

NORTH WEST COMMUNITY LEGAL CENTRE INC.

COORDINANTOR'S REPORT TO THE MANAGEMENT COMMITTEE

- 2019/2020 -

Presented at the NWCLC Annual General Meeting

- Friday 11 September, 2020 -



NORTH WEST COMMUNITY LEGAL CENTRE INC.

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Abbreviations:

- ATSIL- Aboriginal and Torres Strait Islander Legal Service
- CLC – Community Legal Centre
- CLC TAS - Community Legal Centre TAS Inc.
- CLE – Community Legal Education
- CLSP Plan – Community Legal Services Program Plan
- LGA – Local Government Area
- NACLC - National Associations of Community Legal Centre's
- NPA – National Partnership Agreement
- NWCLC – North West Community Legal Centre Inc.
- TALS – Tasmanian Aboriginal Legal Service
- NLAP – National Legal Assistance Partnership
- TasLASP – Tasmanian Legal Assistance Service Providers

“I'd just like to
thank you for
your
assistance. I
would not
have
obtained this
conclusion on
my own”

- Client
Written
Feedback,
2020

OPENING STATEMENT

This year was a particularly challenging one for the NWCLC, but not just for the uncertainty and instability of funding that has become par for the course in our sector. The second half of the year saw COVID-19 impact the world and the North West Coast of Tasmania became, for a period, the epicentre of the virus in Australia. With the lockdown came the need for a swift transition to remote service delivery. Whilst community legal education and outreach services were temporarily postponed, delivery of individual legal services to the most vulnerable in our community went uninterrupted with no individual client being turned away. This has ultimately culminated in an 11.1% increase in total client numbers over the last financial year.

I thank all members of staff during this period for their efforts and dedication to the NWCLC in continuing to maintain our high standards of service whilst working through the challenges brought about by COVID-19.

I acknowledge the near 13 years of service Mr Chris Young gave to the NWCLC in his tenure as Coordinator/Senior Solicitor. Under Mr Young's leadership, the NWCLC has grown from a CLC with a single lawyer to now employing four lawyers with a Full Time Equivalent ("FTE") of 3.5. In this time the NWCLC has provided countless opportunities to young lawyers, volunteers and work experience students. It has provided advice, casework and representation to thousands of people on the North West Coast of Tasmania as well as legal education to innumerable community groups, schools and organisations within our sector. In doing so, the NWCLC has grown for no other reason than to meet the demands of those financially disadvantaged and to empower the most vulnerable in our community with legal knowledge and assistance bespoke to their needs.

I thank the Management Committee for their time and dedication to their role in the face of this difficult operational climate. As a volunteer board, the efforts of the Committee will never go without significant appreciation. The flexibility and dedication shown from the Committee over the last six months, from meeting remotely to establishing subcommittees to ensure timely decision making has been instrumental in ensuring the NWCLC continues to meet its service delivery targets.

The sector in which we work is demanding. The legal issues are varied, often time critical and involve the gamut of both State and Commonwealth

Legislation. I am pleased to be able to say that the NWCLC has a strong and supportive team of staff and Committee Members and that our contribution to the community legal sector (and legal sector generally) is making a tangible difference to the lives of those in our community.

STAFF PROFILE

The NWCLC under its Funding Agreement with *The Crown in Right of Tasmania represented by the Department of Justice* is required to provide an outline each year of our staffing profile which must include the names of employed staff of the NWCLC over the last 12 months together with a description of their role.

Over the last 12 months the NWCLC has seen a stable staffing profile involving 6 paid staff with a FTE profile of 5.15. This is an identical FTE to that reported in the 2018/19 Financial Year (rounding errors considered) which in turn reflected the appointment of our fourth lawyer, Mr Matthew Rose on 29 April, 2019.

The only staffing change which has occurred over the 2019/20 Financial Year has been the Change of Coordinator/Senior Solicitor, with Mr Chris Young formerly ceasing his employment with the NWCLC in January, 2020 and his replacement being myself.

Current staff members are:

<i>POSITION</i>	<i>NAME</i>	<i>FTE</i>
<i>COORDINATOR / SENIOR SOLICITOR (GENERALIST)</i>	<i>RYAN GILMOUR</i>	<i>1.0</i>
<i>LEGAL PRACTITIONER (GENERALIST)</i>	<i>HEW ROBERTSON</i>	<i>1.0</i>
<i>LEGAL PRACTITIONER (GENERALIST)</i>	<i>MATTHEW ROSE</i>	<i>1.0</i>
<i>LEGAL PRACTITIONER (GENERALIST)</i>	<i>JENNIFER DUNN</i>	<i>0.5</i>
<i>ADMINISTRATION</i>	<i>KAREN HARRIS</i>	<i>0.83</i>
<i>ADMINISTRATION ASSISTANT</i>	<i>PAT MORGAN</i>	<i>0.82</i>

The table below outlines the staffing profiles of the NWCLC as at the date of this Report as submitted to the CLC State Program Manager at the Tasmanian Department of Justice:

Schedule 8 – Staff Profile and Legal Services Being Delivered by the Service Provider
2019/2020 Funding Agreement

Position (Lawyer / Support Staff)	HOURS PER F/N	FTE	% Frontline Legal	% Admin	% OF FUNDS BY NPA	% OF FUNDS BY OTHER SOURCE
<i>COORDINATOR / SENIOR SOLICITOR (GENERALIST)</i>	76	1.0	60	40	100	0
<i>LEGAL PRACTITIONER</i>	76	1.0	100		100	0
<i>LEGAL PRACTITIONER</i>	76	1.0	100		100	0
<i>LEGAL PRACTITIONER</i>	38	0.5	100		100	0
<i>ADMINISTRATION</i>	63	0.83		100	100	0
<i>ADMINISTRATION ASSISTANT</i>	62	0.82		100	100	0
TOTAL	391	5.15				

TOTAL	
Full Time Equivalent	5.15
% Frontline Legal Services	60.26%
% Administration	39.74%

NWCLC employees receive salaries as set out under the *Social, Community, Home Care and Disability Services Industry Award 2010* ("the Award"). Legal Practitioners traditionally have not received the same, nor similar levels of income as the Legal Aid Commission of Tasmania or their Commonwealth counterparts.

The pay gap is one that has in recent years been considered by the *Fair Work Commission* and pursuant to an 'Equal Remuneration Order' has seen welcome increases over the last 12 months. Whilst pay rates to staff (particularly lawyers) remain below that of our peers employed within the *Legal Aid Commission of Tasmania*, the increases have been very much welcomed by all of us at the NWCLC.

SERVICE AREA

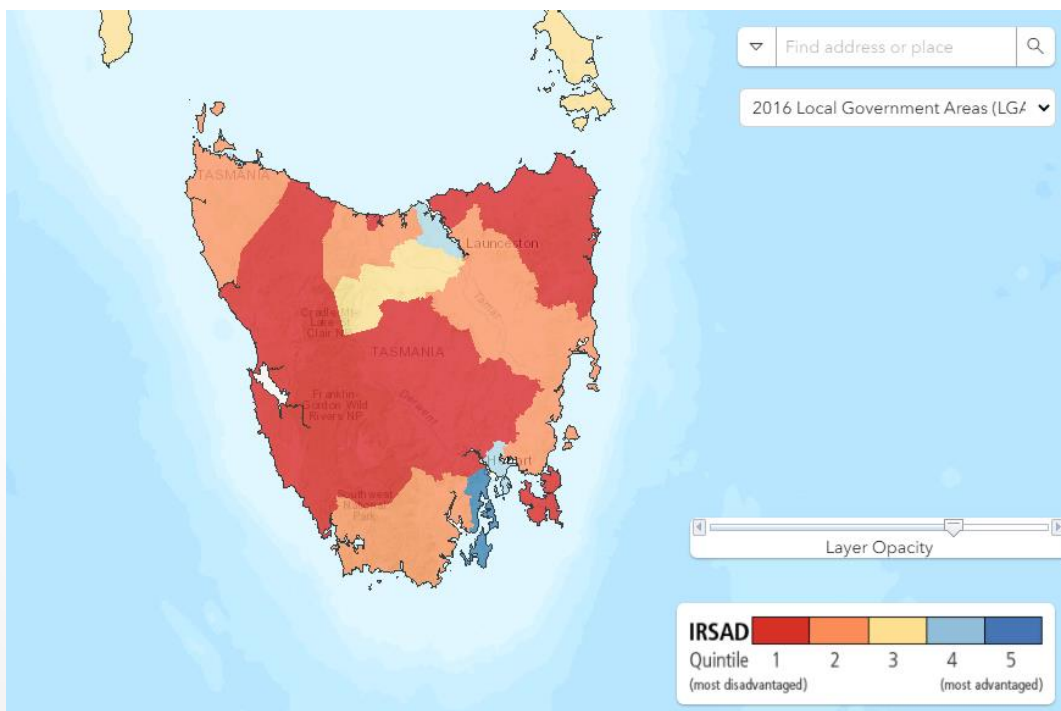
The NWCLC services the North West, West Coast and King Island areas of Tasmania. The total population of this catchment area as at 2015 (being the most recent Australian Bureau of Statistics ('ABS') statistic) was **113,834**.

We service some of the most socially and economically disadvantaged areas in the State. The ABS publishes an Index of *Relative Socio-economic Advantage and Disadvantage* ('IRSAD') using the information obtained during each national census.

A **low score** indicates relatively greater disadvantage. An area will have a low score if there are many households with low incomes and/or many people in unskilled occupations relative to those households with high incomes and skilled occupations.

A **high score** indicates a relative lack of disadvantage. An area will have a high score if there are many households with high incomes and/or many people in skilled occupations relative to those households with low incomes and unskilled occupations.

The 2016 Census produced the following IRSAD by local government area.

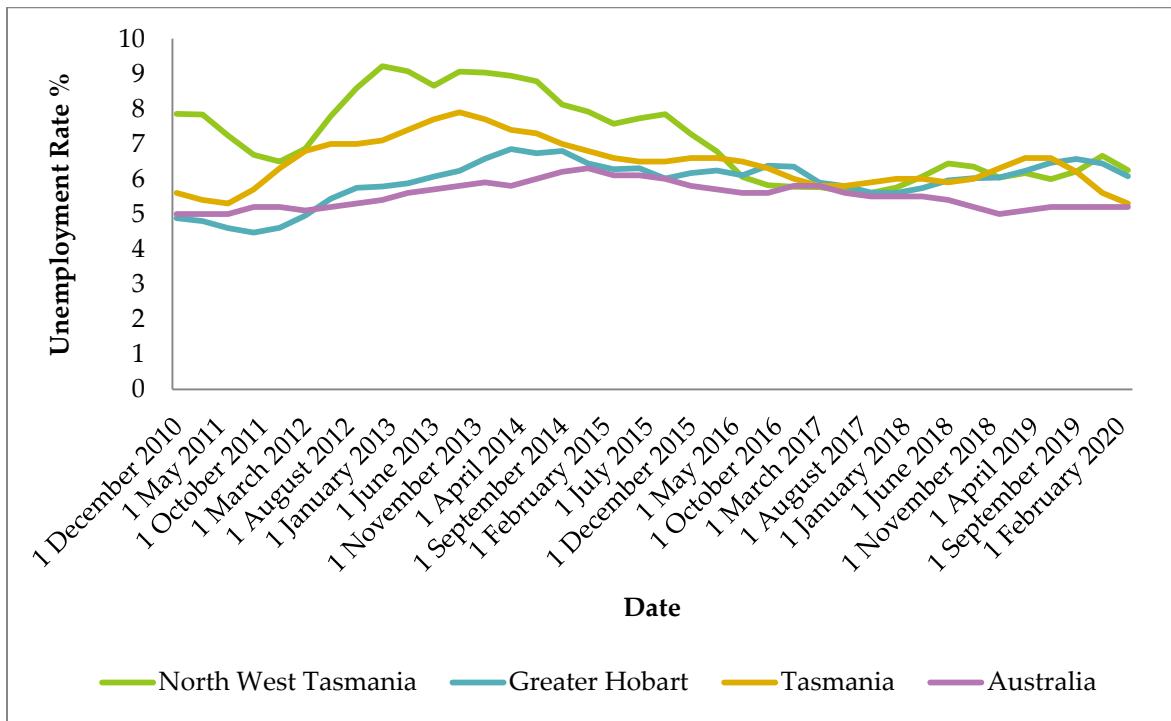


(Source: 2033.0.55.001 - Census of Population and Housing: Socio-Economic Indexes for Areas (SEIFA), Australia, 2016)

The entire catchment area of the NWCLC falls within 1st or 2nd quintile. Therefore each local government area serviced by the NWCLC falls within the bottom 20 – 40% of areas in Australia in terms of relative disadvantage.

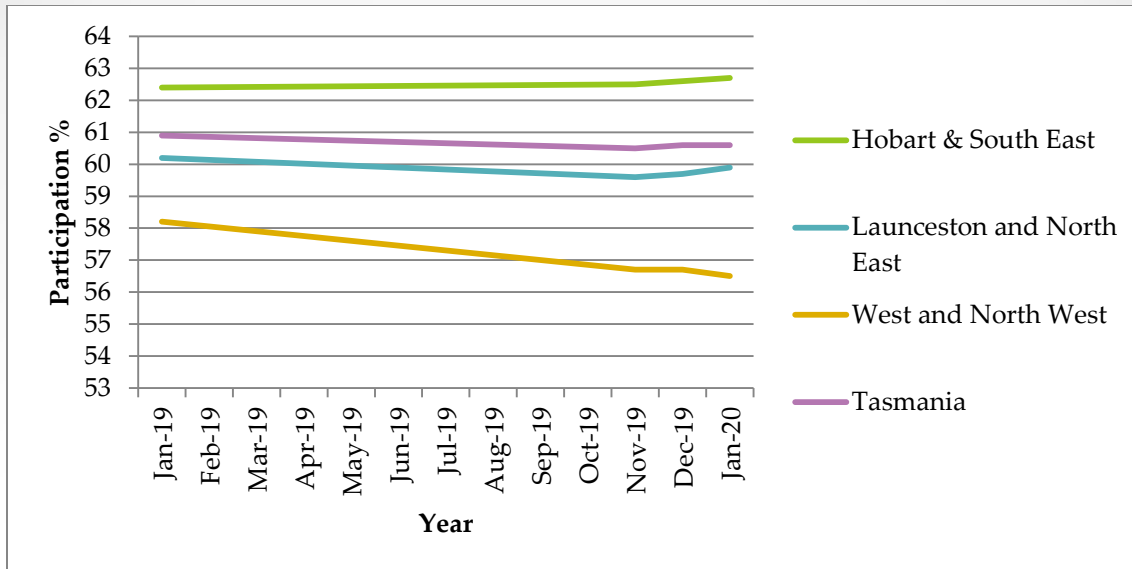
SERVICE AREA STATISTICS

The West and North West region had an Unemployment Rate of 6.6% as at January, 2020. This represents the highest unemployment rate by region in Tasmania, being 0.4% higher unemployment than the Tasmanian average and 1.0% higher than the national average.



(Source: 6291.0.55.001 - Labour Force, Australia, Detailed - Electronic Delivery, Jul 2020)

Labour force participation in the year to January 2020 decreased in the West and North West region by 1.7% as compared to just 0.3% for Tasmania as a whole.



(Source: 6291.0.55.001 - Labour Force, Australia, Detailed - Electronic Delivery, Jul 2020)

As the Country experiences a further economic downturn as a result of COVID-19, national unemployment rose to 7.4% at 30 June, 2020. There is little doubt Tasmanian unemployment rates will follow this trend, whereby we can reasonably expect unemployment in our service area in the double figures during the 2020/21 Financial year.

Other Statistics of interest include:

	West & NW Tasmania	Australia
Population	113,834	24,992,860
Working Age Population (aged 15-64 years)	61%	65.5%
Median Weekly Income (equivalised)	\$644	\$877
% of Population to have completed year 12 or equivalent	27.3%	51.9%
Those with a disability that require assistance with core activities	7.1%	5.1%
Average persons in household	2.3	2.6
Proficient in English	97.2%	88.7%

In summary, the NWCLC services an area with a particularly vulnerable demographic. We represent some of the most disadvantaged areas in Australia, with unemployment, education, income and disability levels far higher than both the National and State averages.

In 2012, *The Law and Justice Foundation of NSW* conducted an Australia wide legal survey and in doing so, found that:

*“many disadvantaged or socially excluded groups were particularly vulnerable to legal problems. They were not only more likely to experience legal problems overall but also had increased vulnerability to substantial legal problems and multiple legal problems”.*¹

In addition, disadvantaged groups are often less able to recognise, mitigate and resolve legal problems, stemming from lower education levels, lower financial resources, stigma and institutional barriers. Left unaddressed, such factors can result in a widening of the divide between those who can afford and readily access justice and those who cannot.²

In servicing a part of the country with some of the most disadvantaged areas, the NWCLC plays a vital role both now and into the future to ensure a fracturing of the community does not occur, as we continue to work towards closing the gap between those that can afford and readily access justice and those that cannot.

SERVICE AGREEMENT (FUNDING)

As has been the case since 2015, the NPA for Commonwealth funded Legal Assistance Services and the Tasmanian State Government were the NWCLC’s two main sources of funding for the 2019/2020 Financial Year.

“The objective of this Agreement is a national legal assistance sector that is integrated, efficient and effective, focused on improving access to justice for disadvantaged people and maximising service delivery within available resource” – Part 2 National Partnership Agreement on Legal Assistance Services

¹ Law and Justice Foundation of NSW. (2012). Legal Australia-Wide Survey

² Inglis, R (2019). Tasmania Legal Aid Sector in Crisis

The NWCLC received a similar level of overall funding as the previous financial year with total funds from both the Commonwealth and State totaling \$425,626.53. As occurred in the 2018/2019 financial year, the NWCLC received a “one-off funding shortfall” sum of \$62,253.57 from the State Government which we are grateful for. Without this, we would not have been able to maintain our staffing and current high service levels.

Despite the increased pressures on resources and the challenges created by COVID-19, The NWCLC has continued to actively participate in various sector processes and initiatives, including:

- Extensive consultation, engagement and submissions to *SGS Economics and Planning* to assist them analyse and report to the *Department of Justice* on legal assistance need in Tasmania.
- Consultation, engagement and submissions to *the Law & Justice Foundation of NSW* to assist them in legal needs mapping on the National level.
- Maintaining accreditation and exceeding the benchmarks set for the NWCLC as outlined in our Accreditation Plan from *CLC Australia* as we move towards obtaining Level 3 Accreditation.
- Moved to electronic means of CLE to meet service delivery targets during COVID-19 restrictions.
- Explored more partnership options for delivery of services that target and meet the needs of clients. This has included forming new connections with organisations such as *CatholicCare Tasmania* as we work towards enhancing networks and improving the efficiency and effectiveness of our service delivery model.
- Actively participated in TasLASP and contributed to jurisdictional service planning.
- Continued collaboration with *CLC Tasmania* and all those organisations in our sector to ensure the most vulnerable and disadvantaged in Tasmania receive appropriate support, advice and representation in our justice system.
- Actively engaged with *CLC Australia* and the *Department of Justice* regarding assisting in making improvements to the *Community Legal Assistance Services System (CLASS)* and to ensure uniformity of electronic data reporting across the sector.
- Actively engaged with *CLC Tasmania* through submissions on law reform.

- Responded in a timely manner to changes in the sector brought about as a result of COVID-19.
- Increased our service reach through expanding our social media presence.

The NWCLC performed strongly against the benchmarks and objectives outlined in its *Commonwealth Community Legal Service Program Plan (CLSP)*, seeing targets exceeded in respect to: total number of clients serviced, new clients, repeat clients, referrals, legal advice activities and representation services.

The conclusion of the 2019/2020 financial year marks the end of the NPA. The next five (5) years under the *National Legal Assistance Partnership (NLAP)* will be a challenging time for the NWCLC and all other organisations in the sector. Reduced funding in real terms and the impact of COVID-19 will make maintaining existing levels of service delivery the priority with a focus on increasing CLE activities to pre COVID-19 levels through a combination of face to face and electronic methods.

PRIORITY CLIENT GROUPS

The priority client groups under the NPA remained the same in 2019/20 as the last several years, as set out in Schedule B of the NPA.

The NWCLC continues to focus its activities on those in the community who identify as part of the following groups (as defined in the NPA):

- B1 Legal assistance priority clients, being those persons whose capability to resolve legal problems are compromised by circumstances of vulnerability and/or disadvantage.
- B2 Specific priority client groups, namely:
 - Children and young people (up to 24 years);
 - Indigenous Australians;
 - Older people (aged over 65 years);
 - People experiencing, or at risk of family violence;
 - People experiencing, or at risk of homelessness;

- People in custody and prisoners;
- People residing in rural or remote areas;
- People who are culturally and linguistically diverse;
- People with a disability or mental illness;
- People with low education levels, and
- Single parents.

The Policies and Procedures of the NWCLC ensure that our resources are directed to serving those priority client groups both through specific legal activities and CLE events.

FINANCES

In 2018/19 the NWCLC received total funding of \$421,170.00. The 2019/20 Financial Year saw some slight CPI increases, providing total funding to the NWCLC of \$425,626.53.

The Payment Schedule for 2019/20 was as follows:

Funding:	<u>Commonwealth</u> <u>Amount</u>	<u>State Amount</u>	<u>Total Funding</u>
Base Grant	\$145,698.50	\$100,000.00	\$245,698.50
2019-20 One-off Funding Shortfall		\$62,253.57	\$62,253.57
Defined Funding**	\$92,000.00		\$92,000.00
SACS	\$25,674.46		\$25,674.46
Total Funding	\$263,372.96	\$162,253.57	\$425,626.53

This level of funding received by the NWCLC was the highest to date. However, for the second year in a row the NWCLC has recorded a loss.

The loss whilst significant is not unexpected and primarily stems from increases to our wages expense as a result of:

- (a) The Equal Remuneration Order increases under the *Social, Community, Home Care & Disability Services Industry Award 2010* (SCHADS) we have seen over the last 12 months; and
- (b) The employment of a new legal practitioner on contract in April, 2019 for which this is the first full financial year this has impacted our bottom line.

The employment of a new practitioner to establish a 3.5 FTE compliment of legal practitioners (including the Coordinator) was and remains required in order to meet the demands on our services whilst simultaneously allowing us to improve administrative practices, advance our accreditation and meet the general demands placed on all organisations in the sector.

Funding uncertainty has been a hallmark not just for the NWCLC but for all CLCs and others within our sector for a long period of time. It has influenced the decision of many in the sector to prematurely leave positions in the search for greater remuneration, job certainty or career progression. Fortunately, the NWCLC has not had to deal with this in recent times whereby we have been able to attract and retain a fantastic compliment of staff, some of whom have been with us for nearly 25 years.

Now with a better idea of how our funding will look post the NPA, it is clear that the NWCLC's strategic plan cannot extend beyond 12 months at a time as we gratefully accept and utilise one off grants moving forward to retain staffing levels in order to ensure we can meet the demands of the community in which we operate.

Based on forward budget estimates, the financial outlook for the NWCLC will improve in the 2020/21 financial year primarily due to one off COVID-19 grants and cash flow boost payments. Our budget will however remain extremely tight and require careful analysis and consideration year to year for the foreseeable future.

As we move into the 5 year NLAP, I commend the approach taken by the NWCLC to date, whereby strong leadership has seen us prioritise service delivery to the community despite long term funding uncertainty. The coming years will be some of the most challenging the NWCLC has ever had to navigate, but with excellent governance practices, a clear grasp on our financials and clear communications with the *Department of Justice*, we remain well placed to continue to provide our high levels of service into the future.

CASE STUDIES

The NWCLC's reach as a generalist community legal centre is far and wide. The four legal practitioners employed by the NWCLC have combined legal experience of over 40 years, enabling us to meet the demands of the varied legal issues that come through our door every day. The following case studies provide a snapshot of the work carried out by the NWCLC over the last twelve months as we empower the disadvantaged to understand and assert their legal rights and responsibilities and to address, or prevent, legal problems.

Case Study 1 – Industrial Relations/Employment Law

A mother of three young children in minimum wage employment was terminated without notice whilst in receipt of workers compensation.

The NWCLC drafted correspondence to the former employer both advising them of their breaches of the *Fair Work Act 2009* and putting forward an offer of compromise that was ultimately rejected by the employer.

A General Protections Application involving Dismissal was drafted and filed with the *Fair Work Commission* and submissions were drafted in support of the client's case.

In formal conciliation with legal counsel for the employer, the client agreed on an offer of compromise representing twice the amount originally offered as well as a general damages component and a statement of service which she can use as a reference for future employment.

Case Study 2 – Civil/Restraint Orders

A client living in social housing and in receipt of a Carer's Pension looking after her ill husband approached the NWCLC with a neighbourly dispute. A neighbour had repeatedly filed numerous vexatious restraint order applications against the client and her husband.

The NWCLC assisted the client by drafting responding affidavits to fully explain the position of the client, outline the deficiencies in the applicant's application which in turn assisted the court.

"Good advice, empathetic solicitor who listened and offered good advice"

5 Star Google Review

"Very professional, extremely helpful and offers all sorts of services to assist in any legal matter. Great Advice friendly atmosphere"

5 Star Google Review

"These guys work hard for their clients"

5 Star Google Review

"I did not expect you could work this late to reply to me. I felt I was helpless before contacting you"

Client Written Feedback, 2020

Applications against the client were struck out and the client has not been the subject of any further unmeritorious applications.

Case Study 3 – Civil/Contract Law

A retired client in receipt of the age pension engaged a travel company to book a holiday which was subsequently cancelled by the tour operator due to COVID-19.

The client was refused a reimbursement and instead was told his payment would be held and the holiday rescheduled at an underdetermined future date once COVID-19 concerns had been alleviated.

The NWCLC reviewed the contract, noted that COVID-19 had frustrated the terms and thus placed a lawful obligation on the tour operator to provide a full reimbursement. Upon notifying the tour operator of their contractual requirements, a full refund was provided to the client.

Case Study 4 – Administrative Law

A client with disabilities was rejected twice for a Disability Support Pension (DSP) by *Centrelink* and was in the process of having the latest decision reviewed when she came to the NWCLC for advice.

We helped the client understand the eligibility criteria for a DSP, including the requirement to be "fully diagnosed, treated and stabilised", advised her what she needed to do to meet those criteria and the matters which needed to be addressed by medical evidence in order to satisfy the DSP requirements.

The client followed the advice, reapplied for the DSP and was successful.

Case Study 5 – Family Law

The client approached the NWCLC having been involved in protracted negotiations with the other parent over parenting matters. Negotiations had been stalled for many months over a number of relatively minor issues. The NWCLC represented the client in

"Great Speakers"

CLE Written Feedback,
2020

"The group loved you!!
Very relevant for the age bracket!"

CLE Written Feedback,
2020

negotiations with the other parent's legal representative, resulting in the parties reaching agreement and consent orders being lodged.

Case Study 6 – Superannuation Dispute

The client, a single mother acting on behalf of her infant son, sought the NWCLC's assistance in claiming for her son, the superannuation benefit of her former partner after he died.

The NWCLC assisted the client to make the claim and the fund determined to pay the benefit to the infant son.

The deceased's parents lodged a complaint with the fund seeking that they be provided with the deceased's funds to manage on behalf of their infant grandson. The dispute was ultimately referred to the *Australian Financial Complaints Authority (AFCA)* whereby the NWCLC assisted the client in making written submissions, resulting in AFCA determining the dispute in favour of the client and her infant son.

Case Study 7 – Tenancy

A tenant being pursued by the landlord's insurer for extensive property damage amounting to more than \$6,000.00 sought the assistance of the NWCLC after a debt collector became involved. The client initially presented as a person seeking advice on bankruptcy, whereby through those discussions, the tenancy issue became apparent.

The client denied causing the damage claimed by the landlord and after the NWCLC's intervention and contact with the insurer, the claim was ultimately dropped due to a lack of evidence.

Case Study 8 – Insurance Law

A youth presented at the NWCLC having had a minor car accident in a supermarket car park whereupon the client and the other driver had both reversed into each other whilst exiting their bay. The client had no insurance but the other party did.

"You are the best!!
You are my saviour.
Thank you very much again"

Client Written Feedback,
2020

The other party's insurer initially denied the client's claim whereupon the client sought the advice and assistance of the NWCLC. The client was advised of the principles of contributory negligence and with our assistance an offer of compromise was put forward based on legal principles which was accepted. The insurer paid out 2/3rds of the cost of rectifying the damage to the client's vehicle.

Case Study 9 – Administrative Appeal

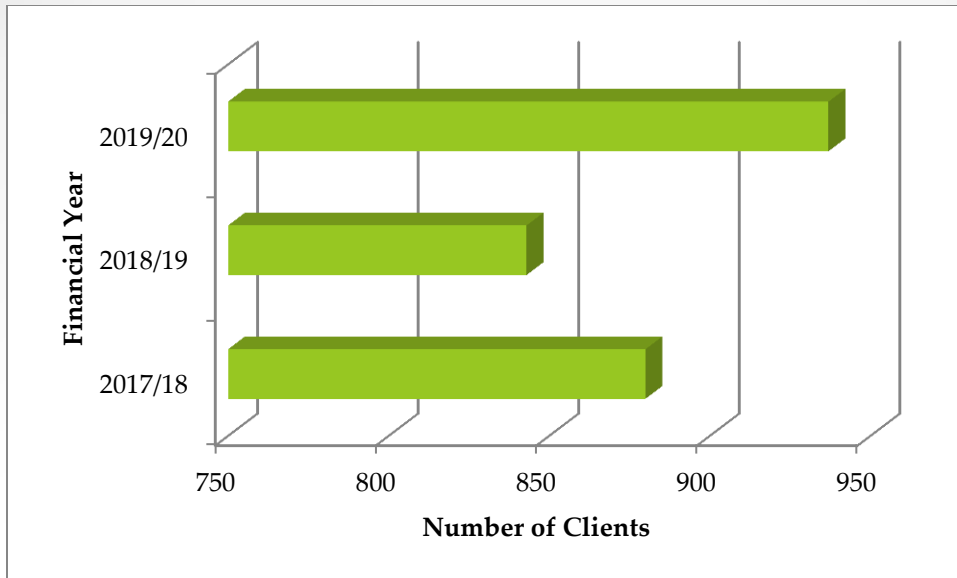
An unemployed client with medical conditions presented at the NWCLC after her dog was declared dangerous by a local council and subsequently alleged to have attacked an animal and made the subject of a destruction order.

The matter was reviewed and upon determining her opposition to the council case had merit, an appeal was lodged with the Magistrates Court. We represented the client before the Court whereupon after a one day hearing involving ten witnesses, the court found that just one of the six alleged incidents occurred, whereupon both the dangerous dog declaration and destruction order were set aside. The local council was required to pay the kenneling fees for the dog which was in the vicinity of \$6,000.00 and the dog was released back to the client.

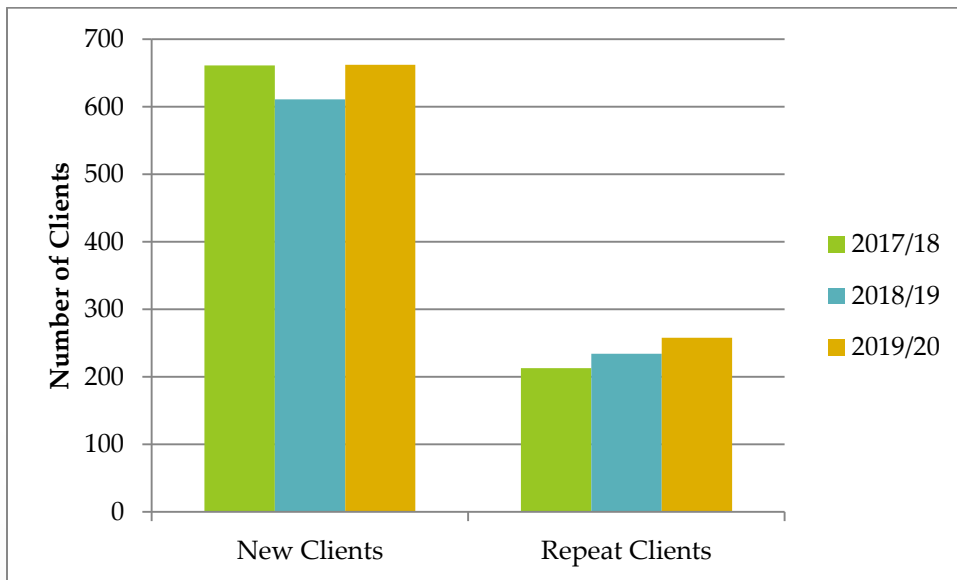
CLIENT STATISTICS

The 2019/20 financial year saw an increase in the total number of clients utilising the services of the NWCLC at 937, up from 843 in 2018/19. This represents an 11.1% increase.

Despite some initial lulls during the early stages of the COVID-19 restrictions, the levels of both referrals and individual clients directly approaching our office returned to trend and then increased.

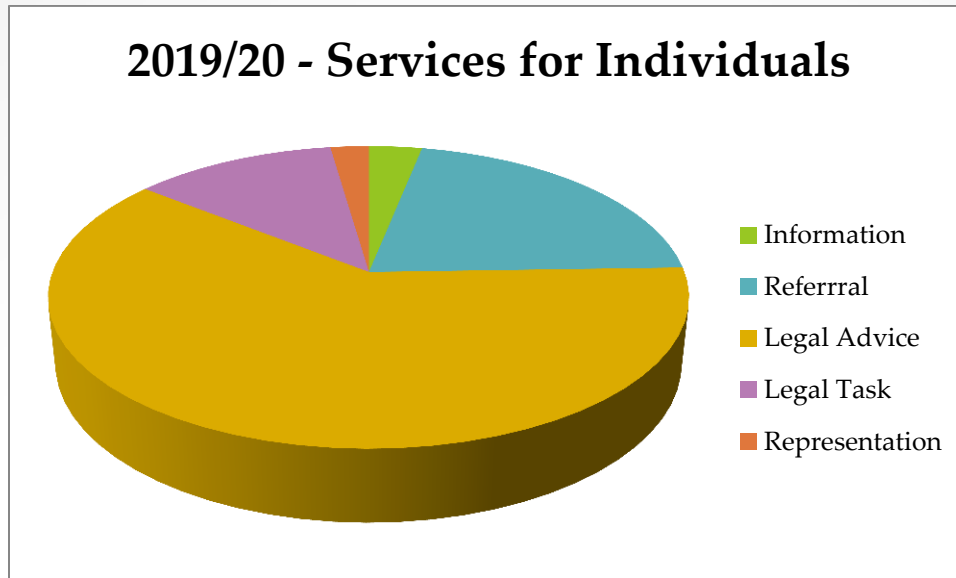


Unsurprisingly, both new clients and repeat clients have increased over the last 12 months in roughly the same proportions. The retention of clients is testament to the high levels of service being provided by staff of the NWCLC year upon year.

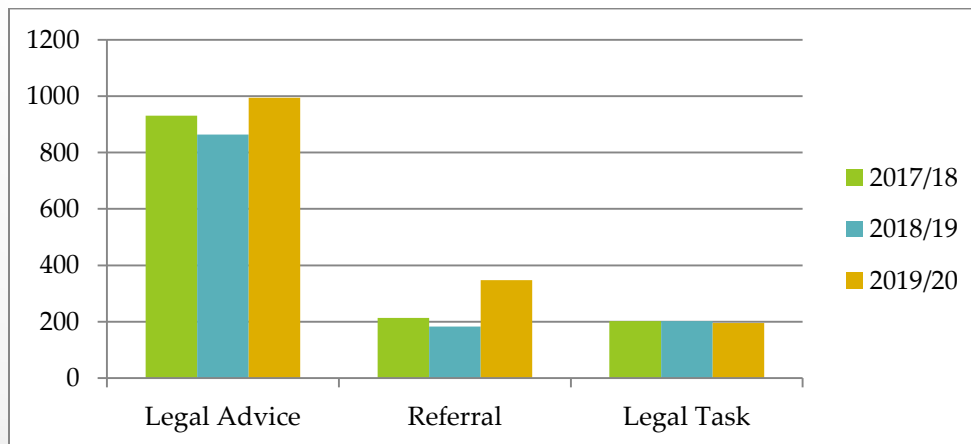


Legal Advice remains the majority of the work undertaken by the NWCLC followed by referrals and then then legal tasks. We have increased our presence in Court by way of representation, however the overall demand for our services means representation work will remain somewhat limited into the future as we focus on spreading our resources to assist as many people as

possible to ensure nobody is turned away without at least first receiving one off advice.

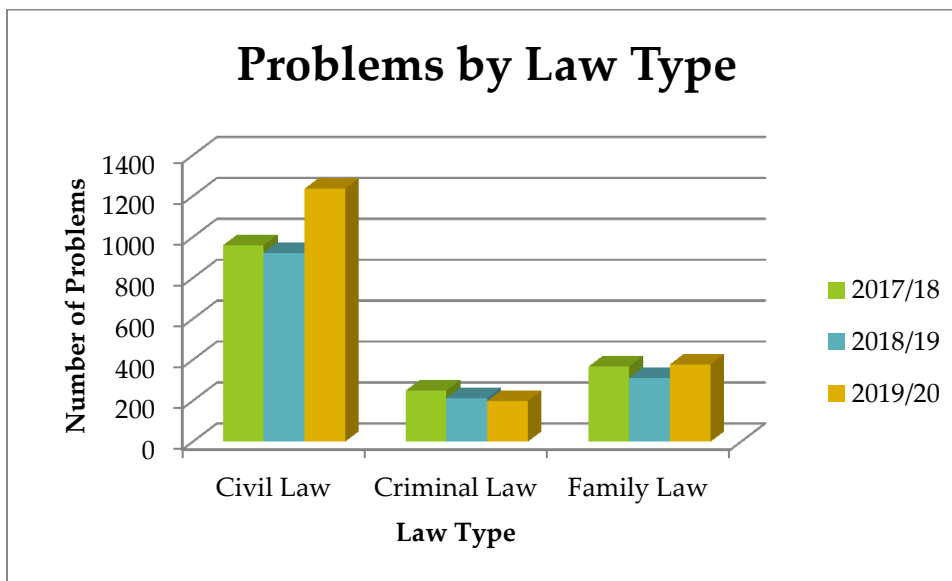


By taking the three most common service types provided to clients (Legal Advice, Referrals and Legal Tasks) we can see that whilst Legal Tasks have remained relatively stable, there has been a 15% increase in providing individualised legal advice to clients as well as a 90% increase in referrals over the previous financial year. To this end, it must be remembered that providing a referral is not mutually exclusive to all other service types. That is, referrals are nearly always provided to clients in addition to providing legal advice or performing a legal task. This may include financial counselling, Family Dispute Resolution, consumer regulatory bodies, other organisations within our sector or the private legal profession. A focus on consciously considering others that can assist a client ensures the gamut of a client’s legal needs are addressed.



When Law Types are split into civil law, family law and criminal law for the purposes of reporting, we find that as seen in previous years, civil law is the most frequent matter type seen by the NWCLC. Family law remains in second with criminal law in third. It ought to be noted that the total number of problems dealt with by the NWCLC exceeds the total number of clients and activities performed during the year due to matters often touching upon multiple areas of law.

Whilst difficult to make any conclusive findings based on three years of data, the trends suggests a general increase in civil matters, a slow reduction in criminal matters and family law remaining relatively steady.



Traditionally, family law has been the most resource intensive matter type for the NWCLC. This however is changing. We are finding a greater number of persons seeking our assistance with the drafting of affidavits and other legal documents to assist in minor civil claims, administrative matters/appeals and tenancy disputes. This includes an increase in clients being referred to the NWCLC from the Magistrates Court as a means of assisting those incapable of adequately pleading a cause of action or drafting an affidavit due to lower levels of literacy, disabilities, age and/or lack of ability to access electronic resources. The work we undertake in this sphere not only assists the most vulnerable in the community, but assists in streamlining matters before our Courts and Tribunals allowing for matters to progress more quickly, thereby reducing court backlogs and contributing to a more fully informed decision maker.

Finally, it must be acknowledged that not included in these figures are the matters the NWCLC undertakes as the North West agent for the *Tenants' Union of Tasmania*. 2019/20 saw us see a further 65 clients under the banner of the *Tenants' Union of Tasmania* as compared to 56 in 2018/19. Matters performed under the banner of the *Tenants' Union of Tasmania* more often than not take on the characteristics of a 'Legal Task' whereby clients are not only provided with advice, but also assisted by the drafting of affidavits and having us engage in correspondence with landlords or their agent.

LAW REFORM AND COMMUNITY LEGAL EDUCATION

Mr. Ben Bartl remained employed part time by CLC TAS as the Policy and Law Reform Officer in 2019/20.

We have assisted in providing information and guidance to Mr. Bartl along with other CLCs in Tasmania to formulate a joint voice in Law Reform issues that are currently before State and Federal Parliaments.

In the 2019/20 year we have participated in Law Reform activities as listed on the CLC TAS webpage <http://www.clctas.org.au> which include:

2020

- Comment on the *Tasmanian Civil and Administrative Tribunal Bill 2020* (May 2020)
- Submission to the Council of Attorneys-General on the *Age of Criminal Responsibility* (February 2020)
- Comment on the *Evidence Amendment Bill 2020* (February 2020)
- Submission to the Department of Justice *Renaming Sexual Offences – Removing Outdated Language in Chapter XIV of the Criminal Code Act 1924* Proposal Paper (February 2020)

2019

- Comment on the *Justice Legislation Amendments (Criminal Responsibility) Bill 2019* (November 2019)
- Submission to the Tasmanian Law Reform Institute on the *Jurors, Social Media and the Right of an Accused to a Fair Trial* Issues Paper (October 2019)
- Comment on the *Police Offences Amendment (Repeal of Begging) Bill 2019* (October 2019)
- Submission to the Tasmanian Law Reform Institute on the *Legal Recognition of Sex and Gender* Issues Paper (September 2019)
- Comment on the *Legal Profession Act Amendment (Validation) Bill 2019* (August 2019)
- Comment on the *Justice Legislation Organisational Liability for Child Abuse Amendment Bill 2019* (August 2019)

CLE in 2019/20 continued in the first half of the year unabated, with presentations to community groups, service providers, students and running information sessions at service provider roadshows around the North West Coast. The second half of the year saw a temporary halt to face to face legal education sessions due to the impact of COVID-19 restrictions. Legal education sessions continued in the form of updates to our social media and regular posting of information videos on our Facebook page whilst simultaneously working on upgrades to our website to enable us to deliver high quality CLE sessions from an electronic platform into the future.

2020/2021 & BEYOND

The five year National Legal Assistance Partnership (NLAP) commenced on 1 July, 2020 being the first major change to our funding environment since 2015. Whilst it was hopeful the NWCLC may receive a boost in funding to meet the increasing client demands and the demands of the sector generally, we now know this unfortunately won't be the case.

The year 2020/21 and beyond is challenging to forecast due to the potential of further restrictions associated with COVID-19 combined with a tight fiscal position. However, whilst maintaining our current staffing level, we will seek to simultaneously make efficiency gains in our service delivery model. One resource due to come online in 2020/21 which will assist in this regard will be our redesigned website. It will incorporate our social media feed and restricted content section to enable the publication of legal education material to specific groups. Not only will this increase the reach of the NWCLC generally, but will ensure we are better placed to deliver services and reach our target audiences in the face of any future shutdowns.

Government restrictions permitting, we will look to return to offering face to face Outreach services in the first half of 2020/21. As a CLC with a benevolent purpose, we will continue to strengthen our connections with other organisations in the sector to maximise service delivery and make the most efficient use of resources available to us to ensure we continue to empower the most disadvantaged in our community.

The backbone of any service provider is its staff. We are very lucky to have experienced a very stable period of staffing at the NWCLC with no staff

changes over the last twelve months, myself excluded. We are clearly moving into one of the more challenging environments the NWCLC has seen in quite some time, but we are well placed for that challenge.

I am proud to serve as the Coordinator/Senior Solicitor of the NWCLC and for the opportunity to work with the Management Committee to guide the Centre forward at this vital time.

A handwritten signature in black ink, appearing to read 'Ryan Gilmour', with a stylized flourish extending to the right.

Ryan Gilmour
Coordinator/Senior Solicitor

North West Community Legal Centre Inc

Financial report

For the year ended 30 June 2020

Prepared by.

Willing Associates Pty Ltd

24 Edward Street
DEVONPORT TAS 7310

North West Community Legal Centre Inc

FINANCIAL REPORT

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North West Community Legal Centre Inc

Income statement

For the year ended 30 June 2020

	2020 \$	2019 \$
Income		
Consulting fees	9,768	10,151
Funding - Legal Aid Commission	425,627	421,170
Interest received	9,485	6,645
Sundry income	-	102
	<u>444,880</u>	<u>438,068</u>
Gross profit from trading	444,880	438,068
Income		
Covid relief	58,837	-
Expenses		
Advertising	3,837	1,625
Annual dinner	1,264	2,559
Audit fee	980	950
Bank charges	286	42
CLASS contribution	2,777	2,708
Clothing	107	1,760
Depreciation - Plant and equipment	8,591	1,983
Dues and subscriptions	1,071	1,040
Electricity	4,952	4,164
Employee entitlements provision	(17,237)	10,668
Insurance	5,116	4,013
Leasing charges	2,100	2,100
Levy - NACLC	2,417	2,042
Magazines, journals and periodicals	1,242	1,160
Net loss on sale of plant and equipment	-	21
Postage	122	273
Printing and stationery	6,627	4,083
Registration & licence fees	1,399	893
Rent of premises	34,907	34,609
Repairs and maintenance	10,904	4,638
Security	492	492
Staff amenities	3,486	2,692
Staff training and welfare	-	1,098
Sundry expenses	392	318
Telephone, mobile and fax	6,892	8,568
Travel	727	2,485
Wages	479,181	356,901
Water	981	1,034
	<u>563,613</u>	<u>454,919</u>
Loss for year	(59,896)	(16,851)

These statements should be read in conjunction with the attached compilation report.

North West Community Legal Centre Inc

Balance sheet As at 30 June 2020

	Note	2020 \$	2019 \$
Assets			
Current assets			
Cash assets	2	354,691	433,143
Other assets	3	5,117	4,959
Total current assets		359,808	438,102
Non-current assets			
Property, plant and equipment	4	32,834	39,273
Total non-current assets		32,834	39,273
Total assets		392,642	477,375
Liabilities			
Current liabilities			
Payables	5	14,372	7,570
Provisions	6	46,701	50,717
Tax liabilities	7	(13,058)	10,267
Total current liabilities		48,015	68,554
Non-current liabilities			
Provisions	6	5,943	10,241
Total non-current liabilities		5,943	10,241
Total liabilities		53,958	78,795
Net assets		338,684	398,580
Equity			
Retained earnings		338,684	398,580
Total equity		338,684	398,580

The accompanying notes form part of these financial statements.
These statements should be read in conjunction with the attached compilation report.

North West Community Legal Centre Inc

Notes to the financial statements For the year ended 30 June 2020

2020	2019
\$	\$

Note 1: Statement of significant accounting policies

- a. This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporations Act (Tas.) 1964. The committee has determined that the Association is not a reporting entity.

The financial report has been prepared in accordance with the requirements of the Associations Incorporation Act (Tas.) 1964 and the following Australian Accounting Standards:

AASB 1031: Materiality

AASB 110: Events after the Balance Sheet Date

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

The following is a summary of the material accounting policies adopted by the association in the preparation of the financial report. The policies have been consistently applied unless otherwise stated.

b. **Property, Plant and Equipment**

Property, plant and equipment are carried at cost. Depreciable items are depreciated over their expected useful life using the diminishing value.

c. **Inventories**

Inventories are measured at the lower of cost and net realisable value.

d. **Income tax**

The association is exempt from income tax under section 23(h) of the Income Tax Assessment Act (1997).

e. **Grant income**

Grant revenue is recognised in the income statement when it is controlled. When there are conditions attached to grant revenue relating to the use of those grants for specific purposes it is recognised in the balance sheet as a liability (Grants Unexpended) until such conditions are met or services provided.

f. **Goods and services tax (GST)**

The net amount of GST recoverable from or payable to the Australian Taxation Office is included as a current asset or a current liability respectively in the balance sheet.

North West Community Legal Centre Inc

Notes to the financial statements For the year ended 30 June 2020

	2020 \$	2019 \$
Note 2: Cash assets		
Cash on hand	-	462
Petty cash	847	-
Cheque account	87,764	15,496
Term deposits	266,080	417,185
	<u>354,691</u>	<u>433,143</u>
Note 3: Other assets		
Prepayments	5,117	4,959
Note 4: Property, plant and equipment		
Plant and equipment at cost	74,075	71,923
Less accumulated depreciation	(41,241)	(32,650)
	<u>32,834</u>	<u>39,273</u>
Note 5: Payables		
Trade creditors	14,372	7,570
Note 6: Provisions		
Provision for annual leave	26,393	28,689
Provision for long service leave	11,385	22,028
Superannuation payable	8,923	-
Provision for long service leave	5,943	10,241
	<u>52,644</u>	<u>60,958</u>
Note 7: Tax liabilities		
GST - Prior years liabilities	(13,058)	6,454
GST payments / refunds	-	(3,521)
PAYG instalment payable	-	7,334
	<u>(13,058)</u>	<u>10,267</u>

These notes should be read in conjunction with the attached compilation report.

North West Community Legal Centre Inc

Responsible person's declaration

For the year ended 30 June 2020

The responsible persons declare that in the responsible persons' opinion:

- 1 there are reasonable grounds to believe that the registered entity is able to pay all of its debts, as and when they become due and payable; and

- 2 the financial statements and notes satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*

Signed in accordance with subsection 60.15(2) of the Australian Charities and Not-for-profits Commission Regulation 2013.

H Bassett
Chairperson

D Tuck
Treasurer

07 September 2020



willing
associates

Certified
Practising
Accountants

M Peebles CPA
AR Aylett

Consultant:
DC Willing FCA

Independent Auditor's Report **To the members of North West Community Legal Centre Inc.**

Report on the financial report

We have audited the accompanying financial report being a special purpose financial report of North West Community Legal Centre Inc, which comprises the statement of financial position as at 30 June 2020, the statement of comprehensive income for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the declaration by members of the committee.

Committee's responsibility for the financial report

The Committee of the entity is responsible for the preparation of the financial report and have determined that the basis of preparation described in Note 1 to the financial report is appropriate to meet the financial reporting requirements of the *Australian Charities and Not-for-profits Commission Act 2012* and is appropriate to meet the needs of the members.

The Committee's responsibility also includes such internal control as the directors determine is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the

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circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

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

Independence

In conducting our audit, we have complied with the independence requirements of APES 110 Code of Ethics for Professional Accountants.

Auditor's opinion

In our opinion:

- 1 the financial report presents fairly in accordance with the accounting policies described in Note 1 to the financial statements, the financial position of North West Community Legal Centre Inc. at 30 June 2020, and of its performance for the year then ended;
- 2 we obtained the information we required for the audit and North West Community Legal Centre Inc. kept proper accounting records and other books during the year ended 30 June 2020; and
- 3 the rules relating to the administration of the funds of North West Community Legal Centre Inc. have been observed.

Willing Associates Pty Ltd
Accountants



M Peebles
Director
Devonport, 07 September 2020