
- Attended the first joint DFAT/AGD NGO Human Rights Forum in Canberra
- In partnership with the Federation of CLCs (Victoria) and the Financial & Consumer Rights Council Inc, submitted comments on the proposed Model Dispute Management Plan for Commonwealth Agencies
- In partnership with the National Welfare Rights Network, submitted comments to the Australian Human Rights Commission's draft guidelines for ensuring income management measures are compliant with the *Racial Discrimination Act 1975*
- Met with delegates from the Vietnam Lawyers' Association and Vietnam Women's Union to discuss the role of NACLC in the protection and promotion of human rights and access to justice as part of the Vietnam-Australia Human Rights Technical Cooperation Program
- Submitted comments to the Attorney-General Department's follow up on the ICCPR Concluding Observations

Louise Edwards



Ian Tranthem – leader, mentor, colleague and friend.

Ian Tranthem, Principal Solicitor at Darwin Community Legal Centre and NT PII rep died in May 2010 after a year long illness.

Ian worked at DCLS from 2002, initially as a project solicitor, then as Principal Solicitor (including Welfare Rights and Disability Discrimination).

Ian was well known and regarded in our sector for his expertise in social security law, knowledge of all things insurance (unusual in our area) as well as for his friendliness, excellent conversational skills, and good humour.

As well as his work in Darwin and the NT, Ian was an active and valued member of the national welfare rights network.

Everyone looked forward to seeing Ian at annual conferences, for both his contribution to the formal business of the day and his lively and friendly socialising.

His passionate commitment to social justice often drove the agenda, and with his easy charm he gave support and guidance to people new to the sector

He was often described as “laid back”. But he was as sharp as he was relaxed. That sharpness, his intellectualism, underpinned his approach to the law. He was an excellent admin lawyer – which combined with a gut feeling for fair go for everyone made him the perfect community legal centre lawyer.

Each of us, at DCLS and elsewhere had our own personal and professional relationship with Ian, and we will all miss and mourn him in different ways, but all of us – and the organisations we are part of – are all the better for having known him.



Sandy (Alexander) Duncanson, 1973 – 2010.

Principal Solicitor of the Tenants’ Union of Tasmania.

On June 25 2010 Sandy lost his 16-year battle with cancer. Sandy was a committed advocate for social justice. He began his work in the community legal sector in 2004 first as Solicitor at the Tenants’ Union of Tasmania and quickly taking up the position of Principal Solicitor in 2005. Sandy was a powerful advocate for tenants, he was logical, intelligent, supportive and articulate and he always believed in what he was fighting for. On a personal note he was wickedly funny and loved telling a story or two.

Although Sandy’s was a life cut short it was not a life half lived. He achieved many things and made a difference to all that knew him. His courage and energy and his invaluable contributions to the community legal and housing sectors will continue to inspire us for years to come.

2009 National CLCs Conference

NACLC and Community Legal Centres Association (WA) organised and hosted the 30th annual Community Legal Centres National Conference at the Hyatt Hotel Perth, Western Australia between 14 and 17 September 2009. The Conference opened with a Welcome to Country from Ben Taylor Cuiermara, a Noongar Elder.

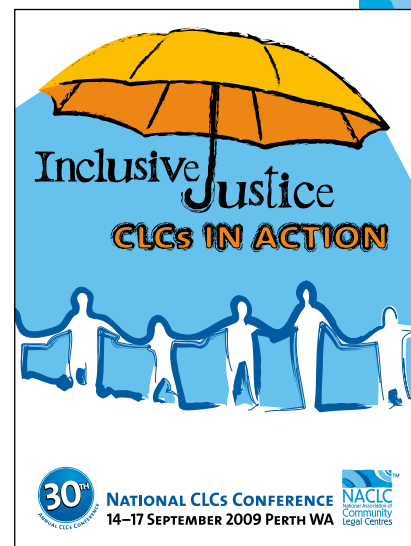
This year's Conference theme was *Inclusive Justice – CLCs in Action*, acknowledging that for more than 30 years CLCs have been at the forefront of assisting socially excluded people and strengthening communities. The Conference explored how CLCs provide access to justice for those communities that are most disadvantaged and for the individuals who are at the greatest risk, and which CLC strategies are most effective or can be improved. Attendees listened to CLC workers, management committee members and volunteers speaking about their and their communities' experiences and needs, and the solutions that those communities want and how they would like them delivered. In this way, the Conference reflects the socially inclusive model of strategic service delivery that CLCs practise and advocates.

There were a record 458 delegates registered this year. They included lawyers from CLCs, the private profession and government legal aid agencies, social workers, counselors, academics, researchers and policy workers, law students and people from a broad range

of other disciplines. Several staff from the Australian Government Attorney-General's Department and from State Legal Aid offices attended, as well as representatives from Ombudsman services and Relationships Australia. Attendees from CLCs included legal and non legal employees, management committee members and volunteers.

Key speakers from overseas were **Julie Bishop**, Director of the Law Centres Foundation UK and **Professor David McQuoid-Mason**, Professor of Law at the University of KwaZulu-Natal, South Africa. Local keynote speakers included **Carol Martin MLA**, the first Australian Indigenous woman parliamentarian, **Christian Porter MLA** and **Robert McClelland MP**, Attorney-General of Australia.

Special thanks go to the Conference Organising Committee, Association of CLCs (WA) and Quality Events, our external conference organisers.



Insurance and Risk Management

NACLC manages and coordinates a number of insurance schemes for the benefit of CLCs. Once a centre becomes a member of a State or Territory CLC Association, they have the option of joining one or more of NACLC's nationally negotiated and highly discounted insurance schemes, including Professional Indemnity Insurance (PII) and Associations Liability Insurance (formerly Directors and Officers Insurance), and are covered automatically by NACLC's free Public Liability insurance.

Professional Indemnity Insurance (PII)

The NACLC bulk Professional Indemnity Insurance (PII) scheme and its associated Risk Management regime continues to be a successful and cost-effective way for CLCs to manage both their risk and their PII. 165 Centres participated in the NACLC PII scheme in 2009-2010. The premium remained low, significantly due to CLCs' low risk record.

The *Risk Management Guide*, annual cross-checks and compulsory state PII meetings help individual centres understand and manage risk in their legal practice, identify possible new risks and act to minimise risks and prevent and/or mitigate claims being made against them. The scheme also gives centres and the people responsible for the legal practice access to an experienced PII state representative (and through them, the National PII Network) who can assist them with any questions they may have about their risk and managing files and legal work. PII State representatives freely and generously give their time to supporting centre workers with risk and insurance issues and are a great resource for CLC lawyers and centres.

Each state PII representative sits on the National PII Network. This network meets, generally by telephone link up but face to face at the National Conference, at least 11 times during the year. The National PII Network continues to guide the National PII scheme with a steady and sensible hand. NACLC thanks the individual members for their continued participation, their thoughtfulness and skill in considering and answering insurance and legal practice and risk management questions and the help they are always willing to lend

to CLCs and the National Office. During the year, Bill Mitchell, NACLC and the National PII Network made significant progress in updating the *Risk Management Guide*.

NACLC thanks the Australian Government Attorney-General's Department for again granting a significant amount towards the payment of the premium for the 2009/10 PII Policy for centres. Thank you also to Victoria Legal Aid and the Queensland Law Society who contributed to the premium costs for CLCs in their respective states.

Public Liability

NACLC continues to provide free public liability cover, to the limit of \$20 million, to all CLCs that are members of State or Territory Associations of CLCs. The national policy was renewed on 1 January 2010.

Associations Liability (formerly Directors and Officers) Insurance

The bulk Associations Liability Insurance Policy was renewed on 1 March 2010, negotiated at the same rate as last year, despite the increased funding of centres. The scheme now covers 155 Centres.

Office Pack insurance

As part of the nationally negotiated services, CLCs are also able to take out, if they wish, a reduced price but comprehensive Office Pack insurance.

NACLC & State Associations policy

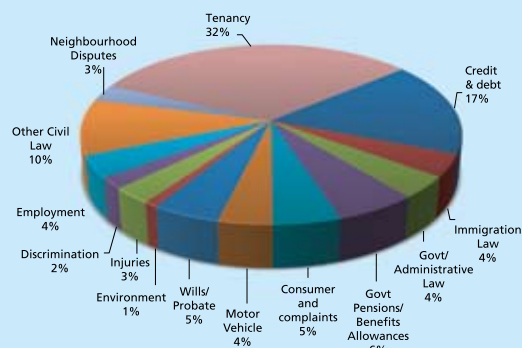
This year NACLC and the State Associations took out a separate policy to that for CLCs. Associations covered are NACLC, QAILS, NSWCLC, The Federation of CLCS (Victoria), SACCLS and CLCA WA.

Our broker, AON

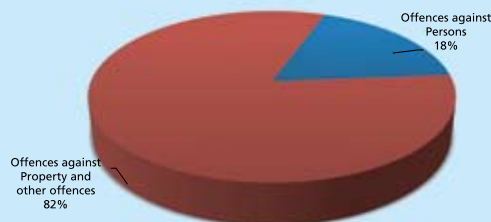
NACLC works closely with AON Risk Services Australia Limited in Adelaide to provide these insurances. We would like to thank Wayne Trezona and the other staff involved with our account at AON, for all their patience and willingness to help.

2009–10 CLSP CLCs Advice and Casework Services

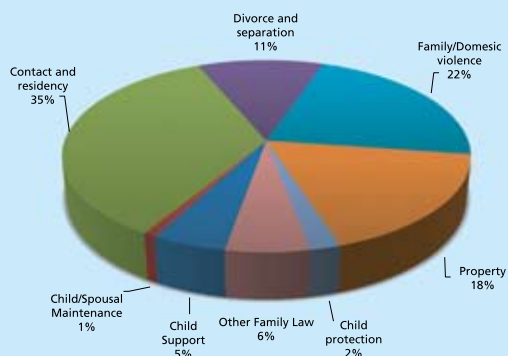
National Percentage – Civil by First Level Problem Type 2009–2010



National Percentage Criminal Law by First Level Problem Type 2009–2010



National Percentage Family Law by First Level Problem Type 2009–2010



Law Type % of All Matters by State/Territory 2009–2010



National CLSP CLCs Activity Profile 2009/10

In 2009–2010 the CLCs in the Commonwealth and State Community Legal Services Program:

- provided over 168,000 information, support and referral services
- provided more than 247,000 individual advices
- worked on over 68,000 individual cases
- concluded 2,869 community legal education projects (and worked on many more that have continued into the new year), and
- finalised 1,051 law or policy reform projects (and worked on many more that have continued into the new year).

These figures show a continuation of last year's significant rise in the number of cases being conducted: 61,000 in 2008/09, and 50,000 in 2007/08.

This year the trend in advices and informations/referrals has reversed: the number of advices provided has risen very significantly, from 209,000 in 2008/09; and the number of informations/referrals has decreased slightly, from 171,000 last year.

CLCs awards – centres of excellence

CLCs contain many lawyers and other workers who are experts and leaders in their field, be it an area of law or practice or a type of work such as community legal education or law reform activity.

Some of the CLC workers who won awards during 2009/10 were:

Toni Emmanuel, Principal Solicitor of Employment Law Centre of WA was awarded Lawyer of the Year by the Law Society of Western Australia for making a significant contribution to the legal profession in WA.

Samantha Maddern, from Corrs Chambers Westgarth, a volunteer at the Employment Law Centre of WA's Evening Legal Service was awarded the 2010 Attorney General's Community Service Law Award. The award recognises an outstanding legal practitioner who has made a sustained pro bono contribution to the Western Australian community.

Sally Goldner, of the Federation of Community Legal Centres Victoria, was awarded Most Significant Activist of the Year by the Alternative Life Styles Organisation (ALSO) Foundation.

The **Human Rights Law Resource Centre's excellent work** was recognised with a high commendation in the Human Rights Commission's Law Award, for its efforts to overcome discrimination and promote equality through the practice of law.



PHOTO: ROBERT KERR

(Above) Attorney-General Christian Porter and Samantha Maddern.

(Right) Toni Emmanuel, Lawyer of the Year.

Photos courtesy of the Law Society of Western Australia.



PHOTO: ROBERT KERR



AUSTRALIAN CAPITAL TERRITORY

Deb Pippen
ACT rep

The unfunded ACT CLC network consists of five centres. Centres meet regularly to share information and organise joint work. Highlights and issues for the year include:

- The Women's Legal Centre (WLC) lobbied the ACT and Commonwealth governments for increased funding to the Indigenous Women's Law Support Project
- *Report on the Review of Legal Assistance Services for Aboriginal and Torres Strait Islander People in the ACT and Surrounding Region*
- CLCs have been working together towards the development of the ACT CLC Hub that will allow sharing of resources
- Joint Community Legal Education (CLE) and activities including information stalls at major community events including National Law Week, ACT Multicultural Festival, Seniors Expo, Uni Campus Orientation events, joint training day run by Tenant's Union, Welfare Rights and Legal Centre (WRLC) and WLC, EDO ACT Environmental Law Handbook and fact sheets, and an article in the Australian Law Reform Commission's journal "Reform"
- Community development – International Tenants' Day Arts Competition and Exhibition for public and community housing tenants
- Assistance provided to ACT Greens legal need research
- Meetings with ACT Attorney-General
- Law reform – submissions on National Residential Tenancy Database Model Provisions, ACT urban forest renewal, Heritage Act review and sustainable futures report
- Regular liaison with ACT providers of legal services through quarterly ACT Legal Aid Forum. Joint work included *Report on the Review of Legal Assistance Services for Aboriginal and Torres Strait Islander People in the ACT and Surrounding Region*
- A new homeless persons' community legal service (Street Law) auspiced by WRLC, began operating early 2010 as a joint project of the ACT CLCs, Legal Aid ACT and the Aboriginal Legal Service



NEW SOUTH WALES

Alastair McEwin
CLC NSW

CLCNSW has had another busy 12 months.

A highlight for the year was the biannual state conference from 4 to 6 May 2010. With 177 people attending across the three days, the conference was an invaluable opportunity for people to reflect on and celebrate the achievements and work of the NSW CLC sector. Day One was a day for those CLCs that work or specialise in regional, rural and remote (RRR) areas. On Day Two, High Court Justice Virginia Bell delivered the conference's keynote address about the question of how human rights form part of the rule of law. On Day Three, Associate Professor Eileen Baldry, Associate Dean (Education), UNSW, gave a plenary keynote presentation on social justice, disability and the criminal justice system.

CLCNSW completed both Phases One and Two of the Legal Needs research model and toolkit in 2009/10. Phase One, completed in October 2009, developed and trialled a model of evidence-based legal needs research and strategic planning for CLCs. Outcomes were the development of the Legal Needs Assessment Framework (LNAF), comprehensive reports (with mappings) and a data analysis and strategic planning toolkit.

Phase 2 implementation (February-June 2010) was a supported roll out of the toolkit with four CLCs: Elizabeth Evatt, Inner City, Marrickville and North and North West. It was an opportunity to trial the toolkit, whilst also providing support and assistance to the CLCs. There are now plans to roll this out to the NSW sector.

CLCNSW continues to take a proactive approach to PII compliance with its member CLCs. We acknowledge and thank the PII representative on the CLCNSW Board, Pip Davis, and PII co-convenor, Katherine Lane, for their hard work.

In May 2010, Linda Tucker resigned as the NSW representative to NACLC. We thank Linda for her valuable contribution and look forward to working with the new rep, Kim Price (Coordinator, Hawkesbury Nepean CLC).



NORTHERN TERRITORY

Caitlin Perry (pic) and Teena Balgi
NT Reps

The unstaffed NT Association of CLCs (NTACLC) consists of seven centres. Centres meet periodically to share information and organise joint work. NT centres continued to provide legal services to urban and remote communities, despite challenges faced including isolation, under funding and recruitment difficulties.

Highlights and issues for this year include:

- Central Australian Aboriginal Family Legal Unit successfully ran *AB v Northern Territory of Australia* – a test case and the first reported appeal pursuant to the *Victims of Crime Assistance Act (NT)*
- Top End Women's Legal Service and Central Australian Women's Legal Service continued to expand their services and secure employees
- Darwin Community Legal Service received funding to conduct projects in relation to tenants, welfare rights recipients and prisoners affected by the Northern Territory Emergency Response, and to work with the Darwin Family Relationships Centre
- Katherine Women's Information and Legal Service held a highly successful women's forum entitled 'Know the Score on the Law' in October 2009 for women from Aboriginal communities in the Katherine region.

NT centres participated in policy development and law reform activities, making submissions in relation to domestic violence, family law, child protection and tenancy laws amongst other things. NT centres also continued to develop and distribute appropriate community legal education resources. Centres continued to work closely together on bigger picture issues such as legal services for people living in the long grass.

NTACLC continued to negotiate payment to NT centres from the NT Solicitors Fidelity Fund as required by the *Legal Profession Act 2006*.



QUEENSLAND

Susan Bothmann
Queensland Rep

Queensland Association of Independent Legal Services (QAILS) prepared a state funding submission on behalf of all Queensland CLC, for additional funds to meet increased wage costs as a result of the Queensland Industrial Relations Commission's (QIRC) pay equity decision.

Over the last year, CLSP funding increased by approximately 16%. The increases are attributable to a range of sources:

- supplementary funding provided to Qld CLCs as a result of the Queensland government budget allocation to the community sector for QIRC wage increases
- increased Commonwealth recurrent funding
- increased non-recurrent funding from the Commonwealth and Legal Practitioner's Interest on Trust Account (LPITAF)

QAILS passed its new Constitution which incorporates the NACLC model rules and developed a policy and procedure manual. QAILS also welcomed a new member, the Lesbian Gay Bisexual Transgender Intersex (LGBTI) Legal Service Inc.

QAILS held another successful annual conference at the Twin Waters on the Sunshine Coast. At the conference, the findings of a member survey were revealed. The survey responses indicated that members saw QAILS' primary role as advocating on funding issues on behalf of the sector.

QAILS has also been developing a policy and procedure manual. This has been a major part of working towards QAILS operating autonomously in the future, as opposed to being auspiced by a member CLC (currently Women's Legal Service).

Finally, the Seniors legal services provided by CLCs around the state were recurrently funded by the Queensland Department of Communities after a successful evaluation of the trial.



SOUTH AUSTRALIA

*Matthew Atkinson
and Alan Merritt*
SA reps

The project between CLCs and their local Family Relationship Centres (FRC) is progressing well. CLCs are providing community legal education to FRC clients about family law matters on a weekly basis and an excellent cross referral system between CLCs and FRC has been developed.

The EDO recently conducted an outstanding community legal education seminar on biodiversity where over 170 people attended. It is anticipated that this activity will lead to positive law reform of the relevant legislation.

The South Australian Legal Assistance Forum (SALAF) has been created through the relationship between the Legal Services Commission, CLCs, and the Aboriginal Legal Rights Movement. SALAF provides an opportunity for all legal assistance agency providers to raise issues of common concern and focus interagency efforts to progress solutions to recognised problems.

The lack of mental health services particularly in rural and remote areas continue to be a significant problem for CLC clients.



TASMANIA

*Jane Hutchison (pic) and
Mary Johnson-Goeldner*
Tasmanian reps

Tasmanian centres continued to provide quality legal services, particularly to those who are disadvantaged or vulnerable. Community legal education continues to be a very important activity and all CLCs engage in law reform.

The Tasmanian Government has announced their intention of introducing Charter of Rights legislation; this is particularly welcomed by TACLC as many CLCs have been lobbying for a progressive stance on human rights.

EDO Tas had a major win this year in stopping the first canal estate proposal in Tasmania. The government is promising to introduce legislation to ban canal estates in Tasmania.

Another achievement of the EDO Tas this year was being awarded a media commendation by the Planning Institute of Australia for their publication *RMPAT Bulletin*.

Another significant achievement was the passing of a new law by Tasmania's Upper House giving equal recognition and protection to families headed by same-sex couples. Women's Legal Service lobbied hard for these changes and are to be congratulated in getting them passed by what is historically a very conservative House.

The parlous state of funding to legal aid in Tasmania has impacted on all the CLCs, with legal aid only funding serious matters and CLCs being swamped with people needing assistance.

The Law Society of Tasmania is establishing a Pro Bono Clearing House.

All CLCs that received one off Commonwealth funding were grateful, however those CLCs that did not receive additional funding are struggling, in particular EDO Tas who still manage to produce quality work.

The year finished on a particularly sad note when we said goodbye to Sandy Duncanson (Principle Solicitor, TU) who lost a long battle with cancer at the end of June. Sandy was a committed advocate for social justice and will be missed.



VICTORIA

Michael Smith
Victorian rep

Victorian CLCs and the Federation of CLCs have enjoyed another strong year with a range of innovative initiatives and partnerships. Highlights of the year for Victoria have included:

- the establishment of a Law Graduate Scheme to facilitate the entry of law graduates into the CLC sector.
- the Community Legal Education kit for CLCs new (*CLE Made Easy*) was revised and launched. It draws sector expertise and experience, through of case studies and extensive resources – www.communitylaw.org.au
- leading the establishment of Smart Justice to advocate criminal justice policies that work, are evidence-based, value for money and don't violate Victorians' human rights. www.smartjustice.org.au
- moving premises to City Village in Bourke Street, co-located with a number of progressive community agencies

Law reform achievements have focused on:

- Police accountability, particularly use of force and deaths in custody
- Leadership with the Australian Inquest Alliance particularly advocating mandatory responses to coronial recommendations and a uniform national coronial public reporting and review scheme
- Senate Inquiry into counter terrorism reform jointly with NACLC
- Victorian Civil and Administrative Tribunal Review
- Child Protection Review
- Calling for the introduction of a Victorian Children and Young Person's Commission
- Equal Opportunity Bill, particularly in the context of the Victorian Human Rights Charter
- National Alternative Dispute Resolution Advisory Council's Model Dispute Management Plan
- Victorian Hate Crimes Review



WESTERN AUSTRALIA

John Perrett and
Chris Gabelish
WA reps

The state office has temporarily relocated in the CBD to allow for major renovations and upgrading of the Claisebrook Lotteries House premises.

The CLC Association (CLCA) was pleased to assist with the organisation of the 2009 National conference held in Perth in September.

CLC legal practitioners continue to benefit from the Professional Development and QA education program that is co-ordinated by the Legal Practice and PII Committee under the direction of Catherine Eagle.

It was pleasing to see the State fund a new CLC in Street Law Inc located in the metropolitan area.

CLCA representatives met with the WA Attorney General and the opposition spokesman on legal affairs

A very successful biennial state conference was held in May with over 130 delegates attending from across the state. The Association is grateful to LotteryWest for the continued financial support.

A Legal Assistance Forum has been established in WA. Two representatives attend the quarterly forum on behalf of the CLCA. Other attendees include Legal Aid, Law Society, ALS, key pro bono providers, bar association and the State AGs. Our governance and management program (GAMP) is progressing with many CLCs participating in the on-line survey.

CLCAs is actioning its strategy *Informing, education and influencing government, the media and the public about access to legal services*, by producing a promotional kit. The kit includes an updated CLC directory, a publication entitled *WA CLCs: committed to eliminating disadvantage in our community* and fact sheets.

NATIONAL COMMUNITY LEGAL CENTRE NETWORKS

CLC National Networks are the key policy advisory and consultative bodies for CLCs and NACLC. The Networks also function to enhance collaboration between centres, to share expertise and resources, to identify emerging needs and to develop joint projects to address those needs. The Networks are organised around specific areas of community legal concerns or service response.

NACLC provides assistance to the Networks including funding for regular phone link-ups between CLCs across Australia, support for face to face meetings at the National CLC Conference and other support as necessary. This year, there are 15 reports from National Networks.

CHILD SUPPORT WORKING GROUP

Katrina Haller

We have been meeting at Victoria Legal Aid every two months to share information, discuss difficult types of cases and work on law reform. The project we are working on is an attempt to have section 29 of the Child Support Act expanded to include two further presumptions of paternity – (i) a positive DNA test from an Accredited Laboratory, performed according to the Family Law Act Rules; and (j) a Statutory Declaration from the mother identifying the father. The latter presumption can be rebutted by a negative paternity test result, arranged by the alleged father which transfers the onus of proof from the mother to the father. Barwon CLC drafted a guide to child support matters in relation to prisoners. Members participate in a teleconference, every three months to discuss issues of mutual interest. The network is also used informally for specific problems, where members may contribute their views or experiences via the BBS.

CLINICAL LEGAL EDUCATION

Anna Cody

Members of the network participated in an engaging and interesting conference in July 2009 in Perth on clinical legal education. It was the 10th bi-annual conference of Australian clinical legal education. There were also several teleconferences throughout the year to discuss possible funding opportunities at the Commonwealth level. Some new clinics have been funded at the end of 2009 so that 2010 looks like a growth year for clinical legal education programs in CLCs.

COMMUNITY LEGAL EDUCATION WORKERS (CLEWS)

Carol Benda

The National CLEWS network had an active year and gained new members to the group. The Network held a very successful meeting at the NACLC conference in Perth, 2009 with around 50 people attending. This meeting was productive and dynamic and saw the idea of a newsletter emerge. It also discussed NACLCs proposal for the CLE and Law Reform National Coordination Project based at NACLC. National CLEWS also assisted in getting more CLE workshops in the Conference to, amongst other things, support CLE in the CLC sector.

Two copies of the CLEWS newsletter have been produced, with plans of producing four editions per year. The aim of the CLEWS newsletter is to share CLE activities taking place across the country. The CLEWS Network is grateful that the CLE/Law Reform Project will take shape in the next year and produce some much needed resources for those in the sector doing CLE.

The CLEWS network is updating the National Guidelines for Management of CLE documents. CLEWS intends to work closely with various State CLEWS networks and other key stakeholders in the CLC sector to ensure it becomes a valuable tool for supporting good practice in CLE.

The National CLEWS Network is convened by three very active Coordinators, Carol Benda (ACT), Michelle Burgermeister (WA) and Steve Womersley (Vic).

The National CLEWS network holds phone link ups approximately once every six weeks and is open to anyone interested to join.

DISABILITY RIGHTS

Fiona Given

The Australian Disability Rights Network made some significant decisions in regards to its operations last year at the national conference, including a name change. Since then, we have continued to have teleconferences every six weeks, which have been well attended. Significant issues faced by our members have been education and employment. We plan to discuss how best to address these issues and share information at the network day at the 2010 national conference. We had another unsuccessful attempt in applying for funding for the co-ordinator's position.

EMPLOYMENT

Linda Tucker

In 2009-2010 the Employment Network was busy with the implementation of the new Fair Work regime. While we welcomed the end of Workchoices, there were significant concerns about the impact of some of the new approaches to employment law in the Fair Work Act. In particular, individual centres, and the network as a whole, raised the issue of prejudice to applicants under the new system of telephone conciliations, and representations were made to Fair Work Australia on this issue. The funding of employment law services also continued to be a major issue particularly as this has been a volatile and high volume area of practice in recent years which has made it difficult for many CLCs to maintain an effective employment service. The network was therefore a very enthusiastic participant in the Fair Work Ombudsman's review of federal funding of community-based employment law services. We had detailed discussions with Anna Booth who conducted the review and also provided a major submission which had contributions from centres around Australia. It was therefore extremely disappointing that the review did not result in any budget response from the Federal Government, so this remains an under funded and overworked area of practice for CLCs. Despite this, the network's members have again provided excellent service to their clients and continue to liaise with governments and tribunals to improve the employment regime.

ENVIRONMENT

Melissa Ballantyne

The Australian Network of Environmental Defender's Offices (ANEDO) comprises EDO offices in each State and Territory dedicated to public interest environmental law and public participation in environmental decision making. EDOs provide services to the community through casework and advice, community legal education and law reform and policy work.

ANEDO has contributed a number of important submissions about national law and policy issues. These include responses to the Prime Minister's task group paper on energy efficiency laws (*Enhancing the Renewable Energy Target Discussion Paper*), the 10 year Review of the EPBC Act 1999 Interim Report, the Review of the *ATSI Heritage Protection Act 1995* and the proposed *Strategic Framework for Access to Justice in the Federal Civil System*.

Examples of the policy work of ANEDO is available at <http://www.edo.org.au/>.

ANEDO also received one off funding this year from the Commonwealth Attorney-General's Department which enabled staff from across the network to attend a training day and the NSW EDO's National Conference: Public Interest Law in Australia.

HUMAN RIGHTS

Bill Mitchell and Rachel Ball

The National Human Rights Network convenes a phone link-up every six weeks. This link-up allows Network members to share information and resources relevant to State-based and national human rights developments.

Over 2009-2010 the Network has focused its discussion and activities around:

- the release of the Brennan Report on the National Human Rights Consultation and the corresponding Government response (including the development of Australia's Human Rights Framework)
- NGO engagement with United Nations human rights mechanisms, including periodic reviews of Australia by various treaty bodies and the upcoming Universal Periodic Review by the Human Rights Council
- campaigns to strengthen Federal anti-discrimination laws

LESBIAN, GAY, BISEXUAL, TRANSGENDER AND INTERSEX (LGBTI)

Chris Atmore and Sally Goldner

This year we launched *Almost Equal*, a guide for CLC lawyers on recent changes to Commonwealth laws affecting same sex couples.

Members of the Network also continued to be active in our communities by providing information and advice about the changes, particularly with regard to Centrelink payments.

Targeted services and support for LGBTI communities expanded with the development of a domestic violence court assistance scheme in NSW and moves to establish a LGBTI Legal Service in Queensland.

Various CLCs participated in their local communities' Pride celebrations, including an Inner City Legal Centre float in the Sydney Mardi Gras Parade.

The Network continues to advocate for marriage equality and full human rights protection including against discrimination, at both state and federal levels.

NATIONAL ASSOCIATION OF TENANT ORGANISATIONS (NATO)

Penny Carr

The National Association of Tenant Organisations (NATO) carried out a major project during this year. In partnership with National Shelter, NATO produced a report, *A Better Lease on Life – Improving Australian Tenancy Law*, about national tenancy law changes which would contribute to the reduction of homelessness.

The Project emerged from the Federal government's white paper, *The Road Home A National Approach to Reducing Homelessness*, released in 2008. NATO identified tenancy law provisions in each state and territory, national issues for reform, then identified those which have an impact on homelessness. NATO will pursue this work further in the coming year.

RURAL, REGIONAL & REMOTE (RRR)

Lee Milcherdy

A face-to-face national RRR network meeting was held at the National Conference in Perth in September 2009. At this meeting Lee Milcherdy and Iris Futado were elected RRR Co-conveners and Allan Mallard the minute taker. Iris is from the Riverland Community Legal Service in regional South Australia and both Lee and Allan are from the Taylor Street Community Legal Service, a regional Queensland CLC. The meeting, attended by 16 regional CLC workers from around Australia, provided great networking opportunities and interaction.

Issues RRR CLCs continue to face include:

- Lack of time available for regular RRR CLCs teleconferences. These meetings are essential if we are to maintain a cohesive network able to focus on solutions associated with outreach service delivery
- The need for better IT support for RRR CLCs including the use of Webex and VIOP (Voice Over Internet Protocol)
- Travel and other costs associated with the delivery of outreach for rural clients, including those in smaller remote communities
- Getting specialist legal assistance to RRR areas and Centres; and accessing pro bono support
- Securing funding for secretariat support for the RRR Network to enable it to more strategically address some of the issues outlined above

The following items are regularly discussed at our teleconference link ups:

- RRR funding opportunities
- The pilot partnership program with CLCs, Family Relationship Centres and state Legal Aid Organisations
- Formulation of a RRR lobbying strategy
- Use of Information Communication Technology (ICT) to:
 - Meet legal needs of geographically isolated RRR clients
 - Assist with communication and/or training needs of RRR CLCs
 - Identification of useful/common practice resources to share
- Country Lawyers and Graduate Placement Projects

The RRR Network continues to meet periodically by phone link-up.

WELFARE RIGHTS

Genevieve Bolton
NWRN Secretary

National Welfare Rights Network Inc

NWRN had another busy year dealing with a raft of amendments to Social Security and related legislation which directly impact on the daily lives of our clients. Significant lobbying and submission work was undertaken around the New National Income Management categories as we joined with many other community organisations within the sector in opposing the retention and further expansion of compulsory income management. While we were unsuccessful in our campaign against this draconian and retrograde legislative reform, it will be critical for the NWRN to monitor and analyse the experiences on the ground and lend support to the Darwin Community Legal Service and the NT Welfare Rights Outreach project as they continue to work to expose the flaws, negative impacts and human cost of this misguided policy.

Throughout the year, the Network also made submissions to the Joint Standing Committee on Migrations – Inquiry into the Treatment of Disability and to the Commonwealth’s Attorney General’s Report on a Framework for Access to Justice in the Federal Civil System. We also provided input into a number of NALC United Nations submissions. As in previous years the Network prepared a submission to the Federal Budget Process for 2010/2011 and also had delegations in Canberra to raise both policy and service delivery issues with Centrelink and relevant Government departments. A couple of very productive meetings were held with Centrelink and the various Government policy departments on debt prevention strategies and policies.

WOMEN’S LEGAL SERVICES AUSTRALIA (WLSA)

Carol Benda

WLSA has been a busy network over the last 12 months, responding to numerous inquiries whilst at the same time striving to continue broadening its range of activities such as actively participating in preparations leading up the NGO Convention on the Elimination of all forms of Discrimination Against Women delegation visit to the United Nations.

WLSA has over the last year continued to respond to inquiries and reports in the area of family law including preparing submissions in relation to:

- *Senate Standing Committee inquiry into Family Law Amendment (De Facto Financial Matters and Other Measures) Bill 2008*
- Australian Institute of Family Studies evaluation of family law reforms and the extent to which reforms meet objectives
- Chisholm Family Courts Violence Review
- Australian Law Reform Commission / NSW Law Reform inquiry into Family Violence: Improving Legal Frameworks

WLSA has also been proactive in seeking to engage with the broader community about legal issues affecting women. Edwina MacDonald wrote an article in relation to the *National Plan of Action to Reduce Violence against Women and their Children* and its implications. The article was published by the Australian Domestic and Family Violence Clearing House in Newsletter 38.

WLSA has also endorsed a number of reports including the Australian NGO Report to the UN CERD Committee and the NGO Report to the Universal Periodic Review of Australia. WLSA would like to thank its members who have contributed either jointly with WLSA and/or individually to the request for submissions.

In recognition of WLSA’s expertise in family law and other related areas, WLSA members sat on a number of high level committees including the:

- Chief Justice Family Law Forum – this forum was attended by the National Law Reform Coordinator on behalf of NALC

- Equality Rights Alliance (ERA) – Edwina MacDonald is an Executive Committee member of this new alliance. ERA is one of 6 national women’s alliances funded by the Federal Office for Women

WLSA has also seen a number of internal changes with Edwina from Women’s Legal Services NSW handing over the role of National Law Reform Coordinator to Zita Ngor from Women’s Legal Service SA. Edwina became a Convenor of WLSA along with Zione Walker-Nthenda from Women’s Legal Service Victoria.

WLSA intends to continue its work responding to inquiries and proactively campaigning for the furtherance of equality and access to justice for women.

YOUTH

James McDougall

The National Youth Advocacy Network met face-to-face only once this year at the National Conference in Perth. However we worked over the course of the year to share information and ideas for responses to the continuing development of flawed approaches to youth justice around the country. This included an Alternate Youth Justice Summit in Melbourne in February. The Victorian “Smart Justice” campaign re-launch and the successful campaign for funding for the replacement of the Magill Youth Detention facility in South Australia were both applauded around the Network.

The biggest disappointment for the year was the lack of any additional funding for youth legal services in the Federal Budget in April 2010. This is despite the fact that youth legal services are key advisers to young people at risk of homelessness and extraordinarily well placed to offer early intervention strategies to address the injustices experienced by these young people.

The complacency in public policy on youth homelessness is even more obvious given the considerable injection of funding into the provision of additional public housing – ironic since so often young people are excluded from access to such facilities.

More members of the Network became involved in the preparation for the next NGO Report on the Convention on the Rights Of the Child. The Network contributed to work on child rights issues for other human rights reporting processes including the Convention on the Elimination of all forms of Discrimination Against Women, the Convention on the Elimination of Racial Discrimination and the Universal Periodic Review.

NACLC National Office Staff

The staff at the national office of NACLC during the 2009/10 financial year were:

In the NACLC office:

EXECUTIVE DIRECTOR

Julia Hall

POLICY & PROJECTS OFFICER

Polly Porteous (13 April 2009 – 18 August 2009)

POLICY & PROJECTS OFFICER

Louise Edwards (from 23 November 2009)

FINANCE OFFICER

Chrisanthi Maddison – part-time

NATIONAL CONFERENCE COORDINATOR & ADMINISTRATIVE ASSISTANT

Jane Housley – part-time

ADMINISTRATOR

Anna Bruce (from 2 July 2009)

Out of office support:

BBS ADMINISTRATOR AND SUPPORT

Phill Byrne – casual

Jacqui Swinburne

NACLC Consultants:

CLSIS CONSULTANT

Justin Finighan, Kaeleene Owen
and staff at Finrea

FIRSTCLASS SUPPORT

Damien Gardner, Rendrag

NATIONAL CLCs CONFERENCE

EXTERNAL CONSULTANTS

Marilyn Hall and Brooke Palmer

TERM PROJECTS

Rachna Muddagouni was project officer
on the Law Graduates in RRR CLCs.



Top Row (L-R):
Julia Hall,
Chris Maddison,
Jane Housley



Bottom Row (L-R):
Anna Bruce,
Louise Edwards

National Association of Community Legal Centres Financial Report for the Year Ended 30 June 2010

ABN: 67 757 001 303

COMMITTEE'S REPORT

Your committee members submit the financial report of the National Association of Community Legal Centres (the Association) for the financial year ended 30 June 2010.

Committee Members

The names of committee members throughout the year and at the date of this report are:

Elizabeth O'Brien, National Convenor

Carol Benda, treasurer

Deb Phippen, ACT representative

Stella Calvert, NT co-representative (until September 2009)

Suzi Kapetas NT co-representative (until September 2009)

Caitlin Perry, acting NT representative (from September 2009 until March 2010)

Teena Balgi, NT representative (from March 2010)

Linda Tucker, NSW representative (until April 2010)

Rosslyn Munro, QLD representative (and acting representative until November 2009)

Alan Merritt, SA representative (until October 2009)

Matthew Atkinson, SA representative (from November 2009)

Jane Hutchison, TAS representative (until October 2009)

Mary Johnson-Goeldner, TAS representative (from October 2009)

Michael Smith, VIC representative

Chris Gabelish, WA co-representative

John Perrett, WA co-representative (from October 2009)

Gai Walker, WA co-representative (until October 2009)

Principal Activities

The principal activities of the association are to assist disadvantaged and marginalised people in the Australian community obtain access to legal services by:

- supporting and assisting community legal centres to provide these services;
- providing a national forum for community legal centres;
- developing and coordinating national community legal centres policy; and
- advancing the interest of community legal centres within Australia.


Further information on the principal activities of NACLC performed during the financial year are set out in the Annual Report.

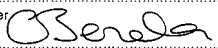
Significant Changes

No significant change in the nature of these activities occurred during the year.

Operating Result

The surplus amounted to \$ 166,678.


..... Deborah Phippen
Committee Member


..... Carol Benda
Committee Member

Dated this 21st day of September 2010

National Association of Community Legal Centres

ABN: 67 757 001 303

INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2010

	Note	2010	2009
		\$	\$
INCOME			
Contributions from centres		401,200	384,650
Grants		433,215	698,870
Other project income		-	4,662
PI insurance premium income		186,862	173,546
Sundry other income	2	61,235	59,798
Conference income		310,651	272,992
		<u>1,393,163</u>	<u>1,594,518</u>
EXPENDITURE			
Operating expense	3	208,593	229,096
Employees expense	4	290,130	275,790
Conference expense		286,024	254,226
Project expense		237,907	512,254
PI Insurance expense		186,862	173,546
Depreciation		16,869	6,246
Impairment of receivables		100	679
TOTAL EXPENSES		<u>1,226,485</u>	<u>1,451,837</u>
Current year surplus		<u>166,678</u>	<u>142,681</u>
MEMBERS FUNDS AT THE BEGINNING OF THE FINANCIAL YEAR		<u>170,128</u>	<u>27,447</u>
MEMBERS FUNDS AT THE END OF THE FINANCIAL YEAR		<u><u>336,806</u></u>	<u><u>170,128</u></u>

The accompanying notes form part of this financial report.

National Association of Community Legal Centres

ABN: 67 757 001 303

ASSETS AND LIABILITIES STATEMENT AS AT 30 JUNE 2010

	Note	2010	2009
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents		671,430	462,478
Trade and other receivables	5	258,052	487,818
Prepayments		50,537	53,157
Financial Assets	6	2,010,000	410,000
TOTAL CURRENT ASSETS		2,990,019	1,413,453
NON-CURRENT ASSETS			
Property, plant and equipment	7	21,891	36,742
TOTAL NON-CURRENT ASSETS		21,891	36,742
TOTAL ASSETS		3,011,910	1,450,195
CURRENT LIABILITIES			
Trade and other payables		43,052	51,931
Grants received in advance	8	2,049,936	875,090
National conference liabilities		71,316	72,205
PII Insurances Liability		272,776	177,751
Other provisions		4,500	4,500
GST liabilities		192,235	53,777
Employee liabilities		19,932	18,725
Accruals		21,357	26,088
TOTAL CURRENT LIABILITIES		2,675,104	1,280,067
TOTAL LIABILITIES		2,675,104	1,280,067
NET ASSETS		336,806	170,128
MEMBERS' FUNDS			
Reserves	9	147,059	82,431
Retained profits	10	189,747	87,697
TOTAL MEMBERS' FUNDS		336,806	170,128

The accompanying notes form part of this financial report.

National Association of Community Legal Centres

ABN: 67 757 001 303

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the *Associations Incorporation Act 1991* (ACT). The committee has determined that the association is not a reporting entity. Accounting Standards have not been applied in the preparation of the financial report.

The financial report has been prepared on an accruals basis and is based on historic costs and does 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 this financial report.

a. Income Tax

The association is exempt from Income Tax in accordance with the provisions of the *Income Tax Assessment Act 1997*.

b. Property, Plant and Equipment (PPE)

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

The depreciable amount of all PPE is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

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

c. Impairment of Assets

At each reporting date, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expensed to the income statement.

d. Employee Benefits

Provision is made for the company's liability for employee benefits arising from services rendered by employees to balance date. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

e. Provisions

Provisions are recognised when the company has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured at the best estimate of the amounts required to settle the obligation at reporting date.

f. Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments which mature within three months or less from the date of the end of financial year.

National Association of Community Legal Centres**ABN: 67 757 001 303****g. Revenue**

Grant income, conference and insurance is recognised as revenue in the year to which the associated expenditure and grant funding agreement relates. Accordingly, this income received in the current year for expenditure in future years are treated as grants in advance.

Unexpended specific grant income at 30 June each year is disclosed as a liability in the accounts. The amount brought to account as income is equivalent to that amount expensed by the Association during the financial year. Where surplus funds are required to be repaid, they will remain as a liability in the accounts until repayment.

Revenue from the provision of membership subscriptions is recognised on a straight-line basis over the financial year.

Revenue for two Projects, CLSIS data base rollout to FVPLS units and Clinical Legal Education is reported on a net basis. In the case of CLSIS rollout to FVPLS all cost incurred by NACLCL was directly invoiced to AG's Dept and the remuneration to NACLCL was the management fee. In the case of Clinical Legal Education the funds received from the AG's dept was directly transferred to the various Legal centres over a period of time.

Interest revenue is recognised using the effective interest rate method which for floating rate financial assets is the rate inherent in the instrument.

All revenue is stated net of the amount of Goods and Services Tax (GST).

h. Leases

Leases of PPE, where substantially all the risks and benefits incidental to the ownership of the asset, but not the legal ownership, are transferred to the Association, are classified as finance leases.

Finance leases are capitalised by recording an asset and a liability at the lower of the amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for that period.

Leased assets are depreciated on a straight-line basis over the shorter of their estimated useful lives or the lease term. Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

i. Goods and Services Tax (GST)

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

National Association of Community Legal Centres

ABN: 67 757 001 303

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

NOTE 2: SUNDRY INCOME	2010	2009
	\$	\$
BBS accounts income	2,850	4,550
Admin income	18,039	18,000
Bank interest received	40,306	35,537
Sundry other income	40	1,711
	<u>61,235</u>	<u>59,798</u>
 NOTE 3: OPERATING EXPENSES	 2010	 2009
	\$	\$
Accounting and audit	5,178	4,332
Accreditation Scheme	10,230	-
BBS account fees	15,681	14,258
Electricity and gas	1,290	2,152
Travel/ accommodation costs	44,865	63,462
Rent	24,271	26,253
Insurance	9,311	6,966
National representation	28,000	32,000
Network phone link up	4,978	6,456
Meeting expenses	1,667	5,315
Design and printing	20,024	20,275
Consultants	6,883	1,820
Other operating expenses	36,215	45,807
Total operating expenses	<u>208,593</u>	<u>229,096</u>
 NOTE 4: EMPLOYEE RELATED EXPENSES	 2010	 2009
	\$	\$
Superannuation	22,581	20,588
Wages	248,490	241,310
Accrued leave expense	3,158	8,898
Staff recruitment	11,778	180
Staff related expenses	4,123	4,814
Total employees expenses	<u>290,130</u>	<u>275,790</u>

National Association of Community Legal Centres

ABN: 67 757 001 303

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

NOTE 5: TRADE AND OTHER RECEIVABLES	2010	2009
	\$	\$
Grants from Attorneys General Department	100,971	418,034
Membership fees receivable	5,940	2,735
Professional indemnity insurance	132,163	56,794
Sundry debtors	8,684	1,532
Interest receivable	10,294	8,723
	<u>258,052</u>	<u>487,818</u>
NOTE 6: FINANCIAL ASSETS	2010	2009
	\$	\$
Term deposits	<u>2,010,000</u>	<u>410,000</u>
NOTE 7: PROPERTY, PLANT AND EQUIPMENT	2010	2009
	\$	\$
Leasehold improvements – at cost	26,171	26,171
Accumulated depreciation	(11,631)	(2,908)
	<u>14,540</u>	<u>23,263</u>
Office furniture and equipment – at cost	23,209	39,163
Accumulated depreciation	(15,858)	(25,684)
	<u>7,351</u>	<u>13,479</u>
Total leasehold property and equipment	<u>21,891</u>	<u>36,742</u>

National Association of Community Legal Centres

ABN: 67 757 001 303

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

NOTE 8: GRANTS IN ADVANCE	2010	2009
	\$	\$
CLE project	-	300,000
CLSIS training	25,657	26,401
Story book DVD	-	14,919
IT support	48,740	48,740
Online library resources	65,579	131,159
Enhance Online Library Resources	70,000	-
PLO	104,600	99,650
RRR - Law graduates	82,445	60,000
Sector coordination & support activities	14,070	75,865
VIC bushfire disaster	-	2,500
VOIP trial	28,395	43,265
Webex implementation	13,457	23,722
Webex Licence & telephony	46,500	33,300
Cost Benefit Analysis	75,000	-
CLSIS training & Licences for Webex continuation	75,000	-
Legal Education and Law Reform Project	20,600	-
Management Support Online System & Licence fees	70,000	-
National Accreditation Contribution	65,000	-
National Coordination	70,000	-
Needs Frame work	45,000	-
New RRR Initiative	1,129,893	-
	<u>2,049,936</u>	<u>875,090</u>

NOTE 9: RESERVES	2010	2009
	\$	\$
Conference surplus prior to 08/09	16,163	16,163
Conference surplus 08/09	18,768	18,768
Conference surplus 09/10	24,628	-
Story book on DVD	-	7,500
General reserve	87,500	40,000
	<u>147,059</u>	<u>82,431</u>

NOTE 10: RETAINED PROFITS	2010	2009
	\$	\$
Balance b/f	87,697	11,284
Current year surplus/deficit	166,678	142,681
Transfer to reserves	(64,628)	(66,268)
Balance c/f	<u>189,747</u>	<u>87,697</u>

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National Association of Community Legal Centres

ABN: 67 757 001 303

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2010

NOTE 11: LEASING COMMITMENTS		2010	2009
		\$	\$
a. Operating Lease Commitments			
Being for rent of office			
Payable — minimum lease payments:			
— not later than 12 months		27,496	26,438
— between 12 months and 5 years		16,407	43,903
— greater than 5 years		-	-
		<u>43,903</u>	<u>70,341</u>

The property lease is a non-cancellable lease with a three-year term, with rent payable monthly in advance. Contingent rental provisions within the lease agreement require that the minimum lease payments shall be increased by the higher of fixed percentage review or 4% per annum. An option exists to renew the lease at the end of the three-year term for an additional term of two years.

NOTE 12: RELATED PARTIES

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other parties unless otherwise stated.

National Association of Community Legal Centres

ABN: 67 757 001 303

STATEMENT BY MEMBERS OF THE COMMITTEE

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

In the opinion of the Committee the financial report as set out on pages 2 to 9:

1. Presents a true and fair view of the financial position of National Association of Community Legal Centres as at 30 June 2010 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that National Association of Community Legal Centres will be able to pay its debts as and when they fall due.

Committee Member:  Deborah Phippen

Treasurer:  Carol Benda

Dated this 21st day of September 2010

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INDEPENDENT AUDIT REPORT TO THE MEMBERS OF NATIONAL ASSOCIATION OF COMMUNITY LEGAL CENTRES

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of National Association of Community Legal Centres (the Association), which comprises the Assets and Liabilities Statement as at 30 June 2010, the Income and Expenditure Statement, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

Committee's Responsibility for the Financial Report

The Committee of the Association is responsible for the preparation and fair presentation of the financial report and have determined that the Association is not a reporting entity and the accounting policies described in Note 1 to the financial statements, which form part of the financial report, are consistent with the financial reporting requirements of the *Associations Incorporation Act 1991* (ACT) and are appropriate to meet the needs of the members. The Committee's responsibilities also include designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

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

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

The financial report has been prepared for distribution to members for the purpose of fulfilling the committee's financial reporting under the *Associations Incorporation Act 1991* (ACT). We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

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

Auditor's Opinion

In our opinion, the financial report of National Association of Community Legal Centres (the Association) presents fairly, in all material respects the financial position of National Association of Community Legal Centres as at 30 June 2010 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the *Associations Incorporations Act 1991* (ACT).



Mark Driessen

Partner

WalterTurnbull

Sydney, NSW

21 September 2010

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DISCLAIMER

The additional financial data presented on page 13 is in accordance with the books and records of the association, which have been subjected to the auditing procedures applied in our statutory audit of the association for the year ended 30 June 2010. It will be appreciated that our statutory audit did not cover all details of the additional financial data. Accordingly, we do not express an opinion on such financial data and we give no warranty of accuracy or reliability in respect of the data provided. Neither the firm nor any member or employee of the firm undertakes responsibility in any way whatsoever in respect of such data, including any errors or omissions therein however caused.



Mark Driessen
Partner
WalterTurnbull

Sydney, NSW
21 September 2010

National Association of Community Legal Centres

ABN: 67 757 001 303

	2010	2009
	\$	\$
	Perth	Darwin
NATIONAL CONFERENCE TRADING STATEMENT		
INCOME		
Registration fees	220,061	169,859
Sponsorship	90,591	34,497
Conference grants	0	64,091
Donations	0	4,545
Total income	310,651	272,992
EXPENSE		
Conference audio-visual	33,222	28,783
Conference organiser	56,700	54,485
Conference speaker	0	400
Conference childcare	6,195	6,605
Conference interpreting services	4,325	1,300
Venue	70,585	63,002
Catering	28,850	16,818
Conference welcome and entertainment	3,600	3,200
Design and printing	8,739	10,356
Office supplies	112	24
Advertising and media	0	1,083
Conference postage and courier	621	426
Subsidies	43,072	19,554
Telecommunications	1,355	355
Travel and accommodation	27,155	47,223
Sundry expenses	1,492	612
Total expense	286,023	254,225
Conference surplus	24,628	18,767

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THOMSON REUTERS



Blake Dawson



NATIONAL CLCs CONFERENCE
14-17 SEPTEMBER 2009 PERTH WA



