

FITZROY LEGAL SERVICE

# ANNUAL & FINANCIAL REPORT



2016 — 2017

Reg.No. A2808B

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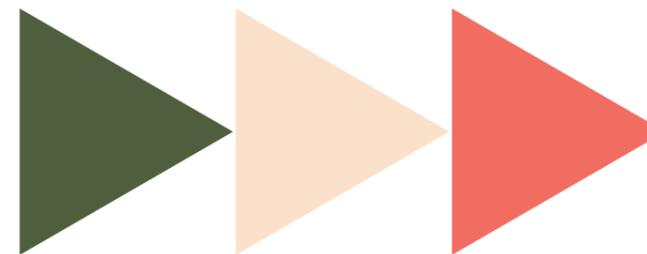
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Level 4,  
Fitzroy Town Hall,  
Fitzroy VIC 3065  
T (03) 9419 3744

# ABOUT FITZROY LEGAL SERVICE

Fitzroy Legal Service (FLS) opened in 1972 and is one of the oldest community legal centres in Australia. Over its 45 years, FLS has become an inner-city community institution, helping generations of clients with legal problems, championing law reform, running test cases and providing the community with legal information. FLS is an independent, not for profit, community based organisation, governed by a volunteer Board.



OUR VALUES

Empowerment  
Integrity  
Respect  
Quality  
Participation



## OUR VISION

To be an independent & influential voice that empowers and strengthens the community through access to legal services, education, information and law reform activities.

# FLS SERVICES

## Criminal and Family Law practice

The practice specialises in criminal law, intervention orders, and family law. The practice is funded through grants of legal aid and private client fees with fee structures designed to assist clients ineligible for legal aid.

## Family Violence and Family Law Health Justice Partnerships

We provide assistance to victims/survivors of family violence with family law and family violence matters on an outreach basis through health justice partnerships in the City of Yarra, including

- North Richmond Community Health Centre
- Fitzroy Learning Network
- Drummond Street Services

We also provide Intervention Order duty lawyer services at the Neighbourhood Justice Centre.

## Legal advice service

The free evening legal advice service is conducted year-round, Monday to Friday. It is a drop-in, generalist legal advice service that assists clients with a range of matters.

No appointments are taken – clients are seen on a first-in first-served basis, except where they are matched to volunteers with specific expertise.

Other community legal centres that do not have the capacity to provide the level of drop-in advice services provided by FLS regularly refer clients to our service.

### This generalist service is supplemented by three specialist clinics:

- **family law clinic:** Tuesday and Thursday evenings by appointment.
- **LGBTIQ legal advice service:** Thursday evenings, monthly, by appointment.
- **animal law clinic:** Wednesday evenings by appointment.

FLS also conducts a generalist legal advice service at North Richmond Community Health Centre on Tuesday evenings (fortnightly by appointment).

The legal advice service utilises significant pro bono support from members of the legal sector (community members, students and practitioners) who volunteer their services to make the law and legal support accessible to members of the community.

## LEGAL ADVICE CLINICS

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<b>802</b> LEGAL ADVICES PROVIDED	<b>774</b> LEGAL ADVICES PROVIDED	<b>807</b> LEGAL ADVICES PROVIDED	<b>818</b> LEGAL ADVICES PROVIDED	<b>362</b> LEGAL ADVICES PROVIDED

**3,028**  
CLIENTS ASSISTED

**58%**  
MALE

**42%**  
FEMALE



**OVER 70%**  
OF CLIENTS HAD NIL OR LOW INCOME

## Drug Outreach Lawyer Program

The Drug Outreach Lawyer program has been providing legal services to vulnerable drug users for over fifteen years. The role assists with the rehabilitation process and harm minimisation by providing appropriate legal supports to reduce the negative impact of legal problems faced by drug users. The legal support will vary depending on the needs of the person. One off advice may be necessary for one matter where as another person may require extensive court work. The Drug Outreach Lawyer works closely and collaboratively with individuals, health agencies and other members of the community to assist with rehabilitation, focusing on areas of high need and harm minimisation. The program continues to strengthen ties with the community and community health service providers in the City of Yarra and surrounding areas.

### Outreach is provided fortnightly at the following locations:

- **YSAS** (Youth Support and Advocacy Services): 185-187 Langridge St, Abbotsford;
- **Living Room:** 7-9 Hosier Lane, Melbourne;
- **Inner Space:** 4 Johnston St, Collingwood;
- **North Richmond Community Health Centre:** 23 Lennox St, Richmond; and
- **Odyssey House:** 660 Bridge Road, Richmond.

We also provide quarterly legal education workshops at Quin House, engaging with former drug users and addressing their drug issues.

## Neighbourhood Justice Centre

The Neighbourhood Justice Centre (NJC) is Australia's only community justice centre. It is located in Collingwood and services the City of Yarra. The NJC is committed to resolving disputes by addressing the underlying causes of harmful behaviour and tackling social disadvantage. By bringing together a multi-jurisdictional court with a wide array of support services and community initiatives, the NJC has been effective in reducing crime, increasing community safety, and creating savings through fewer cases in the system.

### We provide a range of services including:

- providing legal advice and representation in the following jurisdictions of the NJC Court: Magistrates' Court (including the Family Violence Intervention Order List, summary crime), VCAT (the Residential Tenancies, Civil, Guardianship and Administration Lists), Children's Court, VOCAT and Infringement Court matters (including hearings in the Special Circumstances List);
- assisting with general legal advice to residents from the City of Yarra who attend the NJC; this includes (but is not limited to) advice on matters of criminal law, family law, tenancy, family violence and personal safety; and
- actively contributing to the multi-agency leadership group, to community engagement, community development, community legal education and progress systemic change where appropriate.

This year has seen our legal team at the NJC continue to provide high quality advocacy and casework in a wide range of legal areas. It is our ability to work closely with other support services co-located at the NJC and to work with clients across these jurisdictions that enable us to assist clients to deal with their legal and other issues in a holistic way.

## Taxi Driver Legal Assistance Program

Funded by the Taxi Services Commission, we provide legal services to Victorian taxi drivers. The funding is used to employ an experienced lawyer, one day per week, to undertake legal casework for Victorian taxi drivers, assisting across a range of matters. The taxi driver casework undertaken was supplemented by legal services FLS provided to taxi drivers through our free generalist legal advice service and our taxi driver legal education seminars. Clients were triaged by volunteer solicitors through the legal advice service and those requiring ongoing assistance were provided with casework services. Court appearances were undertaken by pro bono counsel. The additional resources accessed through provision of free legal advice services and pro bono court appearance work allowed FLS to provide a broader service to more taxi drivers than would otherwise be possible with the limited funding.

## Social justice, advocacy and public interest litigation

We work within a community development framework to engage in strategies of empowerment for communities and individuals in their dealings with the law. These strategies include:

- public interest litigation;
- advocacy in areas of policy and law reform;
- partnership building and engagement/collaboration with stakeholders; and
- a wide reaching community legal education program.

Our staff work across programs to identify trends, legal literacy needs, and law reform priorities for our social justice and advocacy work.

We also attend a fortnightly outreach 'Billabong' at Harmsworth Hall in Collingwood, and a monthly outreach at St Mary's House of Welcome in Fitzroy.

## Publications and online resources

### FLS publishes and distributes a range of hardcopy and online material including:

- *The Law Handbook* (LHB) - available for sale in hardcopy, ebook and individual PDF chapters and free online at [www.lawhandbook.org.au](http://www.lawhandbook.org.au);
- Activists Rights - [www.activistrights.org.au](http://www.activistrights.org.au);
- NDIS Rights - [www.ndisrights.org.au](http://www.ndisrights.org.au);
- Off the record - [www.offtherecordcampaign.wordpress.com](http://www.offtherecordcampaign.wordpress.com)

# FUNDING AND SUPPORT

Core funding is provided by Victoria Legal Aid and the Commonwealth Attorney-General's Department. We thank them for their ongoing support.

**We would also like to thank the following organisations and individuals for their contributions to Fitzroy Legal Service:**

- **Allens** for pro bono support, secretarial assistance and funding the Trainee Lawyer position;
- **Bennelong Foundation** for supporting The CALD Family Violence Project;
- **City of Yarra** for funding for the evening legal advice service and CALD Family Violence Project;
- **Neighbourhood Justice Centre** for their contribution towards funding the FLS staff members based at the NJC, provision of meeting facilities and support on a range of programs and services;
- **Taxi Services Commission** for funding the Taxi Driver Legal Assistance Program;
- **Victoria Law Foundation** for funding the *Know Your Rights* community legal education sessions held in partnership with Yarra Libraries during Law Week;
- The Drug Outreach Lawyer Program and Family Violence Duty Lawyer Program were supported by the Victorian Government;
- Yarra Libraries;
- Our premises relocation was supported by funding from the Australian Government under the Stronger Communities Programme;
- Sarah Hobday-North;
- Michael Kingston;
- Geoff Lord;
- Charandev Singh;
- Jon Webster;
- Stan Winford;
- Australian Lawyers Alliance;
- CoHealth;
- Darebin Community Legal Centre;
- Drummond Street Services;
- Environmental Justice Australia;
- Federation of Community Legal Centres (Vic);
- FMC Mediation and Counselling;
- GetUp;
- Harm Reduction Australia;
- Homeless Person's Union of Victoria;
- Houses Need People, People Need Houses ;
- Human Rights Law Centre;
- Justice Connect - Not for Profit Law;
- Justice Connect - Homeless Law;
- Lawyers for Animals;
- Launch Housing;
- Liberty Victoria;
- Melbourne Polytechnic;
- Monash Oakleigh Legal Service;
- North Richmond Community Health;
- NOW Architecture;
- Odyssey House;
- RMIT Centre for Innovative Justice;
- St Mary's House of Welcome;
- Victorian Aboriginal Legal Service;
- Victorian Gay and Lesbian Rights Lobby;

- Yarra Drug and Health Forum;
- Youth Projects;
- YSAS.

**For substantial pro bono support:**

- Clayton Utz;
- King & Wood Mallesons;
- Maddocks;
- Robinson Gill Lawyers.

**Counsel & Barristers:**

- The Hon. Ron Merkel QC;
- Richard Attiwill QC;
- Christopher Canavan QC;
- Robert Richter QC;
- Brian E Walters AM QC;
- Dyson F Hore-Lacy SC;
- Peter Morrissey SC;
- Matthew Albert;
- Daniel B Bongiorno;
- Sarala Fitzgerald;
- Juliet Forsyth;
- Dr Ben Gauntlett;
- Greg Hughan;
- David Hume;
- Craig Lenehan;
- Dr Adam McBeth;
- Arushan Pillay;
- Christopher Tran;
- Celia Winnet;
- Andrew Yuile.

# STATISTICS

## 3,471 CLIENTS ASSISTED

### 4,210 LEGAL ADVICES PROVIDED

TOP PROBLEM TYPES ASSISTED WITH:

- Traffic and vehicle regulatory offences 8%
- Divorce / de factor separations 6%
- Parenting arrangements 6%
- Consumer 5%
- Housing 5%
- Employment 5%

### 1,054 REPRESENTATION SERVICES PROVIDED

TOP ISSUES ASSISTED WITH INCLUDE:

- Domestic violence protection orders 11%
- Traffic and vehicle regulatory offences 10%
- Theft and related offences 9%
- Assault and related offences 6%

## 52 COMMUNITY LEGAL EDUCATION ACTIVITIES UNDERTAKEN

### ANIMAL LAW CLINIC



60

LEGAL ADVICES PROVIDED

### FAMILY LAW CLINIC



328

LEGAL ADVICES PROVIDED

## DRUG OUTREACH LAWYER PROGRAM

FLS provided 184 representation services and 25 legal advice services via this program. The main problem types we assisted with included:

- Fines 34%
- Theft and related offences 18%
- Assault and related offences 7%
- Road traffic and motor vehicle regulatory offences 6%
- Illicit drugs 6%

## TAXI DRIVER LEGAL ASSISTANCE PROGRAM

FLS provided 127 legal advice services and assistance with 21 representation services to Victorian taxi drivers.



THE REPRESENTATION SERVICES WERE PROVIDED IN PARTNERSHIPS WITH PRO BONO COUNSEL

THE MAIN PROBLEM TYPES WE ASSISTED WITH INCLUDED:

### 28% INFRINGEMENTS

Penalty enforcement warrant hearings and applications for revocation of enforcement orders;

### 27% GOVERNMENT/ADMINISTRATIVE PROCESSES -

Driver accreditation, Taxi Services Commission 'show cause' correspondence, appeals to VCAT from refusal of driver accreditation; and

### 19% MOTOR ACCIDENT INSURANCE CLAIMS -

Motor Accident Insurance Claims - Assisted drivers to claim indemnity against owners and insured owners to recover against taxi clubs;

## CRIMINAL PRACTICE CASE STUDY

Our client was charged with multiple counts of trafficking synthetic cannabis, Viagra and Cialis, and possession thereof. A NZ national who had recently relocated to Melbourne, our client played in a band and otherwise worked in a shop that sold sex toys and had an array of synthetic substances marketed as legal alternatives to cannabis. The owner/manager of that shop was charged as the principal offender.

Undercover operatives approached our client at the point of sale. They paid for and received synthetic cannabis. They requested and received Viagra and Cialis from a "special drawer". Both accused were charged. Our client made full admissions. The co-accused gave a no-comment record of interview. The co-accused was represented by a large criminal law firm.

Our client had no prior history and was ineligible for legal aid funding but, having left that position of employment shortly after being charged, also had little money to put towards his legal representation.

Synthetic cannabis does not exist. Rather the question is whether and to what extent the substance described as such coheres the chemical composition of cannabis to the extent that it can be described as a prohibited drug under the Drugs, Poisons and Controlled Substances Act, or whether it should otherwise be classed as a poison (with correspondingly lesser penalties). Both legal representatives independently of each other and from the outset of proceedings requested that the substances be tested. This did not and had not occurred by the time of contest mention. Police refused to do so on the basis that the expenditure of funds in that regard was not justified unless and until both Accused indicated an unequivocal intention to contest the charges (ie: by adjourning the matter for a hearing).

Both Counsel were aware that all forensic samples taken by police were tested at the Victoria Forensic Science Centre, and that the delay between provision of samples and results of testing was approximately 4 - 6 months. At the contest mention, the Court acceded to counsel's submissions that a special mention be scheduled in advance of the contested hearing for the return of forensic analysis.

By the time of the special mention, the results remained outstanding. It became apparent that the Police Informant had only submitted the samples for testing two months earlier. The prosecution sought to adjourn proceedings however both counsel opposed that application, which the Court refused. The matter was stood down whilst police considered their options which were to push on to a contest they couldn't win or withdraw all charges. They took the latter course and all charges were withdrawn. This outcome enabled our client to maintain a clean criminal record, supporting his previous good character. As a result our client was able to obtain other employment.

# OUR PEOPLE

## STAFF

### EXECUTIVE OFFICER:

**Claudia Fatone**

### PRINCIPAL SOLICITOR:

**Serge Sztrajt** (until October 2016)  
**Jennifer Black** (from October 2016)

### SOCIAL ACTION, POLICY AND LAW REFORM MANAGER:

**Meghan Fitzgerald**

### SENIOR CRIMINAL LAWYER:

**Emily Buchanan**

### SENIOR LAWYER (TAXI DRIVER LEGAL PROGRAM) & NIGHT SERVICE MANAGER:

**Adrian Snodgrass**

### SENIOR COMMUNITY LAWYER NJC:

**Jess Porter** (until January 2017)  
**Galit Aflalo** (from January 2017)

### SENIOR LAWYER, FAMILY LAW AND FAMILY VIOLENCE:

**Ella Crotty**

### DRUG OUTREACH LAWYER:

**Adam Willson**

### FAMILY LAWYER:

**Amre Levy**

### SOLICITOR ADVOCATE:

**Natasha Wolan**

### COMMUNITY LAWYER NJC:

**Galit Aflalo** (until January 2017)  
**Sonia Sawant** (until June 2017)

### COMMUNITY LAWYER FAMILY VIOLENCE:

**Marc Vandembroucke**  
(from March 2017)

### NIGHT SERVICE COORDINATOR (FRIDAY):

**Mark Rawlings**

### TRAINEE LAWYER:

**Melissa Chen** (until December 2016)  
**Bryony Seignior** (from March 2017)

### LAWYER, POLICY AND LAW REFORM:

**Matt Wilson** (from March 2017)

### COMMUNITY DEVELOPMENT OFFICER:

**Ela Stewart** (until March 2017)  
**Jen Ward** (from March 2017)

### LAW HANDBOOK EDITOR:

**Naomi Saligari**

### FINANCE OFFICER:

**Albert Kuan**

### FINANCE ASSISTANT:

**Tuvan Vuong**

### CLIENT SERVICES AND ADMINISTRATION OFFICER:

**Tori Diamond**

### VOLUNTEER COORDINATOR:

**Julie Fletcher**

### FAMILY LAW PARALEGAL SUPPORT:

**Florence Godfrey**

### NIGHT SERVICE COORDINATOR LOCUM:

**Chris Delaney**

### ADMINISTRATIVE LOCUM SUPPORT:

**Florence Godfrey and  
Thibaut Clamart**

## BOARD

**Bruce McBain** (Chair)

**Vera Boston\***

**Joanne Butterworth-Gray**

**Andrew Conley**

**Christina Carney^**

**Corinne Grant\*\***

**Frances Jacka^^**

**Sandra McKay**

**Fiona Rothville**

**Ben Walkenhorst~**

\* re-elected November 2016

^until November 2016

\*\* until December 2016

^^ elected November 2016

~ appointed October 2016

## SECRETARY

**Andrew Conley** (until February 2017)

**Claudia Fatone** (from February 2017)

## COMMITTEES

### BUILDING COMMITTEE

**Andrew Conley** (Chair)

**Dan Mori**

**Jim Stavris**

### EMPLOYMENT COMMITTEE

**Fiona Rothville** (Chair)

**Vera Boston**

### FINANCE, AUDIT AND RISK COMMITTEE

**Vera Boston** (Chair)

**Roslyn Aikman**

**Joanne Butterworth-Gray**

**Naomi Munga**

**Gerry Schembri**

### FUNDRAISING COMMITTEE

**Corinne Grant** (Chair)

**Huen Brennan**

**Sandra McKay**

### PUBLICATIONS COMMITTEE

**Sandra McKay** (Chair)

**Samantha Amjadali**

**Rob McGuirk**

**Tracey O'Shaughnessy**

**Ben Walkenhorst**

**Brian Wright**

### STRATEGY AND RISK REVIEW COMMITTEE

**Joanne Butterworth-Gray** (Chair)

**Jon Laseravic**

**Bruce McBain**

## LIFE MEMBERS

**Sue Botthman**

**Brian Collingburn**

**John Finlayson**

**Julian Gardner**

**Tessa Hay**

**Robin Inglis**

**Michael Kingston**

**Henrik Lassen**

**Trevor Williamson**

**Brian Wright**

# CHAIR REPORT

Bruce McBain

The 2016-17 financial year was one of matching rising demand for accessible justice against a backdrop of increasing overheads and tightened funding. With this background, the staff and volunteers led by Claudia Fatone worked cohesively and effectively to meet that demand and achieve a surplus for the year.

As announced in the 2015 Report, the Fitzroy Legal Service was awarded a grant from Victoria Legal Aid to work with Darebin Community Legal Centre (DCLC) to look at how the two services might better cooperate to provide ongoing services to their respective communities. The report of the Consultant was received by both governing bodies in early 2017 and it recommended a single entity to serve the inner northern suburbs of Melbourne whilst preserving the identity and localness of the two CLC's and which had the potential to expand service levels and improve the experience of disadvantaged people with legal needs. Both governing bodies agreed in principle with the recommendation, subject to due diligence. Victoria Legal Aid has agreed to fund a project manager to manage the process with a view to establishing the new entity by 1 July 2018. The process encompasses stakeholder and member engagement, agreement of the organizational model including legal practice model, board composition, deeds of amalgamation, recommendation to formally merge/ recommendation to both memberships, formal vote and integration post agreement. Copies of the Consultant's Report and project time line are available on request. The decision whether or not to merge is ultimately the responsibility of members and there will be adequate opportunity for members to participate in that decision throughout the process and at the relevant Special General Meetings.

The staff brought dedication and enthusiasm in ensuring Fitzroy Legal Service achieves its mission, and are named throughout this report. I would like to particularly acknowledge Claudia Fatone, (Executive Officer), Meghan Fitzgerald (Social Action, Policy and Law Reform Manager), Jen Black (Principal Solicitor), Naomi Saligari (Law Handbook Editor), Galit Aflalo (Acting Senior Community Lawyer NJC), Emily Buchanan (Senior Criminal Lawyer), Albert Kuan (Finance Officer), Adrian Snodgrass (Senior Lawyer and Night Service Manager) and Mark Rawlings (Night Service Coordinator, Friday).

Claudia provided strong leadership at Fitzroy Legal Service and demonstrated her capacity to absorb and successfully manage the organisation during a time of significant change.

I acknowledge the enthusiasm and dedication of each Board member, all of whom willingly give of their time and unique skills to board deliberations. These deliberations were

strengthened through the ability of the Board to receive external expertise from volunteers in specialized fields on Board appointed Committees. Each Committee is chaired by a Board Member and remains accountable to the Board. I acknowledge the significant contribution made by each Committee member to the Governance of Fitzroy Legal Service.

Volunteers are the lifeblood and heart of our evening legal advice service. Without a dedicated team of volunteers the night service would not be able to function. It is pleasing that our volunteers continue to display the same enthusiasm for making the law accessible as our founding lawyers did 45 years ago. Julie Fletcher co-ordinates our volunteer program, including an excellent continuing professional development program, with well attended sessions at the Neighbourhood Justice Centre on topics of immediate relevance to the night service.

In August 2016 Fitzroy Legal Service returned to its historic foundation at the Fitzroy Town Hall. The move has provided increased floor space, better working condition for staff and scope for expansion of services. Unfortunately acoustic issues impacted the night service environment, however it is hoped this can be rectified during the first six months of 2017-2018. Social Security Rights Victoria have entered into a sub tenancy agreement with Fitzroy Legal Service for additional space on the 4th floor and kindly provided their meeting space to help meet the increased demands of our growing night service.

A key management and board focus over several years has been the sustainability of the self-funded Practice and *The Law Handbook* and it is pleasing that thanks to an enthusiastic team of lawyers, comprising Emily Buchanan, Ella Crotty, Amre Levy, Natasha Wolan and trainee lawyer Bryony Seignior, the practice significantly improved its bottom line during 2016-17. That favourable trend has continued during the first few months of 2017-18. The work of the Practice is supported by Adam Willson, Drug Outreach Lawyer, and Marc Vandenbroucke, Community Lawyer (Family Violence). Volunteers also play a critical role in the Practice and their contribution is acknowledged.

Sales of *The Law Handbook* hard copy fell below budget but in its 40th year remains the "legal bible". Editor Naomi



FLS relocation to Fitzroy Town Hall



Saligari and the Publications Committee are actively engaged to ensure sustainable formats and delivery options.

Thanks to the three-year grant from the Victorian Attorney General Martin Pakula, we have been able to ensure that the online version of *The Law Handbook* remained an accessible tool for dissemination of the law to the wider community and those disenfranchised from access to the law.

Fitzroy Legal Service continued to support the therapeutic justice approach of the Neighbourhood Justice Centre, through community lawyers on-site. Following Jessica Porter's resignation, Galit Afalo has acted as senior solicitor, and was joined by community lawyer Sonia Sawant.

Community development, legal education and outreach activities reported elsewhere were capably handled by Jennifer Ward and are an important facet of our mission. Jennifer replaced Ela Stewart who has undertaken maternity leave.

The work of the Social Action, Policy and Law Reform Manager, Meghan Fitzgerald is set out elsewhere in this report. It fills an important role for Fitzroy Legal Service in

providing justice through accessible law and preparedness to actively pursue human and community rights.

Our organisation relies on a number of operational staff. Finance Officer Albert Kuan, assisted by Tuvan Vuong, exercised strong management of our funds whilst Tori Diamond capably exercised the administration and client services role.

Fitzroy Legal Service staff turnover is relatively low but each year some staff change occurs. Those who left during the year were Serge Sztrajt, Jessica Porter, Sonia Sawant and Melissa Chen. We recognize and thank each of them for their contribution to our organisation.

Fitzroy Legal Service depends on the support of its major funders and we acknowledge the Commonwealth Attorney General's Department, the Victorian Government, Victoria Legal Aid, the Neighbourhood Justice Centre, the Department of Justice and Regulation (Victoria), the Department of Health and Human Services (Victoria), the City of Yarra, Allens and the many individuals who have generously supported our fundraising activities.

## TAXI DRIVER LEGAL ASSISTANCE PROGRAM - A LETTER OF THANKS

"I am writing this to thanks to you for drafting a letter for me for TSC. Since it was beautifully drafted so result of this now I have got my Taxi Driver Accreditation back. I do not have enough words to express my gratitude toward you. I consider myself lucky that I asked help from you. Once again sir many thanks and I will always be thankful to you."

# EXECUTIVE OFFICER'S REPORT

Claudia Fatone

This year the community legal sector around the country united in the fight to re-instate significant Commonwealth funding cuts, due to take effect 1st July 2017.

The Fitzroy Legal Service was set to lose approximately \$40,000 which would have resulted in a significant impact on the free evening legal advice service. A "Save our Friday" campaign was established and thanks to the generosity of 124 supporters and pro bono partners Studio Warna and Isaac Madden, our initial target of \$10,000 was achieved. Nationally, the #equaljustice campaign sought a reversal of cuts that were due to decimate CLC funding by 30%. In a move welcomed by the sector, on Monday 24 April 2017 the Commonwealth Government announced its decision to reverse the impending funding cuts. I would like to acknowledge the leadership of FLS Board Member Ben Walkenhorst whose creativity, determination and guidance was instrumental to the success of the campaign.

In August 2016 we said goodbye to 124 Johnston Street, Fitzroy, after approximately 15 years as our home. An opportunity to return to the Fitzroy Town Hall, where the Fitzroy Legal Service opened its doors in December 1972, presented as a wonderful opportunity to enhance the operating environment for staff, volunteers and clients alike. Relocating an organisation such as the Fitzroy Legal Service,

with its high levels of day and night services and significant history, was always going to involve significant work. A huge thanks to Sarah Hobday-North for her architectural expertise and all the volunteers and staff who assisted in packing up the offices, in particular Stephanie Micallef, Ros Aikman, Meghan Fitzgerald and Jenny Tremaine.

We held two community events to celebrate our return to the Fitzroy Town Hall. On Sunday 4 December a Community BBQ was conducted in the courtyard area. Over 150 members of the local community attended and were treated to music from some of the finest local musicians - Bart Willoughby & Fadil Suna, Eritrean band Muktar Said, Ermias Gebremariam & Joseph Amine, and the Richmond Chinese Community Choir. Thank you to the Melbourne Stars Cricket Club for their support of the event and to the staff and volunteers who assisted throughout the afternoon. We also held a smaller evening function in the Reading Room, to acknowledge funders, supporters, life members and those involved with Fitzroy Legal Service at the beginning. A big thank you to Robert Richter QC, who regaled the audience with tales of his involvement with Fitzroy Legal Service in the 1970s.



2016 Tim McCoy Dinner (L-R) - Wilma McCoy, prize winners Denise Gardner and Meghan Fitzgerald and guest speaker Van Badham

We were thrilled that our colleague, Meghan Fitzgerald, was awarded a joint winner of the Tim McCoy Award, presented at the annual Tim McCoy Dinner held in November. Meghan is one of the most intelligent, principled, compassionate and dynamic people working in the community legal sector. She has a unique ability to identify connections between diverse but complimentary fields of thought and practice, build coalitions of interest and practice and execute projects through to completion. In her work with Fitzroy Legal Service, Meghan has given voice to highly marginalized and stigmatized communities where changes to the law will impact them. She is a real asset to not only the Fitzroy Legal Service and the community legal sector, but to the wider community. Congratulations to Denise Gardner from the Flemington & Kensington Community Legal Centre who was the joint winner along with Meghan.

In December 2016 we received new funding from the Department of Justice and Regulation's CLC Family Violence Fund. This funding has allowed us to expand our family violence work, assisting victims and survivors of family violence with a range of legal and non legal issues. We continued our outreach to the North Richmond Community Health Centre, and added new outreaches at the Fitzroy Learning Network and Drummond Street Services. We thank these partner organisations for their assistance and support in enhancing access to justice for community members.

A continued focus of the organisation is engaging with our community and key stakeholders, A quarterly e-newsletter was also produced to keep key stakeholders - funders, members, alumni - in touch with the programs, services and client outcomes achieved by FLS staff and volunteers.

We continued to invest in the professional development of our people. Three staff - Community Development Officer Ela Stewart, Senior Lawyer and Night Service Manager Adrian Snodgrass and Trainee Lawyer Melissa Chen - attended the National CLCs Conference in Fremantle in August 2016. The staff was involved in presenting two sessions - "Family violence resources for culturally and linguistically diverse men: filling the gap" and "Collaborative programs and CLC funding: challenges and opportunities". Principal Solicitor Jennifer Black attended and presented at the *Second International Conference on Non-Adversarial Justice: Integrating Theory and Practice* held in Sydney in April 2017.

Other staff attended other professional development and training sessions throughout the year, including those provided by the Law Institute of Victoria, Victoria Legal Aid and the Federation of Community Legal Centres (VIC).

Appreciation is extended to the FLS Board, committee members, staff and volunteers for their tireless efforts in working for FLS and serving the community. Also, thank you to the many organisations and individuals who support FLS through funding and/or in-kind assistance.



'Save our Friday' campaign supported by pro bono partners Studio Warna and Isaac Madden

# BOARD COMMITTEES

## BUILDING COMMITTEE

**Andrew Conley, Chair**

The Building Committee provided support from July to October as the Fitzroy Legal Service relocated to its new premises. The Committee was disestablished shortly thereafter, having fulfilled its purpose.

## EMPLOYMENT COMMITTEE

**Fiona Rothville, Chair**

This financial year the Employment Committee was tasked with the development of a Remuneration Policy and a Bullying and Harassment policy. These policies are currently under discussion and development. The Committee has been on a period of hiatus as the Chair has been on parental leave.

## FINANCE, AUDIT AND RISK COMMITTEE

**Vera Boston, Chair**

The Finance Audit and Risk Committee (FARC) has continued to meet regularly during the 2016/17 year to provide the necessary oversight of FLS's finances and of the risks inherent in the organisation. Meetings always include financial information, including details of funding received, debtors, assets to liabilities ratios, and project expenditure. In addition to the Committee members, both the Executive Officer and Finance Officer attend all meetings to provide additional information and explanation as required. The Committee then makes recommendations to the Board for its consideration.

During the year the Committee took on the responsibility of overseeing the Financial Due Diligence process associated with the proposed merger of the Fitzroy Legal Service with the Darebin Community Legal Centre. While this work is not yet finished, it is well under way and has involved detailed analysis of the information provided.

We also reviewed and updated the risk register, (and the associated Risk Management Policy) developed a better means of reporting debtors to give a more accurate picture of risky and doubtful debts and enable ongoing monitoring, reviewed our own charter, met with the Auditors to receive their report and proposed a financing option to cover the costs of the relocation.

Despite having budgeted for a small deficit for the 2016/17 year, the organisation finished the year with a small surplus.

Nonetheless, our financial position remains strong with the end of June Assets to Liabilities ratio being \$1.40: \$1.00, that is for every \$1 of liabilities we had \$1.40 of assets. While all the staff are to be congratulated on this positive result, I want to particularly note the work of the Self-Funded Day Practice. There has been a significant improvement in the funds generated through the practice with monthly targets usually met or exceeded!

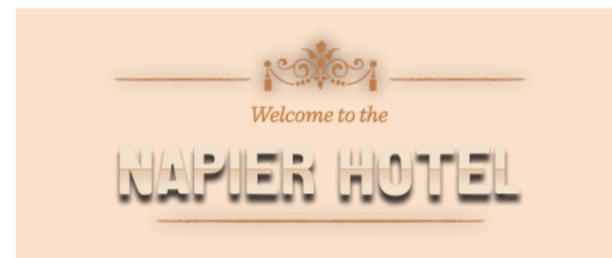
Membership of the Committee has remained very stable, and once again I thank Roslyn Aikman, CPA, Naomi Munga, CPA and Gerry Schembri, CPA who have all been on the Committee since its inception and who all make a very valuable contribution to the Committee's work. I also wish to thank my fellow Board member, Joanne Butterworth-Gray who joined the Committee during the year and Chaired it in my absence.

Finally, my sincere thanks to our Executive Officer, Claudia Fatone and Finance Officer, Albert Kuan for all their work in ensuring that the committee gets accurate, timely and clear information on which to base its deliberations.

## FUNDRAISING COMMITTEE

**Corinne Grant, Chair**

The Fundraising Committee continued throughout the remainder of 2016, running the raffle at the Napier Hotel every Friday night, and undertaking a number of other fundraising and profile raising events. We were thrilled to help FLS organise a community event to celebrate our new premises, and saw a great turnout from a varied cross section of the local community. We also ran a formal event to celebrate with all those who provided pro bono assistance in finding our new home, plus past alumni and current members of the FLS community. FLS continues to fundraise on a regular basis. As always, we encourage members of the FLS community to put their hand up if they would like to become involved in fundraising activities. We always need a hand!



## PUBLICATIONS COMMITTEE

**Sandra McKay, Chair**

Heading into its 40th year of publication, *The Law Handbook* (LHB) has always relied on enormous efforts by individuals sharing their knowledge and passion to help others through the complexities of Victorian laws. The longevity of the LHB relies more than ever on it being self-sustaining. With a Victorian Government grant running out on 30 June 2019, the focus this year for the Publications Committee has been on reviewing all aspects of the LHB - production costs, printing, pricing and sales - and a long-term strategy for survival.

The Committee thanks our wonderful Editor, Naomi Saligari, for undertaking this comprehensive review, and our committee's publishing expert, Tracy O'Shaughnessy, who has taken us into the world of print brokers and typesetters, to help reduce our costs. Changes to our printing, publication schedule, format and price for the 2018 hardbook edition and eBook and PDF chapters are the result of this comprehensive review.

FLS's vision of empowering and strengthening the community through freely available content on the book's website and low concession process endures. We still need to sell more books, so marketing of our 40th edition will be a key focus for the committee, helped greatly by another standout cover designed by Sandy Cull. Our new committee member, Ben Walkenhorst's skills in brand and marketing will be most welcome here.

## STRATEGY AND RISK REVIEW COMMITTEE

**Joanne Butterworth-Gray, Chair**

Following a review of the FLS Business Plan 2015-16, it was evident that in the organisation's fiscally and resource constrained situation, management and staff were still punching well above their weight, and we thank each and every one of them.

The Board's strategic approach had been effective in managing client demand and organisational growth, evaluating performance, tracking progress towards FLS objectives, and establishing a consistent reporting framework. However, administrative resources, ongoing capacity to meet growing demand, and an unsustainable financial model have been an ongoing concern.

To assess options for a sustainable future, a project between Fitzroy Legal Service (FLS) and Darebin Community Legal Centre (DCLC) began in late 2015. It had the aim of:

*...reviewing the effectiveness of current organisational arrangements at FLS & DCLC & exploring new, innovative structures/models to deliver community legal services.*

The recommendation from the project was that:

*... the Boards and memberships of the two CLCs take steps to create a single legal entity accountable to a community-based membership, with services to the existing target groups of FLS & DCLC to continue through community legal centres in the cities of Yarra and Darebin.*

Both FLS and DCLC have agreed to adopt the recommendation to ensure that accessible, high quality community legal services continue to be available to vulnerable and disadvantaged people in the cities of Yarra and Darebin.



FLS Board members (L-R) - Ben Walkenhorst, Fiona Rothville, Vera Boston, Joanne Butterworth-Gray, Andrew Conley, Sandra McKay. (Absent - Bruce McBain, Fran Jacka, Corinne Grant, Christina Carney)

# LEGAL PRACTICE

## Jennifer Black, Principal Solicitor

FLS lawyers are a diverse and dedicated team. This year they have shown resilience and commitment, continuing to provide high quality advice, representation and casework across a range of practice areas in the face of funding insecurity as well as the ongoing pressure inherent to 'self-funded' positions.

Senior Criminal Lawyer Emily Buchanan has continued to grow the criminal law practice, expanding FLS' complex indictable casework, as well as maintaining the 24 hour advice line for individuals in custody and coordinating a busy court diary with court appearance across Victoria. Emily has also continued to strike the difficult balance between affordable legal representations, filling the gap for those unable to afford private fees but ineligible for legal aid as well as consistent and appropriate remuneration.

Drug Outreach lawyer Adam Willson has continued to provide outstanding holistic legal service provision to people who use drugs. Adam's contribution was recognised this year by the Yarra Drug and Health Forum who nominated him for Yarra Worker of the Year, for his commitment to his clients and strong relationships with stakeholders.

At the Neighbourhood Justice Centre we farewelled our Senior Community lawyer Jess Porter in January 2017. Jess' genuine commitment to FLS clients as both a legal trainee, the drug outreach lawyer and Senior Community Lawyer at FLS was exceptional. Galit Aflalo has taken up the mantle of

Acting Senior Community Lawyer with great enthusiasm, a particular highlight being the organisation of the law week mock trial, a public demonstration of therapeutic justice in action.

Senior Family Law/Family Violence lawyer Ella Crotty has continued to demonstrate leadership and innovation in the family law/family violence practice. In particular Ella, and Community Lawyer Family Violence Marc Vandembroucke, have developed a number of specialist and targeted family violence outreach services that are providing invaluable legal support to vulnerable community. Additionally Ella, Marc and Family Law Specialist Amre Levy continue to provide high quality, consistent and affordable family law casework and representation.

As principal lawyer it has been a privilege to work alongside such a talented team who demonstrate their commitment to access to justice and social change every day - preparing casework, appearing at court, or delivering legal advice via outreach in the community.



### EVENING LEGAL ADVICE SERVICES - A LETTER OF THANKS

"Dear Fitzroy Legal Service,

I am writing on behalf of Ms X due to her English ability. Recently, Ms X has received your mail regarding her unfair dismissal issue. She would like to express her sincere thankfulness to your help and your conscientious follow-up.

After came to your night service in January, she have successfully lodged the application to the Fairwork Commission with the help of a friend. A conciliation has been arranged between Ms X and the other party. If she need any further help, she will contact you again.

Again, thank you very much!"



### TAXI DRIVER LEGAL ASSISTANCE PROGRAM CASE STUDY

Our client was involved in a motor vehicle accident in his taxi. The client's taxi was owned by a company that was required to indemnify our client for loss arising out of car accidents with third parties.

The other party to the accident brought an action against our client in the Magistrates Court for \$14,565.70 which was awarded a default judgement. The client came to FLS seeking advice regarding the status of this matter.

We emailed our client's taxi company, seeking payment pursuant to the contractual agreement. We then enclosed to the taxi company the complaint against our client, in which the owner taxi company was named a defendant, and advised the taxi company to immediately send the complaint to their company's motor vehicle insurer.

As no payment was made, we proceeded to make a claim on behalf of our client against the taxi company. As a result, the taxi company agreed to indemnify our client for the liability that arose from the motor vehicle accident. The terms of settlement included the taxi company making an additional payment of \$450.00 for filing fees.

There was a second claim by the plaintiff against our client in the amount of \$4,297.15 for car hire loss. This claim was struck out by the Magistrate and the plaintiff was ordered to pay our client's costs (determined at \$1,610). The client sought advice from FLS regarding how to enforce the costs order. We assisted the client in preparing a letter of demand for the payment of these costs.



NJC and Criminal Practice Planning Day Collingwood Childrens Farm (L-R) -Ella Crotty, Adam Willson, Galit Aflalo, Emily Buchanan, Sonia Sawant, Natasha Wolan, Jen Black and Claudia Fatone

# SOCIAL ACTION

## Meghan Fitzgerald, Social Action, Policy and Law Reform Manager

We work within a community development framework to engage in strategies of empowerment for communities and individuals in their dealings with the law.

These strategies include:

- public interest litigation;
- advocacy in areas of policy and law reform;
- partnership building and engagement/collaboration with stakeholders; and
- a wide reaching community legal education program.

Our staff work across programs to identify trends, legal literacy needs, and law reform priorities for our social justice and advocacy work.

### BENDIGO STREET OCCUPATION

From March to October 2016, a political demonstration was held in Bendigo Street, Collingwood where members of the Homeless Persons Union of Victoria, Houses Need People, People Need Houses, and people experiencing homelessness occupied vacant government owned properties. The houses had been earmarked as housing for women escaping family violence but had remained vacant for many months.

FLS instructed in urgent injunction proceedings in the Supreme Court of Victoria - *Miller & Ors v The State of Victoria* (August - October 2016) - through which we were able to negotiate by consent significant periods of time for resettlement of homeless persons residing in Bendigo Street. Oversight of the Court placed pressure on the Department of Housing to respond to social need in a collaborative manner, as opposed to the proposed approach of police eviction of those trespassing on government assets. Priority was given by collective consensus to women, and mothers with children, most of whom we were able to access long term public housing prior to eviction. Collaboration between FLS, health, housing services, and the Department allowed us to assist in facilitating safe housing for four families (two of the four were Aboriginal, and three of the four were escaping family violence), as well as two Aboriginal women and one transgender woman who had experienced long term homelessness. Others were housed subsequent to the eviction, assisted by local services and FLS.

Systemic advocacy issues included access and placement protocols for members of the transgender community, equity of access/ appropriate service provision for Aboriginal community experiencing homelessness, reinforcement of the strong relationship between family violence and homelessness, and impacts and varied obligations on Departmental staff in decision making under the Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic). The political demonstration component increased community awareness of the long waiting lists for access to public housing, and the increasing numbers of Victorians experiencing homelessness.

FLS was supported in advocacy, legal education, and litigation by volunteers, a pro bono firm, and counsel, both junior and senior.

### CHILDREN IN BARWON PRISON

Certain Children by their Litigation Guardian Sister Marie Brigid Arthur v Minister for Families and Children & Secretary to the Department of Health and Human Services & State of Victoria (December 2016)

Working in partnership with the Human Rights Law Centre, and a team of pro bono counsel, FLS instructed in proceedings challenging the lawfulness of detention of children in the Grevillia Unit of the Barwon maximum security adult prison.

The initial Supreme Court case argued that the Government acted unlawfully in sending children to Barwon prison, failed to act in the best interests of children in its care, and was in breach of the Victorian Charter of Human Rights. The children represented by FLS had been placed in lock down for upwards of 20 hours per day, had been unable to access lawyers with carriage of their criminal proceedings, had not had contact with family, and were no longer receiving schooling or programs. Alongside the substantive proceedings, FLS worked collaboratively with criminal defence practitioners to progress the interests of clients held within the facility.

On 21 December 2016, Justice Gaudron of the Supreme Court ruled that the Minister had failed to take into account relevant considerations under the Children, Youth and Families Act 2005, and that the impugned orders were made for an improper or extraneous purposes not authorised under that Act. The Minister for Families and Children appealed the decision.

On 29 December 2016 the Full Court of the Supreme Court of Victoria upheld the finding that there had been a failure to consider protected rights and relevant considerations under the Children, Youth and Families Act 2005, and as such, the Orders in Council and transfer decisions were invalid. The State responded by re-gazetting a unit at Barwon as a youth facility, and retrospectively making changes to the unit to address the Court's concerns and engaging in considerations that had been previously neglected.

A third proceeding was issued by the Human Rights Law Centre with findings that the orders gazetting the Grevillia Unit on 29 December 2016 as a remand centre and youth justice centre were unlawful under section 38(1) of the Charter. The final ruling was not appealed and all children have been removed from Barwon Prison.

### DOCTORS FOR REFUGEES CHALLENGE TO THE SECRECY PROVISIONS OF THE AUSTRALIAN BORDER FORCE ACT 2015 (CTH)

On 27 July 2016, FLS filed a constitutional challenge on behalf of Doctors for Refugees. The case argues that the secrecy laws in the Australian Border Force Act 2015 ('the Act') were an impermissible burden on the implied freedom of political communication. Days before the scheduled filing of a defence, a determination was issued by the Secretary to the Department of Border Protection and Immigration exempting health professionals, including doctors, nurses, midwives, psychologists and others, from the operation of the Act.

Whilst the exemption was welcomed, Doctors for Refugees continued with the proceeding on behalf of other workers in immigration detention centres such as teachers, social workers, registered migration agents, security guards, & lawyers. A challenge to standing was proposed, but FLS and Doctors for Refugees took the approach of identifying

additional plaintiffs to challenge the constitutional validity of the Act.

Before the case progressed any further, the Minister for Immigration and Border Protection introduced an amending Bill to Parliament (citing 'changed conditions' as reason for the amendment), and noting the Bill would ensure the Act did not infringe on freedom of political communication and the right to privacy, protected in the International Covenant on Civil and Political Rights.

The amending Bill (which has not yet been passed) substantially reduces the scope of operation of the laws under challenge. The Act currently makes any disclosure by an entrusted person (a person working in an immigration detention centre or with unrestricted access to Departmental data and/ or assets) of 'protected information' (obtained in the course of employment) a criminal offence punishable by up to two years' imprisonment. The amendment will replace the definition of 'protected information' with a narrower definition of 'Immigration and Border Protection information'. These changes if passed will be retrospective to the commencement of the Act. As stated by Minister for Immigration and Border Protection:

"As not all information obtained by my department requires protection, the definition of the information to be protected has been refined to include only certain kinds of information, such as that relating to: the security, defence and international relations of Australia; prevention, detection and investigation of offences; protection of public health and safety; or sensitive personal and commercial matters."

The veil of secrecy has been utterly integral to the detention regime for over twenty years, with proper access denied to journalists, advocates, and even United Nations officials. We know the culture of secrecy has placed many workers in situations where they have felt compromised in professional and ethical obligations, and restricted in speaking out about critical incidents, harms suffered or witnessed whilst working in immigration detention centres. We note that even under the proposed amendments, criminal provisions will bind the corporations contracted to deliver Australian government policy for some breaches of contractual obligations.

FLS is committed to the belief that transparency, proximity, and the freedom to 'bear witness' supports the conditions for government policies that take into account our shared humanity, and allow for community accountability in engaging with the government policies of democratically elected officials. We applaud the courage of so many we have worked with over the course of this proceeding, and in particular, Doctors for Refugees. In connection with the proceeding, FLS has been involved in preparing communications with Doctors for Refugees to the United Nations Special Rapporteur on Human Rights Defenders, and in appearing before the Senate Committee into Legal and Constitutional Issues.

FLS was supported by Allens and a team of counsel in work on this case.

## NAPIER STREET FIRES

In late March 2017, a fire took place at the Public Housing Commission Flats at 125 Napier Street, Fitzroy. Three hundred residents were evacuated, and five people were hospitalised.

The fire brought into question safety of residents within the building, and the adequacy of fire safety measures and evacuation processes. FLS worked with residents, the Tenants Union of Victoria and local counsellors to bring the incident to public scrutiny, to provide legal information to tenants, and to advocate directly with the Department of Housing for improved fire safety protocols and compliance.

As a result of this scrutiny the Department has committed to adopting all recommendation contained in the Melbourne Fire Brigade investigatory report, additionally ongoing work with tenants in the aftermath of events is being facilitated through a partnership between FLS and the Neighbourhood Justice Centre.

## GOVERNMENT SUBMISSIONS

Submission to the **Victorian Government Inquiry into Drug Law Reform (March 2017)** with terms of reference seeking to evaluate the effectiveness of laws, procedures and regulations in minimising drug-related harms, and obtain suggestions for positive reform. The FLS submission identified that many of the everyday harms associated with drug use derive from its criminal status, and that the laws, procedures and regulations surrounding bail, sentencing and parole do not adequately address the rehabilitative needs of persons who use drugs. Specifically, FLS drew on a range of national and international resources to argue in favour of: decriminalising the use of illicit drugs, as well as minor possession charges, in conjunction with a shift in focus to rehabilitation and evidence based harm minimisation strategies; a shift to rehabilitation as the central focus of the Criminal Justice System; increased diversionary mechanisms for Victorians; and, changes in legislation to allow for a Medically Supervised Injecting Centre. On request, FLS has provided further oral evidence to the Inquiry on pre criminal charge diversion as a de facto mechanism to support decriminalisation and reduce socio-economic harms associated with the criminalised status of drug use.

Submission to Coroner's Court in support of a **Safe Injecting Facility in the City of Yarra**. FLS was invited as a stakeholder to make submissions in relation to deaths in the North Richmond area as a result of overdose. We provided written submissions including the following recommendations - access to drug treatments to be expanded and improved; drug consumption rooms to be introduced; criminal justice measures which acknowledge drug use as a health and social issue to be adopted; and, drug using population not to be excluded from the right to life obligations arising from the *Charter of Human Rights and Responsibilities Act 2006* (Vic). Coroner Hon Jacqui Hawkins released her findings in relation to the death on 20 February 2017. In her findings, the Coroner commented that "heroin addiction is a public health issue" and recommended that "the Minister for Mental Health take the necessary steps to establish a safe injecting facility trial in North Richmond". FLS has subsequently provided written submissions to the Parliamentary Inquiry tasked to inquire into the recommendations of the Coroner.

Submission to the **Future Melbourne Committee re proposed amendments to the Activities (Public Amenity and Security) Local Law 2009 (March 2017)**, responding to proposed local laws that would permit confiscation, fines and disposal of any items being used to sleep in public spaces, or any property left unattended in a public place. FLS opposed

the amendments publically, made formal submissions, and engaged in advocacy to encourage others to make submissions. The focus of FLS' submission highlighted the social harm of policing and punishing homelessness as a social problem, varied reasons persons experience homelessness, including drawing specific attention to the major contributing factor of family violence, as well as the lack of affordable and short term housing in Melbourne. The City of Melbourne received over two hundred submissions opposing the adoption of punitive approaches to the homeless community. The proposed amendments have not been adopted. FLS has previously successfully lobbied for repeal of move on powers on the basis of unintended impacts on the homeless community, wherein changes to the *Summary Offences Act 1956* (Vic) were passed at the first sitting of the Andrews Government.

We undertook continued advocacy regarding the introduction of a **Medically Supervised Safe Injecting Facility** in the City of Yarra, including working with the Yarra Drug Health Forum, to support and inform stakeholders, as well as develop alternative advocacy strategies.

Our Principal Solicitor Jennifer Black sits on the Executive Committee of the Yarra Drug and Health Forum and Meghan Fitzgerald is on the board for Harm Reduction Australia.

In 2018 we will be launching a campaign to raise \$175,000 to strengthen and expand our public interest law work.

## COMMUNITY LEGAL EDUCATION AND COMMUNITY DEVELOPMENT PROJECTS

### Family Violence Resources for Men from CALD Communities

In 2014, FLS received three-year (2015-17) funding from the City of Yarra to produce legal education resources for men from CALD communities. From community consultations, and feedback from service providers and our steering committee, it became apparent that our resource was beneficial for all newly arrived community members, not just men. In response, the resource was slightly adapted for greater accessibility.

A major step in this project was finalising the content of the plain English version of the resource in preparation for translation. Input from the steering committee and FLS' family lawyers ensured the language used was both accessible to CALD communities and legally accurate. To choose languages for translation, we consulted with local settlement services and will corroborate with the 2016 Census data. A simple English version of the resource was drafted to make the resource accessible to the many diverse CALD communities in the City of Yarra who may not speak a language chosen for translation.

The final steps of the project: the translation and distribution of the resource and the finalisation of the simple English resource will occur in the second half of 2017.

### 13Cabs Legal Information Sessions

FLS continues to coordinate legal education training for taxi drivers inducted into 13CABS. Sessions are held weekly at the 13CABS centres in Oakleigh and Preston, and one Sunday a month in Preston. Facilitated by Fitzroy Legal Service and Springvale-Monash Legal Service, the training includes dealing with police, fines and infringements, accidents and insurance, compensation, assault, sexual assault and privacy. FLS is working with Springvale-Monash Legal Service to update the material, aiming for completion by the end of 2017.



## EVENING LEGAL ADVICE SERVICES CASE STUDY

Our client was from Ethiopia. He entered into a contract with a training company that they would provide him with a \$35,000 training 'loan'. Under the agreement, he would work as a labourer on board a merchant ship. The shipping company would pay a weekly wage, the training company would deduct its fee from the outstanding loan amount, and 80% of the remainder would be remitted to the client's family in Ethiopia.

The loan was to be fully repaid when the client completed sufficient hours and training in seamanship to qualify as a junior officer. The client jumped ship when he arrived in Australia and applied for asylum. He was sued by the training company for the outstanding loan amount.

We helped him defend on the basis that:

- The client had not received the benefit of the loan amount;
- The claimed amount was far greater than the training company's actual loss; and
- The contract was made under Ethiopian law and was unenforceable in Australia.

With help from the night service he settled out of court for a fraction of the value of the claim.

Without our help he would have been successfully sued for the full amount, interest and legal costs and would have started his life in Australia (or returned to Ethiopia) with a huge debt.

He is still waiting on the outcome of his application for asylum.



## NEIGHBOURHOOD JUSTICE CENTRE CASE STUDY

FLS assisted a young client who faced family violence charges in relation to a family member. The relevant FLS lawyer worked with the client to identify the key needs and priorities of the client, which included the client's youth, future employment ambitions and desire to maintain a productive ongoing relationship with the family member.

The FLS lawyer undertook a consultative approach with other stakeholders, including the Victoria Police prosecutions, conferencing coordinator and court officer about potential non-adversarial approaches that could address the needs of all stakeholders including the accused, victim and protection of the community. Through consultation, collaboration and coordination between services, a targeted non-adversarial approach was proposed involving a restorative justice conference. FLS negotiated and successfully advocated before the Magistrates' Court for an adversarial process that would work alongside the non-adversarial approach.

FLS played an instrumental role in the design of the process, which included the drafting of confidentiality agreements which were agreed by all stakeholders. The court accepted FLS's submissions regarding the value of a non-adversarial therapeutic approach and the proposed design of an adversarial court process.

The matter resulted in a very favourable legal outcome for the client, but also resulted in important outcomes for all participants in the restorative justice process. The victim subsequently provided the restorative justice conferencing officer with very favourable feedback about the conduct and role played by the FLS lawyer throughout the process including participation in the conference.



## DRUG OUTREACH LAWYER PROGRAM - A LETTER OF THANKS

"Hi Adam, very emotional day for me yesterday, thinking clearer today, just wanted to say thank you again on behalf of all addicts who are not well enough to see the service you give to our community today and tomorrow, peace, with gratitude"



## FAMILY LAW PRACTICE CASE STUDY

\*Alice, Mark and their daughter, Olivia (2 years old) were living together in a Department of Housing Property. Mark was committing family violence against Alice, often in front of their daughter, but Alice thought it was an unpleasant part of their relationship that she had to accept. One day when Alice, Olivia and Mark were home, Mark got angry with Alice and threw the coffee table into the window. The window smashed and glass fell over the floor in the living room. Olivia was playing on the floor in the living room and it was very lucky that neither the coffee table nor the glass hit her. Olivia was very distressed by this incident and it took Alice a long time to calm her down. Alice had to report the broken window to the Housing Office. She told the staff member that she accidentally broke the window when she was putting up curtains. Alice didn't think the staff member believed her because the staff member asked her questions about her husband and his behaviour. Alice didn't feel safe to tell the staff member what had really happened. When Alice was in the Housing Office she noticed a poster for a family violence legal service for women.

A month later, Alice's sister, Lisa, was visiting from overseas. One night when they were all at home, Mark got angry with Lisa, ran at her and strangled her. Alice ran to help her sister and eventually Mark let go when he realised that Olivia and Lisa's children were screaming and crying. Alice called her sister Fran and asked her and her husband, David, to come to the house and tell Mark to leave. Fran and David came to the house and told Mark he had to leave and couldn't come back. Alice, Lisa, Fran and David talked about calling the police but decided that Alice and Lisa would go to the police station the next day.

Alice and Lisa went to the police station the next day and told an officer what had happened the night before. The police officer told Alice to go to the local magistrates' court to apply for an intervention order against Mark. Alice went to the court but staff told her she could not make the application unless she knew where Mark was living. Alice gave up and left the court.

A few weeks later, Mark invited Alice to attend mediation at Relationships Australia to talk about parenting arrangements for Olivia. Alice went to the mediation. She didn't tell staff at the mediation about the family violence because it was a private family matter. At the mediation, Alice and Mark signed a parenting plan which said they would be 'flexible and child focused'. The parenting plan didn't say anything else. Mark wouldn't tell Alice where he was living at the mediation. The mediator told Alice and Mark it was very important for Olivia that they follow the parenting plan.

Mark started to spend time with Olivia near Alice's house. Mark wanted to spend more and more time with Olivia. Alice didn't feel comfortable with the arrangements that Mark proposed but Mark kept reminding her what the mediator had told them and she felt she had to agree. After a couple of weeks, Mark was sleeping overnight at Alice's house. Alice felt very frightened to have Mark sleep in the house but she thought she had to agree to it.

One day Alice remembered the poster for a legal service for women she had seen in the Housing Office. Alice went back to the Housing Office and wrote down the number on the poster. A few days later, Alice called the number and made an appointment to see the FLS lawyer the following Thursday at the local health service.

Alice told the lawyer all the things that had happened. The lawyer explained to Alice that she didn't have to let Mark stay in the house and that she was allowed to put some boundaries in place so that she felt safe. The lawyer also explained the family law court system, the legal definition of family violence and the process to apply for an intervention order. At the end of the appointment, Alice told the lawyer it was a relief to talk to someone who could help her.

The lawyer wrote to Mark on Alice's behalf, explaining the problems with the current parenting arrangements and inviting him to attend a lawyer-assisted mediation to make new arrangements. The lawyer and Alice discussed what Alice would do if Mark responded violently to the letter. Mark didn't like the letter from the lawyer but didn't respond violently to Alice. Mark wouldn't come to the lawyer-assisted mediation and initiated proceedings in the family court. The lawyer helped Alice to respond to Mark's court documents and went to court with her. The court agreed that the best way forward for Alice and Mark would be to attend lawyer assisted mediation. The court made orders for Mark to spend time with Olivia at specific times and places. Alice felt safe with these orders in place. A few months later Alice, the lawyer, Mark and a lawyer appointed to help him went to the mediation and came up with a long term plan for when Mark would spend time with Olivia. The lawyer organised for this plan to be made into court orders.

A few weeks after the first family court hearing, Mark was given a Department of Housing property in the same building as Fran, Alice's sister. Even though Fran hadn't seen Mark since he assaulted Lisa, about 6 months ago, Mark applied for an intervention order against Fran, likely because she lived in the same building that he had moved into.

Alice asked the lawyer if she could help Fran to respond to Mark's application for an intervention order. The lawyer explained to Fran and Alice the potential conflict of interest and they both agreed that they would consent to this potential conflict and that the lawyer could help them both. The lawyer looked at the paperwork Fran had been given by the police about the intervention order and wrote to Mark to tell him that he had applied for an intervention order under the wrong law. Mark didn't respond. The lawyer went to court with Fran and had Mark's application for an intervention order struck out. Even though the intervention order application was struck out, Fran still doesn't feel safe living in the same building as Mark. The lawyer wrote a letter to the Department of Housing explaining the family violence Mark had committed against Alice, Olivia, Lisa and Fran and supporting her application for a transfer to new housing.

\*not their real names

## Stand Together

As part of the Yarra Settlement Forum, FLS is working with City of Yarra, Carringbush Adult Education, coHealth, New Hope Foundation (miCare) and the Neighbourhood Justice Centre to address racial abuse and discrimination in City of Yarra. FLS is providing planning support and will contribute to the training of community facilitators in October 2017.

## EVENTS

### Community Worker Forums October/November 2016

FLS partnered with St Kilda Legal Service and Eastern Community Legal Centre to provide forums on 'Legal issues and processes' for community service workers in Fitzroy, St Kilda and Ringwood. The forums covered assisting clients in court, police powers, sentencing and therapeutic jurisprudence, tenancy law, family violence and intervention orders.

### Bridges to Harmony Festival, March 2017

FLS partnered with Fitzroy Learning Network and Yarra Libraries for the Bridges to Harmony Festival. Held in Cultural Diversity Week, the Festival celebrated the diversity and inclusivity of the City of Yarra with live music, face painting and food. Fitzroy Legal Service provided planning support and volunteers on the night.

### IDAHOBIT

FLS staff Ella Crotty, Marc Vandenbroucke and Jennifer Ward attended the IDAHOBIT (International Day against Homophobia, Biphobia and Transphobia) celebration at Federation Square to demonstrate our support for the LGBTIQ community in Australia. May 17 is the anniversary of the day in 1990 when the World Health Organisation removed the classification of homosexuality as a mental disorder.

### Law Week, May 2017

Supported by a grant from the Victoria Law Foundation, FLS and Yarra Libraries ran two sessions of "Know Your Rights", focusing on 'Discrimination and the Law'. The sessions featured Tamar Hopkins and Barrister Catherine Symons. The Law Week sessions were the beginning of a partnership between FLS and Yarra Libraries to run regular legal information sessions in July-December 2017.

Our lawyers based at the Neighbourhood Justice Centre worked collaboratively to organise the Mock Trial Event: Courting Solutions, showcasing how Australia's only Community Justice Centre effectively addresses the underlying causes of harmful behaviour. Acting Senior Community Lawyer, Galit Aflalo, appeared in her usual role as Criminal Defence Lawyer. This event was a successful partnership between Fitzroy Legal Service, Victoria Legal Aid, Victoria Police Prosecutions, Community Corrections Victoria and the Neighbourhood Justice Centre.

## COMMUNITY LEGAL EDUCATION

FLS continued to deliver legal education sessions to education providers, multicultural groups and vulnerable groups in the City of Yarra, including

- Two sessions with settlement services provider New Hope Foundation (now miCare), "Driving and the Law" and "Buying a Car."
- One session with Melbourne Polytechnic's Youth Adult Migrant Education Program on "Family Law and Family Violence" and supporting students on a tour of the NJC.
- One session with Learn Local/AMEP provider Fitzroy Learning Network on "Family Law and Family Violence."
- Two sessions with the Eritrean Community Association of Australia on "Fines and Infringements" and "Understanding the Anti-Terror Laws" (in partnership with Eastern Community Legal Centre and Flemington-Kensington Legal Centre)
- Two sessions at North Richmond Housing Estate on "Family Law and Family Violence" and "Fines and Infringements."

FLS established a relationship with Quin House, a specialist residential facility for homeless and socially marginalised adult males with substance dependency. A legal information session was held in April, and FLS will provide sessions every 12 weeks in accordance with Quin House's program.

Using our community networks, FLS held an informal information session at a playgroup at Belgium Avenue Neighbourhood House in Richmond, to promote our services to women who may have difficulty accessing our office.



IDAHOBIT (L-R) - Ella Crotty, Jen Ward and Marc Vandenbroucke

# VOLUNTEER PROGRAM

**Julie Fletcher, Volunteer Coordinator**

An eventful twelve months again this past financial year with the volunteer program continuing to be the backbone of Fitzroy Legal Service's ability to support the enormous legal need within the community.

The provision of the wide range of services available would be impossible without the expertise and commitment of our extensive volunteer base. From the Board and Committees, free evening legal advice services, including Richmond outreach and specialist clinics, Criminal and Family Law/ Family Violence legal practice support, Social Action Team, Neighbourhood Justice Centre legal practice support, Taxi Driver legal assistance program, community legal education programs and publication of *The Law Handbook*, volunteers have played an invaluable role in assisting clients with legal problems, championing law reform, running test cases and providing the community with legal information.

In August 2016, the relocation of our organization to the new premises at Fitzroy Town Hall was a lengthy and complex operation that required the assistance of many staff and volunteers. Although nostalgia played a part in some long serving volunteers' initial feelings towards the move, the new premises have provided a more modern and user-friendly location for staff, volunteers and clients.

The heart of Fitzroy Legal Service has always been in the free evening legal advice service that has endured for over forty years and has provided essential advice and information to extremely vulnerable and disadvantaged members of the community. The monthly induction of new volunteer lawyers has ensured the bolstering of numbers of volunteers able to assist our clients. The night service volunteer body is made up of committed and reliable legal volunteers from a broad range of legal backgrounds contributing their time and energy to providing this essential service. Sometimes this may be as simple as providing referral pathways, drafting letters to various employer or government bodies, explaining the procedures involved in addressing their legal issue through to assisting with the drafting of complex affidavits or court documents. The night service also has a high representation of young lawyers who fill the roles of paralegals/observational solicitors whilst gaining the experience required to provide our clients with high quality advice. The support provided to the legal team by the body of paralegal and administrative volunteers is always outstanding and essential for the expeditious delivery of services.

The Fitzroy Legal Service specialist family law clinics have continued with a range of volunteer solicitors and barristers

with family law experience from private practice, the Bar and the Courts rostered to provide this important service to clients in this often complex and emotive area of the law. The Wednesday night Animal Law Clinic facilitated by volunteers recruited by Lawyers for Animals and inducted by Fitzroy Legal Service, has remained steady in client numbers and is an important and popular service to the community. Our fabulous Richmond Outreach volunteer lawyers and paralegals have again provided an outstanding service to clients at the clinic held fortnightly on Tuesday nights at the North Richmond Community Health Centre.

During the 2016-17 period, the induction of a stream of paralegal volunteers from the many law schools continued, offering these students the benefit of real life exposure to legal clients and in return, providing the service with reliable support to our volunteer lawyers at the night service. These opportunities are near impossible to acquire in an educational institution. Many of these volunteers will go on to become legal volunteers bringing a wealth of night service expertise to the role. With the new premises came a need for full time coverage of the front desk at the night service which resulted with further opportunities for earlier year law students to complete a six month placement as administration assistants followed by a move to a paralegal role. These volunteers have been such an important part of the night service team and their continued availability has been highly appreciated. Without their assistance, the night service would be chaotic!

Fitzroy Legal Service's partnership with the Melbourne University Law School has once again provided law students the opportunity to undertake pro bono placements. The students from the Juris Doctor program at the University of Melbourne provide high calibre assistance to our legal team at the Fitzroy Legal Service office and the lawyers at the Neighbourhood Justice Centre. The Summer and Winter internships provide students with the opportunity to spend time with lawyers in the courts, observe client interactions within criminal and family law contexts and assist with the provision of high level legal support. In 2018, a new agreement with La Trobe University will mean further internships will be offered at our service. Full time placements from Leo Cussens' Practical Legal Training programs are an additional boost to the provision of support to the day service legal practice.



Farwell Serge - Adam Willson, Natasha Wolan, Mel Chen, Serge Sztrajt, Tuvan Vuong, Sonia Sawan, Albert Kuan, Tori Diamond, Julie Fletcher, Florence Godfrey and Chloe Jenkins

The Social Action Team, which is a fundamental driver of the Fitzroy Legal Service cause, also delivers opportunities to students and volunteer lawyers to play a part in the preparation of submissions and reports in the all important areas of policy and law reform. These volunteers are highly talented and work tirelessly in assisting with the support needed to be able to bring strategic litigation to trial and to engage community networks for campaigns.

Promotion of the community legal sector by the offering of internships and volunteering opportunities for law students, graduates and lawyers, profoundly assists in the future recruitment of relevantly talented lawyers who have become passionate advocates for our clients.

Our Continuing Professional Development program enlisted the assistance of staff members and volunteers with specific knowledge in particular areas of law directly related to the issues faced by our clients. By attending these presentations, our legal volunteers ensure that they are kept up to date with relevant procedures and legislation necessary to provide clients with accurate advice. Our paralegal volunteers find these sessions particularly useful as a way to acquire knowledge from experienced practitioners and to develop more practical skills. Over the last twelve months, there have been sessions covering the topics of "Difficult" clients, Infringements, Employment Law, Family Law, Family Violence Intervention Orders and Criminal Law.

Two volunteer events were held to celebrate the participation of our many volunteers in the life of Fitzroy Legal Service. The 2016 Volunteer Xmas Party held at the Perseverance in Fitzroy and the mid-year Volunteer Celebration hosted by Clayton Utz were well attended and as always provided an opportunity for volunteers and staff to mingle, network and compare stories. The importance of these cannot be underestimated as the work undertaken can be stressful and time consuming, requiring diligence and dedication.

As Volunteer Coordinator, once again I would personally like to thank all volunteers for the continued outstanding support to the service, whether as part of the day or night service, the various committees, the Board of Management, Social Action Team or by assisting each year with *The Law Handbook* publication and at various public events. We are always aware that volunteering can be challenging and sometimes overwhelming but we could not continue our mission without the volunteer program.

Fitzroy Legal Service is so important to the community - we advocate, educate and communicate and without our volunteers, we would be silent.

# VOLUNTEERS

1 July 2016 – 30 June 2017

*We acknowledge all the individuals below and any others who have contributed to Fitzroy Legal Service in a volunteer capacity.*

Deepanshi Agarwal	Marcus Brash	Daniella Cox	Marianna Estifo	Susan Hamilton-Green
Satu Aho	Sean Bricknell	Sandra Crone	Lucy Evans	Maiken Hansen
Melanie Albarella	Matilda Broe	Eloise Culic	Tim Farhall	Ruth Hansen
Viraaj Akuthota	Sharyn Broomhead	Tessa D'Abbs	Sam Fary	Daniel Harrison
Joel Alexander-Lowther	Carla Bursich	Vu Dang	Jordy Finch	Courtney Hart
Fadak Alfayadh	Ella Burton-Taylor	Patrick Darby	Stephanie Fiteni	Jeremy Haugthy
Edwin Anderson	Corey Byrne	Christian Dargatz	Chris Fitzgerald	Casey Hayes
Lucy Anderson	Samantha Caldane	Kate Davey	Luci Folder	Prue Healy
Paul Arnold	Lachlan Cameron	Henrietta de Crespigny	Ally Forward	Thomas Hedditch
Brigid Arthur	Lilliam Campion	Molly Deighton	Alex Foster	Ruby Heffernan
Jess Bakie	Natasha Cecic	Shannen de la Motte	Felicity Fox	Gabriel Herrok
Tanya Bannister	Skye Chapman	Chris Delaney	Anita Frendo	Julia Heyward
Jarryd Bartle	Yunn Shin Chen	Nelson Deng	Katherine Fretwell	Alex Hodsman
Liz Bartley	Cephas Cheng	Alicia De Pedro	Joseph Friedman	Julia Hodkinson
Sally Bastick	Christopher Chivers	Phoebe Ding	Synnove Frydenlund	Veronica Holt
Katie Bates	Phoebe Chorin	Nichola Donovan	Jeri Fung	Elizabeth Hong
Holly Baxter	Victoria Christie	Liz Dooley	Suzan Gencay	Michael Howard
Hannah Bellamy	Rian Chubb	Claire Dorse	Julia Gibby	Rozeet Hussain
Elly Bierniak	Jonathan Ciullo	Veronika Drago	Paul Glass	Ross Hutchins
Jane Billings	Thibaut Clamart	Chad Drever	Chris Goddard	Will Hutchins
Aswinee Bissoonauth	Jacob Clancy	Sam Drummond	Paul Goddard	Sophie Ismail
Liz Bitar	Justine Clark	Michael Duinstan	Bianca Goring	Kevin Jackman
Georgia Blackie	Miranda Clark	Bridgette Dunn	Simone Grace	Fran Jacka
William Blake	Maddy Close	Hannah Duxbury	Michael Graham	Eden Jardine
Renata Blythe	Alice Coakley	Hannah Duxbury	Bridie Green	Kathleen Jess
Laura Boehm	Courtney Colclough	Raymond Earl	Lucy Green	Barbora Jezek
Paul Boers	Amara Coleman	Hannah Ekers	Suzana Grivicic	Nisha Jholl
Artemis Boyce	Andrew Conley	Amelia Eddy	Tom Gyopar	Alex Ji
Bridie Boyle	Damien Cooling	Nikki Ellis	Lauren Hadolt	Adam Jones
Mark Bradbury	Chantal Coulston	David Elston	Rebecca Halpin	Amelia Jones
		Hannah English		

Georgia Jones	Peter Lynch	Kate Murray	Erwin Reiss	Jaclyn Tang
Stephanie Joosten	Troy Maher	Eleanor Ng	Wendy Ribbands	Karin Temperley
Monique Joyce	Lior Maisner	Alex Nguyen	Jessica Richardson Brown	Maria Tenace
Simone Karmis	Karen Mak	Amy Nolan	Claire Roberts	Ally Theng
Kathie Karapalidis	Daniel Malbasa	Andrew Norris	Alistair Robertson	Talitha Thomas
Chantal Katerelos	Emily Male	Morgan Nyland	Louis Robertson	Laura Thompson
Lydia Keating	Nadege Malcolm	Anjelka Obradovic	Megan Roller	Emily Thornton
Michael Keks	Marcus Mangiafico	Chloe O'Brien	Renata Romeo	Katy Thorpe
Louise Kelly	Jane Marchment	Sarah O'Brien	Fiona Rothville	Nick Tikfessis
Anusha Kenny	Justin Marcus	Joe Ogravic	Samantha Rowe	Amelia Toohey
Sascha Kenny	Joy Marshall	Freddy O'Meara	Sangeeta Royan	Andrew Tran
Joshua Khaw	Emilia Maubach	Emily O'Neill	Lorien Ruane	Stephanie Tzanetis
Georgie Kilbourne	Andrew Maver	Stephanie Opeskin	Lucas Rutten	Giana Urma
Ju Hun Kim	Alex Maxwell	Jessica O'Riley	Anya Saravanan	David Vuong
Michael King	Bruce McBain	Barbara Osafo-Kwaako	Marcello Sardo	Oliver Wahlstrom - Schatt
Sharon Korman	Rebecca McCarthy	Sam O'Sullivan	Sonia Sawant	Hayden Walker
Michael Kovak	Madeleine McGlade	Camilla Ottoway	Andrew Scott	Clementine Ward
Julia Kretzenbacher	Philippa McInerney	Melissa Ozer	Josephine Sergi	Sarah Waring
Sharlene Kurupparachchi	Sean McKeon	Mark Pankiw-Petty	Dan Sheales	Louise Watson
Katia Lallo	Holly McLean	Antoinette Panozza	Mel Sherrin	Erica Weatherlake
Hieu Lam	Rebecca McLoughlin	Natasha Papaelia	Rowan Slattery	Tamsin Webster
Natalie Landberg	Morgan McNally	Samantha Parker	Audette Smith	Madeline White
Fraser Lane	Blair McNamara	Sophie Parsons	Lesley Smith	Pia White
Jon Lasarevic	Erin Meeking	Michael Passaro	Imogen Smith-Waters	Shea Wilding
Paul Latimer	Kyra Megele	Pritashini Paul	William Southey	Virginia Wills
Gabby Lawrence	Kevin Mei	Beatrice Paull	Emma Speilvogel	Matt Wilson
Michelle Lay	Christie Mellifont	Paul Pentony	James Spinks	Gavin Wiltshire
Sophie L'Estrange	Aaron Mentha	Dushan Perrera	Pavel Sraj	Ryan Wong
Bill Leung	Zubin Menon	Victoria Pesnikas	Jessica Stafford	Tysen Woodlock
Andrew Liew	Sarah Mercer	Simon Pickering	Jessica Steele	Brendan Woods
Patrick Liew	Helena Mestrovic	Dylan Rae-White	Adele Stefanidis	Melanie Wyatt
Pei Lim	Stephanie Micallef	Penelope Ralston	Katerina Stevenson	Jenna Yelland
Tasha Lloyd	Gaye Miller	Vidja Rajan	Rowan Story	Natalie Young
James Lomas	Georgie Mitchell	Andrew Rankin	Keren Stuk	Allan Zabrdac
Georgina Long	Carina Moore	Tia Rappell	Andrew Suddick	Marc Zanier
Peter Loukas	Ben Morris	Jasmine Raymond	Fabiola Superina	Julie Zhou
Tom Lyle	Gram Morris	Moira Rayner	Jeremy Tan	Ned Zvekic
Molly Lynch	Helen Mulvaney	Cate Read	Ufuk Taner	
	Julian Murphy			

# PUBLICATIONS

Naomi Saligari, Law Handbook Editor

In November 2016, FLS published the 39th edition of *The Law Handbook*.

*The Law Handbook 2017* (LHB 2017) has been well received, with 71 per cent of hard copies sold, as well as \$5,573 worth of ebooks and PDF chapters. The website also continues to attract significant usage.

Once again the LHB 2017 is highly accessible, being available in a variety of formats: as a hardcopy book, an ebook, as individual PDF chapters, and of course, for free online at [www.lawhandbook.org.au](http://www.lawhandbook.org.au).

To expand the scope of the LHB's content, this year two new chapters were added - Chapter 3.4: Sex work and Chapter 7.7: Trademarks.

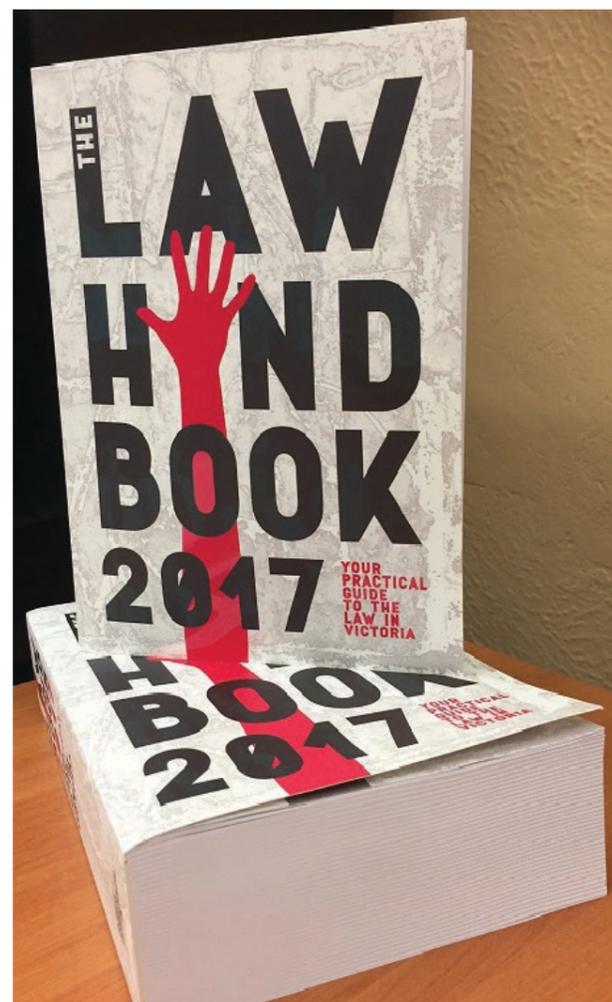
Producing this book every year would not be possible without the generosity and expertise of our contributors. We very much value the outstanding contribution of each and every author. For the LHB 2017, magistrates, commissioners, barristers, media law specialists, law lecturers, and disability and discrimination experts are among the volunteer contributors. Some of these contributors have been writing for the book since the 1980s, while others are new recruits.

FLS continues to pursue and attract high-calibre contributors to write on their area of expertise; notably, for the LHB 2017, the Victorian Ombudsman, Deborah Glass, has authored the Victorian section of Chapter 12.3: Taking a problem to an ombudsman; Magistrate Carolene Gwynn has taken over the bail chapter (3.6); Russell Waters, Partner, Phillips Ormonde Fitzpatrick, co-wrote the new trademarks chapter (7.7); Charlotte Jones, Principal, Mental Health Legal Centre, took on the chapter about mental illness and the law (8.5); Heather Lambrick, Deputy President of VCAT's Civil Division, authored the administrative appeals tribunals section (12.2); and Juanita Pope, Director, Not-for-Profit Law, wrote the chapter about community organisations (6.6).

The peer review process continues to significantly contribute to the quality of the book's content, with respected members of the legal community, such as Magistrate Philip Ginnane, reviewing the sections of the book relevant to their area of legal expertise.

I'd like to thank the freelancers who have dedicated many hours to the LHB 2017: Sandy Cull (cover design), Kerry Cooke (book design and typesetting) and Puddingburn (index and list of cases and legislation).

And thank you to Allens and Lander & Rogers for their continuing assistance with *The Law Handbook*.



2017 LHB arrives



## NEIGHBOURHOOD JUSTICE CENTRE CASE STUDY

FLS assisted a client with a tenancy matter with extremely complicated needs including suffering from an acquired brain injury. FLS was also assisting the client with other legal matters including criminal matters.

For the tenancy matter, FLS engaged with alternative dispute resolution discussions with the landlord. This process assisted parties to identify a significant underlying issue that related to both the tenancy matter and the escalation of criminal matters. The tenancy matter was resolved by parties working together to develop a collaborative plan to address the underlying issue and create a plan for a sustainable tenancy. This plan would also assist the client to be able to pursue therapeutic treatment and address the risk for recidivism in relation to criminal matters.

The landlord's representative told FLS that they understood the client's vulnerability and personal circumstances and "couldn't sleep at night" if they had made an application for the tenant to be evicted rather than pursuing alternative dispute resolution.



## NEIGHBOURHOOD JUSTICE CENTRE - A LETTER OF THANKS

"Thank you for acting for me in court for the matter of an intervention order against my former partner. Your support and assertiveness to adhere to the conditions of the IVO have made me realise that his behaviour is not acceptable and that I do not have to give in to his demands. The conclusion of the matter with an outcome I seek has given me a piece of mind, knowing that I will not again subject to his control and intimidation. And that means a lot to me. Thank you. (all in all, I think you are pretty 'kick ass!')"



## DRUG OUTREACH LAWYER CASE STUDY

Our client had defaulted in her payment plan of a very significant court fine that predated her engagement with the Drug Outreach lawyer. Our client now faced imprisonment due to the default. We investigated the circumstances surrounding when the original order was made four years earlier and discovered that the Magistrate had not considered the special and exceptional circumstances of our client when imposing the fine for infringement matters. Our client had been in a violent relationship, had a serious drug dependency, and suffered from Post Traumatic Stress Disorder. We were able to present detailed evidence of the complex issues surrounding our client at the time and the Court's initial failure to recognise her circumstances. Consequently our client was granted a rehearing. During the rehearing, the court recognised that there were special and exceptional circumstances at the time of the offending, and the infringements were discharged in full. As a result, our client was able to continue to concentrate on her rehabilitation without the burden of an insurmountable debt being owed and the very real prospect of a term of imprisonment.

# FINANCIAL REPORT

## INTRODUCTION

Net assets (excess of assets over liabilities) increased from \$262,264 to \$288,245 as at 30 June 2017.

Service operating result incorporates services funded through the Community Legal Services Program (CLSP). In compliance with Victoria Legal Aid funding guidelines, any surplus is not recognised but carried forward to the following year as unspent grant and available to offset any deficits.

At 30 June 2017 the VLA Allowable Surplus was \$83,353 compared to \$105,417 last year.

Pleasingly the Practice reported a surplus of \$22,425, following a surplus of \$15,508 the previous year.

Publications reported a surplus of \$3,556, compared to a deficit of \$14,078 in the previous year. This can be attributed to increased income from fundraising activities and donations, along with a small reduction in expenditure.

**As in previous years, FLS received various grants, donations and sponsorships that allowed it to undertake services, activities and projects that it could not otherwise have funded. These funds include:**

<b>\$82,808</b>	from the Victorian Government (Department of Health & Human Services) for the Drug Outreach Lawyer program	<b>\$23,618</b>	from the Taxi Services Commission for the Taxi Driver Legal Assistance Program
<b>\$75,000</b>	from Allens for the Trainee Lawyer position	<b>\$16,660</b>	from the City of Yarra for the CALD Family Violence Legal Education project
<b>\$65,711</b>	from the City of Yarra for the Evening Legal Advice Service	<b>\$16,000</b>	from the Bennelong Foundation for the Understanding Family Violence Laws in Victoria: Legal Education and Resources project
<b>\$60,274</b>	from the Victorian Government under the CLC Family Violence Duty Lawyer Fund	<b>\$4,545</b>	from the Australian Government under the Stronger Communities Programme for purchase of computer equipment for staff for the new office premises
<b>\$52,560</b>	from the Neighbourhood Justice Centre for contribution towards FLS service provision	<b>\$3,000</b>	from the Australian Government under the Volunteer Grants program for purchase of computer equipment for the volunteer driven evening legal advice service
<b>\$50,000</b>	from Victorian Government for The Law Handbook Online	<b>\$2,000</b>	from the Victoria Law Foundation for the "Know Your Rights" legal education program in partnership with Yarra Libraries
<b>\$45,198</b>	from the Victorian Government under the CLC Family Violence Fund	<b>\$1,860</b>	from the Victorian Government under the Community Safety Grant for enhanced external lighting at the new office premises

## Directors' meetings

The following table shows the number of Board meetings held during the financial year ended 30 June 2017 and the number attended by each Director (while they were a Director). During the financial year, six (6) board meetings were held.

DIRECTOR	MEETINGS HELD	MEETINGS ATTENDED
<b>Vera Boston</b>	6	6
<b>Joanne Butterworth-Gray</b>	6	5
<b>Christina Carney</b>	2	1
<b>Andrew Conley</b>	6	6
<b>Corinne Grant</b>	3	3
<b>Bruce McBain</b>	6	6
<b>Sandra McKay</b>	6	4
<b>Fiona Rothville</b>	6	4
<b>Ben Walkenhorst</b>	5	5

FITZROY LEGAL SERVICE INC.  
ABN 46 187 177 143

## INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2017

	Note	2017 \$	2016 \$
<b>INCOME</b>			
Government Grant - VLA	9	749,239	702,750
Grants		478,707	435,631
Practice Income		373,244	294,465
Sales		68,108	80,367
Interest Income		10,671	11,036
Membership Income		7,055	5,043
Miscellaneous Income		116,620	98,142
		<u>1,803,644</u>	<u>1,627,434</u>
<b>EXPENDITURE</b>			
Employee benefits expense		1,386,913	1,224,140
Depreciation & Amortisation		19,384	9,424
Rental and premises expense		124,005	105,925
Office administration expenses		214,889	253,702
Publication expenses		32,472	32,813
		<u>1,777,663</u>	<u>1,626,004</u>
Profit (Loss) before income tax		25,981	1,430
Income tax expense	2	-	-
Profit (Loss) after income tax		25,981	1,430
Retained Profits (Losses) at the beginning of the financial year		<u>262,264</u>	<u>260,834</u>
Retained Profits (Losses) at the end of the financial year		<u>288,245</u>	<u>262,264</u>

The accompanying notes form part of these financial statements.

FITZROY LEGAL SERVICE INC.  
ABN 46 187 177 143

ASSETS AND LIABILITIES STATEMENT  
AS AT  
30 JUNE 2017

	Note	2017 \$	2016 \$
<b>CURRENT ASSETS</b>			
Cash and cash equivalents	3	631,387	659,042
Trade and other receivables	4	72,087	52,765
Inventory		3,832	4,473
<b>TOTAL CURRENT ASSETS</b>		<u>707,306</u>	<u>716,280</u>
<b>NON-CURRENT ASSETS</b>			
Security Bond		8,250	-
Property, plant and equipment	5	81,513	11,532
<b>TOTAL NON-CURRENT ASSETS</b>		<u>89,763</u>	<u>11,532</u>
<b>TOTAL ASSETS</b>		<u>797,069</u>	<u>727,812</u>
<b>CURRENT LIABILITIES</b>			
Trade and other payables	6	133,791	103,365
Amounts received in advance	7	153,457	198,001
Provisions	8	119,331	82,102
<b>TOTAL CURRENT LIABILITIES</b>		<u>406,579</u>	<u>383,468</u>
<b>NON-CURRENT LIABILITIES</b>			
Provisions	8	102,245	82,080
<b>TOTAL LIABILITIES</b>		<u>508,824</u>	<u>465,548</u>
<b>NET ASSETS</b>		<u>288,245</u>	<u>262,264</u>
<b>MEMBERS' FUNDS</b>			
Retained Profits		288,245	262,264
<b>TOTAL MEMBERS' FUNDS</b>		<u>288,245</u>	<u>262,264</u>

The accompanying notes form part of these financial statements.

FITZROY LEGAL SERVICE INC.  
ABN 46 187 177 143

STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED  
30 JUNE 2017

	Note	2017 \$	2016 \$
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>			
Receipts from Government grants		749,239	702,750
Receipts from customers		477,955	445,916
Other Receipts		542,949	495,692
Payments to suppliers and employees		(1,710,854)	(1,578,202)
Interest received		10,671	11,036
Net Cash provided by operating activities	10	<u>69,960</u>	<u>77,192</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>			
Payments for purchase of property and equipment		(97,615)	1,975
Net Cash provided by (used in) investing activities		<u>(97,615)</u>	<u>1,975</u>
Net increase (decrease) in cash held		(27,655)	79,167
Cash at the beginning of the year		659,042	579,875
Cash at the end of the year		<u>631,387</u>	<u>659,042</u>

The accompanying notes form part of these financial statements.

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2017

**Note 1: Statement of Significant Accounting Policies**

This financial report is special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Reform Act 2012 (Vic). The Board has determined that the association is not a reporting entity.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where specifically stated, current valuation of non-current assets.

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

**a. 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 with original maturities of three months or less.

**b. Income Tax**

The Association is an Income Tax Exempt Charity in terms of Subdivision 50-5 of the Income Tax Assessment Act 1997.

**c. Property, Plant and Equipment**

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

The depreciable amount of all property, plant and equipment 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.

**d. Employee Entitlements**

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

The Association is bound by the Multipurpose Business Agreement, whereby employees' prior service in other CLCs is recognised for purposes of determining accrual of long service leave entitlement.

Accordingly where the employee is known to have served in other CLCs for 5 years or more, provision for long service leave is accrued from the commencement of their employment with the Association. Provision previously recognised for employees who subsequently leave the Association is not reversed at that time because the Association will be required to contribute the accrued entitlement to the then current employer provided they remain eligible for prior service recognition. Where the Association becomes aware that the ex-employee is no longer entitled to prior service recognition the provision is reversed.

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2017

**Note 1: Statement of Significant Accounting Policies (cont.)**

**e Inventories**

Inventories consist of publications and are measured at the lower cost and net realisable value. Costs are assigned on a specific identification basis and include direct costs and appropriate overheads, if any.

**f Provisions**

Provisions are recognised when the Association 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 the end of the reporting period.

**g Impairment of Assets**

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is an 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 amount. Any excess of the asset's carrying value over its recoverable amount is recognised in the income and expenditure statement.

**h Revenue**

Grants are recognised on an accrual basis. Any grants received and provided for special purposes are recognised to the extent funds are expended on projects. Grants received for future financial periods are treated as grants in advance under current liabilities to the extent of the unspent grant where there is an obligation to repay the unexpended portion of the grant.

Revenue from membership fees and donations are recognised upon receipt.

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

Interest revenue is recognised on an accrual basis taking into account the interest rates applicable to the financial assets.

All revenue is stated net of the amount of goods and services tax (GST).

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2017

**Note 1: Statement of Significant Accounting Policies (cont.)**

**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 Australian Taxation Office (ATO). Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the assets and liabilities statement.

**j Economic Dependence**

The entity is dependent on Commonwealth and State Government funding for a significant portion of its revenue used to operate its business. At the date of this report the Board has no reason to believe that funding will not continue.

**Note 2: Income Tax Expense**

The Association is an Income Tax Exempt Charity in terms of Subdivision 50-5 of the Income Tax Assessment Act 1997.

**Note 3: Cash and cash equivalents**

	2017 \$	2016 \$
Cash and cheques on hand	16,850	18,498
Cash at Bank	114,653	111,328
Term Deposit	499,884	529,216
	<u>631,387</u>	<u>659,042</u>

**Note 4: Trade and other receivables**

Accounts receivable	74,887	55,565
Provision for doubtful debts	(3,000)	(3,000)
Prepayments	200	200
Other Receivable	-	-
	<u>72,087</u>	<u>52,765</u>

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2017

	2017 \$	2016 \$
<b>Note 5: Property, plant and equipment</b>		
Office Furniture & Equipment - Original Cost	140,429	87,888
Less accumulated depreciation	<u>(58,916)</u>	<u>(76,356)</u>
	<u>81,513</u>	<u>11,532</u>
<b>Note 6: Trade and other payables</b>		
<b>Current</b>		
Trade Creditors and accruals	78,439	43,134
Provision for audit fees	3,500	3,500
PAYG and BAS amount Payable	<u>51,852</u>	<u>56,731</u>
	<u>133,791</u>	<u>103,365</u>
<b>Note 7: Amounts received in advance</b>		
VLA Surplus *	68,662	105,417
Unexpended project funds	<u>84,795</u>	<u>92,584</u>
	<u>153,457</u>	<u>198,001</u>

\* SACS ERO extra for future years, which was received in 2012/13, 2013/14, 2014/15 & 2015/16

**Note 8: Provisions**

<b>Current</b>		
Employee Entitlements	<u>119,331</u>	<u>82,102</u>
<b>Non-Current</b>		
Employee Entitlements	<u>102,245</u>	<u>82,080</u>

**Note 9: Income Government Grant - VLA**

Government Grant - VLA Commonwealth	231,652	210,052
Government Grant - VLA State	480,832	513,810
Government Grant Brought Forward - VLA	<u>36,755</u>	<u>(21,112)</u>
	<u>749,239</u>	<u>702,750</u>

NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED  
30 JUNE 2017

	2017	2016
	\$	\$
<b>Note 10: Reconciliation of Cash Flow from Operations with Profit from Ordinary Activities after Income Tax</b>		
Profit after income tax	25,981	1,430
Cash flows excluded from operating profit attributable to operating activities		
Non-cash flows in profit		
- Depreciation	19,384	9,424
Changes in assets and liabilities;		
- (Increase)/decrease in trade and other debtors	(19,322)	31,004
- (Increase)/decrease in inventory	641	(731)
- Increase/(decrease) in trade and other payables	30,426	(51,866)
- Increase/(decrease) in amounts received in advance	(44,544)	78,772
- Increase/(decrease) in provisions	57,394	9,159
Net cash provided by Operating Activities	<u>69,960</u>	<u>77,192</u>

**Note 11: Going Concern**

The members of the Board believe that the application of the going concern basis of accounting is appropriate due to the expected positive cash flows of the association and through the on going support of all funding bodies.

	2017	2016
	\$	\$
<b>Note 12: Operating Lease Commitments</b>		
Operating leases contracted for but not recognised in the financial statements		
Payable - minimum lease payments:		
- no later than 12 months	90,000	-
- between 12 months and five years	15,000	-
- greater than five years	-	-
	<u>105,000</u>	<u>-</u>

The Association has a lease for its office at Level 4 of the Fitzroy Town Hall which expires on 31 August 2018

STATEMENT BY MEMBERS OF THE BOARD  
FOR THE YEAR ENDED  
30 JUNE 2017

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

In the opinion of the board the financial report as set out on pages 29 to 36:

1. Presents a true and fair view of the financial position of Fitzroy Legal Service Inc. as at 30 June 2017 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that the Fitzroy Legal Service Inc. will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Board and is signed for and on behalf of the Board by:

  
BRUCE LINDSAY MCBAIN  
Chair of the Board

Dated:   
CLAUDIA FATONE  
Secretary

Dated: 26 OCTOBER 2017

## AUDITOR INDEPENDENCE DECLARATION TO THE DIRECTORS OF FITZROY LEGAL SERVICE INC.

As lead auditor of Fitzroy Legal Service Inc. for the year ended 30 June 2017, I declare that, to the best of my knowledge and belief, there have been:

- a) No contraventions of the auditor independence requirements of the Australian Charities and Not-for-profits Commission Act 2012 in relation to the audit; and
- b) No contraventions of any applicable code of professional conduct in relation to the audit.



Stephen Kirtley  
Director

Dated this 26th day of October, 2017

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

## INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF FITZROY LEGAL SERVICE INC.

### Opinion

We have audited the financial report of Fitzroy Legal Service Inc. (the association), which comprises the statement of financial position as at 30 June 2017, and the statement of comprehensive income, statement of changes in equity and cash flow statement for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the declaration by those charged with governance giving a true and fair view of the financial position and performance of the association.

In our opinion, the accompanying financial report presents fairly, in all material respects, the financial position of the association as at 30 June 2017 and its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the requirements of the *Australian Charities and Not-for-profits Commission Act 2012 (ACNC Act)*.

### Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other responsibilities in accordance with the Code.

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

### Other Information

Those charged with governance are responsible for the other information. The other information comprises the information included in the association's annual report for the year ended 30 June 2017, but does not include the financial report and our auditor's report thereon.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

### Responsibilities of Management and Those Charged with Governance for the Financial Report

Management is responsible for the preparation of the financial report in accordance with the ACNC Act 2012, and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, management is responsible for assessing the association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the association's financial reporting process.

## Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

A further description of our responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. This description forms part of our auditor's report.



Stephen Kirtley  
Director

Dated this 26th day of October, 2017

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

## Fitzroy Legal Service (Non-Reporting) Inc. ABN: 46 187 177 143 Reg no. A0002808B Detailed Income Statement for the Year Ended 30 June 2017

	Service \$	Practice \$	Publications \$	Projects \$	2017 Total \$	2016 \$
<b>Income</b>						
Miscellaneous grants	52,560	-	50,000	376,147	478,707	435,631
Practice income	-	373,244	-	-	373,244	294,465
Sales FLS Law Handbook current edition	-	-	58,478	-	58,478	68,347
Sales FLS publication including previous LHB editions	-	-	8,160	-	8,160	8,660
Sales other publications	-	-	1,470	-	1,470	3,360
Postage recovered	-	-	4,809	-	4,809	5,627
Australian government grant - VLA	231,652	-	-	-	231,652	210,052
State government grant - VLA	480,832	-	-	-	480,832	513,810
Advanced Grant carried forward - VLA	36,755	-	-	-	36,755	(21,112)
Bank interest received	5,908	-	4,763	-	10,671	11,036
Membership	-	7,055	-	-	7,055	5,043
Donations, Copyrights	-	32,951	31,291	-	64,242	60,061
Other income	47,069	500	-	-	47,569	32,454
<b>Total income</b>	<b>854,776</b>	<b>413,750</b>	<b>158,971</b>	<b>376,147</b>	<b>1,803,644</b>	<b>1,627,434</b>
<b>less publications cost of sales</b>						
Production costs	-	-	31,401	-	31,401	30,374
Purchase of other publications	-	-	1,071	-	1,071	2,439
<b>Total publications cost of sales</b>	<b>-</b>	<b>-</b>	<b>32,472</b>	<b>-</b>	<b>32,472</b>	<b>32,813</b>
<b>Gross surplus (after cost of sales)</b>	<b>854,776</b>	<b>413,750</b>	<b>126,499</b>	<b>376,147</b>	<b>1,771,172</b>	<b>1,594,621</b>
<b>Expenses</b>						
Salaries	594,740	277,627	76,252	297,924	1,246,543	1,104,109
Superannuation	52,594	25,890	6,939	25,500	110,923	101,075
Other employment oncosts	13,719	13,912	1,038	778	29,447	18,956
Staff training/Conference	11,507	4,430	81	14,522	30,540	19,587
Staff recruitment	100	-	-	200	300	1,112
Rent	56,304	23,934	9,206	2,610	92,054	67,268
Other premises costs	6,651	2,994	2,174	5,558	17,377	19,961
Repairs and maintenance	9,084	3,298	-	2,192	14,574	18,696
Insurance	987	401	154	-	1,542	1,908
Communications	15,000	5,287	1,045	4,239	25,571	20,009
Library resources and subscriptions	13,888	3,207	-	2,062	19,157	19,778
Office overheads	15,753	4,835	4,775	2,455	27,818	15,897
Depreciation	11,343	4,891	1,635.00	1,515	19,384	9,424
Minor equipment purchases	0	495	-	-	495	1,512
Finance, audit and accounting fees	4,252	2,487	630	-	7,369	5,500
Travel	633	1,090	-	1,027	2,750	2,809
Programming and planning	13,120	2,302	501	12,568	28,491	11,850
Marketing expenses	-	-	1,330	-	1,330	3,232
Consortium/Consultant fee	21,055	-	-	-	21,055	43,929
Distribution expenses - postage and couriers	-	-	4,429	-	4,429	5,031
NDIS / LHB Website development & hosting	-	-	10,267	-	10,267	15,707
Other expenses	12,796	5,198	1,999	4,029	24,022	17,136
Client disbursements/Contractors	1,250	4,107	-	8,190	13,547	7,780
Provision for Doubtful Debt	-	-	-	-	-	2,000
Bad Debt written off	-	3,508	-	-	3,508	1,244
Stock loss/obsolete	-	-	488	-	488	21
Contribution to Projects	-	1,432	-	(1,432)	-	0
<b>Total expenses</b>	<b>854,776</b>	<b>391,325</b>	<b>122,943</b>	<b>383,937</b>	<b>1,752,981</b>	<b>1,535,531</b>
<b>Net surplus /(deficit)</b>	<b>0</b>	<b>22,425</b>	<b>3,556</b>	<b>(7,790)</b>	<b>18,191</b>	<b>59,090</b>
Transfer to projects	-	-	-	7,790	7,790	(57,660)
<b>Total changes in equity</b>	<b>0</b>	<b>22,425</b>	<b>3,556</b>	<b>-</b>	<b>25,981</b>	<b>1,430</b>
<b>Balance of equity at beginning of year</b>	<b>34,770</b>	<b>(10,867)</b>	<b>238,361</b>	<b>-</b>	<b>262,264</b>	<b>260,834</b>
<b>Balance of equity at end of year</b>	<b>34,770</b>	<b>11,558</b>	<b>241,917</b>	<b>-</b>	<b>288,245</b>	<b>262,264</b>

**Fitzroy Legal Service (Non-Reporting) Inc.**  
**ABN: 46 187 177 143 Reg no. A0002808B**  
**Detailed Statement of Assets and Liabilities as at 30 June 2017**

	Service & Practice	Publications	2017 Total	2016
<b>Current assets</b>				
Cash/Cheques on hand	16,810	40	16,850	18,498
Operating Bank Accounts	107,273	7,380	114,653	111,328
Investment accounts	257,403	242,481	499,884	529,216
Debtors	74,105	782	74,887	55,565
Provision for doubtful debts	(2,500)	(500)	(3,000)	(3,000)
Prepayments	200	-	200	200
Inventories	-	3,832	3,832	4,473
<b>Total current assets</b>	<b>453,291</b>	<b>254,015</b>	<b>707,306</b>	<b>716,280</b>
<b>Non-current assets</b>				
Security Bond	8,250	-	8,250	-
Office furniture and equipment	135,309	5,120	140,429	87,888
Less : accumulated depreciation	(53,796)	(5,120)	(58,916)	(76,356)
<b>Total non-current assets</b>	<b>89,763</b>	<b>0</b>	<b>89,763</b>	<b>11,532</b>
<b>Less current liabilities</b>				
Trade creditors and accruals	48,197	95	48,292	43,134
Goods Facility Loan	30,147	-	30,147	-
Provision for annual leave	111,058	8,273	119,331	82,102
Provision for long service leave	98,515	3,730	102,245	82,080
Provision for audit fees	3,500	-	3,500	3,500
Taxes payable	51,852	-	51,852	56,731
VLA Allowable Surplus	68,662	-	68,662	105,417
Unexpended project funds	84,795	-	84,795	92,584
<b>Total current liabilities</b>	<b>496,726</b>	<b>12,098</b>	<b>508,824</b>	<b>465,548</b>
<b>Net assets</b>	<b>46,328</b>	<b>241,917</b>	<b>288,245</b>	<b>262,264</b>
<b>Members' Fund</b>				
Accumulated funds prior year	23,903	238,361	262,264	260,834
Legal service	-	-	-	-
Practice	22,425	-	22,425	15,508
Publications	-	3,556	3,556	(14,078)
<b>Total Members' Fund</b>	<b>46,328</b>	<b>241,917</b>	<b>288,245</b>	<b>262,264</b>

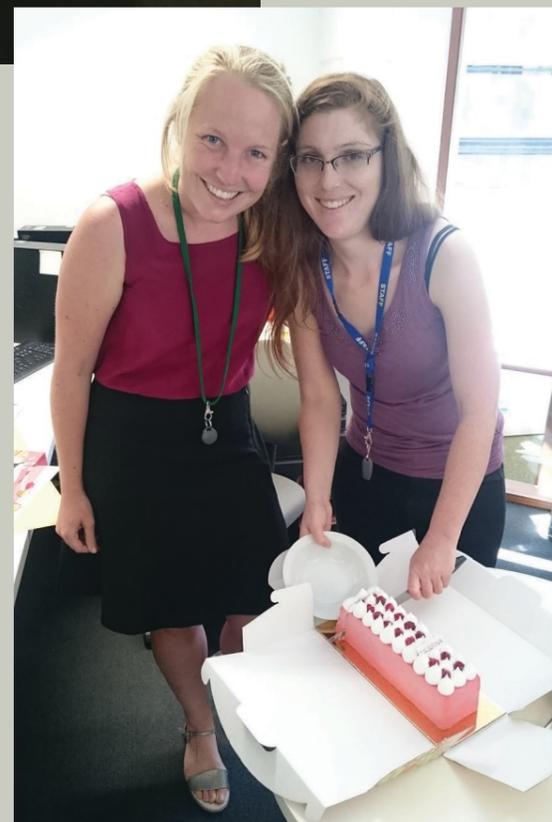
**Fitzroy Legal Service Inc.**  
**ABN: 46 187 177 143 Reg no. A0002808B**  
**Project Funds Summary for the Year Ended 30 June 2017**

Project name	Balance at 30 June 2016 \$	Income \$	Expenditure \$	Balance at 30 June 2017 \$
Doctors for Refugees	-	19,091	8,838	10,253
Computers for New Office	-	4,545	1,515	3,030
VLF - Know Your Rights	-	2,000	2,000	-
DSS - Volunteer Grant	-	3,000	-	3,000
Drug Outreach solicitor	-	82,808	82,808	-
City of Yarra - Night Service	-	65,711	65,711	-
DOJ - Family Violence Lawyer	38,348	60,274	84,953	13,669
CLC -Family Violence Lawyer	-	45,198	18,375	26,823
Trainee Lawyer	15,573	75,000	62,553	28,020
DHS - Positive Space	2,273	-	2,273	-
DHS - Skill Development	2,273	-	2,273	-
Yarra CALD - Family Violence	10,499	16,660	27,159	-
Community Safety Grant	-	1,860	1,860	-
Taxi Drivers Clinic	23,618	-	23,618	-
<b>Total</b>	<b>92,584</b>	<b>376,147</b>	<b>383,936</b>	<b>84,795</b>

# OUR PEOPLE IN ACTION



Acting Senior Community Lawyer Galit Aflalo  
in Law Week Mock Trial Event



Jess Porter, Senior Community Lawyer NJC and Galit Aflalo,  
Community Lawyer NJC



Jen Ward (Community Development Officer) - Bridges to  
Harmony Festival



Natasha Wolan, Solicitor Advocate



Meghan Fitzgerald (Social Action, Policy & Law Reform Manager) fronting media  
in Doctors for Refugees litigation

