

# Annual Report 2016–17

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Office hours: 9 am – 5 pm Monday to Friday

Caxton Legal Centre holds free legal advice sessions on Monday to Thursday evenings for people on a low income or who face other disadvantage.

**Call us to book an appointment.**



# President & Director's Report

MARK THOMAS & SCOTT McDOUGALL

It is our great pleasure and privilege to report on another successful year of the centre's operations.

This year marked the 40<sup>th</sup> anniversary of the formation of the Caxton Street Legal Service. From humble beginnings, our centre has grown into a major provider of generalist and specialist legal assistance and social work services. Yet Caxton is much more than a place for vulnerable Queenslanders to gain free legal advice. It is many things to many people, including clients, students, lawyers, academics, social workers, policy officers, politicians, judges, volunteers, writers and artists. In October, people from all of these backgrounds joined us for a wonderful evening at the Tivoli Theatre to celebrate the many ways that Caxton has touched the lives of people since 1976.

This year, the management committee's strategic focus was dominated by the implementation of significant funding cuts imposed by the Commonwealth Government in the 2014–15 budget, delivered by the Queensland Government in late March 2017, and subsequently reversed by the Commonwealth Government in May 2017. The disruption and upheaval caused to the centre's operations, clients and staff by the loss and subsequent recovery of this funding underscores the need for reliable long-term funding arrangements for community legal centres. Having said that, we are very grateful to our funding bodies for seeing fit to extend funding of our very busy employment law team and create new funding for a service to bereaved families seeking assistance in coronial matters. We also wish to acknowledge the excellent work of our state and national peak bodies, the Queensland Attorney-General Yvette D'Ath and the Queensland Law Society in successfully campaigning for the reversal of the Commonwealth funding cuts.

Earlier this year, the Honourable Margaret McMurdo AC generously accepted a role as patron of the centre. Ms McMurdo has a decades-long record of exemplary service to the law, including 18 years as President of the Court of Appeal, and we are very honoured to have her as our patron. Ms McMurdo's first task as patron came in April when she officially reopened the renovated ground floor of the building. The renovations have significantly enhanced the amenity of the critical hub of activity and led to an improved experience for staff, volunteers, students and, most importantly, clients.

In recent years, a long-term strategic goal of our centre is being increasingly realised with the development of two practice teams: Family & Elder Law and General Practice. The consolidation of programs into two teams has resulted in greater capacity to undertake more comprehensive services and to take advantage of situations where there is an opportunity to secure broader public benefit via

impact litigation. A great example of this occurred with the important decision of the Court of Appeal in *Woodforth v State of Queensland*. In February, this outcome corrected a line of QCAT decisions that had unfavourably interpreted discrimination laws with harsh implications for people with disability seeking access to government services.

In the area of law reform, the centre was again focussed on two major topics: elder abuse and human rights. We prepared a detailed submission to the Australian Law Reform Commission's inquiry into elder abuse and were a major contributor to the submission made on behalf of the National Association of Community Legal Centres. We look forward to Caxton playing a role in the development of the National Plan to Protect Older Australians and continuing our involvement in the establishment of Elder Abuse Action Australia, a national voice on elder abuse issues.

We maintained our support for the introduction of a Human Rights Act with enforceable provisions that will practically benefit the clients making their way through Caxton's doors. We were greatly encouraged when the Premier announced in October 2016 that her government would introduce human rights protections based on the Victorian model.

In September 2016, we moved the Queensland Law Handbook online, after 13 successful hard-copy editions, and it is now available for free to the community. By the end of the June quarter, the site had been visited on more than 63 000 occasions, highlighting its continuing importance as a source of access to justice for Queenslanders. In coming years, we look forward to extending the reach of the Law Handbook by working with our dedicated volunteer authors and taking advantage of developments in technology to deliver more comprehensive legal information services.

Students have always played a large role in providing the energy and enthusiasm required to meet the demands of the thousands of clients accessing the centre for advice. This year, our volunteer front office students helped us respond to more than 35 000 phone calls.

As always, we are grateful to our university partners Griffith University, Queensland University of Technology and the University of Queensland for their continued involvement in our formal clinical legal education programs and their support of the Justice in Focus Series of public forums at the Banco Court.

We take this opportunity to extend our thanks to the dedicated members of the management committee, staff, volunteers, partners and supporters within the legal and social work professions upon whom the success of the centre rests.

# Team Reports

## GENERAL PRACTICE AND FAMILY & ELDER LAW AND SOCIAL WORK

### General Practice team report

This year, staff from the General Practice team focused their attention on strategic litigation, supporting and giving a voice to vulnerable client groups (particularly in relation to human rights matters), efficiency in the advice and CLE programs, and building skills and expertise in our team members.

In 2016–17, the General Practice at Caxton comprised:

- Employment Law Service
- Consumer Law Service
- General Law Service—advice and casework
- Human Rights and Anti-discrimination casework
- Social Work
- Parks and Village Information Link (PAVIL)
- Community Legal Education program (PAVIL)
- Coronial Assistance Legal Service.



The General Practice team at team planning in January 2016

### HIGHLIGHTS FROM 2016–17

#### Supporting the deaf community

This year our team continued to support the deaf community by conducting casework focused on two areas, interacting with police and staying in employment, which remain fraught with difficulties for deaf Queenslanders.

The standout casework highlight was the Queensland Court of Appeal case of *Woodforth v the State of Queensland*. Our client successfully established that Queensland's laws protect people from discrimination on the basis of a 'characteristic'

that forms part of an attribute, and therefore communication difficulties are necessarily part of being deaf.

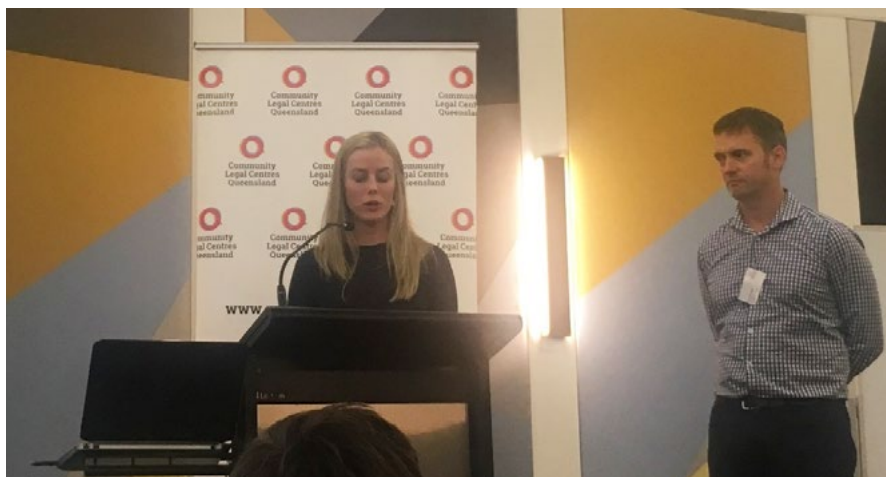
In making this decision, the Court of Appeal distinguished the High Court decision in *Purvis v NSW*, which has impeded discrimination cases in Queensland for many years. Caxton lawyers Abbey Richards, Scott McDougall and Phylli Verrall were assisted in this case by Paula Morreau and Kate Eastman QC of Counsel.

#### CASE EXAMPLE—HELPING A DEAF CLIENT ACCESS HER RIGHTS AT WORK

In December 2016, staff lawyers Bridget Burton and Georgia May secured a confidential settlement for a deaf client who had commenced disability discrimination proceedings against her employer for the treatment of her during a workplace restructuring process. This case was supported, as many of our matters are, by Deaf Services Queensland.

Workplace restructure affects deaf workers (particularly long-term employees in low-skilled positions) very differently to hearing workers. Deaf workers typically need to have different retraining, and relevant important meetings have to be translated for them. The ambient collection of workplace information, at the lunch table or in the lifts and halls, is not available to many deaf employees in hearing workplaces. Redeployment in such circumstances can be fraught with difficulties.





Lawyer Phylli Verrall talking about *Woodforth v the State of Queensland* with director Scott McDougall at the Community Legal Centres Queensland conference in May 2017

## Transgender rights

We continued our work with the transgender community, also focusing on rights at work and in custody. For transgender people, the prison system is a particularly hostile environment. Caxton assists several transgender prisoners with long-term support including through litigation to agitate for their rights in prison.

Transgender working people also often experience adversity and discrimination, particularly during the transition period and in gender-unbalanced workplaces. We acted for a number of transgender workers in 2016–17, all of whom we were able to assist resolve their disputes with employers or former employers.

## Better access to legal representation for victims of domestic violence

We continued to respond to the ongoing and emerging needs of women victims of violence by offering priority access to casework support across a range of areas of civil law. Common problems for which we have provided help this year include:

- Blue Card applications—where a woman's struggle to leave a violent relationship was perceived as indicative of an inability to act protectively, which resulted in a refusal of a Blue Card (necessary to work with children)
- employment law disputes—several matters where women were dismissed or stood down from employment after disclosing abuse, being exposed as a victim in other ways, or taking time off to deal with abuse or court proceedings
- difficulties arising out of mental illnesses caused by a history of violence
- disputes with banks and other lenders—where there has been improper financial activity associated with abuse, such as theft of client's money or forging her signature on an application for credit.

## CASE EXAMPLE FROM PAVIL

### *Harmer & Anor v PJD Group Pty Ltd* [2017] QCAT 179

Caxton appeared for Ms and Mr Harmer in QCAT arguing against an emerging industry practice of seeking to require homeowners in manufactured home parks to obtain particular building certification for their structures (when the council itself does not require that).

Several park owners, including PJD Group Pty Ltd, had been trying to insert the requirement into site agreements where it would become a very expensive contractual obligation and, given the difficulty in even finding certifiers, one that would immediately be breached.

In the decision in this case, Member Cullen found:

[7] PJD Group owns the land upon which the Esk Caravan Park is situated. Because of this, if there are planning and/or building concerns, the Somerset Regional Council would need to take them up with the owner of the land, that being PJD Group. There is no lawful basis upon which PJD Group can usurp the role of the Somerset Regional Council and require that the Harmers have their dwelling certified. This is particularly so where the Act includes a very clear legislative mandate requiring that manufactured home owners be issued with site agreements. There is no evidence before the Tribunal indicating that any authority with regulatory responsibility for building certification has made any demands that the dwelling be certified. Moreover, the evidence before the Tribunal indicates that the dwelling has been in place since, at least, 2006.

This case will assist other current clients as well as many more living in other manufactured home parks, particularly in the South East where this is an increasingly prominent problem. Staff lawyer Gillian Welsh was assisted in this matter by Max Walker of Counsel.

## Pursuing the rights of residents in retirement villages and manufactured home parks

The Park and Village Information Link (PAVIL) program continued to advocate for the rights of residents in retirement villages and manufactured home parks.

Staff from PAVIL undertook a Queensland-wide roadshow series in 2016–17 visiting communities from Cairns to the

Gold Coast, meeting groups of people in town halls and libraries to talk about retirement living options, contracts and decision making.

Participants at a Retirement Living Options CLE delivered by PAVIL



Saying farewell to Catherine Stallard (6th from left)

## STAFF CHANGES

Christian O'Callaghan moved to a senior employment law role with Legal Aid Queensland. Abbey Richards, who set up most of our employment law program, took on a community development position. Candice Hughes, our Indigenous law clerk, gained a solicitor position at Bayside Community Legal

Centre on her graduation. We also said farewell to Catherine Stallard, who set up and guided our PAVIL program through its first three years. We welcomed Georgia May, Brittany Smeed and Nastassja Milevskiy to the team.

## LEADERSHIP AND LAW REFORM

Our expertise in consumer law saw us leading and participating in high-level discussions on financial inclusion on several occasions this year, primarily with the Queensland Council of Social Services. We also contributed to law reform activities, stakeholder consultations and reviews. We provided training to financial counsellors on mortgage stress at the National Financial Counsellors Conference.

We continued to have a team member on the Queensland Law Society's Industrial Law Committee (Abbey Richards and then Tim Murray). In the area of employment law, we continued to agitate for expansion of discrimination and human rights law in the workplace. We consulted on proposed changes to state law and delivered legal content training on employment law, including to community workers and to other lawyers via the Community Legal Centres Queensland webinar series.

We participated in the state-wide Coronial Stakeholder Committee and contributed to the Bar Association of Queensland training on coronial inquests.

This year, we provided submissions, met with government and other decision makers, and agitated for change in relation to:

- external dispute resolution services in banking and consumer credit
- the development of Work Development Orders to enable payment of state debt and fines through supported activities
- towing industry reforms
- housing, in particular retirement villages and other housing options for older people
- a Human Rights Act for Queensland
- the expansion of state employment law and amendments to anti-discrimination legislation
- elder abuse and guardianship

- rights to information
- a proposal for a Domestic Violence Disclosure scheme
- inquiries into the Australian Human Rights Commission and, in particular, the application of section 18C of the Racial Discrimination Act.

We provided education to community leaders with the Ethnic Communities Council of Queensland and spoke to domestic violence workers about other legal issues arising out of domestic violence. We engaged with young people about human rights and sentencing in a series delivered to Brisbane State High School seniors. Our social worker is on the convening committee for the Central Interagency Network.

## A NEW CORONIAL ASSISTANCE LEGAL SERVICE

In May 2017, Caxton was the successful applicant for a new Coronial Assistance Legal Service representing bereaved families through the inquest process. This service came about from the advocacy of families who struggled to participate in an inquest into the death of a loved one. It is being offered in collaboration with the Townsville Community Legal Service and has the support of the Coroners Court and the Queensland Bar Association (among others).

## RECURRENT FUNDING FOR THE EMPLOYMENT LAW SERVICE

The 2016–17 financial year was a great year for the Employment Law Service at Caxton with project funding becoming recurrent. The staff in this service are supported by Clayton Utz, Minter Ellison and Ashurst law firms via a pro bono casework program, and by dozens of individual volunteers. In a difficult year for funding, this was a real success.

Coronial Assistance Legal Service lawyers Yatarla Clarke and Klaire Coles





## Family & Elder Law team report

The Family & Elder Law Team (FELT) brings together members of the Seniors Legal and Support Service, the Family Law Program and the duty lawyer services working collaboratively to deliver legal advice and social work support. The main focus of this financial year has been on being a key player nationally and in Queensland in combating elder abuse, increasing our capacity to take on more complex casework for our older clients, streamlining the Family Law Program, strengthening all aspects of the work we do for clients affected by domestic violence and raising the profile of our solicitors and social workers.

### FAMILY & ELDER LAW PROGRAMS

#### Family Law Program

We have streamlined our Family Law Program by rejigging the way we provide our advices and triage for more follow-up work. We have allocated two days per week for short phone advices. Matters requiring follow-up work are either allocated a face-to-face day-time appointment or referred to the Family Law Clinic (especially for document preparation). The clinic is a student clinic run in conjunction with Griffith University and co-supervised by a solicitor from the Griffith University Law School and a solicitor from FELT.

Additionally, we were able to assign one evening a week of the evening advice sessions entirely to family law matters, which is supervised by a FELT lawyer. We have also established a successful pro-bono partnership with Hopgood Ganim Lawyers, who provide two lawyers every Thursday evening, creating a very reliable service.

During this service, we strategically screen for older clients who can be referred to our Seniors Legal and Support Service and clients whose matter is already in court who can be referred to our Family Law Duty Lawyer Service.

Our funding for the child protection program has unfortunately come to an end. However, we offer phone advice in regard to child protection matters during our evening advice sessions to clients who otherwise would be unable to access any service.

#### Family Law Duty Lawyer Service and the new Family and Advocacy Support Service

Our Family Law Duty Lawyer Service has received additional Commonwealth funding and has been expanded to include a new Family and Advocacy Support Service comprising a full-time lawyer and social worker based at the Family Law Courts. This service provides advice and support to people who have family law issues and who are affected by domestic and family violence. This is the first time a social worker has been

#### CASE EXAMPLE

Our client is the adopting parent of children born overseas. The children were recently removed from her care by the children's older biological sibling, who wanted to take them interstate. Our client required an interpreter and was extremely emotional and anxious about the location and recovery of the children. The older sibling made serious allegations of domestic and family violence against our client, which the client denied. A FELT social worker provided counselling and supported the client in court. A FELT lawyer provided legal advice and representation to obtain urgent family law watch list orders and location orders.

included in the duty lawyer model in the Family Law Courts to provide a wrap-around service for families vulnerable due to the effects of domestic and family violence.

A particular focus for this service is on older persons who are asserting grandparent rights where the family is affected by domestic and family violence.

#### Domestic and Family Violence Duty Lawyer Service

Day-time and evening advice appointments have continued to be offered to clients who are either the aggrieved or respondent in respect of either making or responding to an application for a protection order or to vary a protection order. The Domestic and Family Violence Duty Lawyer Service is offered to respondents only at the Brisbane Magistrates Court with paralegal support from university students.

There is a discrete domestic violence list in Brisbane three days per week. Funding to Brisbane for a specialist domestic violence court such as Southport has not been made available. Consequently, various service providers, namely Caxton Legal Centre, DV Connect Mensline and Legal Aid Queensland support workers and lawyers (who assist the aggrieved) and



Queensland Police Service and Court Network volunteers have come together to provide a collaborate service. The duty lawyer services (including ours) have been externally evaluated and additional funding was received to provide a full representation service.

Service providers attend training by Legal Aid and organise regular stakeholder meetings to discuss how all services can better interact to produce the best outcome for clients.

The clients we represent often present with complex issues including mental health, housing, substance abuse, criminal history and literacy. Commonly there are family law and child protection issues to be considered including the need

#### CASE EXAMPLE

Our client is a female respondent against who a police application for a protection order had been made due to allegations that our client had strangled the other party, who was her ex-partner of 18 months. We initially advised the client and assessed her as most in need of protection. Our client has been subjected to multiple threats of violence with a knife and presented as vulnerable due to post traumatic stress disorder, anxiety and being unable to go out in public alone due to suffering transit seizures. We prepared a cross-application and supporting affidavit, and represented the client in multiple court appearances over a period of four months. Finally, on submissions of our duty lawyer, the police application against our client was dismissed. A final protection order was made against our client's ex-partner with multiple conditions, including an ouster condition, which also named the new partner of the other party due to that person's harassing behaviour towards our client.

to negotiate exceptions to the conditions sought to allow for parenting relationships to continue where appropriate.

### Seniors Legal and Support Service

The Seniors Legal and Support Service (SLASS) provides legal advice, social work support and complex casework for older persons who are experiencing or are at risk of experiencing elder abuse. The most common presenting issues are financial and psychological abuse of older persons by their adult children often living in the older person's home.

'Granny flat' issues, where the older person has invested a considerable part or all of their life savings into a property in which they have no legal interest, and power of attorney misuse are common scenarios.

A social worker and a lawyer also provide home or hospital visits to overcome access barriers.

This financial year, SLASS has undertaken very complex casework for clients including:

- two trials in the Federal Circuit Court of Australia, both of which were an unmitigated success for our clients
- QCAT applications in respect of guardianship and administration matters
- advocacy on behalf of clients with the Public Trustee and Office of Public Guardian
- direct negotiations with family members to obtain successful monetary outcomes.

We have also been a key mover and shaker in national and state initiatives to address elder abuse by:

- chairing the Older Persons Legal Services Network to form the national body Elder Abuse Action Australia, and providing detailed submissions to the Australian Law Reform Commission in response to the Inquiry into Elder Abuse
- organising the World Elder Abuse Awareness Day event, which took place at the Brisbane City Hall and included Billie Jordan as a guest speaker. There were approximately 100 people in attendance and Billie's talk was excellent. Acting Senior Sergeant Leisa Wathen (DVVPU) said '... what a positive and inspiring person Billy was ...'. Billie's Hip Op-eration dance crew has members who are deaf, blind, suffer from arthritis, have had hip or knee replacements, strokes, major heart surgery or have dementia. She challenges everyone to rethink ageing. SLASS Brisbane thanks the Department of Communities, Child Safety and Disability Services (the department) for their generous support of this event
- collaborating with the Queensland Police Service, Elder Abuse Prevention Unit, Office of Public Guardian and Public Trustee to deliver the first of the proposed statewide community education programs on elder abuse, seniors fraud and enduring powers of attorney at Bribie Island on 14 June 2017. We prepared a role play to showcase the services provided to older persons experiencing family violence and financial abuse within their homes. One of the actors, the mother of one of our lawyers, was so convincing that some of the attendees were wanting to offer her support afterwards. The presentation was provided to older persons in the morning and service providers in the afternoon
- organising our annual two-day statewide Seniors Legal and Support Services Conference attended by SLASS

lawyers and social workers from Queensland and external stakeholders

- participating in the Queensland Government elder abuse awareness media campaign with a social worker and lawyer preparing a script and attending a filming day organised by the department
- providing detailed submissions on the draft guardianship laws in Queensland
- attending quarterly meetings of the enduring power of attorney task group established by Aged and Disability Advocacy Australia and the Public Trustee, who has released various resources about enduring power of attorney
- attending quarterly meetings of the Elder Abuse Prevention Unit reference group
- attending the Gold Coast Elder Abuse Taskforce formed to provide collaborative casework planning for complex elder abuse cases on the Gold Coast
- attending the Elder Abuse Prevention Unit's Ageing Diversely Project established to produce resources for the culturally and linguistically diverse community targeting the prevention of elder abuse.

## COMMUNITY ENGAGEMENT

All members of FELT are actively engaged in social and legal reform especially about the prevention of elder abuse and practice initiatives to address systemic issues surrounding domestic and family violence. Our members are also extensively involved in community education and actively

engage with relevant networks, conferences and groups. Felt members:

- presented on the topic of client capacity at the Queensland Law Society's Family Law Residential
- are steering committee members of the Child and Family Legal Assistance Forum
- are members of the Brisbane Domestic Violence Service sub-committee and two of its working groups, the legal working party group and the culturally and linguistically diverse (CALD) working party group
- attended the South Brisbane Domestic Violence Network chaired by the Brisbane Domestic Violence Service
- attended the Federal Circuit Court of Australia stakeholder meetings
- attended South Brisbane local-level alliance meetings
- prepared submissions in response to the Supported Elder Mediation Project
- attended the Services and Practitioners for the Elimination of Abuse Queensland Forum to discuss perpetrator programs and their effectiveness
- chair Caxton's internal Capacity Working Group which, amongst other things, has examined capacity assessment tools used in different contexts in order to devise a capacity screening process
- chair Caxton's internal CALD working group which seeks to identify Caxton's CALD client target groups, assess the legal needs of those groups and organise CALD training for the whole organisation.

## Social work report

Social work practice at Caxton is rewarding, and the potential to make a positive difference is only limited by the hours in the day we have available. Fortunately, funding for the new Family and Advocacy Support Service at the Family Law Courts allowed our social work cohort to increase to five staff this year, filling approximately 4.4 full-time equivalent positions. Of these, 2.4 roles are dedicated to the Seniors Legal and Support Service, one role to the General Practice and one to the Family and Advocacy Support Service located at the Family Court. It is a strong team that supports each other practically and participates solidly across most aspects of Caxton's work.

Social workers are generally active in a broad range of settings and roles, they make shared and individual efforts to create social change to increase social justice and social inclusion, and help people deal with hardship.

Social work at Caxton Legal Centre is no exception.

### WORKING WITH INDIVIDUALS

Working with individuals continued to be the main focus in Caxton's social work. It could be a rapid response to someone who walks in to the office at the end of their tether, talking about suicide. It could be helping someone with strategies to control their anxiety and plan for their future safety prior to their Family Court hearing.

In the elder abuse area, the work usually entails a comprehensive assessment of the older person's situation that can lead to joint casework with a lawyer over several years as the matter progresses through the courts. Whether the social work intervention is short or long term, it often addresses issues such as homelessness, access to health services, poverty and debt, impacts of violence and abuse, loneliness and isolation, grief, despair and mental illness. Where ever we can, we provide people with access to resources in the local area to build individual resilience so that they can deal better with their legal matter and other challenges they face.

This can be taxing work. To reduce the risk of vicarious trauma and mal-adjustment to this exposure to need, we continuously offer our social workers internal professional supervision and the option of external supervision as part of self-care.

### CULTURAL CHANGE

While the scale of our efforts to change culture was necessarily small, we played a part in public activities that aim for a shift in attitudes and beliefs. For example, our social workers supported our World Elder Abuse Awareness Day forum in the City Hall, where audience members were moved to laughter and tears as they heard the story of how

the world's oldest hip hop crew (from New Zealand) entered the world hip hop championships in Las Vegas. It was a great yarn, but it highlighted the important anti-ageism message to treat older people as valued community members with their own unique aspirations and abilities.

### SECTOR AND PROFESSIONAL DEVELOPMENT

Caxton's social workers actively networked and shared resources with colleagues from other community legal centres in Brisbane. We also supervised two university social work student placements and welcomed students doing agency visits who wanted to understand social work in a legal setting.

Social work is a key strand of the Seniors Legal and Support Service statewide training conference organised by Caxton each year. In 2016–17, we had a particular social work focus on domestic violence, cognitive capacity issues, aged-care reforms and gained a national overview of the elder abuse sector.

In March, we invited social workers and others to celebrate World Social Work Day promoting community and environmental sustainability. We heard from Deborah Lugsden, who told her powerful story about using social supports to move from a life in institutions to community living. Jennifer Boddy, a senior lecturer in social work at Griffith University, spoke about her work in environmental social work, which addresses the impact of climate change on disadvantaged populations.

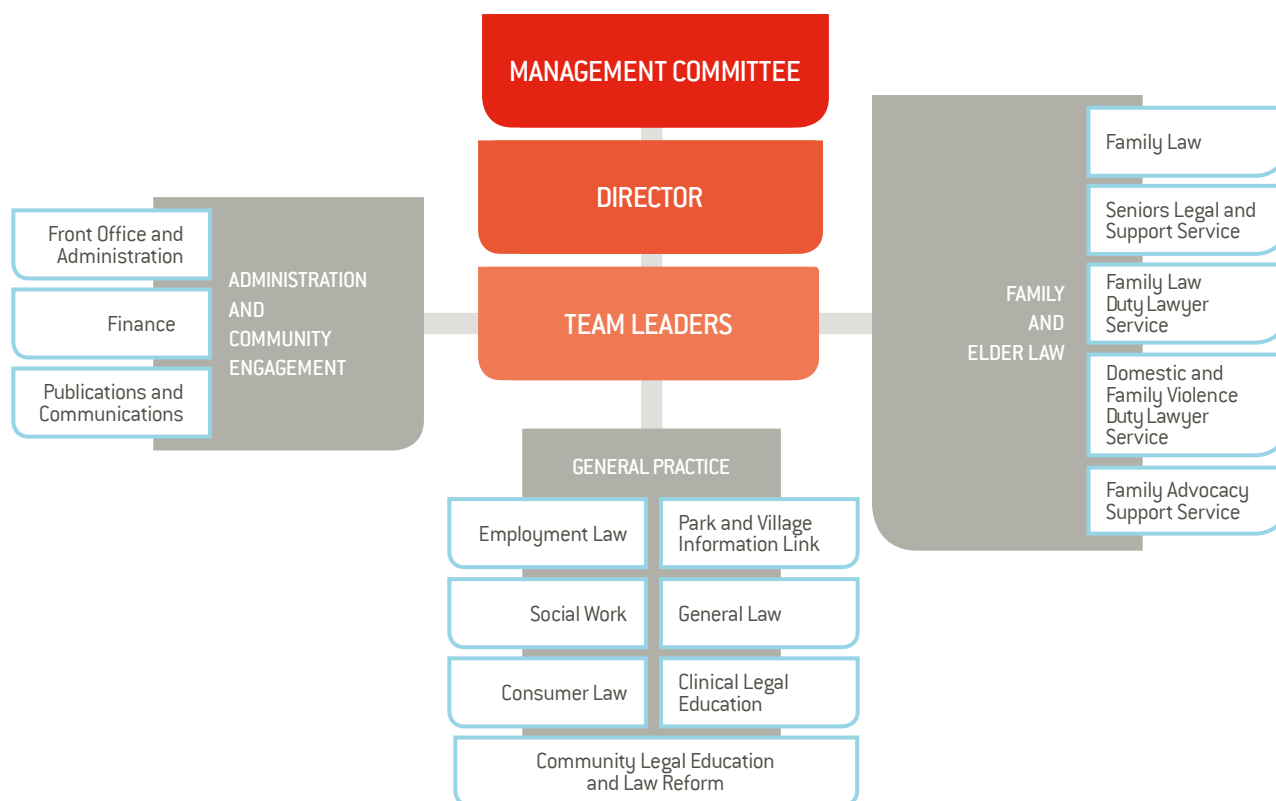
### POLICY AND LAW REFORM

On the national level, we have contributed to Caxton's input towards policy and law reform in the elder abuse area, working closely with colleagues from non-government organisations across Australia.

For the future, our goal remains social work that demonstrates best practice and is seamlessly integrated into the strategic goals and strategies of Caxton's service to the community.



# Our Organisation



## OUR VISION

To build a just and inclusive society that values difference and diversity, and the human rights of all people.

To influence the development of law to recognise the needs of people who are socially or economically disadvantaged.

To assist people who would otherwise be denied access to justice.

## OUR GOALS

To promote access to justice.

To provide free legal advice and information.

To empower people to address their legal problems.

To increase community awareness of the law.

To produce clear, easy-to-read publications.

To work to change unfair laws.

## WHO WE ARE

Caxton Legal Centre Inc. is Queensland's oldest, non-profit, community-based legal service.

## WHAT WE DO

Caxton provides free legal advice and information services, specialist legal casework services, clinical legal education programs and social work support services.

## OUR CLIENTS

Our legal service aims to assist people in Queensland who are on a low income or otherwise disadvantaged and in need of relief from poverty, distress, misfortune, destitution and helplessness.

# University Student Clinics

## Queensland University of Technology

The Queensland University of Technology clinic continued to provide students with a fast-paced and important insight into the work of Caxton Legal Centre. We welcomed students during the first, second and summer semesters into varied placements within the centre. Six students per semester had the opportunity to work with our staff duty lawyers at the Magistrates Court and Family Court. Students also attended our busy evening sessions, with a chance to observe and assist a broad range of skilled volunteer lawyers and barristers providing legal advice and assistance. Many QUT students were keen to stay on in a voluntary capacity during the semester break and beyond, which provided much appreciated support to the clinic supervisors and Caxton during these periods.

## University of Queensland

The Consumer Law Advice Clinic continued to be supervised by Caxton lawyer Amanda Hess and constituted a 100% casework clinic with UQ students working on a range of consumer protection matters for clients. In addition to producing favourable outcomes for vulnerable clients, the clinic provided a valuable learning experience for students. Students not only developed their legal skills but also found themselves challenged and confronted by the difficulty that many marginalised people have in accessing justice.

### THE MANNING STREET PROJECT

Caxton Legal Centre's partnership with the UQ Pro Bono Centre generates policy research to help leverage the work of community legal centres and non-profit agencies throughout South-East Queensland. Monica Taylor, UQ Pro Bono Centre Director, provides project oversight and leads the coordination between the various agencies involved.

In Semester 2 2016, three projects were run with nine UQ law students on the following tasks:

- environmental law reform (with the Environmental Defenders Office (EDO))
- domestic violence caseworkers and magistrates (Domestic Violence Action Centre)
- Joint Preventative Law and Health Initiatives (Caxton).

In 2017, the Manning St Project enjoyed a wonderful semester in the new and thoughtfully renovated downstairs area, which

is ideal for small student-group work. Four projects were run with 12 UQ law students in Semester 1 2017 on the following tasks:

- environmental law reform; land clearing laws (EDO)
- human rights inquiry submission audit (Caxton)
- Modern Slavery Act (parliamentary inquiry)
- How-to Guide for Community Legal Centres and Academics (National Association of CLCs).



## Griffith University

In partnership with Caxton Legal Centre, Griffith University offers student clinics for three semesters each year (a general clinic in one semester and a family law clinic in two semesters). The clinics are conducted each Monday at Caxton Legal Centre and are co-supervised by a solicitor from the Griffith Law School and a solicitor from Caxton. This year, the Griffith supervisors were Fiona Fitzpatrick, Chris Turnbull and Bronwen Lloyd.

For many students, the clinic is their first experience working closely with clients. Students gain experience in interviewing, legal researching and drafting documents. In the family law clinic, students also get an opportunity to spend a day with Caxton's family law duty lawyer at the Federal Circuit Court.

Student feedback has been very positive about the clinics, including the following comments sharing what was particularly good about the course:

- *getting to know the supervisors, working with other students and the two days at the Federal Circuit Court*
- *I thoroughly enjoyed drafting orders*
- *Bronwen's approach to the four-step process was a great learning experience*
- *I also enjoyed my supervisor Chris giving me feedback during the clinic*
- *it was a fantastic experience overall.*

# The Vera Raymer Fund

A total of \$3550 was spent from the Vera Raymer Fund in the 2016–17 financial year to assist clients in need. The fund was set up in 2014 after Caxton Legal Centre received a very generous bequest for services to the elderly from the late Vera Raymer OAM, who was a remarkable contributor to social justice in Queensland and a pioneer of the social work profession.

## \$300 FOR MS SMITH\*

Ms Smith received financial assistance of \$300 from the Vera Raymer fund to provide her with a security assessment on her home and new secure locks to her property.

Ms Smith is 80 years old and lives on her own in public housing. She has endured ongoing harassment and intimidation by her brother and sister in law, who tampered with her locks and entered without permission. They spitefully turned off her fridge on several occasions and moved her belongings around.

The stress of the harassment combined with Ms Smith's poor vision exacerbated her already serious health problems.

The Department of Housing and the local Home Assist Secure service were unable to help in this matter.

In addition to comprehensive legal and social work support, Caxton's Seniors Legal and Support Service decided to access the Vera Raymer fund to pay for the installation of secure locks on Ms Smith's property.

## \$1000 FOR KRIS\*

Kris received \$1000 from the Vera Raymer fund to pay for his bond in an over 55s rental complex.

Kris, a man in his late 60s, was homeless and living in his car when he presented to Caxton's Seniors Legal and Support Service. After an involuntary separation from his wife of many years, Kris moved in with one of his five adult sons to ensure his wife, who struggles with mental illness, could stay in the family home. Things quickly turned sour, and Kris had to endure severe verbal abuse from his alcoholic son. Kris's son also destroyed Kris's personal property to the value of \$2000. Kris was highly distressed and became so fearful of his son that he moved into his car.

Our social worker was able to secure emergency housing for him and applied to the Vera Raymer fund to pay the bond of \$1000 for permanent accommodation. Kris was advised that he could apply for a domestic violence protection order against his son but chose not to.

## \$1000 FOR MARY\*

Mary, a lady in her late 70s, received financial assistance of \$1000 from the Vera Raymer fund to pay for household furniture and removal/unpacking services.

Mary had to move out of her son's house after enduring repeated domestic violence at the hands of her son. When Mary presented at the Seniors Legal and Support Service, she was extremely stressed about the impending move and the severe fall out with her son, which left her depressed and incapable of packing and setting up a new home. A history of mental health issues only exacerbated the already bad situation. The SLASS team also provided emotional and practical support to the client.

## \$200 FOR ANTONIO\*

Although only in his 60s, Antonio has a complex mix of chronic illnesses and is in and out of hospital several times each year. His ability to problem solve and plan ahead is gradually decreasing due to his illness, combined with the stress of living with a daughter who was drinking heavily and was herself stressed. The situation became intolerable for Antonio who decided to move into a small seniors rental complex. A grandchild offered to drive a hire truck and physically move Antonio's belongings. Because Antonio had no savings, he could not afford the cost of hiring a removalist truck. It was great to be able to quickly access the Vera Raymer fund to meet this practical need. Life remains difficult for Antonio but he makes the most of every positive encounter.

## \$200 FOR JILL\*

Jill received financial help from the Vera Raymer fund to assist with an administrative application fee.

## \$900 FOR JACK\*

The Vera Raymer fund paid for specialist cleaning services for Jack who was at risk of homelessness. At the time, Jack was also working hard to engage with other support services including social work.

\*Names and some details have been changed to protect client privacy.



# Thank You!

The new contemporary and inclusive version defines volunteering as ... *time willingly given for the common good and without financial gain.*

Our volunteers, however, have given much more than that—year after year they selflessly sign up to Caxton's evening advice sessions or at the front office to help others and improve a situation they have the power to change. Their words and actions have yet again gone a long way towards providing access to justice and helping our clients keep their dignity.

The gift of time and talent is priceless, and it is impossible to find enough words to express our gratitude. Thank you so

much to the many people who have helped Caxton's client service achieve so much this year! Your actions are an inspiration to all of us!

We would also like to extend a special thank you to the members of the bar. Their excellent assistance with a number of matters in court was undeniably instrumental for the many positive outcomes for our clients.

We are also very grateful to Allens for their continual support with the expert layout of this report.

Our unreserved THANK YOU goes to:

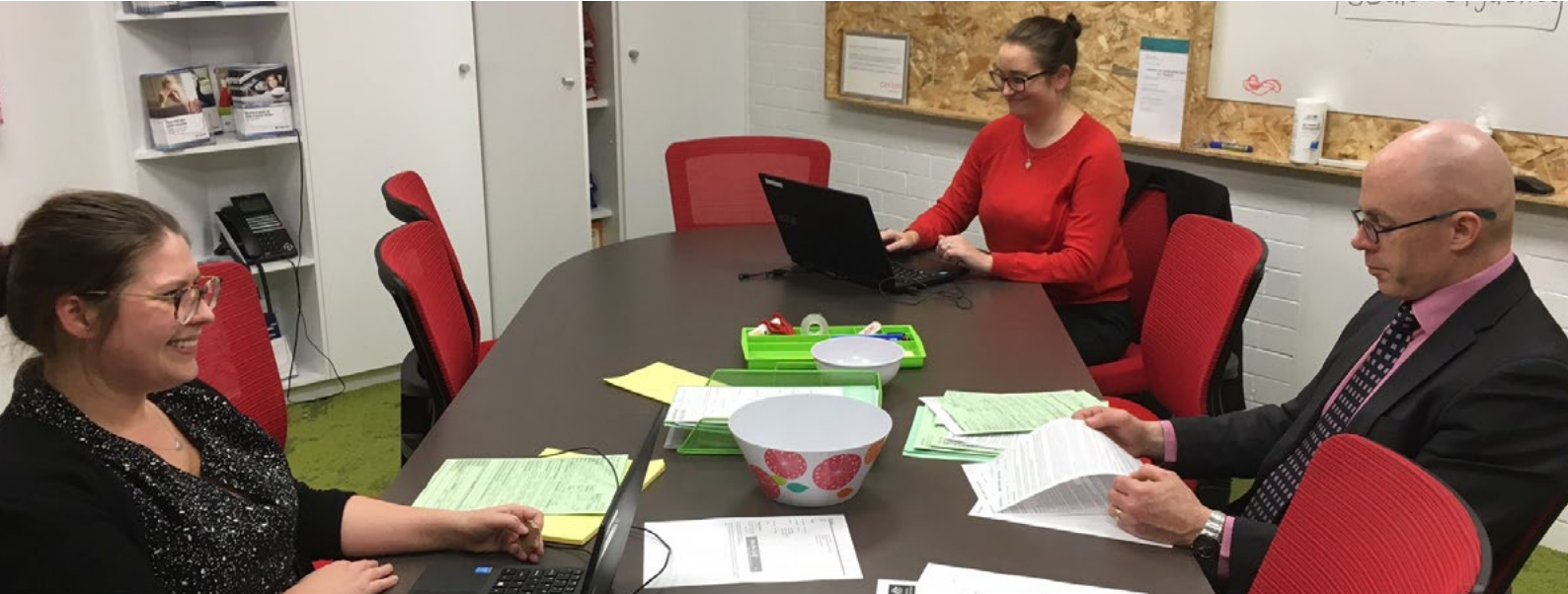
## VOLUNTEER LAWYERS

Thomas Allen  
Fiona Banwell  
Lucy Barnes  
Ellie Bassingthwaite  
Elizabeth Beaumont  
Sarah Beer  
Temika Boehm  
Ashlee Bonanno  
Michael Bonasia  
Melissa Bostock  
Emma Bray  
Kate Brodnik  
Patrick Brown  
Stephanie Brown  
Jeremy Brown  
Catherine Bub  
Carolyn Buchan  
Luke Bull  
Kathleen Cameron  
Sophie Campbell  
Poonam Cariappa  
Stephen Carius  
Sarah Carlisle  
Crispian Carlowe  
Glenn Carthew  
Joey Chan  
Shannon Chen  
Amy Chesnutt  
Simon Clayer  
Erin Colclough  
Stephen Colditz  
Jessika Colthurst  
Michael Cope  
Sophie Croft  
Corey Cullen  
Hannah Daley

Jack Donaghy  
Helen Donovan  
Bernadette Droguet  
Yasmin Dulle  
Jarrah Eckstein  
Stephanie Ewart  
Amelia Feachnie  
Niamh Fields  
Andrew Fleming  
James Ford  
Susan Forder  
Susan Frisby  
Andrea Fung  
Adele Garnett  
Andrew Gillard  
Sean Gilmour  
Margot Gladstone  
Sophie Goossens  
Erinn Griffiths  
Graeme Haas  
Phil Hall  
Anita Hall  
James Hall  
Victoria Hansen  
Elizabeth Harvey  
Robert Harvey  
Amelia Hasson  
Mark Healy  
Julie Hearnden  
Angela Hellewell  
Emily Hickman  
Chad Hill  
James Hiller  
Melanie Hindman  
Louise Hogg  
Melissa Hogg

Amy Honan  
Alice Husband  
Robert Ivessa  
Christie Jenkins  
Evania Johns  
Steven Jones  
Kane Jones  
Johannes Jordaan  
Jane Kam  
Claudine Kasselis  
Johanna Kennerley  
Amanda Kent  
Sky Kim  
Emma Kirkby  
Sarwan Kovacevic  
Michael Krakat  
Remy Kurz  
Kristina Kutija  
Darrell Kwong  
Jasmine Lam  
Andrew Lander  
Trang Le-Huy  
Emily Lewsey  
Victoria Limerick  
Anna Lloyd  
Christel Lovel  
Rachel Lusi  
Gregory Lutvey  
Bianca McDuff  
Iain McGregor-Lowndes  
Kathryn McMillan  
Jane Meehan  
Shane Monks  
Joshua Mountford  
Aimee Mundt  
Mahalia Munro

Ray Murphy  
Chris Newman  
Josephine Nicholson  
Nicole Nolan  
Genevieve Nuttall  
Bridget O'Brien  
Caroline O'Connor  
Emily O'Hagan  
Natalie Pala  
Neil Paris  
Damien Payard  
Luke Percy  
Ismael Perez-Smith  
Dermot Peverill  
Dan Pratt  
Clint Quinlivan  
Niren Raj  
Vaishi Rajanayagam  
Kristin Ramsey  
Matthew Ray  
Adam Ray  
Polly Richardson  
Amy Richardson  
Phillip Ridgway  
Yoshiko Robertson  
Edmund Robinson  
Flynn Rush  
Ann-Maree Russo  
Aaron Santelise  
William Schoenmaker  
Sophie Scott  
Brandon Selic  
Thomas Serafin  
Michael Seymour  
Jai Shepherdson  
Justin Sibley



Ron Sinclair  
Nicole Smith  
Roisin Somerville  
Luke Steel  
Robert Stevenson  
Frances Stewart  
Megan Stewart  
Brent Stowers  
Ross Summers  
David Tan  
Monica Taylor  
Chris Templeton  
Karen Thorpe  
Robert Tooth  
Blake Topping  
Darren Townsend  
Skye Trevanion  
Claire Tuffield  
Joshua Underwood  
Stuart Unwin  
Faith Valencia-Forrester  
Lynette Vanderstoep  
Stephanie Walker  
Lisa Walker  
Maxwell Walker  
Myles Walker  
Francis Walsh  
Meghan Watson  
Kurt Wildermuth  
Abbey Wilkinson  
Patrick Wilson  
Elizabeth Wilson  
Elizabeth Winstanley  
Pawel Zielinski

## LAW FIRMS

Allens  
Ashurst  
Herbert Smith Freehills  
Hopgood Ganim  
Minter Ellison

## STUDENT VOLUNTEERS

Kate Adnams  
Nikita Aganoff  
Radhia Aku  
Isabella Anderson  
Keilin Anderson  
Sidney Anning  
Nicholas Arndt  
Callan Aymler  
Alexandra Begg  
Annabelle Behan  
Luis Bennet  
Katherine Bligh  
Kate Blocksidge  
Josephine Booth  
Heba Bou Orm  
Anna Brasnett  
Lillian Burgess  
Samantha Byrne  
Jackson Carlile  
Chanelle Castro  
Steven Cawood  
Catherine Chan  
Joyce Chang  
Ryan Chen  
Edward Cleary  
Catherine Collins  
Christine Corias  
Ella Craig  
Vanessa Croft  
Taylor Crydon  
Alexander Curtis  
Camren Cutuli  
Christopher Dixon  
Jasmine Drummond  
Amye Fairbairn  
Renita Fernandes  
Nicholas Fidler  
Angus Fraser  
Emily Ganko  
Yolanda Gardiner  
Emma Gillman

Christel Goh  
Georgina Groves  
Miriam Grundy  
Jennifer Ha  
Sarah Hamid  
Jack Hart  
Natalie Hogan  
Rebecca Hogben  
Tara Holland  
Myles Holley  
Isabella Hurley  
Wendy Jip  
Disa Johanson  
Rene Jurkov  
Karamjit Kaur  
Christina Kido  
Katarina Kitero  
Ben Klaebe  
Patrick Lally  
Jasmine Lam  
Belinda Lam  
Mitchell Langford  
Norbert Lee  
Samantha Lee  
Michael Li  
Joshua Lian  
Tyler Lim  
Katherine Long  
Suvradip Maitra  
Rebecca Mann  
Michaela May  
Emily McGregor  
Caragh Morgan  
Imogen Mortimer  
Rose Mosavi  
Meenakshi Mukkavilli  
Christiane Mullins  
Alexander Neilson  
Hai Nguyen  
Donovan Nufable  
Charleton O'Brien

Kenneth Osborne  
Bethanie Patch  
Chelsea Pearson  
Frances-Ellen Peek  
Jason Phister  
Julie Phongthai  
Rachael Pittard  
Hannah Plater  
Amrit Prihar  
Ngarangi Rangihuna  
Kirra Reading  
Kimberley Redman  
James Reich  
Emily Reyner  
Neraj Saluwadana  
Rebecca Scott  
Clare Scrine  
Brittany Seip  
Ronja Sen  
Thalia Skaines  
Eloise Soper-Smith  
Loretta Stellino  
Caitlin Szabo  
Laura Thomas  
Ryan Thomson  
Amaryllis Tian  
Jasmine Tiong  
Bianca Van Heerden  
Alexander Vanenn  
Josephine Vernon  
Thinh Vi  
Thinh Vu  
Anna Watkin  
Dean Weilly  
Gabriella Wettenhall  
Harley Wilkinson

# On the Pulse

## INDIGENOUS TOPICS AND LAW REFORM CAMPAIGNS

### Indigenous Topics

‘If as a colony we should indulge in wholesale murder of the race we are dispossessing, let us have the courage of our opinion and murder openly and deliberately – calling it *murder*, “not dispersal”.’

Queenslander correspondent, *Outis* 1880

#### WITHOUT UNNECESSARY VIOLENCE SYMPOSIUM

Caxton Legal Centre hosted the *Without Unnecessary Violence* symposium in the Premier's Hall at Parliament House on 29 August 2016 to mark the 150<sup>th</sup> anniversary of the gazettal of Regulations imposing a duty on armed officers to ‘disperse’ any ‘large assembly of blacks without unnecessary violence’. The event acknowledged the importance of this Regulation (and the colonial period) in shaping Queensland's history, and the immediate and lasting impact it had on the state's Aboriginal and Torres Strait Islander communities.

The event was moderated by ABC Radio National's Paul Barclay and included panellists Uncle Sam Watson (chairperson of Link Up Aboriginal Corporation (Qld)), Professor Megan Davis (Expert Member of the United Nations Permanent Forum on Indigenous Issues) and Professor Mark Finnane (ARC Laurette Fellow and Professor of History). The symposium was opened by the Hon. Curtis Pitt MP, Treasurer, Minister for Aboriginal and Torres Strait Islander Partnerships and Minister for Sport, and was supported by the Department of Aboriginal and Torres Strait Islander Partnerships, Indigenous Lawyers Association of Queensland and the Queensland Law Society.

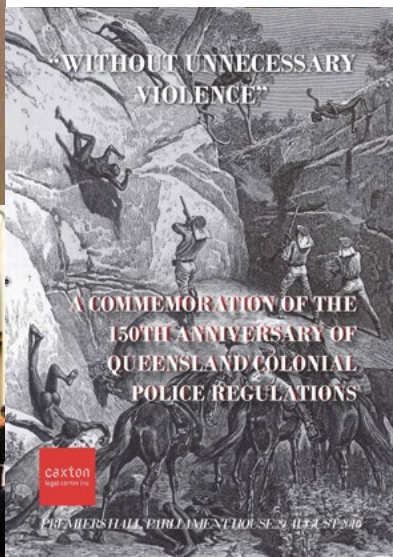
The event culminated from a research project undertaken by the University of Queensland Manning St Project students and an article co-authored by Hannah Baldry, Ailsa McKeon and Scott McDougall ‘Queensland's Frontier Killing Times—Facing up to Genocide’, *QUT Law Review*, Volume 15, Issue 1, pp 92–113.



Flowers were presented to Candice Hughes in recognition of the huge amount of work she put in to make the symposium a successful event

Snapshot of the Queensland Government Gazette published on 10 March 1866

The symposium was held at Parliament House



Smoking ceremony on the Speakers Green performed by Shannon Ruska for the opening of the event





## RECONCILIATION ACTION PLAN

Caxton's Reconciliation Action Plan (RAP) working group has been very active in the pursuit of repeating the achievements that could be celebrated under the guidance of their first RAP 2014–2016. Caxton continued to provide support and access to justice for Aboriginal and Torres Strait Islander peoples by various means including by improving intake procedures and quality of service for Aboriginal and Torres Strait Islander clients, by forming and continuing working partnerships with Aboriginal and Torres Strait Islander organisations and by developing a program of support for tertiary law students to encourage Aboriginal and Torres Strait Islander lawyers to enter the legal profession.

Our new RAP 2017–19 is almost complete, and it outlines new and exciting goals on how to actively contribute to Australia's reconciliation journey and provides strategies to achieve them.

## INDIGENOUS EVENTS CALENDAR

### Cultural Awareness Training 2016

On 5 August 2016, Caxton Legal Centre engaged Mel Brown from Spirit Dreaming to provide Caxton staff with excellent cultural awareness training. Her program *What's up with my mob* covered poignant topics such as cultural loads, lateral violence and transgenerational trauma.

### National Indigenous Literacy Day 2016

The Indigenous Literacy Day is an important fundraising day organised annually by the non-profit Indigenous Literacy Foundation. The foundation relies heavily on donations in their quest to improve literacy levels and opportunities for Indigenous children living in some of the most remote and isolated areas of the country. Caxton Legal Centre staff attended a fundraiser organised by Avid Reader bookshop in West End and purchased and donated books for the cause.

### National Close the Gap Day 2017

Caxton staff organised a 'book drive' to collect and donate books to the Women's Prison to recognise the National Close the Gap Day on 17 March 2017.

### QUT Faculty of Law Sponsored Prize 2017

Caxton sponsored an award as part of QUT's Faculty of Law Prize Ceremony. The prize was awarded to an Aboriginal and Torres Strait Islander student who has completed their first year of study in Bachelor of Laws with a GPA of at least 4.0 and is engaged in the ATSI community. The 2017 prize of \$1000 went to Matthew Connop.

## Law Reform Campaigns

This year the law reform sub-committee met on four occasions (August, November, January and May).

The terms of reference for the sub-committee included to:

- identify key law reform issues relevant to the centre's missions and goals
- make recommendations about law reform goals, tasks and KPIs to be included in the centre's annual Strategic and Operational Plan
- provide insight into the current socio-political environment, community sector and legal context
- identify options, opportunities and resources, including collaboration with other law reform advocates
- evaluate success or otherwise of law reform projects.

We delivered submissions in response to the following broad range of Bills, inquiries and/or departmental discussion papers:

- Health and Other Legislation Amendment Bill 2016 (Qld)
- Australian Law Reform Commission Inquiry into Elder Abuse
- Industrial Relations Bill 2016 (Qld)
- Department of Justice Discussion Paper on Supported Elder Mediation
- Commonwealth Freedom of Speech Inquiry (joint Townsville Community Legal Service submission)
- Queensland Law Reform Commission Inquiry into the Domestic Violence Disclosure Scheme
- Queensland Government Issues Paper *Regulation of the labour hire industry*
- Review of the *Right to Information Act 2009* (Qld)
- Bail (Domestic Violence) and Another Act Amendment Bill 2017 (Qld).

Additionally, we prepared unsolicited submissions to the Queensland Attorney-General in relation to preventing the misuse of court information against litigants experiencing mortgage stress and the impact of the mandatory imposition of the offender levy upon impoverished clients.

The law reform sub-committee supported renewed calls from the Youth Advocacy Centre for the removal of 17-year-old children from the adult prison system, and we were delighted when the Queensland Government finally committed to addressing this longstanding issue. Caxton Legal Centre also continued its involvement in the campaign for the introduction of a Human Rights Act in Queensland and has been a key contributor to the establishment of Elder Abuse Action Australia, a national voice for the development of coherent responses to elder abuse.

# Justice in Focus Series



## Domestic Violence—Unheard Voices

29 SEPTEMBER 2016

Now that domestic violence has been subject to intense public attention and discussion for a couple of years:

- what has actually been achieved
- what issues weren't discussed and whose voices weren't heard
- what remains to be done
- what strategies are available to ensure that we don't go back to 'violence as usual'?

Our panellists were Melissa Lucashenko, award-winning Aboriginal novelist and non-fiction writer; Molly Dragiewicz, Associate Professor at the School of Justice at QUT; Matilda Alexander, President and Principal Solicitor of the LGBTI Legal Services and senior conciliator at the Anti-Discrimination Commission of Queensland; and Cybele Koning, Team Leader and Coordinating Lawyer of Caxton Legal Centre's Family and Elder Law team.

The forum was moderated by ABC Radio National's Paul Barclay and recorded for later broadcast on his Big Ideas program.

This event was proudly presented in partnership with the Queensland University of Technology Law Faculty.



## Human Rights in the Age of Trump

6 APRIL 2017

With the Queensland Government set to introduce a Human Rights Act, Queenslanders are on the brink of having new protections enshrined in law.

Meanwhile, President Trump seeks to limit immigration and press access in the United States, thus bringing the checks and balances of the judiciary and the American Bill of Rights to the fore.

This public forum considered the role of human rights legislation in the protection of minorities and the regulation of political power.

With populism on the rise across the West, what are the implications for countries where human rights protections are limited such as Australia?

Our panellists were Professor John Kane from the School of Government and International Relations, Griffith University; Emily Howie, Human Rights Law Centre; and Professor Simon Rice from the College of Law at the Australian National University.

The panel was moderated by Dr Hugh Breakey, Griffith University.

This event was proudly presented in partnership with Griffith University Law School.

# Social Media

## A PERFECT COMMUNITY LEGAL EDUCATION TOOL

Caxton Legal Centre continued to gather speed in using social media platforms to connect with people across a wide range of diverse communities, raise awareness about various social issues and help individuals understand where and how to access legal help if needed.

The number of Caxton Legal Centre Facebook page 'likes' increased by 30% this last financial year, from 1894 in the 2015–16 financial year to 2478 by 30 June 2017.

The number of Caxton Twitter followers is currently 852.

## A snapshot of our most popular Facebook posts

### YOUR RIGHTS IN THE AFTERMATH OF A NATURAL DISASTER #BIGWET #TCDEBBIE

Natural disasters can affect many different areas of our lives. In the aftermath of Cyclone Debbie, many people will have had questions about their legal rights with respect to one or more of the following problems.

See Caxton's blog post for information on common legal problems following a natural disaster here

<https://caxton.org.au/your-rights-in-the-aftermath-of-a-natural-disaster.php>



### THE QUEENSLAND LAW HANDBOOK ONLINE #QLHONLINE #TEAMCAXTON

The Queensland Law Handbook Online has a lot of plain-English legal information available for free at [www.queenslandlawhandbook.org.au](http://www.queenslandlawhandbook.org.au).

Contracts, money, family, employment and criminal law are covered in detail, as well as many other areas of law.

For anyone with a legal problem or in a helping role—jump to the website and search for what you need—it may just have the answer to your question!

### AN IMPORTANT HUMAN RIGHTS DECISION

An important human rights decision was made today in the Queensland Court of Appeal that stands to benefit many vulnerable Queenslanders. Our client, Veronica Woodforth (pictured) successfully established that Queensland's laws protect people from discrimination on the basis of a 'characteristic' that forms part of an attribute, and therefore communication difficulties are necessarily part of being deaf. This is a great outcome for the deaf community.

In making this decision, the court distinguished Veronica's case from the 2003 High Court decision in *Purvis v NSW*, which has stood as an obstacle to successful discrimination cases for over a decade. Read the decision here <http://archive.sclqld.org.au/qjudgment/2017/QCA17-100.pdf>

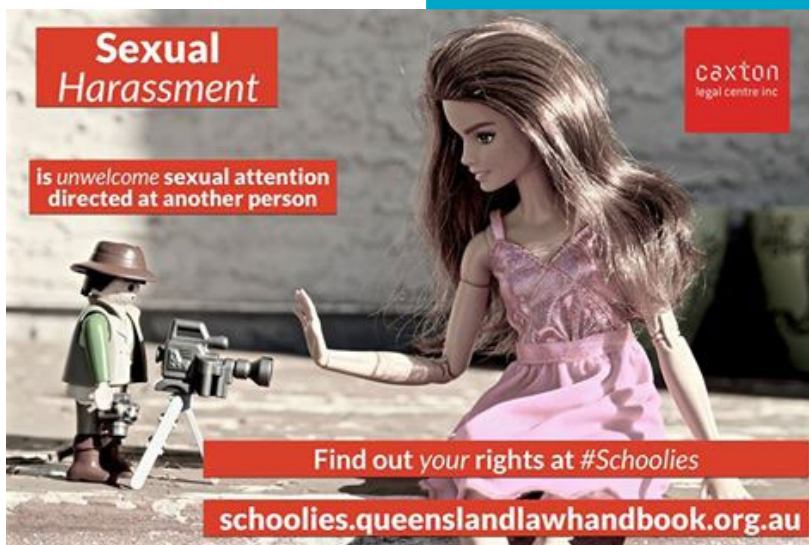




## YOUR RIGHTS AND RESPONSIBILITIES AT SCHOOLIES #SCHOOLIES

Public nuisance includes behaving in a disorderly, offensive, threatening or violent way, which interferes or is likely to interfere with another person's enjoyment of a public place.

Find out your rights at <https://schoolies.queenslandlawhandbook.org.au>



Sexual harassment is unwelcome sexual attention directed at another person.

Find out your rights at <https://schoolies.queenslandlawhandbook.org.au>

## POLICE POWERS AND YOUR RIGHTS

What if police stop me and ask who I am?

Police have a right to ask for your name and address in many situations. To find out more about your rights when dealing with police, check out the updated Police Powers—Your Rights kit now available on the Queensland Law Handbook website at <https://queenslandlawhandbook.org.au/factsheets-and-self-help-kits/police-powers-your-rights/>

# POLICE POWERS – YOUR RIGHTS

A guide to your rights when dealing with police



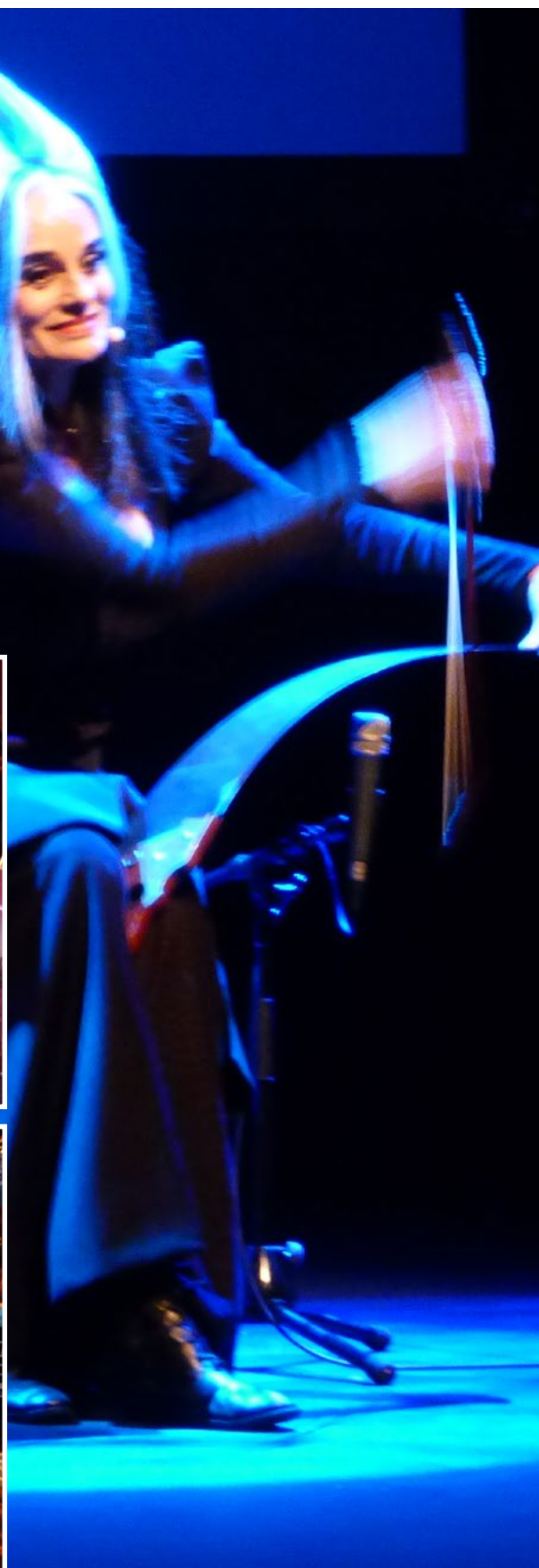
# Highlights

## THE YEAR STARTED OFF WITH A BIG BANG!

### CAXTON LEGAL CENTRE TURNED 40!

Our fabulous admin team was very busy organising a perfect evening of entertainment and camaraderie at the Tivoli, with performer Christine Johnston being the absolute highlight ...

Megan Pearce did an amazing job organising this unforgettable evening!







## MUCH-ANTICIPATED NEWS

In March 2017, the Attorney-General Yvette D'Ath visited Caxton Legal Centre to discuss the impact of Commonwealth funding cuts to the community legal sector.

## PAVIL

### Free Community Legal Information Sessions

Catherine Stallard from Caxton's Park and Village Information Link continued to organise and present at many events throughout South East Queensland, imparting valuable legal knowledge and information about retirement living options to residents of retirement villages and manufactured home parks.



## KEEPING FIT WHILE ADVOCATING FOR JUSTICE

Staff members Cybele Koning, Yatarla Clarke, Georgia May, Colette Bots and Camielle Donaghey joined the crowd and made the 10<sup>th</sup> Annual Queensland Legal Walk a great success. Over 800 walkers joined colleagues from across the legal profession and raised over \$80 000 for LawRight, which will directly support vulnerable Queenslanders through providing access to justice.





## A LONG-AWAITED APOLOGY

In May 2017, representatives from rights groups including the LGBTI Legal Service, the Queensland AIDS Council, the Human Rights Law Centre and other community legal centres celebrated the Queensland Government's apology to those affected by historical homosexual convictions.



## THERE IS DEFINITELY NO EXCUSE FOR ELDER ABUSE!

Scott McDougall, special guest Billie Jordan, founder of the Hip Op-eration dance crew, The Hon. Coralie O'Rourke and Helen Wallace celebrated World Elder Abuse Awareness Day at the City Hall and Parliament House in Brisbane.

## A STALL WITH INTENTION

Karen Rayner and Simone Wilson represented Caxton Legal Centre at the annual MDA Welcome Fest at the Annerley Soccer Club fields. It was great to have had a presence at this vibrant multicultural festival and get the word out about the services we can provide to the community.



# Case Studies

## From the Seniors Legal and Support Service

Peter\* is 70 years old and from a culturally and linguistically diverse background. He has been estranged from his entire family, including his adult children, for many years, which left him with no support at all when he had to deal with the ongoing harassment and abuse by his next-door neighbour, a man in his 40s. For 10 years, Peter had to endure threats, verbal and physical abuse, and damage to his property.

When he first presented at Caxton's Seniors Legal and Support Service (SLASS), we assisted him in obtaining two Peace and Good Behaviour Orders against his neighbour. However, even with the orders in place, the neighbour continued his aggressive behaviour to the extent of throwing garbage into Peter's garden and poisoning various plants.

Reports to police about the numerous breaches of the orders over a period of many years were without avail, and, on the contrary, intensified the abhorrent behaviour of the neighbour. It all came to a climax when he sprayed Peter and a friend with a garden hose while they were on a ladder and tore down a newly built, council-approved shade cloth in Peter's yard.

The neighbour was charged with assault over this incident, but it was eventually dismissed.

Most distraught, Peter returned to SLASS to seek a third Peace and Good Behaviour Order. Our solicitor prepared a written complaint, which the client lodged himself at his local Magistrates Court.

More than a year and six court mentions later, the neighbour eventually filed a vexatious cross-application against our client, which added significantly to Peter's distress.

During a compulsory mediation, the neighbour withdrew his application and apologised for the hosing incident, however, he still refused to agree to a Peace and Good Behaviour Order. Numerous attempts to negotiate a settlement were in vain, which meant that the matter had to proceed to a final hearing.

At this stage, Peter was on the verge of a mental breakdown and required severe intervention by our social worker, who assisted him extensively by teaching stress management techniques and providing counselling. Peter was also referred to a psychologist who reinforced the counselling techniques used by our social worker.

The SLASS social worker then advocated for the client to receive full legal representation, and SLASS agreed to go on the court record as his legal representative for the remainder of the mentions and the final court hearing.

The SLASS lawyer prepared and lodged detailed affidavit material of the client to be relied upon as evidence and prepared all things necessary for the final hearing, while the social worker stood by Peter's side.

On the final hearing day, the social worker provided much needed ongoing reassurance to Peter, especially after he endured the trauma of being directly cross-examined by the neighbour, who was unrepresented at the hearing. Peter was visibly upset whilst in the witness box.

SLASS successfully obtained a two-year Peace and Good Behaviour Order for the client, containing conditions that the neighbour is to keep the peace and be of good behaviour, not to approach our client, not to enter our client's property and not to do anything which would adversely affect our client's property.

Peter was clearly relieved and expressed that he could not have coped with the final hearing without the outstanding support of the social worker and professional representation by the lawyer. While Peter still fears that the neighbour will continue his ill behaviour, at least some level of justice has been afforded to him, which has given him some peace of mind.

\*The name has been changed to protect the privacy of the client.



## From the General Practice

Ms Woodforth has a severe hearing impairment. She uses Auslan (Australian Sign Language) and finds communicating in English (including written English) stressful and confusing.

On 13 December 2011, Ms Woodforth attempted to make a complaint to police about an alleged assault. She requested an Auslan Interpreter but none was organised, and it was not possible for her to make the complaint. She attempted again several times over the following weeks until finally, on 17 January 2012, she organised her own interpreter and was able to communicate the information she had and ask for what she wanted.

Caxton assisted Veronica to make a complaint about the failure to provide an interpreter, first to the Anti-Discrimination Commission Queensland and then through the Queensland Civil and Administrative Tribunal (QCAT).

Direct discrimination requires a comparison between the treatment of someone with the attribute (in this case hearing impairment) and the treatment of someone without the attribute in similar circumstances.

We argued that if an attribute has particular common characteristics (i.e. people who are deaf usually cannot communicate in spoken English), those characteristics are part of the attribute.

However, QCAT disagreed, saying that characteristics such as not being able to speak English are part of the circumstances rather than the disability. For Ms Woodforth this meant they compared the treatment of her to someone who had adopted a vow of silence (for non-religious reasons). It was that point that we appealed.

The Queensland Court of Appeal agreed with us. They found that not being able to communicate in spoken English is a characteristic of the hearing impairment and part of Ms Woodforth's disability. This case is not yet over for Ms Woodforth, as QCAT now needs to determine her case again applying the correct test, but she is thrilled to have contributed to this important clarification of the law in Queensland. This decision will help people with a whole range of disabilities, as well as people with other attributes, bring legal actions when their rights are infringed.

The decision is reported at <http://archive.sclqld.org.au/qjudgment/2017/QCA17-100.pdf>

Veronica Woodforth celebrates after receiving the Court of Appeal decision



# Client Tributes

Dear Caxton Street

I have been wanting to write to you to thank your wonderful service – and in particular Fraser – for the care, legal know-how and attention he gave me during what has been a very stressful period. As a Social Worker of over 33 years I have referred many clients to your service but have never been in use of your service

Please pass on my compliment to Fraser and your male receptionist – as well as your funding body

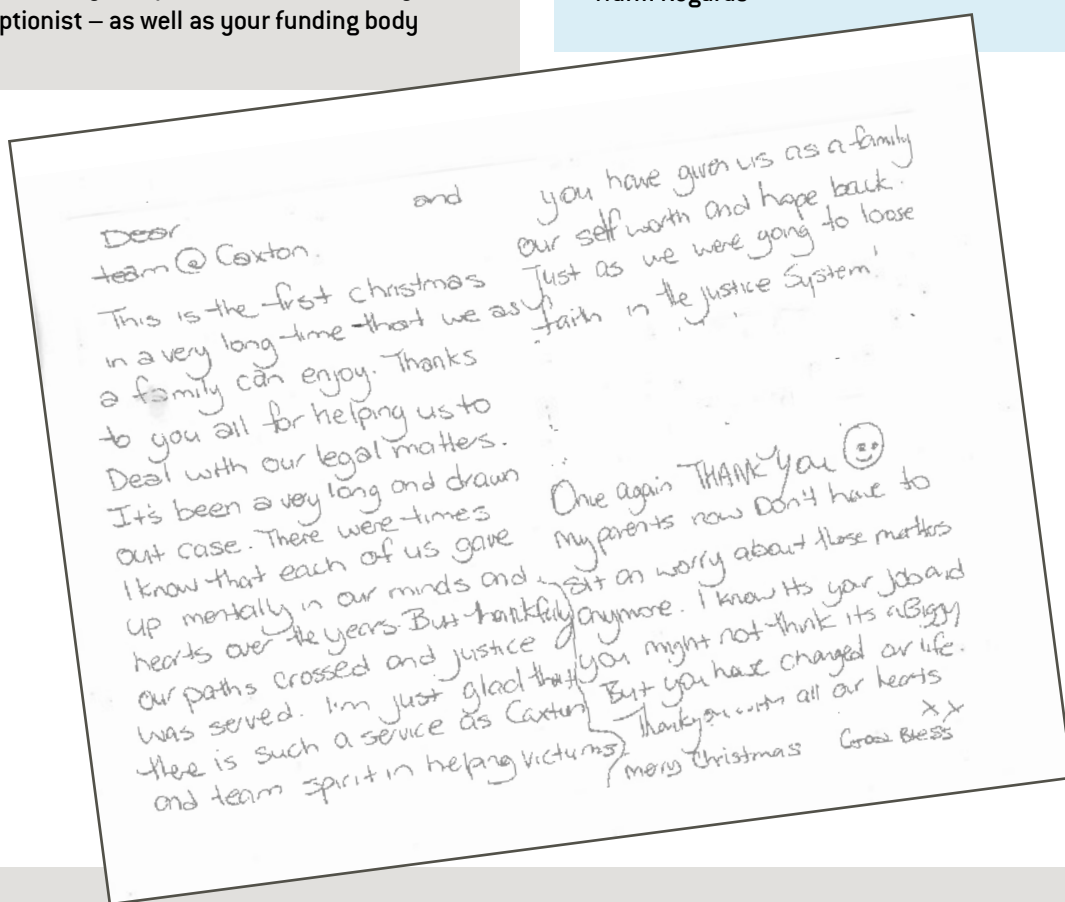
Hello Tile,

Just a quick message to say thank you for having helped me during a very difficult and regrettable time in my life.

Your advice and understanding helped me at a time where I had no one to turn to.

Once again I very much appreciate your help and also thank your organization at Caxton

Warm Regards



Hello Cybele,

Just a thank you note for all you have done for me at a very trying and stressful time in my life.

Unfortunate and regrettable as this matter was, your advice and guidance in the matter really helped and ensured that justice was done to a level which was appropriate as opposed to being given too severe a punishment as the powers to be had decided.

Fortunately the Magistrates who decided my case had the understanding and compassion in deciding on the order given based upon the facts rather than the one size fits all scenario that the police sought.

I must also thank your organisation at Caxton for being there, without which in my opinion many would suffer unnecessarily.

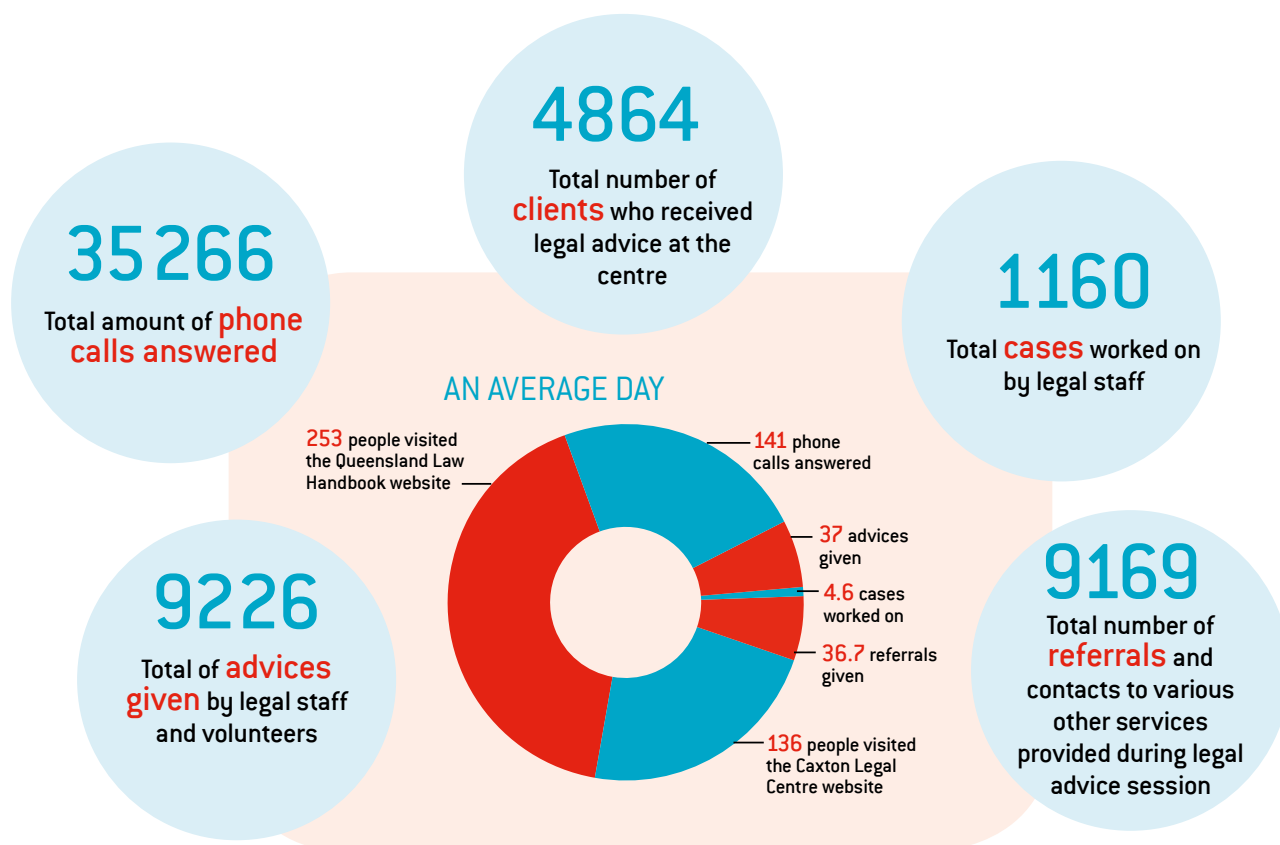
Have a great day

Warm Regards

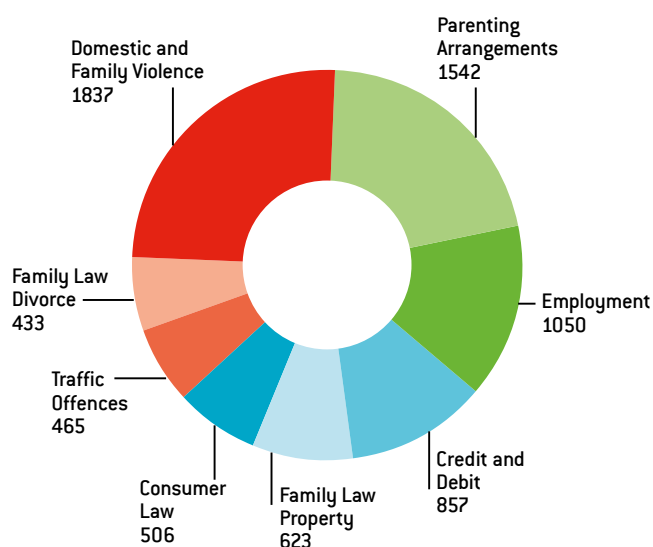


# Key Statistics

## Our Services at Caxton Legal Centre



## Advices by Areas of Law Most in Demand



## Our Clients

In the 2016–17 financial year there was a marked increase in client numbers compared to the last financial year who presented at Caxton and:



- are culturally or linguistically diverse – 525 clients



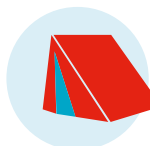
- are from Aboriginal and Torres Strait Islander backgrounds – 157 clients



- have a physical or mental disability – 601 clients



- are on a low or no income – 3238 clients



- are homeless or at risk of homelessness – 93 clients



- experiencing family violence – 828 clients

To ensure instructions taken and legal advice given has been communicated clearly and precisely, Caxton Legal Centre engaged 25 interpreters from Deaf Services Queensland and 415 interpreters for languages other than English. Thirty-four interpreters were engaged on a face-to-face basis and 381 interpreters assisted over the phone. The most sought after languages were Arabic (35) and Farsi (Persian 33), followed by Spanish (32) and Somali (31).

## Our Family Law Duty Lawyer Service at the Courts

The Family Law Duty Lawyer service provided free legal assistance to 495 self-represented people, an increase of 24 clients compared to last financial year, and provided those clients with 614 referrals and contacts to other relevant support services. The recorded demographics of our clients confirm that we were able to reach disadvantaged people. Seventy-three percent of our clients were on no or low income and only 20 people earned a yearly wage above \$100 000. Eleven clients identified as Indigenous Australians and 38 clients had a disability or mental illness. Twenty-nine clients were culturally or linguistically diverse and 63 were experiencing domestic violence. Three were homeless or at risk of homelessness.

## Our Domestic and Family Violence Duty Lawyer Service at the Courts

In 2016–17, the Domestic and Family Violence Duty lawyers provided free assistance to 526 self-represented respondents (420 males and 104 females), an increase of 134 clients compared to last financial year, and provided those clients with 767 referrals and contacts to other relevant support services.

Again, the percentage of people who presented with some disadvantage was large. More than half of the clients were financially disadvantaged and 85 presented with a disability or mental illness. Seventy-two people were culturally or linguistically diverse and 37 people identified as Indigenous. Sixty-two were homeless or at risk of homelessness.



## Community Legal Education, Community Development and Law Reform Activities

### GENERAL PRACTICE

Staff from the General Practice presented at 37 events and invested an estimated 121 hours in community legal education and development. About 1284 people benefitted from the various seminars, which focused on a broad range of topics including human rights law, retirement living options and working with vulnerable clients.

The team also submitted 23 pieces of factual information and advice to government or parliamentary bodies on 16 separate law reform issues, inquiries and action plans.

### FAMILY & ELDER LAW TEAM

In the 2016–17 financial year, staff from the Family and Elder Law Team spent a total of 176 hours on the delivery of 58 presentations or organised meetings, which reached 1113 community members. The prevailing topics covered were elder abuse, domestic and family violence, and general family law issues including child support.

Staff from the Family and Elder Law Team recorded eight law reform activities mostly targeting elder abuse issues.

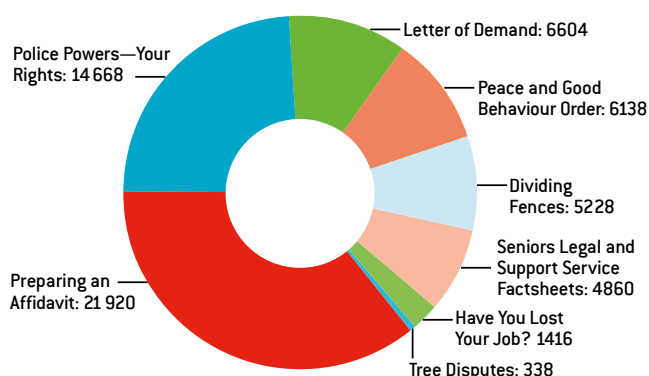
## Caxton Legal Centre Social Media and Website Use

A strong focus on increasing Caxton's social media presence paid off. The number of Caxton Legal Centre Facebook page 'likes' increased by 30% this financial year to 2478 by 30 June 2017. The number of Caxton Twitter followers is currently 852.

The Caxton Legal Centre's website was again very popular during the 2016–17 reporting period and received 33 931 unique visitors who, on average, visited the site 1.47 times.

Our Queensland Law Handbook website was launched on 9 September 2016. It offers 63 chapters, covering a large spectrum of Queensland and Commonwealth law, and also hosts our legal self-help kits and factsheets, which can be downloaded for free. Since its launch, this website received a staggering 63 142 unique visitors.

### BREAKDOWN OF MOST POPULAR DOWNLOADS OF SELF-HELP RESOURCES



# Our People

## MANAGEMENT COMMITTEE

President: Mark Thomas  
Secretary: Dan Rogers  
Treasurer: Louise Cox

## COMMITTEE MEMBERS

Barbara Kent Wendy Mulcahy  
Kevin Lambkin Alf Davis  
Margaret Arthur Tim Alexander  
Matt Woods

## DIRECTOR

Scott McDougall  
Director's Assistant – Faeza Lima

## FAMILY & ELDER LAW (INCORPORATING THE SENIORS LEGAL & SUPPORT SERVICE)

Team Leader and Coordinating Lawyer  
– Cybele Koning  
Senior Lawyer – Renea Hart  
Lawyer – Joseph Ho  
Lawyer – Barbara Fox  
Lawyer – Keryn Ruska  
Lawyer – Tile Imo  
Lawyer – Gareth Walters  
Lawyer – Colette Bots  
Lawyer – Stephanie Ewart  
Senior Social Worker – Helen Wallace  
Social Worker – Frances Privitera  
Social Worker – Su-Iyn Lee  
FASS Support Worker – Sally Richardson  
Social Worker (locum) – Jannah  
Hoopman  
Social Worker (locum) – Anne-Maria  
Butler

## ADMINISTRATION & COMMUNITY ENGAGEMENT

Business Manager – Anne-Maree Elliott  
Accountant – Bill Kyle  
Communications and Community  
Engagement Officer – Camielle  
Donaghey  
Front Office Coordinator – Karen  
Rayner  
Finance Officer and Paralegal – Megan  
Pearce  
Volunteer Coordinator – Michelle  
Ecclestone  
Administration Officer – CJ Stuart  
Administration Officer – Symone Wilson  
Administration Officer – Jeff Poole  
Administration Officer – Ana Oertel

## GENERAL PRACTICE

Team Leader and Coordinating Lawyer  
– Bridget Burton  
Senior Lawyer – Yatarla Clarke  
Senior Lawyer – Klaire Coles  
Lawyer – Gillian Welsh  
Lawyer – Phylli Verrall  
Lawyer (Community Legal Education) –  
Ros Williams  
Lawyer – Tim Murray  
Lawyer – Georgia May  
Lawyer – Amanda Hess  
Lawyer – Melody Valentine  
Lawyer – Joanna Abraham  
Lawyer – Brittany Smeed  
Social Worker – Lena Lundell  
Social Worker (casual) – Jane Meehan

## PLT STUDENTS

Amrit Prihar  
Miriam Grundy  
Christina Kido  
Tara Holland  
Anna Brasnett  
Kaitlin De Souza  
Jasmine Lam  
Jarred Mace  
Nastassja Milevskiy

## SOCIAL WORK STUDENTS

Caitlin Szabo  
Donavan Nufable

## CASUAL STAFF

Charlie O'Brien  
Amrit Prihar  
Kate Adnams

## STAFF WHO LEFT

Abbey Richards – Lawyer  
Christian O'Callaghan – Lawyer  
Catherine Stallard – Lawyer  
Jenn Read – Volunteer Coordinator  
Candice Hughes – Law Clerk

## CASUAL STAFF WHO LEFT

Rachael Pittard  
Emily Reyher  
Tom Caniffe  
Loretta Stellino  
Jasmine Lam  
Disa Johansen

# Treasurer's Report & Funding Sources

## Treasurer's Report

Caxton Legal Centre Inc. completed the 2016–17 financial year with a surplus of \$122 155 on an annual turnover of \$3 584 661.

Income for the year increased by over 14%. The main contributor to this increase was in the additional funding for Child Protection Law services and statewide Employment Law services. The 2016–17 year also includes the 12-month delivery of contracted Domestic and Family Violence Duty Lawyer services for the first time.

To meet these new service deliveries and in improving our delivery service overall, we incurred an additional \$500 000 of costs this year compared to last year. Staff costs are a major portion of our overall expenditure.

This financial year saw a couple of major achievements in relation to our Manning Street building. Firstly, major renovations were undertaken on the ground floor which significantly improved the use of the space and the aesthetic of our public 'face'. We were also able to restructure our debt arrangements and pay out the mortgage facility on the Manning Street building. The savings in interest and servicing costs further supported service delivery.

Ongoing funding uncertainty did make financial planning difficult. For a number of years, we have been preparing our

response to the announced cuts in funding to the sector, which impacted greatly on a number of staff who were uncertain about their future with Caxton. Two years later, the proposed funding cuts were implemented, only to be reversed in the space of two weeks. While cuts to core funding were reinstated, funding for additional programs were still up in the air. After having to re-apply for funding for those additional programs at short notice, Caxton was successful in securing ongoing funds for three years and fortunately was able to maintain those positions.

Despite these uncertainties, Caxton Legal Centre is now in an even stronger position. We were able to increase service delivery, undertake major much-needed renovations and decrease our debt.

We will continue to operate within our means in a climate of relative stability, and we are fortuitous to enjoy adequate resources to meet our ongoing financial commitments and look forward to future challenges.

The management committee would like to extend their appreciation to Bill Kyle for his ongoing excellence in financial reporting, and to Anne-Maree and her team for running the whole centre so effectively.

## Funding Sources

### CAXTON LEGAL CENTRE ACKNOWLEDGES OUR FUNDING SOURCES

The Commonwealth Attorney-General's Department and the Queensland Department of Justice and Attorney-General provided funding through the Community Legal Service Program for our General Law Service, Family Law and Child Support Service, Clinical Legal Education program, Family Law Duty Lawyer Service, Employment Law Service, Child Protection Law Service, Coronial Assistance Legal Service (provided in conjunction with Townsville Community Legal Service), the maintenance of the Queensland Law Handbook Online and partial funding for our seniors service. Legal Aid Queensland provided funding for our Domestic and Family

Violence Duty Lawyer Service and the Family Advocacy Support Service.

The University of Queensland funded the consumer law student clinic and the Manning Street Project. Queensland University of Technology funded our evening advice student clinic.

The Queensland Department of Communities, Child Safety and Disability Services provided funding for the Seniors Legal and Support Service and the General Practice Social Work Service. The Queensland Department of Housing and Public Works provided funding for our Park and Village Information Link.



# Financial Report

1.

**CAXTON LEGAL CENTRE INC.**  
**INCOME & EXPENDITURE STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2017**

	<b><u>2017</u></b>	<b><u>2016</u></b>
<b><u>INCOME</u></b>		
Department of Communities	1,032,952.00	1,005,895.00
Legal Aid Office (Queensland)	440,548.00	355,332.00
Legal Aid Office (Queensland) - Other Projects	84,015.56	92,647.98
Office of Legal Aid & Family Services - Commonwealth	1,392,258.00	1,043,692.00
Department of Housing and Public Works	300,000.00	300,000.00
Donations	7,335.45	9,416.31
Interest	4,041.84	10,285.21
Membership Fees	580.00	920.00
Sundry Income	34,810.54	2,041.79
Clinic Fees	100,000.00	104,500.00
Fundraising Income	10,390.99	-
Duty Lawyer Program	124,921.92	57,432.26
Bequest - V. Raymer	-	132,129.36
Sales of Publications	-	7,670.81
Royalties	14,852.28	16,939.90
40th Birthday Income	37,954.56	-
	<u>\$3,584,661.14</u>	<u>\$3,138,902.62</u>
<b><u>LESS EXPENDITURE</u></b>		
Total Expenditure (Schedule Attached)	\$3,462,505.66	\$2,943,962.80
<b><u>NET SURPLUS/(DEFICIT) FOR YEAR</u></b>	<u>\$122,155.48</u>	<u>\$194,939.82</u>

The accompanying notes form part of these financial statements.



## 2.

**CAXTON LEGAL CENTRE INC.**  
**INCOME & EXPENDITURE STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2017**

	<b><u>2017</u></b>	<b><u>2016</u></b>
<b><u>EXPENDITURE</u></b>		
Accountancy & Audit	8,800.00	8,600.00
Advertising & Publicity	61,577.96	9,387.71
Amenities - Staff & Volunteer	16,506.21	13,508.55
Bank Charges	1,941.31	1,231.02
Cleaning	14,701.73	14,205.32
Client Outlays	20,993.36	10,045.07
Computer Supplies & Maintenance	95,236.60	31,425.79
Consultant Fees	5,500.00	43,599.71
Depreciation	76,478.30	63,212.65
Electricity	16,087.22	15,731.34
Fundraising Expenses	2,059.50	-
Griffith University Expenses	59,601.82	58,663.64
Insurance	9,774.42	9,229.03
Law Books & Journals	31,257.92	32,384.05
Loan Interest & Fees	8,936.19	30,428.39
Meeting Expenses	2,323.77	1,217.73
Minor Equipment	34,462.78	22,743.47
NACLC & QAILS Levy	9,250.00	7,440.00
Office Printing	26,722.26	25,593.74
Office Stationery	9,450.83	8,675.94
Postage	13,501.69	10,263.24
Professional Association Fees & Practicing Certificates	16,202.04	15,913.27
Rates	15,269.03	13,184.03
Repairs, Maintenance & Gardening	20,000.00	20,000.00
Security	8,145.04	6,255.51
Seminars & Conferences	21,142.64	5,766.88
Staff Recruitment	840.00	2,465.00
Staff Training	37,751.41	26,604.06
Sundry Expenses	8,389.63	2,728.85
Superannuation	228,167.04	198,743.09
Supervision	4,700.00	5,000.00
Telephone & Internet	45,456.02	44,217.44
Travel	28,149.92	18,117.09
Wages & Salaries	2,503,129.02	2,167,381.19
<b><u>TOTAL EXPENDITURE</u></b>	<b><u>\$3,462,505.66</u></b>	<b><u>\$2,943,962.80</u></b>

The accompanying notes form part of these financial statements.

## 3.

**CAXTON LEGAL CENTRE INC.**  
**ASSETS AND LIABILITIES STATEMENT**  
**AS AT 30 JUNE 2017**

	<b><u>2017</u></b>	<b><u>2016</u></b>
<b><u>ASSETS</u></b>		
<b><u>CURRENT ASSETS</u></b>		
Cash at Bank, on Deposit and on Hand (Note 2)	279,611.05	637,182.40
Debtors & Prepayments	100,115.79	23,583.17
<b><u>TOTAL CURRENT ASSETS</u></b>	<b>379,726.84</b>	<b>660,765.57</b>
<b><u>FIXED ASSETS</u></b> (Note 3)	<b>2,847,011.42</b>	<b>2,696,046.34</b>
<b><u>TOTAL ASSETS</u></b>	<b>3,226,738.26</b>	<b>3,356,811.91</b>
<b><u>LIABILITIES</u></b>		
<b><u>CURRENT LIABILITIES</u></b>		
Creditors & Accruals	172,121.11	159,735.89
GST Control Account	63,538.42	61,753.03
Provision for Leave Entitlements	243,755.93	198,496.62
Grants Received & Unexpended (Note 5)	253,080.98	218,164.11
Loan - Westpac	-	116,976.00
<b><u>TOTAL CURRENT LIABILITIES</u></b>	<b>732,496.44</b>	<b>755,125.65</b>
<b><u>NON - CURRENT LIABILITIES</u></b>		
Loan - Westpac	-	237,281.98
Provision for Long Service Leave	99,598.76	91,916.70
<b><u>TOTAL NON - CURRENT LIABILITIES</u></b>	<b>99,598.76</b>	<b>329,198.68</b>
<b><u>TOTAL LIABILITIES</u></b>	<b>832,095.20</b>	<b>1,084,324.33</b>
<b><u>NET ASSETS</u></b>	<b>\$2,394,643.06</b>	<b>\$2,272,487.58</b>
<b><u>ACCUMULATED FUNDS</u></b>		
Balance at 1 July 2016	\$2,272,487.58	\$2,077,547.76
Net Surplus/(Deficit) for Year	122,155.48	194,939.82
<b><u>TOTAL ACCUMULATED FUNDS</u></b>	<b>\$2,394,643.06</b>	<b>\$2,272,487.58</b>

The accompanying notes form part of these financial statements.

## 4.

**CAXTON LEGAL CENTRE INC.**  
**CASH FLOW STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2017**

	<b><u>2017</u></b>	<b><u>2016</u></b>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
<b>Receipts</b>		
Sales	-	7,670.81
Interest	4,041.84	10,285.21
Other	286,328.36	193,485.47
Cash flows from Government Grants	3,234,985.91	2,979,728.09
<b>Payments</b>		
Suppliers and Employees	(3,293,636.76)	(2,857,491.49)
<b>Net cash provided by (used in) operating activities</b>	<b>\$231,719.35</b>	<b>\$333,678.09</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Payment for purchase of plant & equipment	(227,443.38)	(18,571.41)
<b>Net cash provided by (used in) investing activities</b>	<b>\$(227,443.38)</b>	<b>\$(18,571.41)</b>
<b>CASH FLOWS FROM FINANCIAL ACTIVITIES</b>		
<b>Payment of borrowings</b>	(361,847.32)	(299,105.36)
<b>Net cash provided by (used in) financing activities</b>	(361,847.32)	(299,105.36)
Net increase (decrease) in cash held	(357,571.35)	16,001.32
Cash at beginning of the reporting period	637,182.40	621,181.08
<b>Cash at end of the reporting period</b>	<b>\$279,611.05</b>	<b>\$637,182.40</b>
<b>RECONCILIATION OF NET SURPLUS/DEFICIT TO NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES</b>		
Operating Result	122,155.48	194,939.82
- Depreciation	76,478.30	63,212.65
- Interest & Fees	7,589.34	30,008.39
- (Increase)/Decrease in Receivables	(76,532.62)	(5,078.08)
- Increase/(Decrease) in Payables	14,170.61	(37,800.24)
- Increase/(Decrease) in Provisions	52,941.37	38,363.80
- Increase/(Decrease) Unexpended Grants	34,916.87	50,031.75
<b>Net cash provided by (used in) operating activities</b>	<b>\$231,719.35</b>	<b>\$333,678.09</b>

The accompanying notes form part of these financial statements.

5.

**CAXTON LEGAL CENTRE INC.**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2017**

**1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES**

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirement of the Associations Incorporated Act (Qld). The committee has determined that the association is not a reporting entity.

The report is also 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 valuations of non-current assets.

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

**(a) Depreciation**

Depreciation is calculated on the prime cost basis and is brought to account over the estimated economic lives of all Fixed Assets.

**(b) Employee Entitlements**

Liabilities for Wages & Salaries and Annual Leave are recognised and are measured as the amount unpaid at the reporting date at current pay rates in respect of employees' services up to that date. Other employee entitlements payable later than one year, have been measured at the present value of the estimated future cash outflows to be made for those entitlements.

Contributions are made by the association to an employee superannuation fund and are charged as expenses when incurred.

**(c) Comparative Figures**

Comparative figures, where necessary, have been reclassified in order to comply with the presentation adopted in the figures reported for the current financial year.

**(d) Inventories**

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

**(e) Economic Dependence**

The Caxton Legal Centre Inc. is dependant on government funding to operate. As at the date of the report the committee has no reason to believe the government **will** not continue to support the organisation.



## 6.

**CAXTON LEGAL CENTRE INC.**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2017**

**1. STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES (CONTD.)****(f) Income Tax**

The Association is exempted from tax under section 50-10 of the Income Tax Assessment Act 1997.

	<u>2017</u>	<u>2016</u>
<b>2. CASH AT BANK, ON DEPOSIT &amp; ON HAND</b>		
Petty Cash	200.00	200.00
Westpac - Cheque account	35,548.86	57,007.92
Westpac - Cash Reserve Account	243,530.27	579,959.36
Pay Pal Account	331.92	15.12
	<u>\$279,611.05</u>	<u>\$637,182.40</u>
<b>3. FIXED ASSETS</b>		
Land & Buildings - At Cost		
- 1 Manning Street, South Brisbane	2,717,675.25	2,717,675.25
- Depreciation Building	(125,000.00)	(100,000.00)
	<u>2,592,675.25</u>	<u>2,617,675.25</u>

Land and buildings are included in the Financial Statements at cost. However, this does not necessarily represent the market value or recoverable amount, as the association is a non-profit organisation, and the service potential of land and buildings is not related to the land and building's ability to generate net cash inflows.

Office Equipment & Furniture		
Written Down Value 1 July 2016	78,371.09	98,012.33
- Additions	227,443.38	18,571.41
- Depreciation	(51,478.30)	(38,212.65)
	<u>254,336.17</u>	<u>78,371.09</u>
	<u>\$2,847,011.42</u>	<u>\$2,696,046.34</u>

The accompanying notes form part of these financial statements.

7.

**CAXTON LEGAL CENTRE INC.**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2017**

	<b><u>2017</u></b>	<b><u>2016</u></b>
<b>4. CHARGE ON PROPERTY</b>		
The following mortgages have been given over freehold premises at 1 Manning Street, South Brisbane:-		
First Mortgage - Westpac Bank		
- Balance of Mortgage	-	354,257.98
The organisation has a business overdraft facility with Westpac Bank for \$600,000.00.		
<b>5. GRANTS RECEIVED &amp; UNEXPENDED</b>		
Department of Justice and Attorney-General	25,000.00	-
Department of Housing and Public Works	150,000.00	25,000.00
Legal Aid Queensland	20,930.98	37,352.02
Clinic Fees - Queensland University of Technology	57,150.00	80,000.00
Office of Legal Aid & Family services - Commonwealth	-	75,000.00
Brisbane City Council	-	812.09
	<u>\$253,080.98</u>	<u>\$218,164.11</u>

**6. AUDITOR'S REMUNERATION**

Apart from the remuneration disclosed the auditors received no other benefits.

The accompanying notes form part of these financial statements.

**8.**

**CAXTON LEGAL CENTRE INC.**

**STATEMENT BY MEMBERS OF THE COMMITTEE**

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

In the opinion of the committee the financial report as set out on pages 1 to 7:

1. Presents a true and fair view of the financial position of Caxton Legal Centre Inc. as at 30 June 2017 and its performance for the year ended of that date.
2. At the date of this statement, there are reasonable grounds to believe that Caxton Legal Centre 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 Committee and is signed for and on behalf of the Committee by:

President 

Treasurer 

Dated this 28<sup>th</sup> day of September 2017.

**9.**

**INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF**

**CAXTON LEGAL CENTRE INC.**

**Report on the Audit of the Financial Report**

***Opinion***

We have audited the financial report of Caxton Legal Centre Inc., which comprises the assets and liabilities statement as at 30 June 2017, the income and expenditure statement and statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the certification by members of the committee on the annual statements 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 Caxton Legal Centre Inc. as of 30 June 2017 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements and the requirements of the Associations Incorporation Act (QLD).

***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 APES110: 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 ethical 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.

***Emphasis of Matter – Basis of Accounting***

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist the association to meet the requirements of the Associations Incorporation Act (QLD). As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

***Responsibilities of the Committee for the Financial Report***

The committee is responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the Associations Incorporation Act (QLD) and for such internal control as the committee determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

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



### ***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 the 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 this financial report.

As part of an audit in accordance with Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit 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.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the committee.
- Conclude on the appropriateness of the committee's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the association to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with the committee regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.



PETER GESCH  
HAYWARDS CHARTERED ACCOUNTANTS  
Level 1 / 488 Lutwyche Road  
LUTWYCHE QLD 4030

Dated this 28<sup>th</sup> day of September 2017



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