

**Fitzroy
Legal
Service**

**Community
driven justice.**

Annual Report
2020 – 2021

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Left: Newly inducted life member Bruce MacBain with CEO Claudia Fatone at the Life Member event held in April 2021

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About Fitzroy Legal Service

The Fitzroy Legal Service is an amalgamation of the Darebin Community Legal Centre and Fitzroy Legal Service, which took effect on 1 February 2019. The amalgamated entity draws on the significant histories and legal assistance services provided by the Darebin Community Legal Centre (established in 1988) and the Fitzroy Legal Service (established in 1972).

We work towards a fairer and more just Victorian community, one in which the legal and broader social system supports equality and justice.

Our Values

Integrity

**Courage
& Passion**

**Empowerment
& Advocacy**

**Connected to
Community**

The logo for Fitzroy Legal Service, featuring the text "Fitzroy Legal Service" in white, bold, sans-serif font, set against a black, irregularly shaped background that resembles a stylized document or a piece of paper.

Fitzroy Legal Service Inc. is a merger of Darebin Community Legal Centre and Fitzroy Legal Service.

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ABN 13 421 440 211

Our Offices

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Neighbourhood Justice Centre

241 Wellington Street, Collingwood 3046
PO Box 1142, Collingwood 3066
DX no. 211512
Ph: (03) 9948 8698

Fitzroy Legal Service acknowledges that our work takes place on the land of the Kulin Nations. We pay our respects to the Traditional Custodians of the Land, and Elders past, present and emerging.

Chair & CEO Report

2020-21 has continued to challenge us and the communities we serve. It has been a year of extremes – highs and lows, opening and closing, moments of hope and long periods of uncertainty. But in the face of national and global disruption, our local mission has remained constant. Delivering community driven justice – with and for those who need it most, in Yarra, Darebin and surrounds.

This year as well as delivering our core programs and services, we worked to develop a theory of change and an outcomes measurement framework for FLS. We also continued our focus on quality through the implementation of the Actionstep database for our night legal service – which enabled FLS staff to move away from paper-based files and to capture more robust data on the impact of our services. We also worked to refine our funding strategy and prepare to celebrate our 50th year. A huge thanks to the hard work of staff, and the volunteers and Board committees that supported work on each of these projects.

This year we also had a significant changing of the guard. In May we farewelled Claudia Fatone after eight years leading FLS, including through the important time of amalgamation with the Darebin Community Legal Centre.

"It has been an incredible privilege to be part of the FLS team and work with such talented staff, volunteers, Board and committee members. The cities of Darebin, Yarra and the inner north of Melbourne are diverse communities who deserve the very best of legal assistance services. I have every confidence that FLS will continue to go from strength to strength in achieving our vision of a fairer and more just Victorian community, one in which the legal and broader social system supports equality and justice" – Claudia Fatone

Thanks to Claudia's values-driven and engaged leadership over many years, we were in a strong position as we started the search for a new CEO. On behalf of the Board, I would like to especially thank and recognise Jennifer Black who so capably stepped into the Acting CEO role and led FLS through this important transition. I would also like to thank the Selection Committee and the Board for their highly engaged and thoughtful approach to the CEO search and for giving this important decision so much time and attention – as was deserved.

As we look to the year ahead, the focus is on reconnecting - with each other, our community and volunteers, plans to celebrate our 50th anniversary and welcoming our new CEO Kristine Olaris. With Kristine comes great energy, a commitment to social justice and a deep affinity with Yarra and Darebin built over decades living and working in these communities. With a background in women's and health organisations, Kristine also brings new connections and insights, and we look forward to broadening our partnerships under Kristine's leadership.

On behalf of the Board my sincere and deepest thanks to the FLS Staff, community and supporters for another great year in the face of many challenges, and we look forward to connecting in the year ahead.

Claire Febey

Board Chair



Branding & Digital Development Project

With funding provided by the Department of Justice and Community Safety and in partnership with Portable we worked to create a new brand for Fitzroy Legal Service and a single unified web presence to support us in making community driven justice more attainable and accessible.

Portable been working in the justice sector to build and design better systems that improve the way people access and experience justice since 2012, and they seemed a logical choice to assist us with this project.

We also collaborated with VALID, an organisation that has been at the forefront of advocating for people living with a disability in Victoria for over 30 years. We shared our website designs with their team at various stages of the project to make sure that we were all working towards an inclusive approach. This included in-person testing sessions with people living with a disability, which helped inform our design decisions.

We also ensured that we had input and feedback from key stakeholders such as staff, volunteers, partners, website users and contributors to the Law Handbook for this project. We engaged with these groups throughout each stage of this project, to gather their thoughts, test our ideas and iterate on the best solution with them.

The key deliverables for the project were:

- A unified brand strategy for Fitzroy Legal Service, including collateral design and development; and
- A unified digital presence with the redevelopment of the FLS and Law Handbook sites into one unified website.

Everything we do at Fitzroy Legal Service is underpinned by a sense of community, and our new strategic direction around elevating the role of community voice. This allowed us to create a unique brand value proposition to incorporate into the visual direction:

Community driven justice.

Inspired by activism, our new logo represents the organisation's bold and unique role as a leading community voice. The off-centred placard shape is active, but remains symmetrical to the space around it, alluding to the notion of balance – a key theme in representing justice.

The text inside takes inspiration from the original window lettering, preserving the long history of Fitzroy Legal Service within the logo itself.



Community driven justice.

Brand personality

- Has a strong identity, is recognisable and consistent.
- Gives a sense of trust and confidence that is expected from a community legal service.
- Has a clear and simple message and feels intentional.
- Able to communicate the human and personal nature of 'giving advice'.
- Feels aligned with Fitzroy Legal Service's values (integrity, courage, passion, empowerment, advocacy, community).
- Is not too clinical and feels separated from traditional 'government' organisations.

The end result of this project was a user-friendly and considered website that supported our goal of making community driven justice more accessible and attainable to those who need it.

We would like to thank the Department of Justice and Community Safety for their generous assistance with this project, along with Portable and VALID.



Funding & Support

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

We would also like to thank the following organisations and individuals for their contributions:

- **Allens** for pro bono support, secretarial assistance and funding the Trainee Lawyer;
- **City of Darebin** for funding support for the East Preston and Northland Youth Outreaches;
- **City of Yarra** for funding for the Fitzroy evening legal advice service and the "Addressing Family Violence COVID-19 Quick Response outreach";
- **Federation of Community Legal Centres (Vic)** for funding support via the Integrated Services Fund 2018-2019 for the Darebin Drug Outreach Lawyer Program;
- **Neighbourhood Justice Centre** for their contribution towards funding FLS services delivered at the NJC, provision of meeting facilities and support on a range of programs;
- The Drug Outreach Lawyer Program, Family Law and Family Violence Health Justice Partnerships, Employment Law Clinic, and services in response to COVID-19 are supported by the **Victorian Government**;
- **Ramsay Foundation** for funding the Lawyers Empowering People project;
- **RE Ross Trust** for their contribution towards funding IT upgrades;
- **Inner North Community Foundation** for supporting an upgrade of the Activist Rights website;
- **Victorian Legal Services Board Grant Program** for funding the "Women Transforming Justice" Project;
- **Victoria Law Foundation** for funding the "Gendered Injustice" Project;
- Our auspice of Voices for Change is funded by the **Commonwealth Government**;
- **Lord Mayor's Charitable Foundation** and **Collier Charitable Fund** for funding the FLS Leadership Development Program;
- Dr Bree Carlton;
- Dr Emma Russell;
- Dr Danielle Tyson;
- Dr Jennifer Balint, University of Melbourne;
- Dr Nesum McMillan, University of Melbourne;
- Anglicare Victoria;
- Better Place Australia;
- City of Yarra – We Stand Together Project Group;
- Centre for Health, Law Society – La Trobe University;
- CoHealth;
- Council to Homeless Persons;
- Disability Justice Australia;
- Drummond Street Services;
- Fitzroy Learning Network;
- Flat Out;
- Harm Reduction Australia;
- Harm Reduction Victoria;
- Heidelberg Magistrates Court;
- Health Justice Australia;
- Human Rights Law Centre;

- International Commission for Jurists, Victoria;
- JobWatch;
- Justice Connect – Not for Profit Law;
- Justice Connect – Homeless Law;
- Justice Connect – Senior’s Law;
- Kookaburra Club;
- Law & Advocacy Centre for Women;
- Lawyers for Animals;
- Launch Housing;
- Liberty Victoria;
- Living Room;
- Mercy Hospital for Women;
- Melbourne Activist Legal Support;
- NEMA Orange Door;
- North Richmond Community Health;
- Northcote High School;
- Northland Youth Hub;
- Odyssey House;
- The Pavilion School;
- Philanthropy Australia;
- Preston Reservoir Adult Community Education;
- RMIT Centre for Innovative Justice;
- Self Advocacy Resource Unit (SARU);
- SLF Lawyers;
- Springvale Monash Legal Service;
- St Mary’s House of Welcome;
- St Kilda Legal Service;
- St Vincent’s Hospital Melbourne;
- Tenants Victoria;
- Tamar Hopkins, lawyer and PhD candidate UNSW;
- University of Melbourne;
- University of Melbourne, Street Law Clinic;
- VALID;
- Victorian Aboriginal Legal Service;
- Voices for Change;
- Uniting Care ReGen;
- VAADA;
- WIRE;
- Woor Dungin;
- Yarra Drug and Health Forum;
- Your Community Health;
- Youth Projects;
- YSAS;

For substantial pro bono support:

- Alistair Pound, Victorian Bar;
- Anjali Griffiths, Victorian Bar;
- Chris Horan QC, Victorian Bar;
- Conrad Banasik, Victorian Bar;
- Duncan Chisholm, Victorian Bar;
- Edwina Smith, Victorian Bar;
- Emma Harold, Victorian Bar;
- Emrys Nekvapil, Victorian Bar;
- Felicity Gerry QC, Victorian Bar;
- Fiona Batten, Victorian Bar;
- Fiona Cameron, Victorian Bar;
- Gordon Chisholm, Victorian Bar;
- Julia Kretzenbacher, Victorian Bar;
- Julian McMahon AC SC, Victorian Bar;
- Julian Murphy, Victorian Bar;
- Martin Radzaj, Victorian Bar;
- Mark Irving QC, Victorian Bar;
- Megan Fitzgerald, Victorian Bar;
- Mitchell Coidan, Victorian Bar;
- Simon Moglia, Victorian Bar;
- Simon Thomas, Victorian Bar;
- Ron Merkel QC, Victorian Bar;
- Tom Wood, Victorian Bar;
- Clayton Utz;
- DLA Piper;
- Dentons;
- Forte Family Lawyers;
- Gagens;
- Hall & Willcox;
- Herbert Smith Freehills;
- Kenna Teasdale;
- King & Wood Mallesons;
- K&L Gates;
- Maddocks;
- Maurice Blackburn;
- Minter Ellison;
- Phi Finney McDonald;
- Robinson Gill Lawyers;
- Slater & Gordon.

Our Services

This year, as the pandemic hit, we had to quickly pivot from providing face-to-face services to remote services. We have continued to provide most of our services, listed below, in modified and or online / remote ways. This has relied on our excellent relationships with ongoing service agency partners to enable us to continue to maintain contact with and receive referrals for their clients.

We have relied on our dedicated volunteers and pro-bono partners to help us with successfully implement some of these changes, including Dentons, DLA Piper and Lawyers for Animals who have provided staff and support for our night service telephone advice, Allens who have provided excellent research assistance, and Gadens who helped us staff our Prison Phone Advice Line.

Evening Legal Advice Services

We offer free evening legal advice services from our premises at the Fitzroy Town Hall and Reservoir.

The free evening legal advice service is conducted year-round with 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.

Fitzroy Town Hall

This service is open Monday to Friday evenings. It is a drop-in, generalist legal advice service that assists clients with a range of matters. This generalist service is supplemented by three specialist clinics:

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

Reservoir

This service is open every Tuesday evening and fortnightly on Wednesday evenings. Tuesday evenings are a drop-in service with appointments taken for Wednesday evenings.

Legal Advice and Representation

Criminal and Family Law practice (Fitzroy Town Hall office)

The practice specialises in criminal law, intervention order, 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.

Generalist Services (Reservoir office)

We provide assistance to individuals living, working or studying in the City of Darebin on a range of legal matters including criminal, tenancy, Victims of Crime, fines and infringements, family law and family violence intervention orders.

Outreach Services

We have partnerships with other community organisations to provide legal advice, information and representation services across the cities of Yarra and Darebin. During 2020-2021, we moved to a remote model of outreach, receiving referrals for clients from service agencies. We have been effective in continuing to provide legal services to clients who have been further marginalised by the effects of the pandemic. During small windows of opportunity where restrictions eased, we actively re-established a physical presence at outreach posts with success.

Drug Outreach Lawyer Program

The Drug Outreach Lawyer program provides legal services to vulnerable drug users, assisting with the rehabilitation process and harm minimization 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.

Outreach partners in the City of Yarra include YSAS (Youth Support and Advocacy Services), Living Room (Youth Projects), Inner Space (Co-Health), North Richmond Community Health Centre and Odyssey House. Outreach partners in the City of Darebin include Uniting Care ReGen and YSAS (Youth Support and Advocacy Services).

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

- Self Advocacy Resource Unit (SARU)
- The NEMA Orange Door

Darebin Outreach

We provide assistance to individuals living, working or studying in the City of Darebin through a partnership with Darebin Council which incorporates outreach services to the East Preston Community Centre and the Northland Youth Hub.

St Vincent's Hospital Health Justice Partnership

A new pilot partnership with St Vincent's ALERT team, providing a holistic service model of legal services to people who experience homelessness and other systemic disadvantage and require intensive allied health support.

Women's Integrated Legal Outreach (WILO)

A new pilot program to provide holistic legal services to criminalised women, drawing on our understanding of the common drivers of women's criminalisation, and the co-occurring legal and social needs that women face that either lead to or are a result of their criminalisation. This program provides outreach to agencies who work with criminalised women, including Flat Out.

Court Services

This year, most of our duty lawyer services were conducted remotely. Our court-based duty lawyers have worked closely with the courts to navigate the most effective ways to continue to provide accessible and high quality legal services to our clients.

Heidelberg Magistrates Court

We operate the Darebin Intervention Order Service (DIOS), as part of the Specialist Family Violence Court at Heidelberg Magistrates' Court. We provide a duty lawyer service, inclusive of providing legal advice and representation, to individuals with Family Violence Intervention Order matters listed at this Court. Our service primarily assists Affected Family Members who are victim survivors of family violence, however in matters of where there is a conflict with the Respondent legal services, we assist Respondents. This duty lawyer service is supplemented with assistance to Affected Family Members through a legal outreach at the NEMA Orange Door.

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. We provide a range of services including:

- legal advice and representation in the following jurisdictions: 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;
- 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.

Employment Law Clinic

The Employment Law Clinic is open to individuals from overseas who have been underpaid or exploited in employment including:

- International students (500 visas)

- People on working holidays (417 and 462 'backpacker' visas)
- Workers invited to Australia through the Temporary Skills Shortage program (TSS visas)
- Refugee and humanitarian visa-holders.

We assist with issues such as recovery of unpaid wages and entitlements; advice about correct rates of pay; unpaid training; unauthorised deductions from pay; unfair dismissals and breach of general protections laws; sham contracting; and workplace bullying, injuries and discrimination.

We do not advise on immigration law.

COVID Clinic

The COVID Clinic offers casework support with employment disputes, tenancy and debt for people who have been affected by the COVID pandemic.

The Clinic's work includes assistance with stand-downs and unfair dismissals, negotiating workplace disputes related to the public health directives, evictions and rent arrears, debts resulting from job loss and reduction in income and COVID-related administrative disputes such as hotel quarantine debts and applications for international travel on compassionate grounds.

The Clinic is funded to operate until March 2021.

Prisoner Advocacy Service

We provide a much-needed service to imprisoned people across the state. Advocating for imprisoned people to have better access to health, information, property rights and generally better conditions continues to form the bulk of the service's work. We also collaborate with other community legal centres and community-based groups who work with imprisoned people to share knowledge and work towards having greater collective impact for our clients.

Public Interest Work

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;
- 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.

Publications and online resources

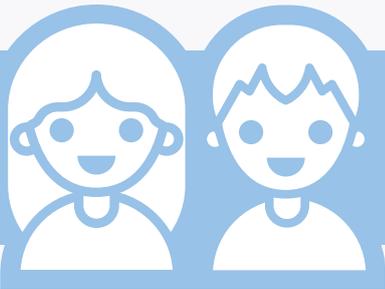
We publish and distribute a range of hardcopy and online material including:

- **The Law Handbook (LHB)** – available for sale in hard copy, ebook and individual PDF chapters and free online at <https://fls.org.au/law-handbook/>;
- **Activists Rights** – <https://fls.org.au/activist-rights/>;

Financial Counselling

In partnership with Better Place Australia, financial counselling services are provided via the co-location of a financial counsellor at our Fitzroy Town Hall premises.

Our Impact



4,421
clients assisted

230,452 users accessed the Law Handbook Online version



\$150,000 recovered for Employment Law clinic clients

170 volunteers contributed their time and expertise



31 Community Legal Education & Community Development activities

Our People

- **Franky Bain**
Managing Lawyer, Crime Outreach & Generalist Services
- **Olivia Ball**
DOL Program Officer
(until March 2021)
- **Jennifer Black**
Principal Lawyer Legal Practice
(until May 2021)
— Acting Chief Executive Officer
(from May 2021)
- **Eli Bicknell**
Project Officer (from February 2021)
- **Laura Button**
Women's Leadership Program
Coordinator
- **Deb Brown**
Front Office Support
Reservoir
- **Anna Caleo**
Volunteer Program Coordinator
- **Em Collard**
Night Service Administration Officer
(from February 2021)
- **Marcus Crossley**
Client Services & Administration
Officer (until February 2021)
- **Ella Crotty**
Managing Lawyer, Family Law and
Family Violence
- **Helen Davidson**
Senior Lawyer, Family Law and
Family Violence (until June 2021)
- **Chris Davies**
Lawyer Prison Advocacy Program
(until October 2020)
- **Tori Diamond**
Legal Practice Manager
- **Claudia Fatone**
Chief Executive Officer
(until May 2021)
- **Jill Faulkner**
Women Transforming Justice
Project Manager (until October 2020)
- **Meghan Fitzgerald**
Special Counsel
- **Karen Fletcher**
Senior Lawyer, Prison Advocacy

Below: Tuvan Vuong, Claudia Fatone, Rosie Heselev, Yasmin Geneva, Anna Caleo, Brendan Kelly and Tori Diamond enjoying themselves at the Life Member event



- **Erin Fradd**
Community Lawyer, Family Law and Family Violence (until July 2020)
- **Eleanore Fritze**
Project Officer (until June 2021)
- **Alessandra Galletti**
Client Services & Administration Officer (until February 2021)
- **Laura Gartland**
Client Services & Administration Officer (from March 2021)
- **Yasmin Geneva**
Senior Criminal Lawyer
- **Thea Gibson**
Drug Outreach Lawyer
- **Lauren Gordon**
Senior Community Lawyer
- **Rosie Heselev**
Trainee Lawyer (until January 2021)
— Community Lawyer NJC (from January 2021).
- **Miranda Hornung**
DOL Program Advocacy Officer (from June 2021)
- **Brendan Kelly**
Finance & Operations Manager
- **Paul Kidd**
Community Lawyer NJC (until January 2021)
— Senior Community Lawyer, NJC (from January 2021)
- **Beth King**
Senior Community Lawyer, NJC (until January 2021)
- **Amy Kirwan**
Project Officer (from April 2021)
- **Sally Krutsch**
Community Lawyer, Family Law/ Family Violence (from June 2021)
- **Sophie L'Estrange**
Community Education & Projects Officer
- **Raf Lawrie**
SFVC Administration Officer (from November 2021)
- **Shamila Liyanage**
Community Lawyer, Family Law/Family Violence
- **Rebecca Leighton**
Family Law Paralegal
- **Alison Leonidis**
Finance Officer (until April 2021)
- **Amre Levy**
Family Lawyer
- **Catherine Lau**
Night Service Administration Officer (until February 2021)
- **Glen Ludbrook**
Night Service Coordinator (Reservoir)
- **Madeleine Lynch**
Community Lawyer, Family Law and Family Violence

- **Elouise Madden**
Client Services & Administration Officer (until March 2021)
- **Emily Male**
Client Services & Administration Officer (until December 2020)
- **Adrienne Monger**
Client Services & Administration Officer (until August 2020)
- **Morgan Nyland**
Senior Lawyer, Employment Law Clinic
- **Megan Pearce**
Managing Lawyer Social Action & Public Interest Law
- **Grace Pittar**
Paralegal – Employment Law (from September 2020)
- **Mark Rawlings**
Night Service Coordinator (Fitzroy)
- **Sahema Saberi**
Trainee Lawyer (from February 2021)
- **Naomi Saligari**
Law Handbook Editor
- **Odette Shenfield**
Outreach Lawyer
- **Bess Smallwood**
Community Outreach Lawyer (from June 2021)
- **Adrian Snodgrass**
Principal Lawyer Night Service
- **Matilda Taggart**
SFVC Administration Officer (from June 2021)
- **Annaleise Vulin**
Family Law Paralegal (until October 2020)
- **Tuvan Vuong**
Finance Assistant
- **Linda Waters**
Family Violence Lawyer
- **Adam Willson**
Senior Drug Outreach Lawyer
- **Madeline White**
Community Lawyer, Civil Law (from December 2020)
- **Hui Zhou**
Principal Lawyer, Legal Practice
- **Women's Leadership Group**
Dara, Jacqui Bampton, Sara Stilianos, Nina Storey.

Board & Committees

- **Claire Febey**
(Chair)
- **Vera Boston**
(Deputy Chair)
- **Tiernan Christensen**
(resigned December 2020)
- **Fiona Delahunt**
- **Jeremy Levine**
- **Bonnie Renou**

(resigned November 2020)

- **Mick Sheehy**
- **Jennifer Tucker**
- **Karri Walker**
- **Chanphyna Bou**
(elected November 2020)
- **Tony Macvean**
(appointed April 2021)

Committees

Finance and Audit Committee

- **Vera Boston**
Chair (until April 2021)
- **Tony Macvean**
Chair (from April 2021)
- **Roslyn Aikman**
- **Peter Loukas**
- **Rebecca Middleton**
- **Naomi Munga**
- **Gerry Schembri**
- **Andrew Webster**

People Committee

- **Fiona Delahunt**
Chair
- **Chanphyna Bou**
- **Glenn Caterer**
- **Tim Goodier**
- **Bonnie Renou**
(until January 2021)

Programs and Services Committee

- **Jeremy Levine**
Chair
- **Mick Sheehy**
- **Monique MacRitchie**
- **Rohan Thwaites**
- **Zeah Behrend**

Life Members

- **Sue Bothmann**
- **Brian Collingburn**
- **John Finlayson**
- **Julian Gardner**
- **Tessa Hay**
- **Robin Inglis**
- **Michael Kingston**
- **Henrik Lassen**
- **Trevor Williamson**
- **Brian Wright**
- **Vu Dang**
- **Bruce McBain**

On 20 April 2021 we honoured the extraordinary contributions of two FLS volunteers Bruce McBain and Vu Dang who were inducted as FLS life members. We also acknowledged the contribution of two retiring board members Bonnie Renou and Tim Christiansen and thanked them for their hard work in setting the strategic direction of FLS during a period of tremendous change and growth.



Vu Dang

Vu began volunteering at the night clinic well over 10 years ago and he has become, over that time, one of our most reliable and committed volunteer lawyers. He is diligent and independent. His ability to work closely with Vietnamese clients and overcoming language barriers have been very helpful to the night service here at FLS.

Vu's contribution to the night service is unwavering and he consistently volunteers twice a week with the general Clinic and the Family Law Clinic, while also working full time and then making a long commute home to the outer western suburbs.

During the COVID lockdowns Vu went above and beyond in spending many hours each week to call clients with legal advice from his home.

While we have many volunteers who have made the commitment to FLS for a number of years, Vu's self-reliance and commitment make him a stand-out volunteer. To have been keeping this standard of service up for well over 10 years is commendable and worthy of recognition.



Bruce McBain

Bruce has been a member and a volunteer at Fitzroy Legal Service for thirteen years. In addition to regularly volunteering help our night service clients Bruce was a member of the FLS finance and risk committees from 2009 to 2017 and the Chair of the FLS Board from 2014 to 2019. During five years that he served on the FLS Board since we started keeping records Bruce missed only one board meeting of the 42 that were held.

As Chair Bruce was known for his dedication and leadership, including shepherding Fitzroy Legal Service through its merger with the Darebin Community Legal Centre and putting in hundreds of volunteer hours.

During the COVID pandemic Bruce continued to donate his time and legal expertise to call FLS clients from his home and provide advice on civil law, tenancy and family violence.

He has been quoted as saying *'No longer do FLS staff wear battle fatigues and smoke pot but they still behave like hippies and continue the vital role of providing access to justice.'*

Legal Practice Report

With the continuation of the pandemic, rolling lockdowns and largely remote legal service delivery 2020/2021 has proved a challenging year for the legal assistance sector. Despite this, Fitzroy Legal Service has continued to deliver high quality advice, casework and representation with resilience and commitment to our community.

Frontline health partner agencies such as Community Health Services, the Medically Supervised Injecting Room, Drug and Alcohol Services, hospitals and homeless services have continued to make trusted warm referrals to our lawyers. Our lawyers have responded with expertise, compassion and diligence, adapting to remote court hearings, working hard to ensure the technology gap for our client is traversed and going the extra mile to avoid a warrant being issued or applying for an urgent intervention order.

Some changes and achievements during this period include:

- Continuing to run duty lawyer services remotely at Heidelberg Magistrates' Court and Neighbourhood Justice Centre
- Continuing to provide services remotely to vulnerable clients, including those serviced by our outreach partners, including through our Drug Outreach Lawyer programs, our Darebin youth legal outreach, family violence and family law outreaches to Queerspace, the NEMA Orange Door and North Richmond Community Health Centre
- To better service people particularly disadvantaged by the pandemic, we created a new partnership with St Vincent's Hospital, and also increased our capacity to assist criminalised women with a range of criminal and civil legal matters
- Playing a leading role in coordinating getting information to people in prison about Emergency Management Days (EMDs) in the context of COVID-19 quarantine in custody through direct client contact and distributing resources to lawyers who work with incarcerated people. This has resulted in thousands of days of EMDs being granted and really positive feedback from our colleagues in the broader legal services sector.
- Alongside La Trobe University's Centre for Health, Law and Society, we published and launched Constellations of Circumstances: The Drivers of Women's Increasing Rates of Remand in Victoria
- We continued to walk alongside, engage with and be led by our communities, through our Auspice of Voices for Change and our Lawyers Empowering People Project
- Our Women's Leadership Group continue to inform and impact systemic change through advocacy and presentations at events and conferences

- The FLS submission to the Parliamentary Inquiry into Cannabis quoted significantly, with particular focus on our submissions around decriminalisation and stigma.
- FLS is played a leading role in bail law reform, closely collaborating with sector partners to highlight the disproportionate impact of the laws on Aboriginal people and women, and calling for urgent reform
- FLS has finalised an operational policy about providing legal support to progressive activist groups or protesters. This work builds on our support to protesters on Invasion Day 2021. Part of this policy involves coordinating a network of lawyers willing to assist protesters during and after protest events. The next steps involve drafting some terms of reference and holding an information session with lawyers interested in being part of this network.
- FLS took a significant role in the COVID fines working group, which has been lobbying the Attorney General and the Chief Health Officer to improve the process for reviewing COVID fines that were unfairly issued

The continued impact of the pandemic on our community will be felt for some time even after we emerge from lockdown and return to face to face service delivery. We thank our incredible team of lawyers, paralegals, admin colleagues and volunteers for their sustained commitment our clients and community during this challenging year and beyond.

Jen Black & Hui Zhou

Principal Lawyers, Legal Practice



Night Service

The COVID-19 lockdowns presented significant challenges to the night service, which has always been heavily reliant on face-to-face client contact and the support of our volunteer lawyers and paralegals. In response to these challenges, we have established new systems and partnerships that have enabled us to provide assistance within the constraints of the COVID-19 lockdowns. Since March 2020, the service has been phone-based, with intermittent periods where we have been able to see clients in person. Despite the restrictions, the night service assisted 1024 clients in the 2020–2021 financial year.

Night service clients seek help with complex processes at significant times in their lives (family breakdown, eviction, job loss, criminal charges) and the impact of getting the correct advice at the right time can be profound.

We are grateful to our dedicated volunteer lawyers who continue to give up their time to assist clients by providing advice about civil, criminal and family law. The night service team now has two staff lawyers and 34 volunteers who are rostered to answer client enquiries according to their area of professional specialisation.

Particular law firms – Dentons, DLA Piper and Lawyers for Animals – supported the night service throughout the COVID-19 lockdowns, particularly during the initial period when the service was being re-formed. The administrative team of Laura Gartland, Em Collard and Anna Calleo has shown incredible patience and dexterity in setting up entire new systems for rostering and client intake, and in fielding enquiries from clients and volunteers.

COVID-19 Clinic

The COVID-19 Debt, Employment and Tenancy Clinic was established in 2020 in response to the growing need for legal assistance as a result of the COVID-19 pandemic. The clinic provides representation and advice to clients who have issues such as unfair dismissal, stand downs, eviction, end of tenancy disputes, debts, and other civil legal issues.

When the clinic commenced in December 2020, we assisted workers with disputes related to the JobKeeper Payment, unpaid wages, redundancies, and unfair dismissals. We represented a number of workers in unfair dismissal claims through the Fair Work Commission and related underpayment claims. We also assisted workers who had been stood down as a result of the pandemic.

The end of the temporary eviction moratorium in March 2021 saw increased demand for assistance with tenancy matters. We assisted clients to respond to notices to vacate, and represented clients in VCAT to prevent evictions that would have resulted in homelessness. A number of clients also presented with significant rental debts and were being pursued by landlords, in circumstances where the clients had tried but failed to negotiate a fair rental reduction during 2020. We also helped clients to obtain orders for their landlord to carry out repairs to ensure that homes were habitable throughout the long periods of lockdown.

The clinic also assisted disadvantaged clients interacting with various aspects of the government response to the pandemic, such as travel exemptions, hotel quarantine debts, and public health order fines. We also provided advice and casework to clients of the day service, where clients had civil legal issues in addition to their other legal matters.

Migrant Employment Law Clinic

The Migrant Employment Law Clinic (MELC) was established in 2017. The MELC assists vulnerable migrant workers in claims regarding unpaid wages, workplace discrimination and harassment, and unfair and unlawful dismissal.

This year, the MELC represented clients who brought claims for sexual discrimination and harassment, obtained court orders for the recovery of wages, settled multiple underpayment claims, and initiated several ongoing claims in the Federal Circuit Court in respect of larger underpayment claims seeking penalties against the employer.

The MELC received client referrals from JobWatch, the Fair Work Ombudsman, Anti-Slavery Australia, and the Migrant Workers' Centre, as well as the Fitzroy Legal Service night service. This year, we set up a new partnership with Hall & Willcox lawyers, who have assisted us with drafting and preparing claims. In the course of the year, the clinic has recovered more than \$150,000 in unpaid wages and entitlements.

Adrian Snodgrass

Principal Lawyer, Night Service

Client feedback we've received:

"Great service and excellent advice can't fault the quality service."

"Great to have this service available. Lawyer we spoke to seemed very capable and gave us good advice."

"Madeline White is my guardian angel."

"I would highly recommend everyone to Fitzroy Legal Service. They are very professional and helpful. They gave me free legal advice. Thank you so much Bridie Murphy and Anthony. Thank you everyone in this community. If you need free legal service please come here they are very welcome. And they will find the best solution for you."

"I appreciate the patience and courtesy of the staff as they assist so many people who are facing difficult situations in their lives. Also the practitioners who generously make their services available to us. I find it sad that the demand for their services is so excessive."

"It's the best place to visit if you are in a civil court matter they provide best advice of every situation no matter what the situation is they will definitely help you to solve."

"I just wanted to let you know that I received a payment yesterday, again and again, a million thanks for your help and your support during the whole time that you've been next to me."

Case Studies

Holistic service provision across the legal practice, and in collaboration with partners

Stephanie* was offered a duty lawyer service from one of FLS' family violence duty lawyers on a Magistrates' Court Family Violence listing day. After consulting with her, the duty lawyer quickly identified that though Stephanie was listed as a Respondent in an Intervention Order matter, she was actually the victim survivor of longstanding and serious family violence, which had oftentimes occurred in the presence of two young children of the relationship. Stephanie had been charged with a number of criminal offences along with having an Intervention Order application against her. To add to this, their two young children (both under 4 years of age) who had never spent a day without her, were handed to the other party upon police attendance at the incident subject of the proceedings, and Child Protection had become heavily involved with the family. Stephanie went from being the primary carer of the children, to being unable to see them at all. The duty lawyer referred Stephanie for urgent casework assistance to the Family Law and Family Violence Team, who also made a referral to one of our criminal lawyers for support with the charges.

The Family Law and Family Violence Team assisted Stephanie with a cross application for a Family Violence Intervention for her own protection, and that of the children, and represented her at in the Intervention Order proceedings on an ongoing basis, until a resolution was reached. At the same time the team liaised closely with Child Protection as to the pathway for Stephanie to gradually spend supervised, and eventually unsupervised time, with the children, in order to retain their attachment with her as their primary carer. The team linked Stephanie in with a clinical psychologist and various family violence and parenting supports through partnering support services to ensure she had wrap around support through a very difficult and isolating time. The team represented her at a Family Dispute Resolution Service mediation, and after much negotiation over a period of months, were able to finalise a parenting plan with the other party, and the children were returned to live with her. The criminal lawyer assisted Stephanie to negotiate with prosecutors to have most all charges except the most minor charge being withdrawn. Stephanie's was ultimately granted a Diversion.

Through working collaboratively across the legal service to holistically address Stephanie's legal matters, and working closely with a number of stakeholders, we were able to achieve this outcome for Stephanie.

Effective criminal law advocacy

Kaye* approached our office with a number of charges relating to theft of a motor vehicle. At the time of the alleged offences, Kaye had just been discharged from spending time in hospital, and was being picked and driven home up by a family member. The police detected the vehicle as stolen, intercepted the vehicle and charged Kaye and his family member with theft of a motor vehicle. Though a passenger in the vehicle, Kaye had no knowledge that the vehicle was stolen. After case conferencing the matter, prosecution agreed to withdraw the substantive charge, but wanted to persist with an additional charge of breaching bail, relating to an alleged breach of curfew. After further case conferencing, police ultimately withdrew all charges against Kaye.

COVID-19 Clinic

Employment

During the pandemic, Mary's* employment at a small business was terminated. We represented Mary in an application for remedy for unfair dismissal through the Fair Work Commission. In the course of our work with Mary, we identified a number of underpayments and successfully negotiated with the employer to settle all of Mary's claims. With the assistance of the clinic, Mary was able to quickly achieve compensation and focus on securing new employment.

Tenancy

Eliza*, Linh* & Rachel* fell behind on their rent. Rather than staying in their current home and falling further into debt, they made plans to move out into a cheaper rental. When those plans fell through, our clients' landlord started VCAT proceedings to evict them straight away, accusing them of being squatters. We helped Eliza, Linh & Rachel to negotiate with their landlord to stay in the property a little longer while they made arrangements to move and helped the tenants to resolve other outstanding disputes over the property.

Migrant Employment Clinic (MELC)

The Clinic has issued a claim on behalf of a migrant worker who was forced to work 18-hour shifts in a bakery owned by a prominent member of the Iranian community in Melbourne. Our client was given opium and stimulants to keep him working. The employer is facing criminal charges and the MELC has filed in the Federal Circuit Court seeking recovery of more than \$300,000 in unpaid wages. While the claim is brought under the Fair Work Act we have invoked the right to freedom from forced labour under the Victorian Charter of Human Rights and believe this is the first time this right has been asserted in litigation. The case has been deferred until the criminal matter is determined.

In the case of *Fitzsimmons v Hetzi Hetzi Pty Ltd* we made submissions in the Federal Circuit Court arguing that case law prohibiting civil penalty orders in the small claims division is misconceived. The case proceeded on a different basis but the submissions have been adopted by Jobwatch and other community legal centres as part of a campaign to change the court's practice in relation to small claims applications.

Responding to urgent applications and getting best-interests outcomes for children

Fitzroy Legal Service recently assisted Jordan* in a Recovery Order Application in the Federal Circuit and Family Court of Australia.

Following Interim Parenting Orders being ordered for their child named Charlie*, to spend equal time between his parents, Charlie's Mother Annie*, removed him from the State of Victoria to interstate, and refused to return and comply with the Parenting Orders. At the time all States in Australia were subject of strict border restrictions arising from the enduring COVID-19 pandemic, and many had closed their doors to Victoria to the high COVID-19 case numbers we were faced with.

When negotiations for Charlie to be returned to Melbourne failed, we assisted Jordan in applying and appearing before the Court in a Recovery Order Application.

Further Orders were made for Charlie to be returned to Melbourne to continue to spend meaningful time with Jordan. Despite the Recovery Order being made, Annie still refused to return Charlie in contrary to her indications to the Court that she and Charlie would return. We assisted Jordan to have the Recovery Order enforced through engagement and advocacy with the Australian Federal Police, Airport Police, and interstate Police to coordinate the location and recovery of Charlie.

During this time however, Melbourne was subject to a hard lockdown, and Jordan was repeatedly refused an exemption to enter the interstate jurisdiction to collect Charlie. Fitzroy Legal Service continued to have ongoing and urgent negotiations with both the Australian Federal Police and Interstate Police to enable Jordan to collect Charlie. Jordan was later issued with a day pass, to enter the interstate Airport only, collect Charlie and return on the next available flight back to Melbourne.

Charlie is now in Victoria and has now been joined by Annie. Jordan and Charlie are now able spend regular time together.

Advocating for people to receive bail

Jason* was remanded when he was stopped by police for riding his pushbike without a helmet. Upon doing a search the police found that he had some outstanding charges, and also found him to be in possession of cannabis. Jason has a history of minor offences, a drug dependence and a number of disabilities, including psychosocial and cognitive disability. In five months, Jason was stopped and searched and arrested six times with various drug possession offences and committing indictable offences while on bail.

Through linking Jason in to supports in the community, we were able to help Jason get and maintain his bail.

Advocacy on breach of COVID-19 stay at home orders

Jack* was given a COVID-19 infringement of \$1,650 for disobeying the direction to stay at home during lockdown. The infringement might have been avoided, but he was unable to explain his reasons for being outside to the police officer, likely as a result of Jack's mental health issues. He elected to fight the charge in court and it was causing significant stress as he was now facing a criminal record if found guilty. Jack's AOD worker recommended he have a chat with the DOL, who negotiated with police on his behalf and succeeded in getting the charge withdrawn without any need to attend court.

The value of strong partnerships

Sue* was initially referred to a Fitzroy Legal Service lawyer from one of our health justice partners for assistance for family violence charges that she said she did not commit. It became clear to the lawyer after listening to Sue and looking at the police evidence that she was the victim in the situation and not the perpetrator. The matter was delayed by almost a year because of COVID-19. When the matter was back in court after a long delay, after further advocacy to withdraw the charges, the prosecution finally agreed it was not appropriate to prosecute Sue for these charges and so they were dropped. Sue was able to maintain her clean record.

Sue sent the following email:



Thank you so much... I just can't thank you enough really!! Its over! I'm so just really lucky I got such a great lawyer! You were there for me all the way. Making me feel a bit teary again. In a good way this time! You made me feel heard and validated... I would've fought it all the way! Thank god no need to. I just wanted Justice and that's what I got! (your words and I love them). Many thanks and I'm just so very grateful.



Just to let you all know that I really appreciate all the help you give us inmates in prison... and a big thank you for the Law Handbook.



Projects

Auspice Partnership with Voices for Change

We have partnered with Voices for Change to help them to develop and strengthen their organisation and to more effectively grow their membership and reach.

Who are Voices for Change?

Voices for Change (VfC) is an independent self-advocacy and peer support group for people with acquired brain injury (ABI) and experience of the criminal justice system.

We work together to give people with ABI and justice system experience the confidence, skills, support and resources they need to speak up and have their voices heard.

We also speak to government and community groups to help:

- Address the discrimination and poor treatment that people with ABI experience in the justice system; and
- Educate the community about ABI and experiences in the justice system

What have we been working on?

In 2021, our members have:

- Run weekly peer support and decision-making meetings
- Spoken to government about ABI and the justice system
- Made a submission to the Disability Royal Commission
- Spoken at a seminar on solitary confinement
- Consulted on some research projects to improve the justice and legal systems
- Spoken at the Australian Progress Fellowship about inclusion and self-advocacy
- Met with Youth Justice to talk about our work
- Started to reach out to new members to bring more people into the group

(Copied from Voices for Change's website: www.voices-for-change.org)

Lawyers Empowering People

Inspired by the Convention of the Rights of Persons with Disabilities and principles of universal design, Lawyers Empowering People seeks to co-design and trial new ways of doing legal services to help people feel safe and empowered in the legal process, to ensure that people can participate more and make their own decisions about their legal cases.

We are working with co-designers with lived experience of cognitive disability and the justice system to co-design new ways of providing legal services. Through a series of co-design workshops we are learning about barriers, concerns and misunderstandings, and developing new ways of communicating and new ways of working. We will then test these designs with a group of 'prototype lawyers'. We expect that this new way of working will help make our services more accessible and the legal process more empowering for all people, and lead to better justice outcomes.

Women's Leadership Group

Since 2018, Fitzroy Legal Service has coordinated the Women's Leadership Group – a group of women with expert experience of incarceration and criminalisation who are employed at Fitzroy Legal Service to inform and drive the organisation's work improving laws and systems that affect criminalised women.

The Women's Leadership Group undertakes systemic advocacy to challenge the ways in which the criminal legal system and connected social support sectors harm incarcerated and criminalised women. The work of the Women's Leadership Group has consistently been at the cutting edge of advocacy and service-system design in a public policy environment that increasingly and appropriately aims to centre lived experience as part of ensuring publicly funded responses to criminalisation and incarceration work.



A Constellation of Circumstances

Alongside Latrobe University's Centre for Health, Law and Society, we published and launched the *A Constellation of Circumstances: The Drivers of Women's Increasing Rates of Remand in Victoria*.

The research sought to pinpoint the legal, social and systemic factors driving the alarming increase in the rate of women being remanded in custody. Researchers observed 100 hours of cases heard in the Bail and Remand Court, interviewed lawyers who worked with criminalised women who were on remand, and analysed publicly available data. The research found that women were often remanded for low-level offences and that there are a 'constellation of circumstances' that contribute to their criminalisation and incarceration, including homelessness, poverty, family violence, untreated health problems and drug dependence. The research also found that the 2018 reforms to the *Bail Act 1977* (Vic) have impacted on the remand rates, policing has become 'tougher' under the new bail regime, and high bail thresholds can create pressure for women to plead guilty to finalise matters so they can be released.

An emergent theme of the research is the nexus between women's criminalisation and experiences of family violence and homelessness. As a follow-up to this research we have again partnered with Latrobe University and Dr Emma Russell to deliver the Gendered Injustice project. This further research will examine the nexus between systemic disadvantage, and to understand the gendered nature of civil and social issues and how they escalate and compound the pathways to women being criminalised.

Bail law reform

Demanding urgent reform of the *Bail Act 1977* remains a priority for Fitzroy Legal Service. In 2018, Victoria's bail laws became the strictest in Australia, after the Victorian Government introduced a suite of bail reforms in response to the Bourke Street tragedy. There is widespread evidence that Aboriginal and Torres Strait Islander people and women are being disproportionately impacted, and are being incarcerated under the bail laws in unprecedented numbers. The bail laws have also led to a trend in carceral churn, of people serving short periods of time on remand and being released unsentenced, and often for offences that do not ultimately result in a term of imprisonment. There is significant evidence that even short periods of time in custody can be incredibly disruptive and destabilising, and causes disconnection to family and community supports, employment, and medical and therapeutic care.

Fitzroy Legal Service has been at the forefront of calling for reforms to the bail system, working collaboratively with sector partners, including Victorian Aboriginal Legal Service, Human Rights Law Centre, International Commission for Jurists Victoria and RMIT Centre for Innovative Justice to coordinate a campaign to demand reform and will continue to highlight the impact these laws have had on our clients and our communities at large.

A Spent Convictions Scheme for Victoria

After a law reform campaign of approximately 20 years, FLS was thrilled to witness in 2021 passage of new laws governing access, expungement, and individual protections for people impacted by historical criminal records. FLS has worked in a variety of partnerships over the course of those years to push for three primary reforms to be included in any legislative scheme impacting Victorians:

- Protection against discrimination that is based on an irrelevant criminal record
- Non-disclosure of 'no conviction' sentences
- Access to expungement for serious offenders when a long period of time has lapsed since offending

FLS has been privileged to work closely with scores of community members impacted by criminal record discrimination, institutional allies, and pro bono partners over the years of doing this work. It is important to acknowledge support and partnerships with the Reichstein Foundation, the Law Institute of Victoria, Corrs Chambers Westgarth, Allens, JobWatch, Human Rights Law Centre, Monash University, Melbourne University, RMIT, Michael Kingston, the Hon Justice Mark Moschinsky, Uncle Jack Charles, Uncle Larry Walsh. We are profoundly grateful to the community who trusted us with their extremely personal stories, and allowed us to develop a deep understanding of the traumatic legacy of historic criminal records. Thank you. We are so very pleased that reforms have been passed that can support hundreds of thousands of Victorians to move on and have a fair go.

Volunteer Program

Despite the constant interruptions the pandemic and Melbourne's lockdowns have caused the FLS Volunteer and Internship Programs, our volunteer cohort continue to be crucial in delivering our services across the board - from the Night Service Clinics, to admin and research assistance for the Day Practice.

Achievements

Our biggest achievement over the 2020-2021 period was following through with our new volunteer software, Better Impact. Over the period, 240 volunteers were accepted into the program – 139 of which were previous volunteers. A combination of encouraging our current volunteers to sign up and onboarding new volunteers has freshened our base and has been a much-needed update on the old database. The software is a portal that volunteers and admin can both log into to update volunteer details, documents and access their schedules and assignments. It logs hours that volunteers contribute, giving us information on what services require the most volunteer participation and assistance, as well as great data for the volunteer to use in counting their contribution. Over this last year 1,597 volunteer and intern hours have assisted the FLS Day Service, and 4,357 volunteer hours have assisted the Night Service and its various clinics. Over time the Better Impact software will allow us to generate specific reports on volunteer contribution.

During Semester 1, 2021 FLS supported four university interns. They were selected from over 50 applicants and were assigned to the Neighbourhood Justice Centre, Social Action & Public Interest Team, Family Law & Family Violence Team and Crime, Outreach & Generalist Services. It was extremely lucky that this semester fell between Melbourne lockdowns and the internships went ahead in their usual capacity. The PLT Placement scheduled in June also narrowly avoided the lockdown restrictions.

Throughout Melbourne Lockdown #2 (9 July – 27 Oct), pro bono firms Dentons Australia, DLA Piper and Hall & Wilcox assisted Night Service supervisors in delivering free legal advice to the community via telephone. This assistance was invaluable during this period, as we were not able to engage our volunteers, save for a select few helping remotely. After this lockdown, the Night Service Administration Team embraced the Restricted Night Service Plan from March 2020, and we continued this service throughout the year – stop-starting along with the lockdowns.

This service cut our volunteers onsite on any given night from 15-20 to 8-10 so as we could adhere to social distancing requirements. Our volunteers were incredible during this time, being responsive to the changes we were required to make to ensure the safety of our clients, volunteers and staff alike.

Through this lockdown period, we began producing a monthly Volunteer Newsletter which kept everyone up to date, as well as continually encouraging them to sign up to the new portal. A legal volunteer also assisted with this in collating a listing of online webinars, training and events that might be of interest to our volunteer base.

Lockdown #2 was also a time to concentrate on programming Better Impact and creating the user interface that collects all the information we require from our volunteers. Much programming went into creating the activities – which are the positions within FLS that volunteers sign or are assigned to.

In March and April 2021 we had a major drive for day service volunteers. All teams put in requests for committed ongoing paralegals, and we had over 60 applications for 14 or so positions. The standard of the applications was excellent, some coming from new applicants and some from our current cohort of volunteers. Volunteer inductions were carried out via Zoom which proved to be very convenient for people to attend. Once this process was completed, and we had schedules and profiles to update in Better Impact – Melbourne's Lockdown #4 (28 May – 10 June) commenced, which halted all onsite working and volunteering. Some of those successful applicants never got to start in their day service programs and projects, and continue to wait to commence.

Category	Activity	Hours	Volunteers
CRIME, OUTREACH & GENERALIST SERVICES	NJC Paralegal Support Officer	198.73	4
	Paralegal Assistance to Women's Crim & Out-reach Lawyer	8.00	1
	Paralegal Assistant to COGS	90.00	1
	Paralegal to Drug Outreach Lawyer	263.00	3
	Paralegal to Outreach Lawyer/s	151.69	4
	Category Total Hours	711.42	
DAY SERVICE – GENERAL	Admin Support: Fitzroy Town Hall	55.95	5
	Category Total Hours	55.95	
DAY SERVICE – REMOTE ASSISTANCE	Project Support Officer (AELS)	43.00	2
	Remote Assistance to Vol Coordinator	28.00	1
	Research Assistant	200.08	3
	Category Total Hours	271.08	
FAMILY LAW & FAMILY VIOLENCE SERVICES – DAY SERVICE	Paralegal Assistant, FLV Team	132.00	2
	Category Total Hours	132.00	
INTERNSHIPS & PLACEMENTS	Crime, Outreach, Generalist Services	62.00	1
	Family Law & Family Violence Team	90.00	1
	Leo Cussen PLT Placement	56.00	1
	Neighbourhood Justice Centre	112.50	1
	Social Action & Public Interest Team	106.51	1
	Category Total Hours	427.01	
NIGHT SERVICE – FITZROY	Assistant to the Night Service Admin Officer	60.00	3
	Dentons Pro Bono Assistance	150.00	6
	DLA Piper Pro Bono Assistance	154.00	9
	Law Clinic - Additional Lawyer	18.00	3
	Law Clinic - Administration Assistant	543.25	18
	Law Clinic - Lawyer (PC)	853.00	43
	Law Clinic - Paralegal	918.56	48
	Law Clinic - Shadow Shift	69.00	16
	Migrant Employment Law Clinic	370.50	3
	Night Service Intake Officer	952.93	27
	Paralegal, COVID Tenancy, Debt & Employment Clinic	253.00	4
	Phone Appointments during Lockdown (unscheduled)	15.00	3
	Category Total Hours	4357.24	
	Total Hours	5954.70	214

Recognition And Events

On 20 April 2021 we honoured the extraordinary contribution of two FLS volunteers Bruce McBain and Vu Dang who were inducted as FLS life members, and we were able to hold an event in the Reading Room at the Fitzroy Town Hall to commemorate this.

We were also lucky enough to be able to hold an event for National Volunteer Week on the 20th May 2021. It was a very successful event which tied in with the launch of the new FLS logo and website. We were addressed by the FLS Board Chair, Claire Febey who provided insights into how volunteering can lead to employment for Sophie L'Estrange, as well as a special guest presenter Julian McMahon AC SC – who addressed the volunteers about the need and importance of volunteering and pro bono work within the legal sphere. Georga Wootten, a long term volunteer lawyer was awarded Special Volunteer Recognition from FLS – a well-deserved award which was endorsed by the Office of Ged Kearney.

Looking Forward To 2021-2022

Of course, the pandemic – the restrictions it places on social connection as well as organisational connection – will continue to have a massive impact on the manner in which our incredible volunteer base is engaged with the service FLS is renowned for offering. We are already implementing ways in which the "drop in clinic" can be facilitated online and via telephone, and we are growing the volunteer cohort that can help with this. What we know is that our volunteer base is as eager as ever, and with their support and their contribution we will continue to seek and implement ways in which volunteers, interns and pro bono firms continue to assist FLS to provide services to the community.

Anna Caleo

Volunteer Program Coordinator

Celebrating FLS Volunteers in National Volunteer Week

17-23 May

Join us on Thursday 20th May 6.30pm

Drinks & Nibbles

Door prizes of the new Law Handbook

Launch of the new FLS logo and website

meet fellow vols and staff face to face!

FLS Board, staff and vol speakers

Special volunteer recognition



Provincial Hotel, 299 Brunswick St Fitzroy

Please RSVP to trybooking.com/BRHPY





I have been volunteering with FLS since the beginning of 2021. I started as an intern in the Prison Advocacy Program, and after my internship, I stayed on as a paralegal. I was lucky enough to begin my volunteering experience in the Reservoir office. However, due to lockdown, I have been working from home for the past few months. This change in work arrangements has not negatively impacted my experience because my supervisor is very supportive and stays in regular contact on the days that I volunteer.

Volunteering with people who share my interest in prison reform and the rights of people in prison has been great. I have learnt an incredible amount about the legal issues particular to being a prisoner and the barriers to accessing justice that stem from the prison environment. Helping people navigate the complicated legal and corrections systems and providing them with the tools to resolve their legal issues has been highly rewarding.

Volunteering with FLS has given me invaluable practical experience and has improved my confidence. Having the opportunity to run the Prison Advice Line and conduct video conferences with clients has helped me develop my interpersonal and communication skills. My time at FLS' has also provided a much-needed reminder of why I wanted to be a lawyer, something I was forgetting after a year of online law school.

— Claire Topsom



I have been volunteering as a lawyer at the night service in the area of criminal law and intervention orders for almost a year. As a recently admitted lawyer this has been a great opportunity for me to develop my skills in areas of law that so regularly affect people in the community. I have noticed that even a 30 minute conversation on the phone with a client can ease their concerns and empower them to make an informed decision about their matter without requiring representation at a hearing. It is so rewarding to offer information or to explain what they can expect at court and to hear the shift in their tone on the phone from stressed to more at ease.

I have been overwhelmed by some of the hardship and difficulties so many clients are experiencing, especially during the pandemic. Their resilience in the face of adversity is not lost on me. By coming to the Fitzroy Legal Service night service, clients can be informed of their options and know the next steps they can take. I feel very lucky to be in this role.

— Thea Casey



I have been volunteering at the FLS since February 2021 as paralegal and intaking officer of the Night Service. It has been a wonderful time for me to be able to be volunteering here. I benefited a lot from the community legal centres. Before I study law, I worked in the pig farming and restaurant industries as a migrant worker, where overseas workers often experience unfair dealings. Whenever I wonder about my rights, I used to make a phone call to the community justice centres to talk to its volunteer workers. So, volunteering at the FLS has been a great opportunity for me to pay back what I owed to the community. In this sense, it is really sad to see many people are still having a very difficult time in Covid pandemic, and that our service has been limited by its impact. I once again realised that people are not equal in taking even this kind of natural disaster. Still, I am grateful that we never stop finding ways to help people, and especially thank to those who keep participating in our Day and Night Services.

— Alex Kim

Volunteers

We acknowledge all the individuals below and any others who have contributed to Fitzroy Legal Service in a volunteer capacity in 2020–2021

A

Paul Arnold
Heather Atkins
Yerusalem Azage

B

Daniel Badov
Conrad Banasik
Ananya Batra
Henry Bayliss
Sebastian Beale
Tai Bell–Liu
Romani Benjamin

Jack Bennett
Felix Best
Ash Bissoonauth
Jordan Bova
Alexandra Brown
Brianna Brown
Oscar Brown
Christopher Byass

C

Tamsin Cantwell
Thea Casey
Janice Chan
Arthur Chandler
Nate Cheng
Breana Cilia
Thibaut Clamart

Sam Clarke
Millie Clayton
Mitchell Coidan
Courtney Colclough
Emma Corcoran
Patrick Costello
Tahli Craven
Alyssa Croce

D

Claire Dagge
Nam Dang
Vu Dang
Indea Davey
Mary De Guzman
Laura De Vuono
Christopher Delaney
Brett Denton
Angela Di Carluccio
Natalie Di Pasquale
Jennifer Diaz
Michael Dickey
Phoebe Ding
Annabelle Dougherty
Chelsea Doyle

E

Georgia Egan–Griffiths

F

Haseeba Faizy

James Farrugia
Michael Fee
Stephanie Fiteni

G

Susan Gatford
Sean Ghattas
Gabriel Gill
John Ginnane
Chris Goddard
Eva Goodman
Olivia Grabau

H

Maille Halloran
Susan Hamilton–Green
Patrick Hannan
Gary Hansell
Emilie Haranas
Sam Harper–Russell

Daniel Harrison
James Hastings
Quinn Hogan
Winona Horton
Shannon Hubert
Ross Hutchins

I

Victor Ison

J

Ruby Jacobs

Patrick Jarrold
Rosaleen Jeffries

K

Luke Karakas
Thalia Karamalis
Jessica Kassab
Rasha Khoweiss
Tanushree Khurana
Divya Khushalani
Madison Killeen

Alex Kim
Jack Kneale

L

Steph Lau
Rebecca Leighton
John Leung
Elaine Li
Vivien Lim
Raymond Lobo
Joel–Alexander Lowther
Glen Ludbrook
Peter Lynch

M

Monique MacRitchie
Elouise Madden
Lior Maisner
Karen Mak
Marco Man
Vanessa Manfrin
Joshua Markar
Angelie (Joy) Marshall
Brigid McCarthy
Matthew McCarthy
Georgia McCormick
Alice McDonald
Aoife McDonald
Caitlin McDonough
Benjamin McGrath
Zack McGuinness
Anthea McGurty
Liam McLellan
Kennedy McMaster
Sonali Mohla
Christine Moore
Harpreet Moore

Alana Morgante
Danita Moshinsky
Jeemaan Mougharbel
Tamara Mrkic

N

Anna Nalpantidis
Shakti Nambiar
Morgan Nyland

O

Hayden O'Halloran
Dee Dee O'Shannassy

P

Andrew Papaleo
Beau Paterson
Losa Pegler
Nethmi Perera
Tam Pham
Laura Phillips
Meaghan Philp
Laura Portbury
Grace Prendergast Kruger

R

James Radlow
Naveen Raghavan
Caitlin Reed
Ilia Roytberg

S

Baneen Saberi
Karl Schaffarczyk
William Scheidlinger
Dev Dutt Sharma
Kade Sheely
Jemima Sim
Sofia Skobeleva
Allana Smith
Claire Smith
Helen Smith
Francis Stagg
Jarrah Staley
Rebecca Standfield
Percy Su

T

Matilda Taggart
Ajaz Taghar
Jonathan Taylor

William Tinney
Claire Topsom
Charlotte Townshend
Cristina Trafficante
Oscar Tuckfield
Taylor Turner

W

Leah Wade
Yu Wang
Joely Wilkinson–Hayes
Caitlin Wong
Georga Wootton

Y

Jennilyn Yu

Z

Zoe Zhou
Denise Zuo
Ned Zvekic



The Law Handbook

In early 2021, FLS published the 43rd edition of The Law Handbook (LHB).

From strength to strength

One of the strengths of the LHB is that each area of law is updated by senior legal practitioners who specialise in that legal area. For example, in this edition, lawyers from Victoria Legal Aid revised the legal aid chapter, the principal solicitor of Tenants Victoria updated the tenancy chapter, solicitors from Environmental Justice Australia oversaw the environmental law chapter, and the Victorian Health Complaints Commissioner revised the health and the law chapter.

Accessibility

Once again, this edition of the LHB 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 <https://fls.org.au/law-handbook>.

Thank you, contributors

Producing this book every year would not be possible without the generosity and expertise of our contributors. This year, 83 contributors from the legal sector volunteered their time to work on the book. We very much value the outstanding contribution of each and every contributor. For the LHB 2021, magistrates, ombudsmen, commissioners, barristers, law lecturers, partners, principal lawyers, and accredited specialists in a range of legal areas are among the contributors. Some contributors have been writing for the book for decades, while others are new recruits.

Thank you, freelancers

I would like to thank the freelancers who have dedicated many hours to the LHB 2021: Sandy Cull (cover designer), Puddingburn (compiler of the index and the lists of cases and legislation) and Sunset (the developers of the ebook).

Thank you Department of Justice and Community Services

Thank you, Department of Justice and Community Services for your continued funding of the online version of The Law Handbook.

Thank you Allens and Lander & Rogers

Thank you, Allens and Lander & Rogers for your continuing support of and assistance with The Law Handbook.

Naomi Saligari

Law Handbook Editor

THE
LAW
HANDBOOK
2021



Below: Outgoing CEO, Claudia Fatone being presented with a bouquet of flowers from Deputy Chair, Vera Boston



People Committee Report

The FLS People Committee has been consolidating its role and activities over the past 12 months during the challenging times of the COVID-19 pandemic. The committee reviewed its charter and recommended significant changes to the original 2019 charter. These changes brought the charter more closely in line with the committee's role of supporting FLS in best-practice human resource management and organisational capability. The charter was endorsed by the Board.

The purpose of the People Committee is to:

- Assist the Board to establish and monitor compliance of FLS human resource obligations, including assisting with policies, strategies and practices
- Advise the Board as to best-practice employment policies and procedures, and wider employment-relations issues (including industrial issues)
- Advise the CEO, as requested, about employment matters, organisational culture, and staff wellbeing
- Support a best-practice FLS volunteer program, including providing advice on policies, strategies and practices
- Give due consideration to issues of equality and diversity in all areas of work
- Receive and resolve grievance raised by employees in accordance with the relevant policy approved by the Board
- Ensure annual staff and volunteer satisfaction surveys are undertaken
- Undertake biennial reviews of staff succession arrangements
- Prepare reports and recommendations for presentation to the Board.

The committee meets between Board meetings and has met four times since September 2020. In this time, the committee has focused on supporting the CEO and senior staff on any issues relating to staff working from home, and the safe return to the office in between lockdowns.

The committee has progressively reviewed and recommended to the Board the following policies and procedures:

- learning and development policy
- special leave policy
- additional hours and time in lieu
- child-safety policy
- child-safety code of conduct
- child-safety response and reporting.

These policies continue to be reviewed by the staff working group prior to committee consideration. A huge thank you to staff who actively engage in the review and refinement of the policies.

The annual FLS 'staff engagement and wellbeing survey' was completed in May 2021. The results indicate there is a high degree of satisfaction among FLS staff in working for the organisation, and a high commitment to FLS's values and work.

Recruitment has also been a strong focus this year. The Chair of the People Committee formed part of the Board member selection panel and welcomed the appointment of Tony Macvean in April 2021. With the resignation of CEO Claudia Fatone in April 2021, the Board CEO recruitment panel of Claire Febey, Mick Sheehy and Fiona Delahunt was established in May 2021; this resulted in the appointment of Kristine Olaris in August 2021 and her commencement with FLS in October 2021.

A new committee member has also been endorsed with Kim Dalzell joining in October 2021.

A key matter that will continue to be on the agenda is FLS's participation in the drafting of a new Community Legal Centre's Multi-Business Agreement. The current agreement is outdated and a working group of 23 community legal centres has been established, which FLS has opted to join. This working group will represent the interests of the community legal centres in the process of drafting a new agreement.

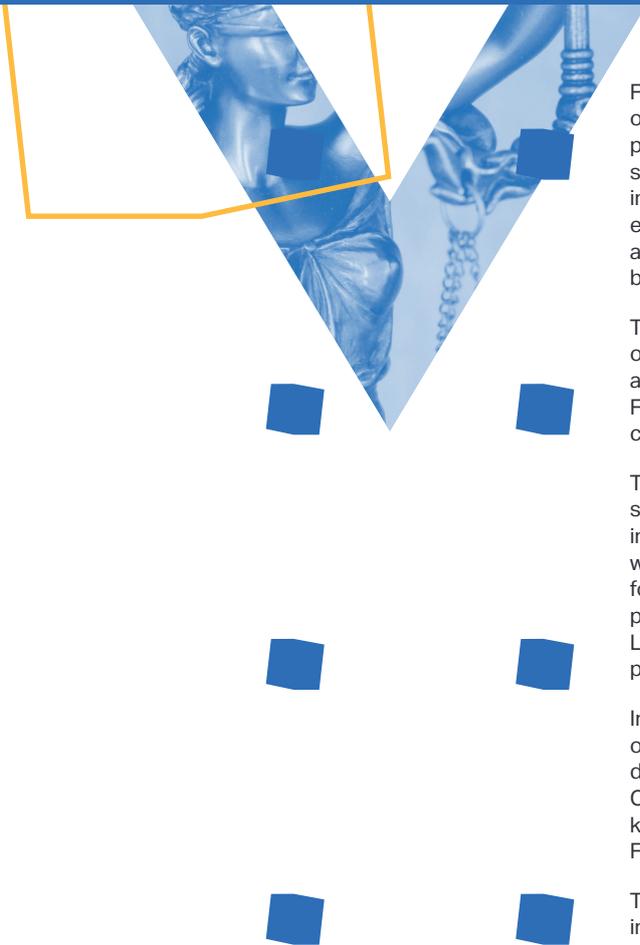
Thank you to outgoing CEO Claudia Fatone for her support and outstanding leadership and management of FLS. Thank you also to outgoing Board member and founding People Committee member, Bonnie Renou, who left in early 2021. To the current members of the committee – Glenn Caterer, Chanphyna Bou and Tim Goodier – thank you for your contribution to the committee this year, and for your ongoing support of FLS.

Fiona Delahunt

Chair, People Committee

Programs & Services Committee Report

The FLS Programs and Services Committee (P&S Committee) was established in April 2020 to ensure that FLS programs and services are robust and high quality, have clear and measurable desired outcomes, and are aligned to achieving FLS's vision and strategic goals.



FLS is building an organisational culture that is based on outcomes and evidence, where the organisation develops policies and designs programs informed by a variety of data sources. By identifying, articulating and measuring outcomes and impact, FLS can better design and implement its services to most effectively contribute towards the organisation's vision of a fairer and more just Victorian community, one in which the legal and broader social system supports equality and justice.

The development of an enhanced approach to measuring outcomes and evaluating the effectiveness of FLS's programs and services is a key priority in the FLS Strategic Plan 2021–2024. FLS already has in place important elements of an evaluation culture upon which to build.

The P&S Committee met four times in 2020–2021 to discuss and support the development of key pieces of work for FLS, which is in line with the P&S Committee charter. The first key piece of work was to develop a Theory of Change and Outcomes Framework for FLS. This framework is a foundational piece, on which other priority work for FLS can be developed, including a Strategic Litigation and Advocacy Framework, and agreed advocacy priorities.

In 2021–2022, the P&S Committee will continue to support the organisation to refine and implement the framework, including developing data-collection methodologies. In addition, the P&S Committee will continue to support the development of other key documents, including a Strategic Litigation and Advocacy Framework, and refined advocacy priorities.

Thank you to the FLS staff members who have actively engaged in the development of the FLS Theory of Change and Outcomes Framework, and to former CEO Claudia Fatone and Acting CEO Jennifer Black, for their support of the Committee during the year. Thanks also to our committee members – Mick Sheehy, Monique MacRitchie, Rohan Thwaites and Zeah Behrend – for their insights and guidance.

Jeremy Levine

Chair, Programs and Services Committee

50th Anniversary Committee Report

The Fitzroy Legal Service (FLS) 50th Anniversary Committee was established in February 2021 to provide strategic advice for how FLS can maximise the communication, profile raising and fundraising opportunities for the organisations 50th anniversary, commencing in December 2022.

FLS has built a reputation as a champion for justice, providing access and a voice to those often silenced, fighting the fights that others either can't or won't. In 2020/21, the services FLS provide are more important than ever before. Funding for CLC's across the country is getting tighter while demand for services continues to increase year after year fighting the fights that others either can't or won't.

While FLS is fortunate to have a reliable source of funding through our strong relationships with the local and state government and other key private funders, there is a growing need to FLS to have access to a pool of non-committed funds that can be used for critical services that our government funding will not cover.

In recognition of this milestone event, a 50th Anniversary committee was established to work with the organisation with the aim of raising profile and fundraising through the following activities:

- Activation of a FLS alumni volunteer network
- Building relationships with key potential high donors who are associated with the justice system and aligned with FLS's vision and values;
- Drive a community fundraising strategy;
- Develop workplace and regular giving programs;
- Identifying appropriate opportunities in the philanthropic and trust and foundations sector; and more.

The 50th Anniversary Committee was convened in January 2021 with the following membership includes:

- Jennifer Tucker (Chair and FLS Board member);
- Mick Sheehy (FLS Board member);
- Simon Lewis;
- Jonathan Kneebone;
- Robert Olney; and
- Fitzroy Legal Service CEO

The committee has had six meetings since its establishment and is looking forward to working closely with new FLS CEO, Kristine Olaris in activating the strategy developed by the committee.

Jennifer Tucker

Chair, 50th Anniversary Committee

Finance & Audit Committee Report

The primary purpose of FLS's Finance and Audit Committee (FAC), as set out in its charter, is to provide oversight and direction in relation to FLS financial reports and other financial information, auditing and reporting processes generally, and management of financial risk.

At each of its meetings, the primary function of the FAC is to review the year-to-date profit and loss statement against the budget. The FAC also reviews other financial and management reports including balance sheet, cash flow statement, debtors and creditors lists, and staff leave balances.

Annually, the FAC provides oversight into the development of the budget and recommends a budget to the Board for approval. Following the annual audit, the FAC receives the Auditor's Report and notes any issues of concern and management's response to these concerns. The FAC also receives a separate report about the audit of the Legal Practice Trust Fund.

Other issues that were considered by the FAC in the 2020–2021 financial year include recommendations regarding opening and management of bank accounts, compliance with various regulatory requirements, review of the risk register, and financial delegations.

It was pleasing that – notwithstanding ongoing challenges related to the COVID-19 pandemic – FLS posted a small surplus of approximately \$245 for the 2020–2021 financial year. Particularly noteworthy was the additional COVID-19 relief funding from Victoria Legal Aid of \$473,000 and \$60,000 from the federal government. Without these additional sources of funding, FLS would have found it difficult to service our community and reach a break-even point.

A challenge for FLS is to continue to increase its impact and scale while remaining financially sustainable. It is likely that FLS will be required to find alternative sources of revenue if the organisation is to fulfil its objectives. The appointment of a new CEO and upcoming 50th anniversary provides a great opportunity for FLS to develop new and significant sources of income. Based on the annual budget, we expect the 2021–2022 financial year to be one of transition as we develop revenue sources to fund the organisation's increased size and ambition. The FAC is acutely aware that any deficiency can only be temporary, and the organisation must return to surplus as soon as possible.

In the 20120–2021 financial year, the FAC met seven times.

Vera Boston was the Chair of the FAC until 22 April 2021. On 23 April 2021, Tony Macvean took over as Chair of the FAC. The FAC currently has seven members, five of whom have finance and/or accountancy qualifications.

Our sincere thanks to the members of the FAC:

- Gerry Schembri
- Ros Aikman
- Peter Loukas
- Rebecca Middleton
- Naomi Munga
- Andrew Webster.

Finally, our thanks to Claudia Fatone (CEO to 7 May 2021), Jennifer Black (Acting CEO for the balance of the year) and Brendan Kelly (Finance and Operations Manager) who attend each FAC meeting and provide timely and accurate information that enables the FAC to properly consider its recommendations.

Vera Boston

Chair, Finance and Audit Committee (to 22 April 2021)

Tony Macvean

& Chair, Finance and Audit Committee (to 30 June 2021)



Financial Reports

Fitzroy Legal Service Inc ABN 13 421 440 211

For The Period Ended 30 June 2021

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Income And Expenditure Statement For The Period Ended 30 June 2021

	NOTE	2021	2020
		\$	\$
INCOME			
Government Grant – VLA	9	2,689,958	1,933,661
Grants		1,083,348	1,328,378
Practice Income		231,696	268,402
Sales		62,715	59,359
Interest Income		5,436	10,235
Membership Income		3,745	5,872
Miscellaneous Income		376,182	184,500
		4,453,080	3,790,407
EXPENDITURE			
Employee Benefits Expense		3,498,143	2,866,425
Depreciation & Amortisation		19,752	30,744
Rental And Premises Expense		163,927	183,950
Office Administration Expenses		612,330	656,248
Publication Expenses		158,683	27,755
		4,452,835	3,765,122
Surplus (Deficit) before income tax		245	25,285
Income tax expense	2	–	–
Surplus (Deficit) after income tax		245	25,285
Retained Earnings) at the beginning of the financial year		454,916	429,631
Retained Earnings at the end of the financial year		455,161	454,916

The accompanying notes form part of these financial statements.

Assets And Liabilities Statement As At 30 June 2021

	NOTE	2021	2020
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	3	2,164,902	1,471,726
Trade and other receivables	4	9,190	407,958
Inventory		3,596	6,605
TOTAL CURRENT ASSETS		2,177,688	1,886,289
NON-CURRENT ASSETS			
Security Bond		13,126	13,126
Property, plant and equipment	5	74,573	78,668
TOTAL NON-CURRENT ASSETS		87,699	91,794
TOTAL ASSETS		2,265,387	1,978,083
CURRENT LIABILITIES			
Trade and other payables	6	256,072	188,739
Amounts received in advance	7	1,206,361	1,009,568
Provisions	8	269,845	225,468
TOTAL CURRENT LIABILITIES		1,732,278	1,423,775
NON-CURRENT LIABILITIES			
Provisions	8	77,948	99,392
TOTAL LIABILITIES		1,810,226	1,523,167
NET ASSETS		455,161	454,916
MEMBERS' FUNDS			
Retained Earnings		455,161	454,916
TOTAL MEMBERS' FUNDS		455,161	454,916

The accompanying notes form part of these financial statements.

Statement Of Cash Flows For The Period Ended 30 June 2021

	NOTE	2021	2020
		\$	\$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from government grants		2,689,958	1,933,661
Receipts from customers		798,664	570,480
Other Receipts		1,554,584	1,169,933
Payments to suppliers and employees		(4,339,809)	(3,755,829)
Interest received		5,436	10,235
Net Cash provided by operating activities	10	708,833	(71,520)
CASH FLOWS FROM INVESTING ACTIVITIES			
Payments for purchase of property and equipment		(15,657)	(20,827)
Net Cash provided by (used in) investing activities		(15,657)	(20,827)
Net increase (decrease) in cash held		693,176	(92,347)
Cash at the beginning of the year		1,471,726	1,564,073
Cash at the end of the year		2,164,902	1,471,726

The accompanying notes form part of these financial statements.

Notes To The Financial Statements For The Period Ended 30 June 2021

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. The measurement and recognition requirements of accounting standards have been applied except for AASB16 Leases.

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.

Commencing on 1 July 2019, the Victorian Government introduced the Portable Long Service Scheme, administered by the Portable Long Service Authority (PLSA). It covers all community services workers and as such, the Association is covered by the scheme. Effective from 1 July 2019 all future long service leave benefits reside with the PLSA and the Association is required to pay 1.65% of salaries to the PLSA on a quarterly basis. Provisions have been adjusted to include only the portion of leave accrued prior to 30 June 2019.

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.

Notes To The Financial Statements For The Period Ended 30 June 2021

NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONT.)

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).

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, there is inherent uncertainty particularly in view of the current global pandemic, however the Board have no reason to believe this support will not continue.

k. COVID19 disclosure

COVID19 continued to impact on the operations of FLS in this financial year. Significant Government restrictions were imposed in 2021 to assist in stopping the spread of the disease. Whilst restrictions are now starting to be eased, based on the number of people becoming vaccinated, it is expected that the impact of the pandemic will continue into the foreseeable future. These restrictions had minimal operational and financial impact on FLS due to the nature of trade of the entity. FLS was entitled to the second cashflow boost from the Government, as well as having 5 staff eligible for JobKeeper until September 2020 due to the reduction in private practice income. COVID19 restrictions forced the closure of the night service due to the inability to hold face to face consultations with clients. But we were able to pivot the night service and offer telephone consultations to clients and many of our volunteers were able to assist.

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.

	2021	2020
	\$	\$

NOTE 3: CASH AND CASH EQUIVALENTS

Cash and cheques on hand	80	304
Cash at Bank	761,029	567,760
Term Deposit	1,403,793	903,662
	2,164,902	1,471,726

NOTE 4: TRADE AND OTHER RECEIVABLES

Accounts receivable	12,049	415,834
Provision for doubtful debts	(2,859)	(10,500)
Prepayments	–	2,624
	9,190	407,958

Notes To The Financial Statements For The Period Ended 30 June 2021

	2021	2020
	\$	\$
NOTE 5: PROPERTY, PLANT AND EQUIPMENT		
Office Furniture & Equipment – Original Cost	243,199	227,542
Less Accumulated Depreciation	(168,626)	(148,874)
	<u>74,573</u>	<u>78,668</u>
NOTE 6: TRADE AND OTHER PAYABLES		
Current		
Trade Creditors And Accruals	127,916	63,832
Provision For Audit Fees	4,500	3,500
PAYG and BAS Amount Payable	121,364	119,115
SSRV Security Bond Held	2,292	2,292
	<u>256,072</u>	<u>188,739</u>
NOTE 7: AMOUNTS RECEIVED IN ADVANCE		
VLA Allowable Surplus	365,767	414,228
Unexpended project funds	840,594	595,339
	<u>1,206,361</u>	<u>1,009,567</u>
NOTE 8: PROVISIONS		
Current		
Employee Entitlements	<u>269,845</u>	<u>225,468</u>
Non-Current		
Employee Entitlements	<u>77,948</u>	<u>99,392</u>
NOTE 9: INCOME GOVERNMENT GRANT – VLA		
Government Grant – VLA Commonwealth	961,966	476,699
Government Grant – VLA State	1,902,534	1,711,750
Government Grant Brought Forward – VLA	(174,542)	(254,788)
	<u>2,689,958</u>	<u>1,933,661</u>

Notes To The Financial Statements For The Period Ended 30 June 2021

	2021	2020
	\$	\$
NOTE 10: RECONCILIATION OF CASH FLOW FROM		
Operations with Profit from Ordinary		
Activities after Income Tax		
Surplus after income tax	245	25,285
Cash flows excluded from operating profit attributable to operating activities		
Non-cash flows in surplus		
– Depreciation	19,752	30,744
Changes in assets and liabilities;		
– (Increase)/decrease in trade and other debtors	398,768	(318,393)
– (Increase)/decrease in inventory	3,009	(3,586)
– Increase/(decrease) in trade and other payables	67,333	21,970
– Increase/(decrease) in amounts received in advance	196,794	212,295
– Increase/(decrease) in provisions	22,932	(39,836)
Net cash provided by Operating Activities	<u><u>708,833</u></u>	<u><u>(71,521)</u></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.

NOTE 12: OPERATING LEASE COMMITMENTS

Operating leases contracted for but not recognised in the financial statements

Payable – minimum lease payments:

– no later than 12 months	5,778	5,778
– between 12 months and five years	17,334	23,112
– greater than five years	–	–
	<u><u>23,112</u></u>	<u><u>28,890</u></u>

There is a 5 year equipment lease for 2 printers which was signed 14 May 2020.

The Association has a lease for its office at 279 Spring St, Reservoir which is due to expire on 17 May 2022.

There is a option to further extend the lease for one final two year period and will need to be exercised by 17 February 2022. At this stage it is uncertain if FLS will exercise this option.

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

In accordance with the overholding provision of the Lease, the Association continues to occupy the Premises after the end of the Term subject to the same terms and conditions as contained in the Lease and either party may end this Lease during any period of holding by giving 30 days written notice.

Statement By Members Of The Board For The Year Ended 30 June 2021

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 35 to 45:

1. Presents a true and fair view of the financial position of Fitzroy Legal Service Inc. as at 30 June 2021 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that 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:

Chair of Board



Dated:

09/11/2021

Board Member



Dated:

09/11/2021

Auditor Independence Declaration To The Directors Of Fitzroy Legal Service Inc.

As lead auditor of Fitzroy Legal Service Inc. for the period ended 30 June 2021, 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 10th day of November, 2021

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 2021, and the statement of comprehensive income, statement of changes in equity and cash flow statement for the period 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 2021 and its financial performance for the period 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.

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the association for the purpose of fulfilling the board's financial reporting responsibilities under the ACNC Act. As a result, the financial report may not be suitable for another purpose.

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 period ended 30 June 2021, 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.

Auditor Independence Declaration To The Directors Of Fitzroy Legal Service Inc.

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 10th day of November, 2021

Davidsons Assurance Services Pty Ltd
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**Fitzroy
Legal
Service**

Fitzroy Legal Service Inc. is a merger
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