



ANNUAL REPORT 2018

WHEATBELT COMMUNITY LEGAL CENTRE INC.

TABLE OF CONTENTS

Contents

Executive Summary _____	1
Contact Information _____	2
Board of Directors _____	3
Financial Sponsors _____	3
Chairperson's Report _____	4
Manager's Report _____	5
Family Law Case Study _____	12
Tenant Advocate's Report _____	14
Statistical Summary _____	17
Financial Statements _____	21



The Wheatbelt Community Legal Centre acknowledges the Noongar People, the traditional owners and custodians of Wheatbelt Country across which our legal services are proudly delivered to the community. We extend our respects to Noongar Elders, both past and present.

EXECUTIVE SUMMARY

Executive Summary

SERVICE CONSOLIDATION

Wheatbelt Community Legal Centre Inc continues to consolidate legal assistance and tenancy advocate services in line with local community needs, expectations and standards.

FINANCIAL SECURITY

Wheatbelt Community Legal Centre has ended the 2017/2018 Financial Year in surplus. The Centre operates on the principles of fiduciary responsibility, due diligence and accountability to the community.

OPERATING HIGHLIGHTS

In response to demand in the Wheatbelt community, the Centre has commenced outreach services to the townships of Narrogin and Moora. Notwithstanding that the area of the Wheatbelt district is equivalent to the whole of modern-day England, the Centre innovates to overcome the tyrannies of distance, time and cost. Outreach services commenced through the generosity of Lotterywest and Sparke Helmore Lawyers.

LOOKING AHEAD

The Centre maintains its role as a preeminent Wheatbelt community service provider offering legal assistance and tenant advocate services to people experiencing disadvantage or hardship.

CONTACT INFORMATION

Contact Information

ROBYN LORD MANAGER PRINCIPAL SOLICITOR	JESS GOUDGE LAWYER	JO KELLY LAWYER
		
CAMERON HUNTER TENANT ADVOCATE	RICHARD DEWAR GRADUATE ASSISTANT	DONNA MOODY RECEPTIONIST
		

Wheatbelt Community Legal Centre Inc

ABN 83 490 188 006

327 Fitzgerald Street NORTHAM WA 6401

Tel (08) 9622 5200

www.wheatbeltclc.com.au


WHEATBELT
- COMMUNITY LEGAL CENTRE -



BOARD OF DIRECTORS

Board of Directors

ATTILA MENCSHELYI (CHAIR)

DR HARRY RANDHAWA

KATE TURTLEY-CHAPPEL

CHRIS GOFF

KERRY COLLARD

ROBYN LORD (EX OFFICIO)

Financial Sponsors



CHAIRPERSON'S REPORT

Chairperson's Report

I am delighted to present my report for the 2017/18 Financial Year.

It has been a year of change and consolidation in the delivery of professional legal advice and services as well as tenancy services to the Wheatbelt Community, particularly people experiencing disadvantage and hardship.

I want to thank the committed and dedicated team at WCLC, namely Robyn Lord our Principal Solicitor and Manager; lawyers Jess Goudge and Jo Kelly; tenancy advocate Cameron Hunter; law graduate Richard Dewar; and administration assistant Donna Moody for their outstanding work.

To our board who voluntarily give their time to the governance role, I offer my sincerest thanks. Thank you Harry Randhawa, Kate Turtley-Chappel, Chris Goff and Kerry Collard.

Like many not-for-profit NGOs, we also have difficulty in attracting people to our Board to provide guidance and governance.

Due to funding stringency effective from July 1 2017, our Manager Robyn Lord has tailored the operations to fit within budget parameters. Thanks also to the Lotteries Commission for providing funding for the purchase of a vehicle to service the outreach areas of Merredin, Moora and occasionally Narrogin.

All indications are that 2018/19 will be an extremely busy year against a backdrop of limited funding.

Attila Mencshelyi

Chairperson, Board of Directors

Manager's Report

The 2017/2018 financial year was one of consolidation and progress for the Centre. We expanded all our areas of legal assistance as well as the geographical areas of service delivery. This has been a large achievement for the Centre. We are engaging on a regular and consistent basis with communities in the Wheatbelt that have historically been underserved. I am very proud that we have been able to meet the need for legal demand in these pockets of the Wheatbelt. It has only been achieved by the dedication of the staff and the co-operation of community groups. I acknowledge the support and encouragement we have received in extending our outreach, and I look forward to a greater expansion in years to come.

Our casework has been supplemented by various Community Legal Education initiatives such as our CLEO (Community Legal Education Online) project as well as education sessions to communities such as students at Cunderdin Agricultural College and Northam Senior High School; members of the WA Police Force; and detainees at Wooroloo Prison Farm.

Overall, the Centre has been extremely busy with high numbers of advice and casework demands. At one stage, strong service demand had become a risk management issue and required the discontinuation of accepting new casework until our solicitors were able to finalise a sufficient number of existing files to rebalance the volume of work being undertaken. Understandably, it is very difficult to tell a person "sorry we cannot help you and need to refer you to someone else", particularly when the location of an alternative service might be in Metropolitan Perth. However, with community demand exceeding the capacity of service supply, this can sometimes be the reality. We thank the other community organisations, particularly other Community Legal Centres, that have been able to accept our referrals when we were at the point of overload.

To support future funding applications, our receptionist now records the number of people we are unable to assist. The data is being collected and collated so that we can quantify unmet legal need.

MANAGER'S REPORT

ACCREDITATION

We are pleased and proud to announce that WCLC has received accreditation by the National Associations of Community Legal Centres (NACLC). Through the accreditation process, it was deemed that the legal practice management of WCLC met or exceeded the National Standards. Recognition must go to Graduate Legal Assistant Richard Dewar for his efforts to help the Centre achieve this certification milestone.

We have embarked on an Improvement Plan for the next 2 years to ensure our accreditation is maintained and all areas of practice management are reviewed, refined and further developed.



CASEWORK

WCLC delivers a range of general and specific legal assistance services. The following are some examples of the nature and scope of legal services WCLC is currently providing.

Child Protection Matters

Following some excellent outcomes for clients involved in child protection matters, solicitor Jo Kelly was invited to speak at a Quarterly District Meeting of Child Protection and Family Support (CPFS) on 29 June 2018. At that meeting, Jo spoke about ways WCLC can assist with referrals from CPFS. A discussion was had regarding services that WCLC can offer to families with whom DCPFS are involved. This meeting was very successful, and a meaningful understanding has developed between our respective agencies

Specifically, WCLC was requested to provide legal advice and support to clients for pre-birth CPFS matters because of Jo Kelly's specific training and considerable professional legal experience. WCLC accepted the arrangement as this type of work was aligned with our Centre's core values and target population priorities. That said, the role requires significant amounts of time and travel as clients are often in public maternity hospitals in Perth. The balance between service demand, financial resources and grant-based Key Performance Indicators will need to be well monitored.

MANAGER'S REPORT

Criminal Law

Lawyer Jess Goudge has been extremely busy with many requests to assist those facing criminal charges before the Magistrate's Court in Moora, Merredin and Northam. Jess is also providing support by way of assisting people in the process of claiming Criminal Injuries Compensation.

Last Will and Testaments

WCLC offers a Last Will and Testament service on a limited basis. The in-home, hospital or hospice mobile legal service is available to people who meet the following criteria:

- a. Have a degenerative, serious or terminal illness;
- b. Have been referred by their treating medical practitioner;
- c. Cannot otherwise afford a lawyer.

OUTREACH

WCLC extends legal assistance services to people located in the Wheatbelt townships of Merredin, Moora and Narrogin. Each location is a 4-hour return trip from the Northam headquarters of WCLC.

The numbers of clients using our outreach services has increased as more residents become aware of the services available locally. The success of the outreach program could not have happened without the good-faith practicality of multi-agency engagement.

It was identified fairly early on that outreach, whilst a valuable and essential service, had a significant impact on the budget in terms of the cost of car hire, fuel and/or private mileage. As a way to address this financial barrier, we applied to Lotterywest for the purchase of a motor vehicle. We are very excited to announce that we were successful in our request, and WCLC is now the proud owner of a Mazda CR-X AWD motor vehicle. This ensures that solicitors are not dependent on the availability (or otherwise) of the few cars available for hire in Northam. It also means that the budget is relieved from the significant expense of private mileage. As an added bonus, we received \$500 in fuel vouchers from Sparke Helmore Lawyers to assist with our travel costs. We are extremely grateful for their good will.

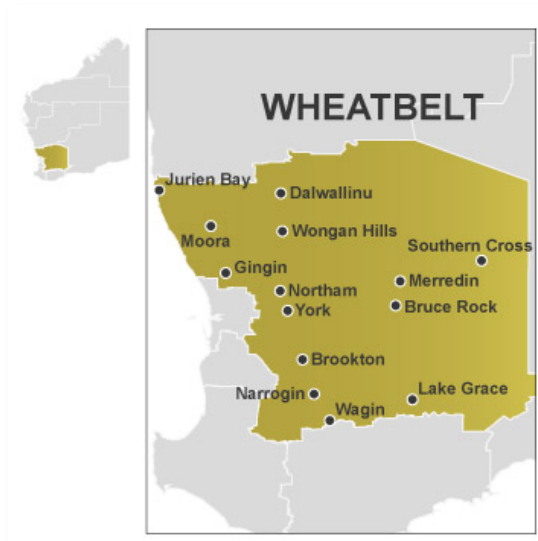


MANAGER'S REPORT

Strategically, WCLC is now better placed to assist those in the regional areas of the Wheatbelt. The regularity and consistency of our visits, coupled with word-of-mouth local marketing, have helped spread the word that free legal advice and assistance is readily available and accessible close to home.

Shire of Merredin

Every month, two staff travel to Merredin where they hold appointments for clients referred by caseworkers from Disability Services (DS), Department of Communities. This service is always fully booked. We thank DS Local Area Coordinator Brad Cusworth for introducing DS clients to our legal assistance service and for making the DS conference room available for client consultations. I believe this is a wonderful partnership which exemplifies the importance of multi-agency cooperation and service delivery collaboration.



Shire of Moora

A WCLC lawyer attends the Moora Magistrate's Court every week to provide consultations and representation to those facing legal difficulties. WCLC works closely with local community service providers, such as Amity Health, Holyoake and the Aboriginal Legal Service, to ensure that clients attending the Moora Magistrate's Court have access to legal advice and support. WCLC uses rooms made available by Amity Health and Holyoake, and to this end we are very grateful for their collegial and in-kind assistance.

Shire of Narrogin

We provide a dedicated Tenant Advocate service to Narrogin every second week. This has commenced only recently but has proven to be successful and well attended even at this early stage. We are indebted to the support of the Kaata Koorliny Employment and Enterprise Development Aboriginal Corporation (KEEDAC) in getting this initiative off the ground and for providing continued support in terms of a hot-desk arrangement and direct client referrals.

MANAGER'S REPORT

COMMUNITY LEGAL EDUCATION ONLINE (CLEO)

In July 2017, the Wheatbelt Community Legal Centre received a Public Purposes Trust project grant from the Law Society of Western Australia. The funding related to a project centered on delivering online legal information and advice services to people living in the Wheatbelt.

Working with TikTech Solutions, BeingThere, the Welfare Rights and Advocacy Service, and the Consumer Credit Service, we were able to produce and deliver a total of 8 online legal workshops to 12 participating regional townships in the Wheatbelt region. Video footage of the online and interactive workshops is available for viewing at: <https://goo.gl/xA4jrZ>



Despite some issues given the relative 'newness' of the technology, we found that the participants on the whole were very positive about the project. As each workshop was prefaced by a brief introduction that set out our services and contact details, WCLC received many follow up phone calls either from the participants themselves or through word-of-mouth referral.

The project assisted WCLC to socially market its operations to segments of the community that did not know that our service existed; and conveyed information about the many ways in which our Centre can help. Collectively, we achieved the key objective of the CLEO project which was to work collaboratively with community service providers and community members using Web 2.0 technologies.

ABORIGINAL LEGAL CLINIC

The second WCLC/KEEDAC/Sparke Helmore Lawyers 'Aboriginal Legal Clinic' was held on 8th June 2018, and the event was extremely successful. Four lawyers and additional support personnel from Sparke Helmore Lawyers donated their pro bono time to take instructions from over 35 Indigenous clients to draft Wills, Power of Attorneys and Power of Guardianships.

MANAGER'S REPORT

At the same time, lawyers from WCLC, including our Tenant Advocate, participated in the event by holding general advice clinics. Some queries were easily answered, whereas other questions required more detail and follow up appointments were made. This was a very successful adjunct to the day.

The event could not have occurred without the dedication, hard work and organisation skills of community colleagues at KEEDAC and legal colleagues at Sparke Helmore Lawyers. They were motivated solely by the desire to bring quality support services to the Wheatbelt Aboriginal community, and I acknowledge their efforts in this regard. My desire is to see further collaboration with KEEDAC and Sparke Helmore well into the future.



COMMUNITY AND PROFESSIONAL ENGAGEMENT

The Centre's staff are involved in a number of networks relating to their respective areas of expertise. Formal and informal feedback is gathered from these networks, from client's stories and experiences, and from supplementary resources (e.g. increasingly from e-newsletters). This material provides a valuable base for determining the effectiveness of the Centre's current operations, for adapting and planning new methods of service delivery, and for identifying potential partnerships to address service gaps.

During the past 12 months, the Centre's staff have attended a broad spectrum of events, seminars, workshops and forums. Throughout the year, WCLC contributed to the following networks: Community Legal Centres Association (WA); National Association of Community Legal Centres; Tenants Advisory Service Network; Regional, Rural and Remote Network; Professional Indemnity Insurance Committee; Domestic Violence Legal Workers Network; Wheatbelt District Meeting of CPFS; Community Legal Education Network; and the Criminal Lawyers Association.

PERSONNEL

A Community Legal Centre is often a busy and emotionally charged environment. WCLC staff are assisting low income families struggling to cope with circumstantial realities. Financial stress and family tension frequently lead to other problems including family and

MANAGER'S REPORT

domestic violence, physical harm and/or a deterioration in physical or mental health. The collegiality and level of professionalism displayed by my colleagues towards clients is second to none. Such effort is the cornerstone of many successful outcomes for so many of our clients.

Our team has seen a change in personnel over the past 12 months. At the end of June 2018, Shelly Butler resigned from her Tenant Advocate position and we thank her for all of her efforts. We welcomed Cameron Hunter in the role as her replacement. Craig Zwetsloot also resigned after 6 months in the role of lawyer, and he was replaced by Jo Kelly in February 2018. Jess Goudge took on the role of Principal Solicitor during times when I was absent from the Centre. So too, Jess has taken responsibility for the supervision of Richard Dewar as he undertakes his postgraduate Practical Legal Training. I thank her for stepping up.

Robyn Lord, BA LLB

Manager | Principal Solicitor

FAMILY LAW CASE STUDY

Family Law Case Study



A mother (client) attended the Wheatbelt Community Legal Centre (WCLC) seeking legal advice for family violence and family law. After a 10-year relationship, the client separated from the father of their two children aged 7 years and 9 years. The children live and remain in the client's full-time care.

The client is a victim of family violence due to her former partner's family violence behaviours towards her. The client filed an application to the Magistrates Court of WA and was granted an interim Family Violence Restraining Order (FVRO) to protect her and bound the Respondent (former partner). The FVRO did not include the children. WCLC represented the protected client in the court objection hearing. The protected client agreed to settle her FVRO application on the basis that the bound former partner consented to a Conduct Agreement Order for six months.

FAMILY LAW CASE STUDY

The Department of Communities, Child Protection and Family Support assessed the children's safety and monitored the situation. However, the Department took no further action.

The client initiated the process of family dispute resolution with an external service provider in anticipation of developing a parenting plan with the former partner. In consideration of the Conduct Agreement Order and the client's instructions, shuttle mediation was the preferred mode that resulted in a parenting plan tailored to the best interests of the children. Later, the client and former partner utilised the same external service provider to attend family counselling.

WCLC assisted the client in completing a Minute of Consent Order application with the former partner. The application included a parenting plan. Consequently, by Minute of Consent Order, the Family Court made a parenting order in the best interests of the children.

WCLC supported the client and provided her with contemporary legal advice and legal education. The client was empowered to address her issues and concerns relating to family violence and parenting. Although the parents remain separated today, they have established a good parenting relationship in the best interests of the children.

This case study illustrates the overlap of the legal areas of family violence, child protection, family dispute resolution and family law.

Jo Kelly, MBA LLB
Lawyer

TENANT ADVOCATE'S REPORT

Tenant Advocate's Report

The Tenant Advocate Program is generously funded and supported by the Consumer Protection Division of the Department of Mines, Industry Regulation and Safety.

OVERVIEW

It has been an exciting few months for the tenancy service. Since coming into the role in July of this year, my focus has been on building on the work of my predecessor, Shelley Butler, through maintaining existing partnerships and seeking out new opportunities for the growth and refinement of our tenant advocacy service delivery. I am grateful for the support I have received from the entire team at the Wheatbelt Community Legal Centre.

I have had the opportunity to provide advice and assistance to a wide variety of tenants, both public and private. To achieve positive outcomes for clients, I have engaged with a range of parties including private landlords, government agencies, the Housing Authority, caravan parks, community housing providers and retirement villages.

OUTREACH

A promising development has been the establishment of a fortnightly tenancy outreach service to the township of Narrogin. This project has only been possible through our partnership with the Kaata-Koorliny Employment and Enterprise Aboriginal Corporation (KEEDAC). The support, commitment and energy from the team at KEEDAC has helped facilitate regular face-to-face services to vulnerable clients in an area of high demand.

MULTI-AGENCY ENGAGEMENT

I have been grateful for the invaluable training and ongoing support provided by Tenancy WA. Their regular network meetings have been an excellent opportunity to stay up-to-date on recent developments in tenancy law. So too, the insight of their experienced solicitors has been an unparalleled resource.



RENTING? NEED ADVICE?

FREE PROFESSIONAL ADVICE ON:

- Rental Agreements
- Paying Rent
- Ending a Tenancy
- Bond
- Repairs
- Landlord Disputes
- Property Condition Reports
- Your Privacy
- Legal Action



WHEATBELT COMMUNITY LEGAL CENTRE
(08) 9622 5200
WWW.WHEATBELTCLC.COM.AU

TENANT ADVOCATE'S REPORT

The goal of ensuring tenancy services reach those who need it most has also been made possible by steady referrals from the network of community service providers in Northam and the wider Wheatbelt region. Partnership and cooperation with local community organisations, such as Share and Care Community Services, has assisted clients to have their legal and non-legal needs addressed via a holistic, client-centered approach.

The following case studies exemplify the work undertaken as part of this all-important community service.

CASE STUDY #1

A resident of a caravan park engaged our services after his landlord began issuing a new utility charge. The tenant was unsure of his rights and obligations under his contract and under relevant legislation.

I provided advice to the tenant about his legal rights under the *Residential Parks (Long-Stay Tenants) Act* and advised how the State Administrative Tribunal might interpret ambiguous clauses of the signed agreement. I contacted a relevant industry body who provided further information and factsheets which could be distributed to landlords. I drafted a letter to the landlord on behalf of the client and followed up the letter with a conference call and a subsequent face-to-face meeting.

The outcome was that the landlord ceased issuing the utility charge to the client, and further legal action was not required. The tenant had a better understanding of his rights under relevant legislation, and in this instance, the tenant was able to convert those legal rights into practical outcomes.

CASE STUDY #2

A tenant with a local community housing provider approached our service after the landlord sought termination relating to alleged breaches of the tenancy agreement involving pet ownership. The tenant wished to keep pets on the property, while the landlord viewed the pets as a nuisance. Communication had broken down, and the tenant was feeling overwhelmed by her situation given that the matter was listed for hearing in the Magistrate's Court over the coming days.

I contacted the landlord and negotiated an adjournment of the court proceedings. The adjournment gave the tenant time to remedy the alleged breach. The tenant had already

TENANT ADVOCATE'S REPORT

taken initial steps towards remedying the breach, and I was able to assist by documenting this action and providing evidence to the landlord. This assistance partly involved printing, scanning and emailing documents. These are tasks which often represent barriers for financially disadvantaged clients. I drafted a support letter for the tenant and engaged with the landlord to clarify misunderstandings that the landlord may have had regarding the tenant's broader situation. I contacted the local council seeking information and arranging for steps to be taken concerning registration and microchipping of the pets.

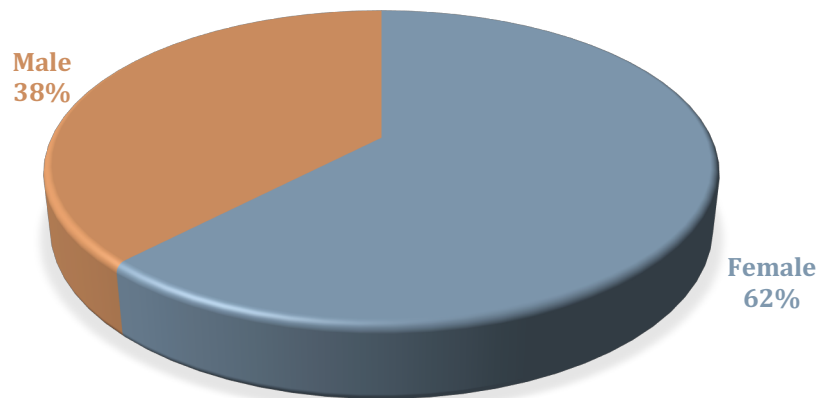
This approach did not resolve the issue. Close to the next court date, the landlord maintained their position that the tenant remained in breach of the agreement. I advised the tenant of her legal position under the *Residential Tenancies Act*. The tenant decided to negotiate an agreement with the landlord for the pets to be removed from the property and given to family or friends. I assisted the tenant with this negotiation, and the tenant was able to secure a further eight weeks' time to remedy the breach. The termination proceedings were withdrawn, and the tenant was able to maintain the tenancy.

Cameron Hunter, BCom LLM
Lawyer | Tenant Advocate

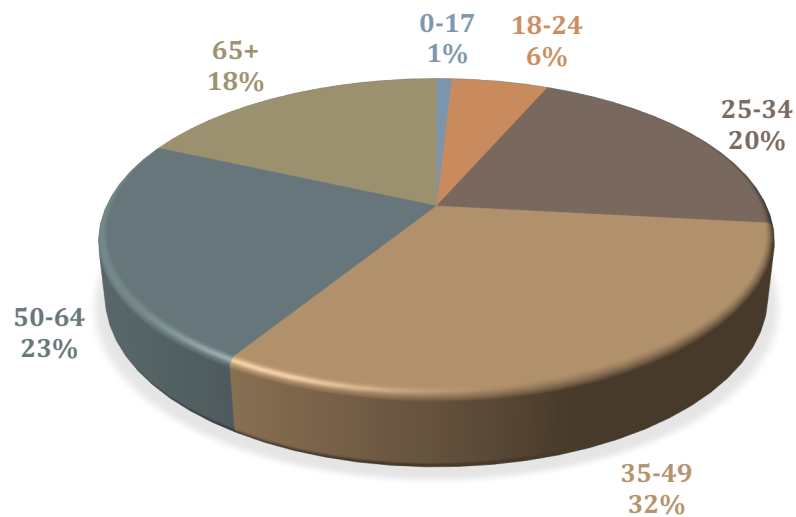
STATISTICAL SUMMARY

Statistical Summary

WCLC CLIENT BY GENDER

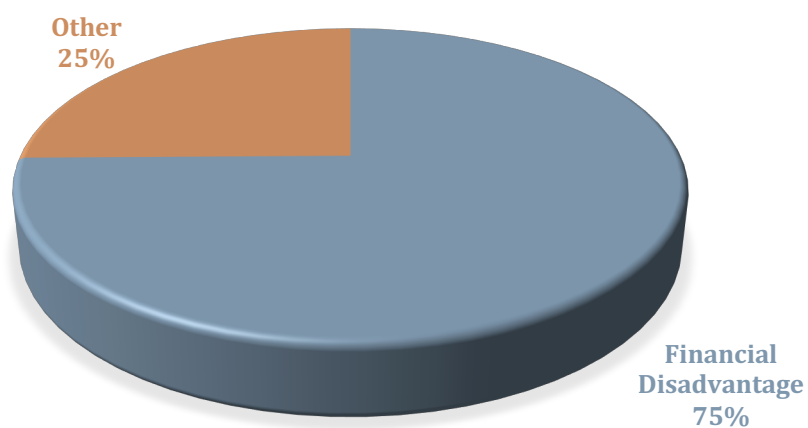


WCLC CLIENT BY AGE GROUP (YEARS)

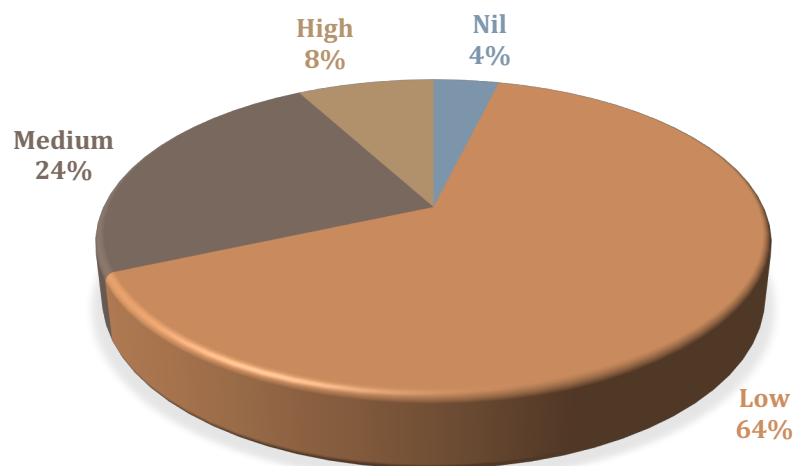


STATISTICAL SUMMARY

WCLC CLIENT BY FINANCIAL DISADVANTAGE

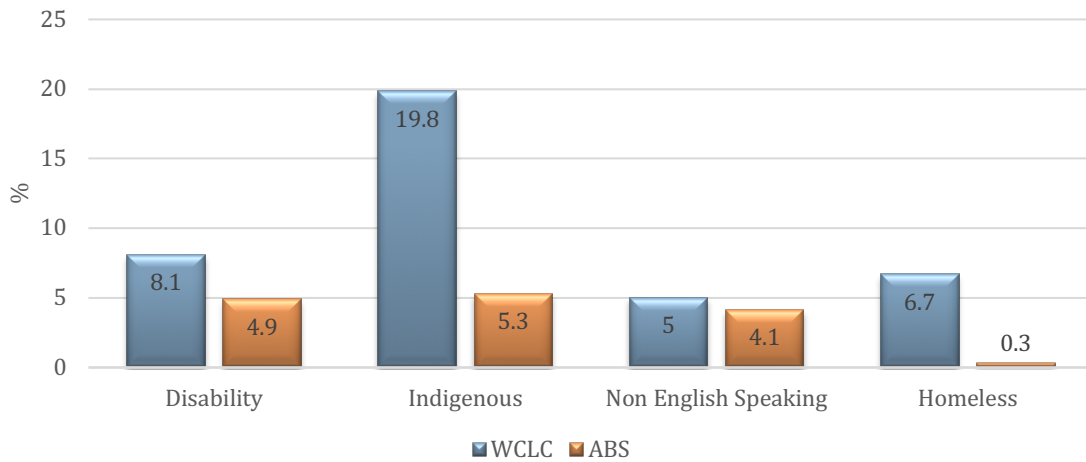


WCLC CLIENT BY INCOME LEVEL

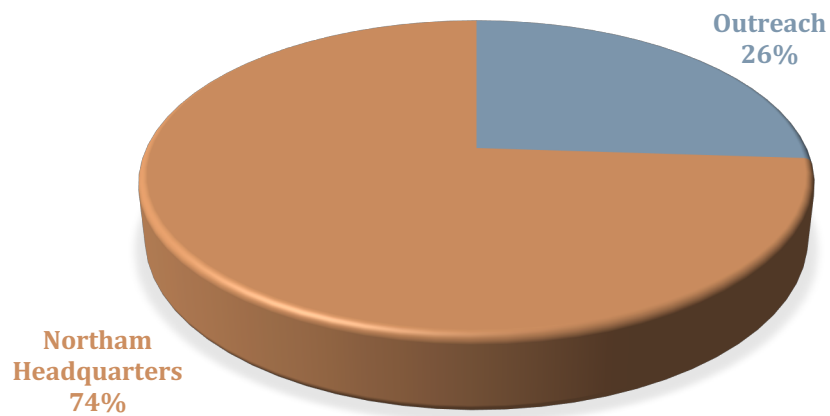


STATISTICAL SUMMARY

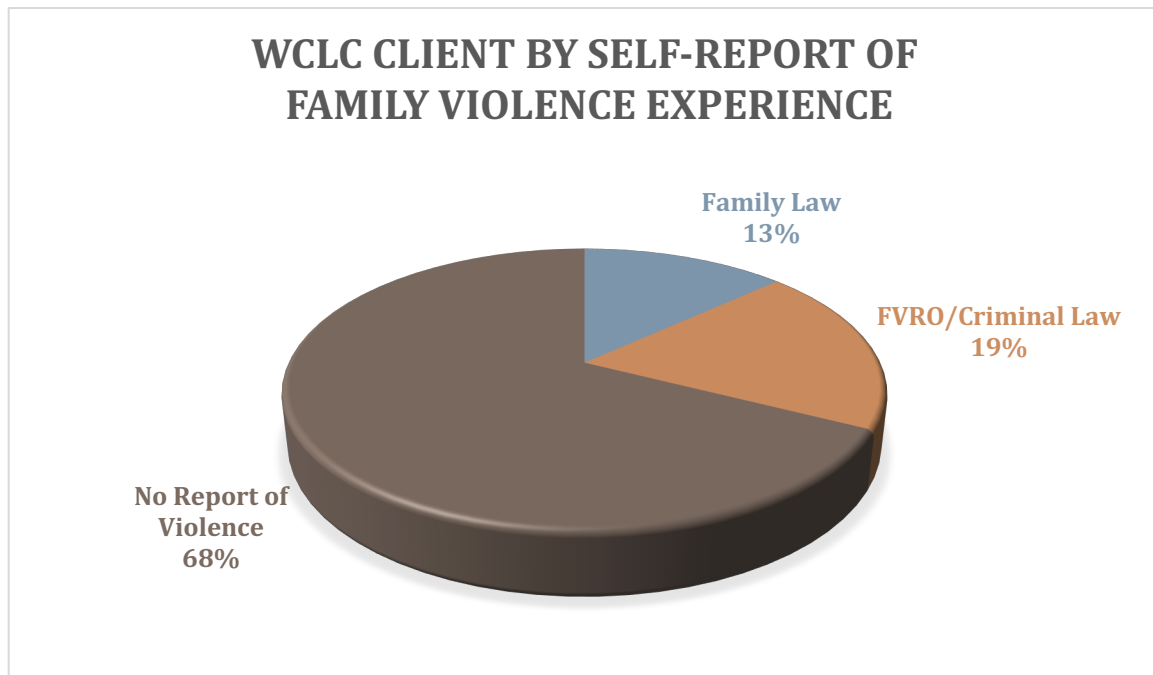
WCLC CLIENT PROFILE VS ABS POPULATION PROFILE (WHEATBELT SA4)



WCLC CLIENT BY SERVICE LOCATION



STATISTICAL SUMMARY



STATISTICAL NOTES

1. Number of active clients in the 2017/2018 Financial Year = **357** people.
2. Data based on self-report measures.
3. Disability, Indigenous, Non-English-Speaking client/population comparisons based on ABS 2016 Census of Population and Housing (Wheatbelt Statistical Area Level 4 per level of geography).
4. Homeless status client/population comparison based on ABS 2011 Census of Population and Housing (latest available) (Wheatbelt Statistical Area Level 4 per level of geography).

Financial Statements

Financial Statements and the Independent Auditor's Report for the 2017/2018 Financial Year are published as a single stand-alone document.

The document is available for viewing or downloading from the WCLC website, or alternatively the website of the Australian Charities and Not-for-Profits Commission.

www.wheatbeltclc.com.au

www.acnc.gov.au