



ANNUAL REPORT 2011



BARWON

COMMUNITY LEGAL SERVICE

Barwon Community Legal Service (BCLS) receives funding from the state (\$389,392 in 2010/11) and federal (\$396,660 in 2010/11) governments to provide free community legal services in the Barwon region. BCLS provides a range of services including legal advice, referral to specialist casework services, community education and development and policy and law reform activities to assist members of our local community. Advice provided at BCLS is provided by qualified lawyers and our service is governed by the same regulations and professional standards as all legal practices, including private legal firms that charge for services.

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Chairperson's Report

Mark Osborne

This has certainly been a year of changes at the Barwon Community Legal Service (BCLS). Not the least of these has been longstanding board member and Chair of two years Mikarla Perisic stepping down. Mikarla in her time has achieved great advances for the board including the implementation of the Strategic Plan. Fortunately for me as the new Chair, Mikarla has remained on the Board and has been an invaluable support to me in the role.

2011 has been a challenging time for a variety of reasons. I thank and appreciate the time and dedication that the Board has shown. Their individual and collective efforts has added value and enhanced the ability of the Legal Service to deliver services to the community.

With a change of Chair the BCLS now has a Board, shifting from Committee of Management. As part of this shift the Board has redefined its priorities to ensure a flexible and participatory governance model, allowing input from staff and other specialists where required. These include; Finance, Workplace Advocacy, Strategic Plan Implementation, Short/Medium Term Projects, Manager's Performance Review and Internal Policies and Procedures.

At this early stage the trial has proven successful but it is early days and we will continue to look at the best way to oversee and implement effective governance.

Our volunteer base remains strong. Volunteers make an invaluable contribution to the running of the service and I thank those who give up their valuable time to contribute. In the same way I thank our staff for their dedication and effort in delivering valuable services to the local community.

We have been providing team building and mentoring opportunities for the management of the service and also introduced a program to the whole staff group to enhance communication and open up interactive relationships. The Board continues to work towards improving and building a positive workplace culture. This is a process that in consultation with staff will continue throughout the new year.

The Student Clinic has continued and we believe, provided invaluable experience and learning for the Deakin University Law Students participating. We thank Deakin for this worthwhile partnership and look forward to this relationship continuing.

The year ahead will be challenging as we look to revise our constitution and strategic position at BCLS. We continue to strive to ensure staff have the resources they need to deliver exceptional service to our community.

Finally I would also like to recognise your support to the BCLS. Our reputation and standing in the community is in part due to your interest and support. Our Board is open to receive your ideas, thoughts, questions and clarifications. The Board continues to be committed to making BCLS everything that it possibly can be to the community it serves.

Manager's Report

Nick Hudson



Reducing barriers to justice

It is with pleasure that I present this report for the 2010-2011 financial year. It has been a busy year for our service and staff.

In reviewing our community's legal needs, we have focussed on our core service delivery and refined our outreach offerings. In so doing, we have sought to reduce the barriers for our clients seeking access to our services (and access to justice). This focus has resulted in a service which is more open and accessible for our clients and one which can provide a quicker response to client need. Our client intake system now consists of a mix of drop-in and appointment services; an arrangement that challenges our staff but has greatly reduced waiting times and found favour with our clients. I'd like to thank all our staff for their positive attitude and for making this change work.

Our staff are core to our service and over the year we have continued to focus on their development. We ran workshops on mental health, working with interpreters and family violence for all our staff and also invited lawyers from other community legal centres and local practice to join us. Staff also attended a wide range of professional training events over the year and we held a series of staff workshops to develop a team trademark and focus on positive relationships and communication. In 2010 we were fortunate to have the National Association of Community Legal Centres National Conference in Melbourne, and all staff were given the opportunity to attend, meet staff from other community legal centres, share their experience and learn about current best practice within the sector.

This year we negotiated with the Federation of Community Legal Centres (Victoria) (FCLC) to

have a BCLS staff member participate in their Law Graduate Scheme. Under this scheme, BCLS employed a law graduate who worked part time as a para-legal in our service whilst completing Practical Legal Training. Following admission to practice, the graduate works as a lawyer in our service and participates in an ongoing formal graduate training program with the FCLC. Participating in this program provides the graduate with a much broader experience and exposure than they would otherwise receive, which develops their skills and knowledge and also contributes to the capacity within our sector. Our experience with the scheme has been positive and other community legal centres have expressed interest in joining the scheme in the future.

We are well supported by our Board of Directors who are enthusiastic and have excellent collective skill and knowledge base. The Board has continued to refine their processes and during the year adopted a new Board and Sub-Committee model which provides both an improved focus on important areas of the organisation and an improved opportunity for staff to input their experience and expertise to the Board processes. Thank you to all of the Board for their continued commitment to improving our service.

The year ahead promises to be another exciting and challenging one as we celebrate our 25th year. We will continue to refine the way we engage with our community and other community agencies, maintain the focus on staff development and for the first time embark on a quality accreditation program. In these endeavours we continue to rely on the professionalism and enthusiasm of our fantastic staff and the dedication of our Board.

Principal Lawyer Report

Neil Longmore

The year has seen significant change in the legal practice with the consolidation of our new client intake system and some changes in legal staffing. The new system includes a mix of drop-in and client appointments which has reduced waiting times and been well received by our clients. Caetlyn Wells-Simon and Wendy Brett both moved into private practice specialising in criminal and family law respectively. We welcomed two new lawyers in Karina Okotel and Lee Bolton and Peter Nannery as trainee.

Karina is an experienced community lawyer with a background at the Tenant's Union of Victoria and the Mental Health Legal Service. She works full-time and brings enormous enthusiasm for law reform to BCLS. She was selected from a very high calibre field of applicants and has already demonstrated a tireless work ethic and highly-refined analytical sense for extracting law reform and policy issues from her caseload.

Prior to joining BCLS, Lee was an adviser in the Department of Justice. Lee is currently working 3 days per week and has strong analytical and policy skills combined with a background in Consumer Affairs which give her insights into the types of issues where our clients rights are endangered. The enthusiasm of both new workers has added a new dimension to the service.

This year we elected to offer a graduate position at BCLS. The program is supported by ongoing training provided through the Federation of Community Legal Centres (Victoria) and Peter was selected from over 100 applicants for this program. He has a background of volunteering at the Western Suburbs Legal Service over a long period and came highly recommended because of that involvement. He is now a fully qualified lawyer (the first in his family!) and is gradually learning the craft of being a community lawyer.

Our study of community legal need indicated that

there is a gap in legal services at the Residential Tenancy List of VCAT. Although a number of agencies do provide advocacy at VCAT, some housing matters can be quite complex and may require a high degree of legal expertise for the issues to be properly aerated before the Tribunal. High numbers of people throughout the Barwon region suffer from housing stress in one form or another. Housing insecurity is one of the main social indicators of disadvantage linked closely with family violence, drug and alcohol abuse, mental illness and poverty. For impoverished and at-risk clients to hang onto a tenancy when landlords and agents have a financial interest in churning through tenants in a rising rental market may be an important stabilising factor in their lives.

BCLS has begun a pilot project in co-operation with the Tribunal to be available in situations where complex legal argument may need to be put on behalf of at-risk tenants. This is a service that currently does not receive any funding. It is complementary to tenancy services that already exist in Geelong and does not duplicate any of them. At this stage, the pilot will run for 3 months. Lee has lodged applications for funding with philanthropic bodies to hopefully extend the service beyond the pilot stage.

With all the areas of law we cover, all legally-trained staff are encouraged, through training, to become competent in all our service areas as well as to think laterally about how to work most effectively as a community lawyer. This applies to tenancy issues as well. It has been extremely gratifying to see staff adopt this new policy without complaint; it allows our service to run more smoothly and for us to respond effectively to community demand. Inequality will always be with us; identifying its new forms and manifestations is the work of a community lawyer.

Community Legal Education and Community Development

Jillian Chapman



Poverty Week Event at Salvos Northside.
L-R Jillian, Liz, Ros, Elsie, Nick & Jeanette

BCLS continues to be committed to providing a proportion of the service's resources to Community Education and Community Development activities.

BCLS employs a Community Legal Education and Development Worker 3 days per week and all staff are actively encouraged to be involved in community development and education activities. During the past 12 months Jillian took maternity leave for 8 months and Helen Watt was employed as a locum worker between April and June 2011.

BCLS has also appreciated the articulate and hard work provided by Deakin University Law Student Volunteers; Jessica Haintz, Jacqui Fumberger, and Marijana Graljuk who have played an integral part in the community legal education program by maintaining the publication library, preparing legal information sessions, undertaking research and assisting with special events.

During 2010-2011 year BCLS has continued to respond to requests for information sessions from the community, undertake regular service visits and be involved in community development activities.

BCLS has responded to requests for legal information sessions from a variety of organisations and groups including:

- Diversitat
- United Aged Care – Kalkee
- Bethany
- Portarlington Community Centre
- Salvation Army
- Create
- St Laurence
- Department of Veterans Affairs
- Newcomb Community Health
- Bosnian Lily Geelong Association

Some of the topics covered included:

- Overview of the Services provided by BCLS
- Wills & Power of Attorneys
- Family Law for Beginners
- How to obtain an Intervention Order
- Role of the Police and Court System
- Laws in Australia
- Human Rights in Australia

Again this year we have been involved in providing legal information to the newly arrived Afghan, Karen, Karenni, Sudanese, Liberian and Congolese communities. Information sessions ranged from introduction to Australian law, driving law, door to door sales and family law.

Law Week was celebrated during May 2011 this year. In partnership with the Barwon Community Justice Group, BCLS contributed to another successful Law Week in the Barwon region. BCLS activities this year included:

- Community BBQs and legal information displays at Colac and Corio
- Wills and Power of Attorney information session for Department of Veteran Affairs

BCLS also hosted an Anti-Poverty Week event at Northside Corio which involved a community BBQ and public scribing session. This was an opportunity for community members to have their say around concerns/issues that keep people in poverty with letters being sent to relevant politicians, media and other decision makers.

BCLS is a member of the following networks:

- Barwon Community Justice Group
- Community Agents of Sustainability (CAOS)
- Barwon Adolescent Task Force (BATForce)
- Geelong Settlement Planning

BCLS also participates in the Community Development & Legal Education Working Group (a group made up of Community Legal Education Workers from across Victoria).

Volunteer Report

Charmaine Floyd

Our BCLS volunteers, both solicitor and student, have continued to provide exceptional assistance throughout 2011 enhancing the quality and delivery of our service. We engage the assistance of volunteer solicitors from private firms and sole practices during our weekly Tuesday Night Service and fortnightly Criminal Law Clinic. Our dedicated team of general and family law Night Service solicitors are an ever-reliable bunch, often filling-in on their un-rostered evenings when needed and always happy to answer questions and discuss aspects of the legal matters advised on with observing volunteer students.

Volunteer family law solicitors have become a vital part of BCLS as we do not have capacity to provide this type of legal advice during our regular day services and must place all such clients into the Night Service schedule; this results in family law appointments being regularly booked out of a Tuesday evening. As the new setup of our appointment intake system includes a drop-in service between the hours of 9.30am and 11.30am on Monday, Tuesday, Wednesday and Friday mornings, the majority of clients with general law matters (MVAs, credit and debt issues, neighbourhood disputes etc) are assisted during these times, causing our bevy of keen general law solicitors to be underutilised. To counteract this concern, we are now directing all neighbourhood disputes and fencing matters into the Night Service where appropriate.

As a matter of course we have been forced to say goodbye to some fantastic and highly experienced volunteer solicitors and students during the year. These departures have occurred for varied and often times exciting reasons including work relocation, year-long travel, maternity leave and particular to the student volunteers, impending graduation. In this last instance, we sincerely wish

them the greatest success in the next chapter of their legal careers. The only consolation I can find in losing such familiar and friendly faces is the opportunity to welcome eager new ones.

We have added four solicitors and three students to our volunteering family, bringing us to a total of twenty-two solicitors and fourteen students, with the intention of further increasing student numbers as positions become available. In this regard we are spoilt for choice with at least two to three applications received from prospective volunteer students every week via the BCLS website. With the exception of the monotonous data entry which was completed to underwhelming jubilation earlier in the year, volunteer students continue to assist solicitors with files in the office, at court for Family Violence Intervention Orders and on Night Service, as well as working on CLE projects, the publications library and many short-term administration projects.

Our annual National Volunteer Week function usually held in May was hijacked this year and combined into one big bash in October to celebrate our services' twenty-fifth birthday. Sadly, this celebration also coincides with the volunteer students' exam period and we will be missing many of them on the night, but will find some way to make this up to them in the lead up to Christmas.

We recognise and appreciate the tireless efforts and dedication of our volunteer solicitors and students. Thank-you for all your good work and ongoing support.



Solicitors

Alice Vaillant	Vaillants Barristers & Solicitors
Brendan O'Halloran	Roger O'Halloran & Co
Caetlyn Wells-Simon	Michael Brugman Barrister & Solicitor
David Oldfield	TAC
Duane Portway	Duane Portway Family Law
Duncan Ferguson	Robert Stary Lawyers
Guanqi (Lucky) Zhou	Makinsey Solicitors
Jacinta Cornish	Cahill & Rowe
John Butler	Whyte Just & Moore
Kasey Warner	Whyte Just & Moore
Kristen Vienna	Perisic & Thomas Lawyers
Lucas Kenny	Harwood Andrews
Mark Rawlings	TAC
MaryAnne Guina	Fair Work Australia
Megan Alford	TAC
Michelle Adams	TAC
Michelle Fielding	Crown Melbourne Ltd
Michele Tucker	
Mikarla Perisic	Perisic & Thomas Lawyers
Panayiota Karnis	Foley's List
Paul Bourke	TAC
Paul Cahill	Cahill & Rowe Lawyers
Rohan Kux	Harwood Andrews
Ross Brown	Whyte Just & Moore
Sharon Marshall	Barrister
Sheree Molloy	Whyte Just & Moore
Wendy Brett	Perisic & Thomas Lawyers

Students

Amber Colbourne	Jessica Nematic
Amelia Rayson	Lydia De Raad
Andrew Barnao	Marijana Graljuk
Bonnie Halsall	Nadine Webb
Christie Dunn	Nicole Rowan
Hannah Dawes	Rebecca Martin
Jarryd Wilson	Sharna Steike
Jessica Haintz	



Jeanette (staff) and Jessica Haintz (volunteer) at community lunch event



Annica Akerfelt (student clinic) and Ross Brown (volunteer) at BCLS staff and volunteer BBQ

Community Involvement

An important aspect of the work of community legal centres is the way they interact with the local community and work in collaborative community service partnerships to better understand and service the community. Some of the activities in which our staff are involved include:

Child Support Legal Liaison Group

This Group meets quarterly and any legislative changes that have occurred in the preceding 3 months are tabled and discussed, in terms of the impact that clients are likely to see as a result. Members also discuss trends in case law which can assist our advice to clients.

Community Legal Centre (CLC) Child Support Working Group

The Child Support Working Group consists of members from various CLCs that deal in Child Support issues, as well as a Victorian Legal Aid representative. Members meet every 2 months to discuss any issues that they are experiencing in relation to dealing with Child Support clients and use the Group's combined skills and knowledge to try and work out appropriate solutions.

Barwon Centrelink Liaison Group

Meets quarterly at different community agencies venues with the current Centrelink Manager and Team Leaders to build and maintain closer more positive relationships. We address local issues and changes to Social Security legislation and continue to provide relevant community legal education. Community agencies and groups present new and relevant programmes to further assist each other, our clients and the community

Geelong Family Violence Action Committee

Meets monthly and organises the local activities for International White Ribbon Day held annually on 25th November to raise awareness of violence against women. The committee also facilitates local networking amongst agencies working with women living with family violence.

National Welfare Rights Network

This network assists with keeping up to date on trends and legislative changes and proposed changes across the country. Together we lobby on a national level for national law reform. The NWRN is an important law reform vehicle to facilitate change on a national level by lobbying the federal government for the benefit of our clients and the wider community.

Barwon Community Justice Group

Has a membership of local justice agencies including Victoria Legal Aid, Consumer Affairs, Department of Justice and City of Greater Geelong. This group organises local events for Law Week and other activities.



The BCLS Service Area



Geelong Settlement Planning Committee

Works with the Department of Immigration to provide planning and support for refugee and migrant communities that are settled in the Geelong region. Agencies providing housing and other support services attend and aim to provide an integrated approach to the provision of assistance.

Barwon Adolescent Taskforce

BATForce is an alliance of organisations in the G21 region with a stake in the provision of services with and for young people. These organisations focus on young people of all ages 10 to 25 and from all socio-economic, cultural and geographical areas within the region. As an alliance, BATForce is a vehicle to identify, develop, implement and evaluate service and sector enhancement activities that optimise the capacity of each independent organisation.

Geelong Law Association

The Geelong Law Association is a local Committee that provides a range of networking and legal education opportunities for practitioners and law students in the Geelong region. The group meets monthly to plan and coordinate both new and existing events, programs and compulsory legal education opportunities. It is a proactive and progressive association providing a range of benefits to local members.

Community Legal Education Workers Network

CLEWS is a statewide network of education workers that meets monthly to share best practice in legal education and community development.

State-wide Family Violence Lawyers Network

The SFVLN consists of legal representatives, predominantly practitioners from rural and metropolitan Community Legal Centres, who come together to discuss issues, concerns and matters of interest in relation to the Family Violence Applicant Service provided in local Magistrates Courts around the State. It provides strong network links for legal representatives who provide advice to and appear for clients in this practice area.

Federation of Community Legal Centres

The FCLC is the Victorian peak body representing 50 community legal centres and is active in sector development and policy work initiatives. One of our staff sits on the FCLC Management Committee.

State Attorney General Robert Clark visits BCLS, pictured here with Nick Hudson



Child Support

Geordie Konieczka

In 2010-11 BCLS has assisted 61 clients with a range of child support matters, with the majority of the current matters being paternity related.

BCLS has continued its membership of the State Child Support Working Group which meets bi-monthly at VLA in Melbourne.

This year the group has been spending a considerable time in discussing the viability of whether law reform around paternity testing procedures would be likely to succeed, as well as whether a positive paternity test should be accepted conclusively by the Child Support Agency without the need to obtain a Court Order. The basis for this is that new mothers are often time poor, and often don't have the means to fund such testing; yet Centrelink require them to do so, or risk having their Family Tax Benefit reduced. There is a feeling that putative fathers get off rather lightly and when they refuse to submit to testing, the mother is forced to go to a significant amount of trouble to obtain court orders to satisfy the Child Support Agency, Centrelink and the Registry of Births Deaths and Marriages.

In the past 12 months the Child Support Agency have also gone through a process of reconciling estimates of earnings that go back many years (some as far back as 15 years). This has resulted in a significant impact on some CSA customers, especially those who are no longer in the workforce, and may now be subject to significant debt. The group have discussed this issue and members have assisted many CSA customers who have been subject to this.

BCLS is also involved in the Child Support Agency's Liaison Group and Stakeholder Group. These groups meet to discuss issues being experienced by stakeholders in an attempt to collaboratively address the problems, and refer them to the appropriate place within the

Child Support Agency to effect changes where necessary.

BCLS is also participating in the CSA Family Violence Reference Group. This was established due to a large number of Child Support clients not being dealt with appropriately when they are a party to family violence. The involvement highlighted many issues clients face when CSA request clients to produce certain documents as the requirement to do so can place them at further risk.

We are seeing positive outcomes from this reference group, such as CSA staff being trained to understand and deal appropriately with family violence clients, both victims and perpetrators. Future work for the Group involves the development of pro forma letters to be sent to at risk clients, addressing the issue of family violence, as well as the development of these publications in other languages.



Family Relationship Centre Partnership

Geordie Konieczka



Along with Victoria Legal Aid (VLA) Barwon Office, BCLS has continued its participation in the partnership with the Geelong Family Relationship Centre (FRC). This involves the delivery of information sessions during the day and in the evening (once per fortnight), as well as the provision of free legal advice appointments for FRC customers on a weekly basis.

The information sessions are designed to educate recently separated parents on what they can expect upon their journey through the family law system. This is often a very emotional time for parents and can prove difficult at times.

At the conclusion of the information sessions, clients are required to complete evaluations of

the session, with the majority of them being very positive.

BCLS offer free advice appointments on a Tuesday morning which are provided on outreach at the FRC. The advice given mainly covers child contact issues, but we have also given advice on issues such as property division, divorce, child support, welfare rights and kinship care arrangements.

In 2011-12 BCLS will be participating in lawyer assisted mediation with the FRC. This will be a beneficial step for both the clients and for the BCLS lawyers, who will gain some useful skills through this process.

Case Study

Jenny attended an advice appointment in relation to her grand daughter who had been in her care for the previous 6 months. Jenny advised that prior to that time, she had had her grand daughter in her care sporadically, as her stepdaughter was involved in prostitution and the child had been sexually abused whilst in her stepdaughter's care. DHS had been involved with the family.*

Jenny had recently made contact with the child's father who was a positive influence in the child's life, had become actively involved with the child and who could give consent for anything our client required, such as school excursions and medical treatment.

Jenny wanted to know what could be done in order to make the arrangement permanent so her granddaughter could stay with her permanently, without fear that the mother would step in

and remove the child from Jenny's custody. The stepdaughter had not tried to remove the child in the previous 6 months however, and had shown little interest in the child, even on birthdays and special occasions, instead focussing on her most recent boyfriend and his children.

Jenny was advised in relation to permanent parenting order applications, and was given advice on what would need to be completed prior to making an application to the Court. Given that the child's mother had not attempted to remove the child from our client's care, our client was also advised that she could do nothing for the time being (given the expense involved, her limited means, and given that she could receive the appropriate parental consents from the father) and should call DHS immediately if the mother attempted to take, or took the child.

**names and identifying information have been changed*

Family Violence

Simon Pitman

This year has been a productive one for the Family Violence Intervention Order Program. Traditionally family violence constitutes a significant portion of the overall client base we service and in 2010 changes to the program format at the Geelong Magistrates Court resulted in a streamlined delivery of services targeting family violence applicants more specifically. The new schedule involves family violence matters being primarily listed for Tuesdays, Wednesdays and Fridays to coincide with BCLS and Victoria Legal Aid attendance at the Geelong Magistrates Court. This has allowed an increased number of applicants (Barwon Community Legal Service) and respondents (Victoria Legal Aid) to obtain effective legal representation.

This year has also seen the introduction of the new Personal Safety Intervention Orders Act which has replaced the now repealed Stalking Intervention Orders Act. While we do not provide a funded service to assist applicants seeking a Personal Safety Intervention Order, we continue to receive requests for assistance both at Court and through our drop in service indicating a need may exist for such a program.

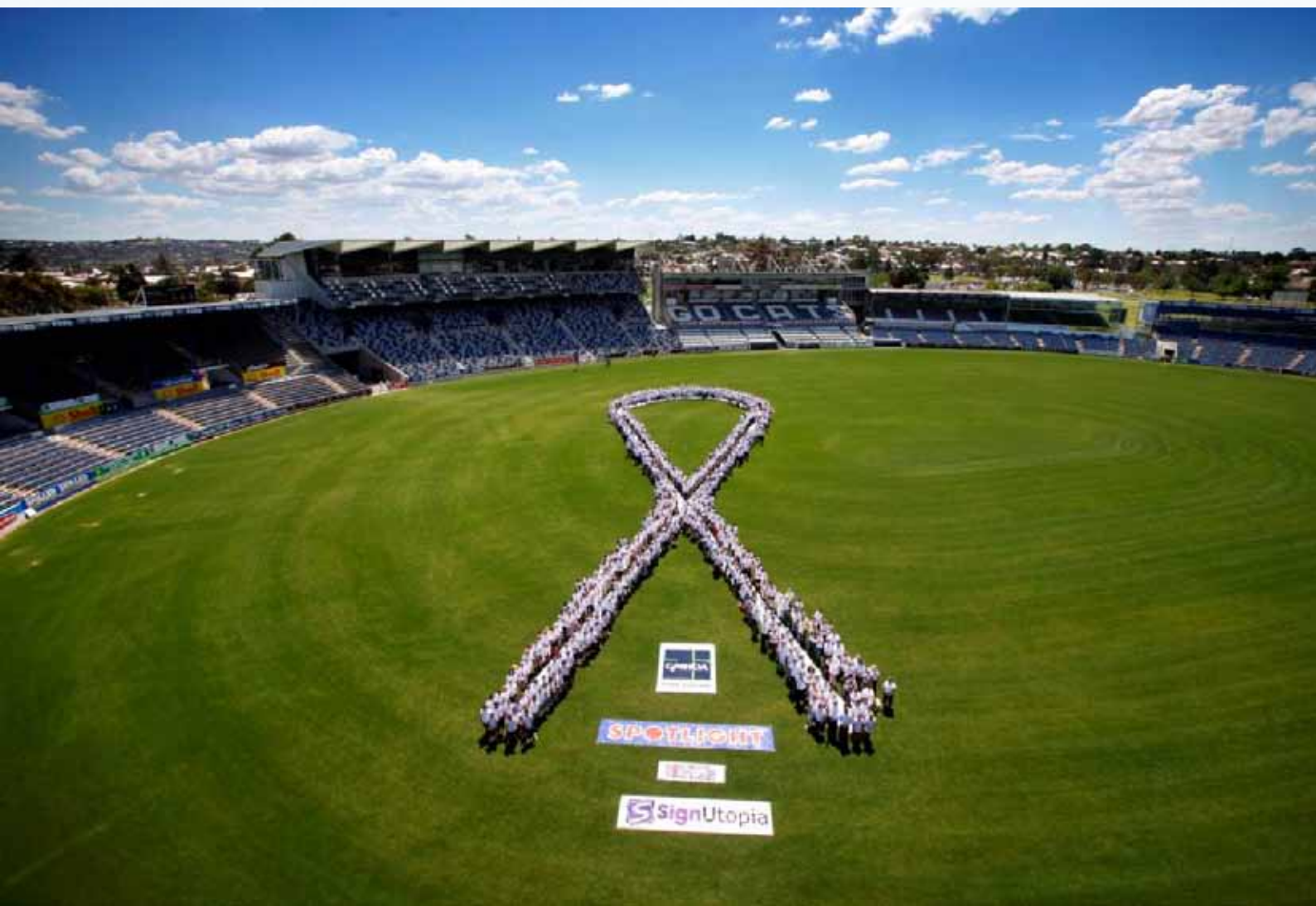
Barwon Community Legal service continues to rely on the generosity and good will of pro bono practitioners and firms who assist by way of participation on the "Pro-bono list". Participating practitioners provide valuable free legal advice to parties on Wednesdays where parties to an intervention order dispute may not otherwise have access to legal representation. Their assistance is greatly appreciated.

Case study

Michael was in a relationship with Candice*. He was also the brother of Brett*, Candices' ex-husband to whom Candice had four children. Brett brought an application on behalf of his children for a Family Violence Intervention Order against Michael after one of the children presented at the doctors with bruising. Brett alleged that Michael had hit the child after Michael had sent Brett a threatening text message. An interim order based on the sworn evidence of Brett was granted. A further application was later sought for the interim order to be extended to allow for a child protection investigation to take place. Michael ultimately consented to the Order being made without admissions of the complaint.*

Family violence matters often involve a wide range of complicated issues. Practitioners, their clients and the Courts are often faced with multiple complexities when dealing with intervention Orders. In many instances, practitioners only have a short amount of time within which to assess the merits of an application, negotiate between the parties, and appear before the Magistrate.

**names and identifying information have been changed*



International White Ribbon Day November 25th 2010

BCLS staff joined Geelong & Regional Communities to form a Human White Ribbon, pledging never to commit, excuse or remain silent about violence against women

Social Security

Jeanette Parrott

Our Social Security practice provides advice and casework to clients across Victoria, information to local support services and workers and educates the community in Social Security matters. This year we have had an ongoing series of training sessions run by Dale Nelson from Social Security Rights Victoria to develop the skills of all our lawyers and enable them to better assist clients in Social Security matters.

The trends for this year were rejections and cancellations after review of Disability Support Pension, cancellations of Carer Allowance for long standing recipients upon review, Marriage Like Relationships member of a couple matters, and many small to medium debt matters.

We continue to convene the Barwon Centrelink Liaison Group which meets quarterly with and at different community agencies venues and the current Centrelink Managers and Team Leaders to build closer more positive relationships. Local issues and changes to Social Security legislation are discussed and community agencies and groups present new and relevant programmes in the region to further assist each other, our clients and the community. BCLS has provided community workers and the general community with up-to date legal education in seminars and workshops.

Now in its second year, the Homeless Persons' Legal Clinic (HPLC) at Salvos Northside in Corio has been providing free legal advice with volunteers from Harwood Andrews Lawyers providing advice on a monthly basis. Jeanette assists HPLC with training and provides advice and assistance to the private solicitors if required. We liaise with all stakeholders to continue to provide legal assistance for those homeless and at risk of homelessness in our region.

In the year ahead we will continue our homelessness advocacy and social security law reform work as informed by our casework and will also begin assisting clients with tenancy matters at VCAT.

Case Study

Tenancy – compensation claim

Lucy and James* rented a home with their two children for 7 years. The house was in a neat but run down condition when the tenancy commenced. At the completion of the tenancy, the landlords made an application to the Victorian Civil and Administrative Tribunal (VCAT) to retain bond and for additional compensation. We assisted the tenants to defend the compensation claim. The landlords claimed the cost of various repair and replacement costs including cleaning inside and out of the property including the carpets and stove. The tenants had photographs of the state of the property including an image which showed that the carpet had been ripped up and was sitting on the front lawn of the property. The tribunal member struck out several of the landlords' claims and reduced the amount of compensation to be paid by the tenants to the landlord from \$1600 to \$300. The tenants were satisfied with the outcome of the hearing.*

**names and identifying information have been changed*

New Website

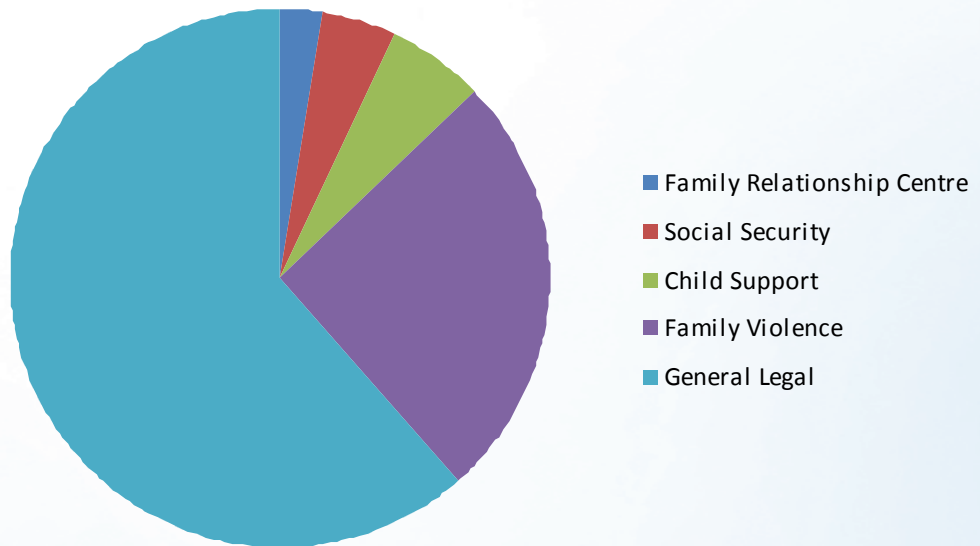
During the year we launched our new website, www.barwoncls.org.au. Having had a site hosted as a sub-site of the Community Law website for many years we took the decision to develop our own site to better present our information and provide secure areas for staff, board and volunteer information.

The new site looks great and continues to extend the consistent BCLS 'brand' across all our publications and materials. Thanks to Deakin University for student assistance to prepare content for the website.



Client Statistics

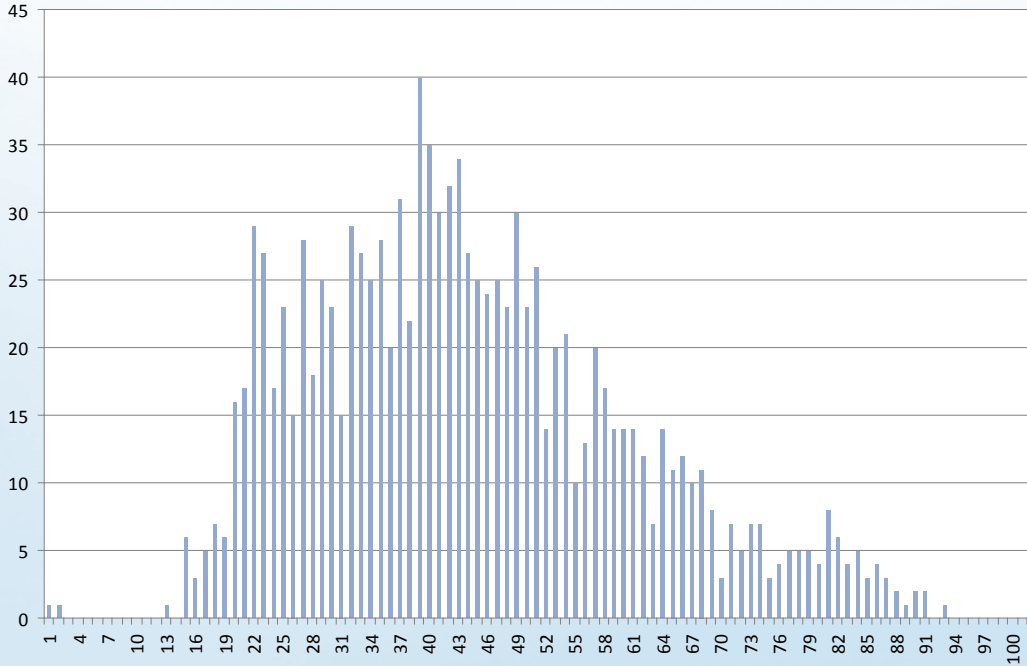
Total Activities by Practice Area



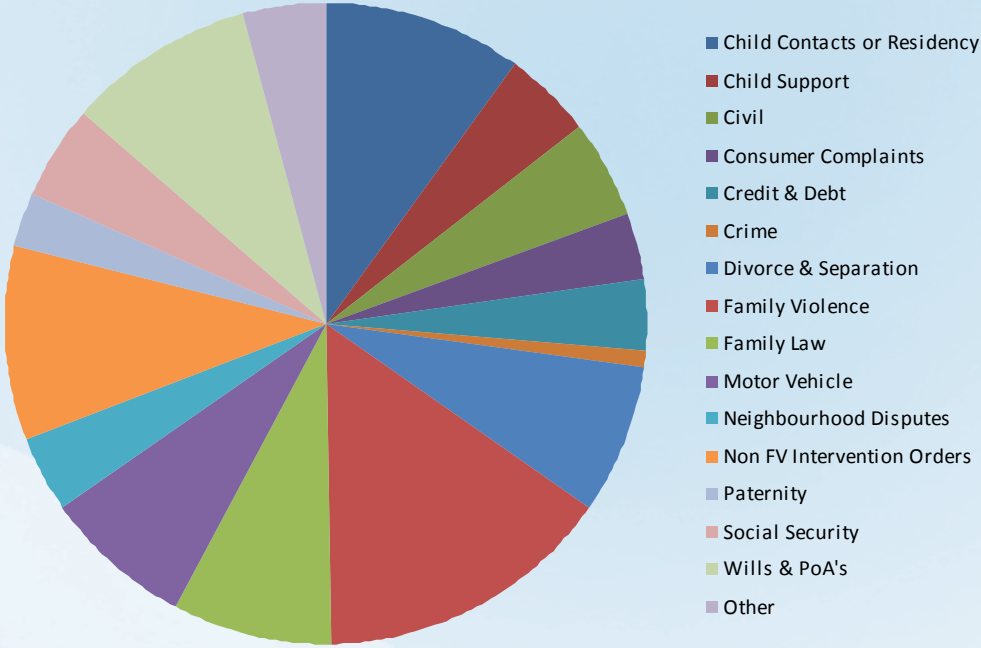
Clients by Gender



Clients by Age



Clients by Problem Type



INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF BARWON COMMUNITY LEGAL SERVICE INCORPORATED

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Barwon Community Legal Service Incorporated, which comprises the statement of financial position as at 30 June 2011, the statement of comprehensive income, the statement of cash flows and the statement of changes in equity for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the statement by members of the committee.

Committees' Responsibility for the Financial Report

The committee of Barwon Community Legal Service Incorporated is responsible for the preparation of the financial report, and have determined that the basis of preparation described in Note 1 is appropriate to meet the requirements of the Associations Incorporation Act (Vic) and is appropriate to meet the needs of the members. The committees' responsibility also includes such internal control as the committee has determined 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 have 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 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 judgement, 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 association's preparation of the financial report that gives a true and fair view, in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the association'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.

Qualification

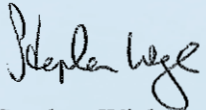
It is not practical for the Barwon Community Legal Service Incorporated to maintain an effective system of internal control over cash receipts until their initial entry in the accounting records. Accordingly, our audit in relation to cash receipts was limited to amounts recorded.

Qualified Audit Opinion

In our opinion, the financial report gives a true and fair view of the financial position of Barwon Community Legal Service Incorporated as at 30 June 2011, and its financial performance and its cash flows for the year then ended in accordance with the financial reporting requirements of the Associations Incorporation Act (Vic).

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 Barwon Community Legal Service Incorporated to meet the requirements of the Associations Incorporation Act (Vic). As a result, the financial report may not be suitable for another purpose.



Stephen Wight

Director

Dated this 7th day of September 2011.

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

INCOME STATEMENT FOR YEAR ENDED 30 JUNE 2011

	2011	2010
	\$	\$
REVENUE FROM ORDINARY ACTIVITIES	809,197	795,033
EXPENSES FROM ORDINARY ACTIVITIES		
Employee Benefits Expense	654,027	597,084
Depreciation	34,719	19,427
Administration Expenses	184,284	163,972
TOTAL EXPENDITURE FROM ORDINARY ACTIVITIES	873,030	780,483
NET RESULT FROM ORDINARY ACTIVITIES	(63,833)	14,550
OTHER COMPREHENSIVE INCOME	-	-
TOTAL COMPREHENSIVE INCOME FOR THE YEAR	(63,833)	

This income statement should be read in conjunction with BCLS Financial Statements and accompanying notes which are published separately and are available on request.

BALANCE SHEET AS AT 30 JUNE 2011

	2011	2010
	\$	\$
CURRENT ASSETS		
Cash Assets	288,202	384,443
Receivables	10,337	5,225
Prepayments	3,667	-
TOTAL CURRENT ASSETS	302,206	389,668
NON-CURRENT ASSETS		
Fixed Assets	134,740	71,088
TOTAL NON-CURRENT ASSETS	134,740	71,088
<hr/>		
TOTAL ASSETS	436,946	460,756
CURRENT LIABILITIES		
Payables	59,445	34,754
Provisions	39,178	32,863
TOTAL CURRENT LIABILITIES	98,623	67,617
NON-CURRENT LIABILITIES		
Provisions	38,708	29,691
TOTAL NON-CURRENT LIABILITIES	38,708	29,691
<hr/>		
TOTAL LIABILITIES	137,331	97,308
<hr/>		
NET ASSETS	299,615	363,448
EQUITY		
Reserves	9,040	9,040
Retained Profits	290,615	354,408
<hr/>		
TOTAL EQUITY	299,615	363,448

This balance sheet should be read in conjunction with BCLS Financial Statements and accompanying notes which are published separately and are available on request.

STATEMENT OF CASH FLOWS

	2011	2010
	\$	\$
Cash Flows from operating activities		
Payments		
Payments to Employees	(633,557)	(577,247)
Other operating expenses	(167,475)	(159,115)
Receipts		
Government grants	775,158	773,063
Interest received	20,203	11,201
Other operating income	8,724	5,336
Net cash provided by operating activities	3,053	53,238
Cash Flow from investing activities		
Payments for purchase of Fixed Assets	(99,294)	-
Net cash provided by investing activities	(99,294)	
Net increase in cash held	(96,241)	53,238
Cash at the beginning of the reporting period	384,443	331,205
Cash at the end of the reporting period	288,202	384,443

This cash flow statement should be read in conjunction with BCLS Financial Statements and accompanying notes which are published separately and are available on request.

Staff

Nick Hudson	Manager
Neil Longmore	Principal Lawyer
Elsie Stokie	Community Lawyer
Geordie Konieczka	Community Lawyer
Jeanette Parrott	Community Lawyer
Karina Okotel	Community Lawyer
Lee Bolton	Community Lawyer
Simon Pitman	Community Lawyer
Peter Nannery	Graduate Lawyer
Jillian Chapman	Community Legal Education and Development Worker
Roslyn Muir-Morris	Finance and Administration Worker
Grace Forrest	Administration Worker (Client Services)
Charmaine Floyd	Administration Worker (Volunteer Coordinator)
Elizabeth Flynn	Administration Worker

Board

Mark Osborne	Chair
Mikarla Perisic	Deputy Chair
Marcus McWilliam	Treasurer
MaryAnne Guina	Secretary
Andy Richards	Board Member
John Hannagan	Board Member
Marina Power	Board Member
Megan Peacock	Board Member
Ruth Jeffers	Board Member
Marlene Ebejer*	Board Member

*resigned during year

Acknowledgements

BCLS is fortunate to receive much support from members of our community. In particular we would like to gratefully acknowledge the following people and organisations for their assistance during the year.

Barwon Youth
City of Greater Geelong
David Seymour
Dale Nelson & Social Security Rights Victoria
Diversitat
Eastern Community Legal Service
Federation of Community Legal Centres (Victoria)
Harwood Andrews Lawyers
Hume Riverina Community Legal Centre
Kerrie Caminiti
Parkland Solutions
Peninsula Community Legal Centre

Vision

A just society in which all people have equal access to, and status under, the law; and a legal system which is humane, fair and equitable.

Mission

To promote, protect and enhance the rights and interests of individuals, groups and organisations within the BCLS catchment region who are disadvantaged in their access to justice; and contribute to reform of laws and structural inequities to achieve human, fair and equitable outcomes.

Values

The BCLS is committed to:

- Making the interests and needs of clients and community our first priority. Social justice, in the belief that access to justice is a fundamental human right.
- Legal change to effect more than individual solutions to legal problems.
- A community development approach which aims to understand our environment and engage with stakeholders and the broader community.
- The empowerment of clients and the broader community where possible and appropriate.
- The provision of accessible services for clients and community.
- Enabling members of the community to make informed decisions.
- Treating members of the community with respect, dignity and consideration.
- Acting ethically, and with integrity, diligence and competence in all work activities.
- A supportive, stimulating and safe work environment for staff and volunteers.
- Continuing improvement through on-going learning and development.

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