



**caxton**  
legal centre inc

ANNUAL REPORT 2012–13

## OBJECTS

Caxton Legal Centre's objects are to provide legal and social welfare services to low-income and disadvantaged persons in need of relief from poverty, distress, misfortune, destitution and helplessness and to educate such people in legal, social welfare and related matters.

# FUNDING SOURCES

## Caxton Legal Centre acknowledges its funding sources

The Commonwealth Attorney-General's Department, the Queensland Department of Justice and Attorney-General and Legal Aid Queensland provided funding through the Community Legal Service Program (CLSP) for our General Law Service, Child Support Service, Clinical Legal Education Program, and partial funding for our seniors service. The CLSP is administered by Legal Aid Queensland. The Office of Liquor and Gaming Regulation supplied two grants toward purchasing equipment and upgrading the disability access to our premises. The Griffith University Student Representative Council provided funding for a weekly legal advice clinic for students at the Nathan campus, and the University of Queensland funded the Consumer Law Student Clinic, the Manning Street Project and the Criminal Appeals Clinic.

Caxton also received funding through the Legal Practitioner Interest on Trust Account Fund (LPITAF) for the General Law Service, Consumer Law Service, Family Law Duty Lawyers Service and the Queensland Flood and Cyclone Legal Help initiative. The Queensland Department of Communities provided funding for the Seniors Legal and Support Service through the Office of Seniors and the General Social Work Service through the Community Support Program.



Australian Government  
Attorney-General's Department



Student Representative Council  
Griffith University



Queensland Government  
Department of Communities



THE UNIVERSITY  
OF QUEENSLAND  
AUSTRALIA

# CONTENTS

President's Report	4
Treasurer's Report	5
Director's Report	6
Thank You!	8
Our Services	10
General Service	11
Kathy's Story	16
Seniors Legal and Support Service	17
George and Rosaria's Story	20
Family Law and Child Support Service	21
2012–13 Highlights	22
Tributes From Valued Clients	24
Family Law Duty Lawyer Service	25
Community Legal Education and Law Reform	26
Statistics	30
Caxton Staff And Management Committee 2012–13	32
Financial Report Year Ended 30 June 2013	33



We have upheld a close and productive working relationship with the new state government and the various departments who have provided support in the delivery of important services to our various client groups.

The next few years will present the centre with various challenges, and Caxton remains well placed to navigate this period with as little disturbance to the delivery of services to our clients, if not enhancement of our services, through forging links with other organisations.

We have continued to monitor the centre's financial arrangements with a view to making best possible use of our resources through the continued efforts of the Finance and Risk Management Subcommittee, which meets immediately before the Management Committee, and provides expert advice on budgetary matters. I extend my great appreciation and thanks to our treasurer, Louise Cox, and to Bill Kyle, our accountant, for their invaluable input in this process.

*The objects of our organisation, as stated on the first page of this report, show our clear intent; and it appears that we have been successful in achieving that goal...*

We head into 2013–14 with the prospects of extending our voice in the realm of public debate on significant issues relevant to our charter through a pilot program of three public forums in the Banco Court—and I record our thanks to the Chief Justice for his support in making the court available. These forums will cover changes to the Drugs Misuse Act to include synthetic drugs and to the proposed extension of police powers to deal with the G20 summit, and the challenges to the juvenile justice system. These forums mark a unique collaboration between Caxton Legal Centre and the three Brisbane universities, QUT, the University of Queensland and Griffith University (in making these observations, I must, of course, disclose a conflict of interest as a member of the academic staff at QUT). All three issues are areas where significant changes to the law are anticipated, and these changes will impact on our clients.

On the home front, staff and committee continued to adhere to their ambitious strategic plan for 2012–2015. Amongst a range of tasks, the committee identified the need to develop a coherent client targeting model and deliver a strategy to better access our target clients. The objects of our organisation, as stated on the first page of this report, show our clear intent; and it appears that we have been successful in achieving that goal by introducing, for the first time, an income cap, which now allows us to primarily focus on clients from a low socioeconomic background. The client targeting project will continue to shape the work of the general program, in particular, with a broader strategy rolling out in late 2013.

The statistics for the centre's operation in the last financial year are all contained in this Annual Report, and I invite you to consider them at your leisure. They are, by any measure, impressive, and continue to reflect Caxton's commitment, through its staff and volunteers, to the continued provision of legal and social work advice and support to our clients.

Caxton Legal Centre has completed the year with a surplus of \$36 630 for the 2012–13 year. Income for the year including publication sales was \$2 277 284. The surplus is just 1.6% of turnover and reflects the challenges the centre is facing in maintaining sustainable budgets into the future.

Income was down slightly in 2012–13 mainly due to the expected decrease in Flood Assistance funding.

The industrial landscape continues to present challenges to Caxton. Some federal supplementary funding was received in 2013–14 to help cover award increases, however, managing staffing and wages, and keeping Caxton an attractive and competitive employer of quality staff will be one of our major ongoing challenges.

It is good to report that arrangements have been made to increase some areas of income in the 2013–14 financial year. Agreement has been reached with QUT to expand the clinic program and this should see an extra \$80 000 of clinic income received next financial year. Publication sales were down in 2012–13 due to *The Queensland Law Handbook* coming towards the end of its run. A new handbook will be for sale in early 2014, and this should see a boost to sales and publication profits.

Non-wage costs continue to be controlled well. Restructuring of Caxton's building mortgage in early 2012–13 has seen interest and fees decrease by nearly 40% compared to the previous financial year. Over the last three years, Caxton has continued to decrease non-wage expenses. In 2010–11, the percentage of Caxton's expenses, excluding depreciation, incurred on non-wage items was 26%. In 2011–12 this was decreased to around 22% and in the year just completed it has decreased further to around 18.2%. The continued management of debt and cash flow while allowing the efficient running of the organisation continues to be a priority.



*Caxton's overall financial position remains strong and ... sufficient to meet our ongoing commitments.*

Management of future expenses relating to the Manning Street building has also been a priority during this financial year. Caxton continued its provision for building repairs and maintenance, which will allow us to meet future and unexpected major one-off expenses.

Successful grant applications in 2012–13 included \$51 290 in funding from the Office of Liquor and Gaming Regulation to undertake further work to enhance the accessibility of the Manning Street premises. The work will focus on the entry area and construction should be completed in early 2014.

Caxton's overall financial position remains strong and our cash position remains sufficient to meet our ongoing commitments. We continue to have a financially healthy centre well placed to meet our goals in the future.

My thanks to Bill Kyle who has brought additional rigour to our accounting work since his appointment. Both he and Anne-Maree Elliott have done an outstanding job in managing our financial services team.



This has been another strong year for Caxton Legal Centre.

Community Legal Centres in Australia are entering a new age where various forces continue to shape how we work to meet the demands of our clients. These influences include the increasing complexity of client problems, changing demography, constantly evolving laws, new technology and ever-increasing expectations of clients, funders, peak bodies and insurers. For large generalist centres such as Caxton Legal Centre, the winds of change present as many opportunities as they do challenges.

*The recent announcement of the Productivity Commission inquiry into the cost of access to justice should also bring to light the outstanding value offered by community legal centres.*

This year, Caxton Legal Centre successfully completed the National Association of Community Legal Centre's accreditation process and participated in the Commonwealth Review of the National Partnership Agreement on Legal Assistance Services. These processes, undertaken in the context of the Australia-wide Legal Needs Survey, have underscored the professionalism that has developed in the community legal sector in the last decade. The recent announcement of the Productivity Commission inquiry into the cost of access to justice should also bring to light the outstanding value offered by community legal centres.

Guided by our new strategic and operational plans, Caxton undertook a number of organisational initiatives including:

- developing proposals for a standalone Employment Law Service for Queensland
- devising a community legal education strategy
- conducting a comprehensive evaluation of our operations and evening advice sessions to develop a client-targeting strategy
- strengthening our General Law Program capacity.

Caxton has long enjoyed strong relationships with Queensland's major universities: Griffith University, University of Queensland and Queensland University of Technology. This year, we created a new legal clinic with the Queensland University of Technology, which pairs students with volunteer lawyers at our evening advice sessions. We are also piloting a collaborative series of public forums at the Banco Court with each of these universities. Our other family, general, consumer and criminal law clinics and the Manning St Project continue to deliver great results to our clients and to inspire our staff.

# DIRECTOR'S REPORT

SCOTT MCDUGALL

Continuing Caxton's fine tradition of bringing important cases to court this year, we had several successful cases in various jurisdictions ranging from the Queensland Civil and Administrative Tribunal (QCAT) to the High Court of Australia. Many of these cases were taken on by our superb lawyers and social workers working in the Seniors Legal and Support Service (SLASS). We also finalised the last of our Brisbane flood cases, which saw the total amount recovered on behalf of our clients exceed \$5.3 million.

A steady flow of law reform activities included submissions to government on QCAT operations and the introduction of boot camp orders into the youth justice regime, as well as a set of recommendations on the need to amend and consolidate laws for the recovery of wrongfully detained property and the disposal of uncollected property. The Consumer Law Program also continued to be active as advocates for reform in insurance and consumer law across a range of forums, including contributing to the review of the General Insurance Code of Practice and having some success in encouraging regulators to take on particular matters.

Production of the 12th edition of the Queensland Law Handbook is well underway with a team of over sixty legal authors from private practice, academia and government contributing their knowledge to the forthcoming edition. The centre will take its first foray into electronic publishing with the Law Handbook being available as an e-book upon its release.

Caxton saw the arrival and departure of a number of staff who made a significant impact on the service, some in spite of a short time spent with the service as a result of the changing tides of funding. John Stannard left the centre in September 2012 after three years in the Manager, Client Service position and John Kooreman left his role in the SLASS program, making way for Kirsty Thomas to join the team. Ariane Wilkinson, Gillian Welsh and Emile McPhee served for short periods in the General Program providing much needed additional resourcing. Bridie Henderson, Cybéle Koning, Bill Kyle, Amanda Hess and Justine Meyer all joined the Caxton staff team.

We were very excited when long-time Caxton staff member Ros Williams tied with Gillian Brown (partner at Minter Ellison Lawyers) and was awarded the Woman Lawyer of the Year Award, presented by the Women Lawyers Association of Queensland. Ros's 20 years of exceptional service at Caxton was acknowledged, along with her leadership as a mentor to multitudes of law students and her work on countless law reform submissions and legal publications. Caxton was also awarded the Best workplace health and safety management system at the Queensland Safe Work Awards.

Once again, I would like to express my gratitude to all of our volunteers, staff and management committee for their tireless support throughout the year.

# THANK YOU!

Once again, Caxton Legal Centre's team of volunteers comprised outstanding individuals who collectively committed almost 3000 hours of their time to providing service to clients who would otherwise miss out. These hours contributed by our volunteer lawyers enabled Caxton to sustain an intense service delivery load and respond to the needs of clients who often have no other avenue through which to seek legal assistance. We are deeply grateful for the personal contribution made by every one of our volunteers and thank them for joining us in making Caxton's vision of achieving access to justice a reality.

Law firms also demonstrated their commitment to pro bono work through their continuing willingness to participate in the specialist consumer credit and employment law services. Firms Clayton Utz, Allens Linklaters, Minter Ellison, Freehills, Hall Payne, Ashurst and DLA Piper all supported the services as well as providing ancillary support for other Caxton activities.

Members of the private bar assisted us with a number of matters in court, and those individuals are included in our list here along with our volunteer lawyers and law students who staffed the front desk, assisted at evening advice sessions and resourced our general legal practice.



Adrienne Soo  
Alex Buck  
Alex Nelson  
Alexander Tuhtan  
Alexandra Doney  
Alice Blackburn  
Alison Blyth  
Alison Lovell  
Amelia Sutherland  
Amy Honan  
Amy Murphy  
Andrew Dallas  
Andrew Fleming  
Andrew Gaddes  
Anita Hall  
Ann-Maree Russo  
Arlene Stanovitch  
Ben Marshall  
Brandon Selic  
Brendan Scandrett  
Brett Saal  
Brett Sherwin  
Brian Lambert  
Bronwyn Lightfoot

Bruce Wacker  
Candice Stower  
Carlos Gouveia  
Carly Barnard  
Caroline O'Connor  
Catherine Davis  
Catherine Ng  
Chad Gear  
Charles Massey  
Chere Meakins  
Cherrie Ludeman  
Chris Newman  
Chris Saines  
Christopher O'Meara  
Claire Fraser  
Claire Yeo  
Claudia Hunt  
Claudine Umashev  
Connor Osborne Jones  
Craig Turvey  
Dan Pratt  
Darius Isaacs  
Darrell Kwong  
David Bell  
David Keane  
David Maunsell  
David Renfrey  
Dean Saunders  
Edward Fleetwood  
Eleanor Surajballi  
Elizabeth Pendlebury  
Elizabeth Winstanley  
Emile McPhee  
Emily O'Hagan  
Emma Restall  
Emma Stapleton

# THANK YOU!

Emmalene Travers	Kate McKenzie	Michael Lee	Sarah Minnery
Errol George	Katrina Carven	Michael Liddy	Sarah Smith
Ffion Whaley	Katrina de Lange	Michael Seymour	Saran Kaur
Fiona Auld	Kristin Ramsey	Mindy Booker	Sarwan Govind
Gary Saunders	Kurt Wildermuth	Morgan Brennan	Sebastian Lipnicki
Genevieve Foley	Kym Condon	Morgan Tiernan	Shane Monks
Georgia Hinds	Laura Quinton	Natalie Elms	Sharon Munday
Geraldine Middleton	Laura Stocky	Nathan Colless	Simon Clayer
Gertrud Farkas	Laura Vogler	Neal Bedford	Simon Hamlyn-Harris
Glen Northway	Lauren Smith	Neesha Pierce	Sophia Bookallil
Glenn Carthew	Leah Scott	Neil Henderson	Stephanie Flower
Graeme Haas	Lewis Shillito	Nicholas Ng	Stephanie Parker
Gregory Lutvey	Liam Burrow	Nicole Nolan	Stephanie Walker
Greta McCann	Lisa Walker	Nitra Kidson	Stephen Carius
Helen Bloomfield	Louis Eum	Oliver Peel	Stephen Colditz
Helen Donovan	Louise Hogg	Patricia Kirkman-Scrope	Steve Tropoulos
Helena Groeneveld	Lucy Campion	Patrick Brown	Stuart Unwin
Holly Monks	Lucy Farmer	Patrick Wilson	Sue-Ellen Wright
Horace Wu	Lucy Lindbergh-Ostling	Peter De Silva	Takara Raymond
Jade Henderson	Luke Godfrey	Phil Hall	Tamara Grealy
James Hall	Luke Steel	Phil Pennington	Tamara Oraha
James Hiller	Luke Tiley	Polly Richardson	Thomas Ambrose
James Tregenza	Lynette Vanderstoep	Priya Panwar	Thomas Serafin
Jason Voight	Mabruk Dajan	Raelene Ellis	Thomas Tran
Jayne Le	Madeleine Howarth	Randal Dennings	Tim Alexander
Joanna Lamparski	Madeline Smith	Ray Murphy	Timothy Cunningham
Josephine Nicholson	Madison Ure	Rebecca Fogerty	Tina Chu
Joshua Jones	Margaret Voight	Rebecca McMahon	Tom Sullivan SC
Judith Sheehan	Margot Gladstone	Richard Poiner	Tony Norman
Julia Jasper	Mark Healy	Robert Dunworth	Travis Finter
Juliana Virine	Mark Jeffreys	Robert Gaddes	Vaishi Rajanayagam
Julie Bartlett	Matthew Parkinson	Robert Stevenson	Vavaa Mawuli
Justine Meyer	Maureen van Kleef	Rosey Stone	Wei-Loong Chen
Kailey Zabloski	Melissa Bostock	Russell Morgan	Will Sit
Kara Cook	Merrit Nassif	Sally Rob	William Schoenmaker
Karen Thorpe	Michael Bonasia	Sam Tracy	Willow Harper
Kasey Solar	Michael Cope	Samantha Nean	Yasmin Dulley
Kate Clark	Michael Krakat	Sarah Dreger	Yvonne O'Byrne

# OUR SERVICES



All of the services covered in this report are assisted by Caxton’s hardworking administration team.



Anne-Maree Elliott  
Business Manager



Karen Nyberg  
Front Office Coordinator



Michelle Ecclestone  
Publications and  
Administration Officer



Symone Wilson  
Administration and File  
Management Officer



Bill Kyle  
Accountant



Megan Pearce  
Administration Officer  
(Accounts)



Justine Meyer  
Administration Officer



The 2012–13 financial year brought many changes to the General Service with more to come in 2013–14. The service was, as always, extremely busy and we are grateful to the volunteer lawyers and law students who donated their time and skills to the clients we serve.

### Programs offered by the General Service

In the 2012–13 financial year the General Service was made up of:

- drop-in general advice sessions on three evenings each week
- once weekly appointment-based night session for Employment Law Service
- the general Social Work Service
- the Consumer Law Service offering advice and casework
- the Flood Recovery Unit
- two University of Queensland student clinics—the Consumer Law Advice Clinic and the Criminal Appeals Clinic
- one day per week of booked general appointments for vulnerable clients
- a general casework practice focusing on test cases.

### Highlights from 2012–13

The start of 2013 brought changes to the structure of the General Service with the rolling together of the general law, the General Social Work and the Consumer Law Services and the creation of a coordinating lawyer position. We began reviewing the way all aspects of the service are delivered, developed a number of procedural improvements and started to think carefully about how the General Service will need to grow and change to continue to meet demand.

In 2012–13 the General Service celebrated a significant expansion of our student program, the end of the 2011 flood litigation, the opportunity to present at the International Access to Justice conference at Oxford University (Bridget Burton) and the International Federation of Social Work conference in Stockholm (Lena Lundell), and the birth of Klaire Coles's daughter.

### Staffing

In late 2012, we temporarily said goodbye to Klaire Coles for her maternity leave. We welcomed back Amanda Hess who is assisting with clinic supervision in the Consumer Law Service and also providing advice to clients. Emile McPhee joined us as legal assistant for several months, and in early 2013 we welcomed lawyer Ariane Wilkinson into the team for six months.

The General Service had two excellent PLT students this year: Gillian Welsh who is now with the Department of Health and Ageing in Canberra and Ben Marshall who was midway through his PLT at the end of June 2013.

### Evening advice sessions

The night sessions have been extremely busy throughout the year.

We saw a slight decrease in numbers of clients overall, which most likely reflects a greater push this year to consciously refer people to services that are better suited to their needs and to manage the demand in some areas of law. There were, however, increases in the numbers of people receiving advice in:

- credit and debt (small increase)
- government and administrative law (significant increase)
- criminal law
- motor vehicle accidents and other civil disputes.

*These are also the areas of law for which there are generally insufficient free legal services to meet community demand.*

There were also large increases in the numbers of people seeking advice about employment law, consumer complaints and neighbourhood disputes, but not all of this demand could be met by our practice. These are also the areas of law for which there are generally insufficient free legal services to meet community demand.

The Employment Law Service remained consistently busy throughout the year—data from the end of 2012 shows that the centre received an average of 59 calls a week from people seeking help with employment law matters, but was able to provide appointments to only 7 clients per week. To help manage the demand, the centre introduced an income cap of \$67 000 for clients seeking those appointments, but even with the cap demand from eligible clients was overwhelming. The service consistently benefited from the group of dedicated volunteer employment lawyers who run and staff it.

In line with the general move to target our services at the most appropriate clients, the General Service also began reviewing the way the night sessions deliver services.

Caxton also received a grant to redevelop the waiting area to provide more and better facilities for clients attending at nights.

## Student clinics

The University of Queensland ran a Consumer Law Advice and a Criminal Appeals Clinic at the centre, providing law students with a chance to learn from expert supervisors Bridget Burton, Amanda Hess, Dan Rogers and Heather Douglas, while substantially contributing to the number of advice appointments Caxton Legal Centre could offer to clients.

## Legal casework

The General Service has a small but effective casework practice. Most cases undertaken in 2012–13 were related to:

- flood insurance litigation
- consumer credit problems in which some element of unconscionable or exploitative conduct was present
- anti-discrimination and human rights matters.

The completion of most of the cases arising from the 2011 floods was a casework highlight of the 2012–13 financial year. In total, 116 clients received casework support to dispute a refused insurance claim. Of those, nearly half were successful in reversing that refusal and more than \$5.3 million were recovered from insurers. This was achieved with a total program cost of \$350 000 over two years.

It was very pleasing to receive favourable comments from the bench in a credit matter that had settled. Judge Kingham, in commending the parties on their conduct, made the following comment:

# GENERAL SERVICE

BRIDGET BURTON

The applicants are not in a position to pay for legal advice. They have been most ably and generously assisted by experienced and capable professionals. This case is an exemplar of the critical work done by community legal centres and by the solicitors and barristers who offer assistance to those who cannot afford their services.

In the anti-discrimination portion of the service, we successfully resisted an application for special leave to apply to the High Court. We also undertook work on several cases which pertain to the human rights of people with disabilities.

It is, of course, not possible to run a litigation practice in a community legal centre without the generosity, patience and dedication of our friends in private practice who are willing to work with us for free. We are indebted to a number of solicitors, barristers and firms and they are individually mentioned in the volunteers section. This year, however, we are particularly grateful to barristers Simon Hamlyn-Harris, Sally Robb and Michael Liddy for their extraordinary contributions.



Yatarla Clarke  
Solicitor



Klaire Coles  
Solicitor



Ariane Wilkinson  
Solicitor



Ben Marshall  
PLT Student



Emile McPhee  
Legal Assistant

## Social Work Service



Lena Lundell  
General Social Worker

The general Social Work Service has continued to provide counselling, advocacy, community legal education, community development, court support and participated in networking activities.

The service has provided support to clients who experience personal and social challenges within their legal issues. Clients' vulnerabilities have included socioeconomic disadvantage, financial debt, domestic violence, grief and loss, trauma, complex parenting issues, social isolation, homelessness or risk of homelessness, drug and alcohol addictions, and mental health issues. Many clients have multiple and complex issues, and Lena supported relationship building as a core practice to promote the feeling of empowerment and wellbeing for clients.

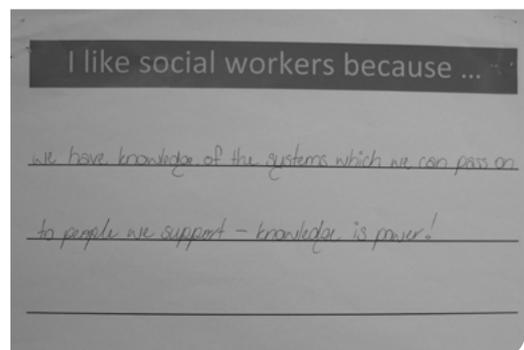
*The service has provided support to clients who experience personal and social challenges within their legal issues.*

Lena also regularly participated in inductions of students and volunteers to improve understanding of social work practice, promote student and volunteer interdisciplinary skills, and enhance the multidisciplinary practice.

A casework highlight is a presentence report prepared by Lena, which received favourable comments from the magistrate, and the solicitor felt that the sentence reflected the quality of the report.

Lena also engaged in a number of networking and sector-development activities including:

- organising and hosting the inaugural Community Legal Centre Social Workers and Advocates meeting which will continue to meet quarterly at Caxton
- managing the Inner-South Interagency Network's bimonthly meetings to further the relationship between local agencies to promote valuable referral pathways for our clients
- organising a great World Social Work Day event on 19 March, which was well attended by staff and other service providers in our local area
- arranging for Caxton to be included in a tour of homelessness services run by Brisbane City Council
- organising and attending Homeless Connect in May.



Lena would especially like to thank Caxton staff and professionals in the NGO community and private sector, who have all made it possible to give our clients optimal assistance.

We would also like to thank the Department of Communities, Child Safety and Disability Services for providing the funding that makes the general Social Work Service viable.

## Volunteer program

Continuing professional development sessions, explicitly tailored to suit the needs of our volunteer solicitors, staff and other community legal centres took place on several occasions throughout the year. The choice of the topics and speakers specifically addressed the legal issues that commonly arose during our evening advice sessions. We are grateful to the following presenters for contributing their time:

- Jonty Bush and Stephen Page presented on victim of crime and the 2012 changes to the Family Law Act
- Cristy Dieckman and Mark Thomas presented on the compulsory CPD areas of professional skills and legal ethics, respectively, at an event which yielded a record number of attendants
- Angela Cornford-Scott spoke on wills and estates along with Jeffrey Bunning who presented on family law.

Caxton's volunteer law students continued to provide a backbone to our service delivery through their participation on the front desk and at evening sessions as front desk coordinators and legal assistants.

Other notable activities in the volunteer program included welcoming 64 new volunteer lawyers through our regular volunteer inductions, the distribution of a bimonthly e-newsletter and a lunchtime consultation with a small group of longstanding volunteers to feed into plans for changes to the General Service.

# KATHY'S STORY

Kathy<sup>1</sup>, 32, came to Caxton Legal Centre for legal advice in relation to some serious criminal charges she was facing. In receiving legal advice Kathy was referred to Caxton's social worker, Lena Lundell, for counselling.

At the time of attending Caxton, Kathy was experiencing a number of major hurdles in addition to the criminal offences she had been charged with. She had recently been through the difficult break-up of a relationship where she experienced verbal abuse and felt manipulated by her partner. Kathy also had previously attempted suicide, and for much of her life lived with feelings of depression and low self-esteem. She recognised that much of this linked back to the intense bullying she had experienced at high school in relation to her sexuality.

In an effort to take control of her life, Kathy had decided to stop working and to concentrate on her recovery from her abusive relationship and to prepare her defence.

Through ongoing counselling, Kathy became aware of opportunities that were available to her in her life and she started to plan for her future. Lena collaborated with Kathy's Legal Aid solicitor and wrote a presentence report for Kathy. Presentence reports contain information about a person's background, present circumstances and future plans and are provided to the court so that the offence is considered in its full context.

The outcome at court reflected Kathy's circumstances and allowed her to remain in the community. Kathy is continuing to work on her goals with Lena. She has also started part-time employment and reports that she is feeling empowered.

---

1 All case studies have been de-identified to protect client confidentiality.



The Seniors Legal and Support Service previously comprised two different funded programs—the Seniors Advocacy Information and Legal Service (SAILS) and the Seniors Legal and Support Service (SLASS). In the past year these programs have been merged under SLASS for funding and reporting purposes. SLASS continues to be funded by the Department of Communities, Child Safety and Disability Services.

The Seniors Legal and Support Service has continued to provide excellent advice and support to seniors who are suffering or are at the risk of suffering elder abuse in situations that are often very factually complex and difficult. Table 1 below reflects the occasions of service provided by the SLASS/SAILS programs, and Table 2 provides a quantitative breakdown of the types of elder abuse dealt with by SLASS staff compared to the last financial year.

*The Seniors Legal and Support Service has continued to provide excellent advice and support to seniors who are suffering or are at the risk of suffering elder abuse ...*

Table 1: General client statistics for the 2012–13 financial year.

SLASS	
Total number of clients	453
New clients	293
Cases opened	243
Cases closed	197
Advices given	2120
Community legal education	39

Table 2: Types of abuse dealt with by SLASS staff

Type of abuse	Total number of incidences compared to numbers from last financial year
Elder abuse	514 (down from 628)
Elder abuse – neglect	34 (down from 58)
Elder abuse – physical	185 (up from 108)
Elder abuse – psychological	630 (up from 315)
Elder abuse – social	232 (up from 90)
Elder abuse – sexual	5 (down from 21)
Elder abuse – financial	1247 (up from 1157)

## Staff changes

In October 2012, solicitor Kirsty Thomas joined SLASS to replace John Kooreman and was appointed as the coordinating solicitor for SLASS in June 2013. Kirsty had previously been working on the Duty Lawyer Service at Caxton and brought a highly valued passion for court work to her position with SLASS. Kirsty is a great team player and SLASS is lucky to have her. SLASS was also very delighted to welcome back social worker Su-Lyn Lee in November 2012. Su-Lyn returned after attending to family commitments and performing various voluntary work.

## PLT students

In 2012, we had Jarrod Clarke as a PLT student, who provided outstanding work for the team during his time at SLASS. His contribution to a major Queensland Civil and Administrative Tribunal (QCAT) guardianship matter run by Glenys Haren was invaluable. Jarrod is now working at Turner Freeman in Logan.

## Outreach

Anthony O'Sullivan continued to service the Sunshine Coast outreach once a month, but the Gold Coast outreach has been suspended for the time being. However, clients were still accepted from the Gold Coast and matters were followed up as necessary.

## Community legal education

The service has continued to provide community legal education sessions and materials to government departments, service providers and community groups about topics such as elder abuse, consumer issues, enduring powers of attorney, capacity and QCAT guardianship issues with an increasing focus on strategies for self-protection for older clients. A further focus in this period has been on the general principles in the *Guardianship and Administration Act 2000* (Qld) and the *Powers of Attorney Act 1998* (Qld), and their impact upon the importance of supported decision making.

## Community

SLASS undertook a joint project with QPILCH providing community legal education on manufactured homes and QCAT guardianship matters; funding was provided by Legal Aid Queensland.

The service has also continued to take part in forums relevant to older people and elder abuse, and the Ministerial Working Party on Retirement Villages 2012–13.

## SLASS state-wide conference and network event

The SLASS conference and training was held on 30 and 31 May 2013 at the Law Society building in Brisbane.

Highlights of the conference included presentations by Associate Professor Cheryl Tilse on substituted and supported decision making, and by Jade Clarke, Associate Director at ABA, on credit and consumer issues. Other feature speakers included Catherine Uhr, Senior Solicitor and Consumer Advocate from Legal Aid Queensland's Consumer Protection Unit and Margaret Arthur, Senior Associate at Carne Reidy Herd who presented on equitable matters and unconscionable bargains. Sonya Mitchell, social worker from Townsville SLASS, presented on Seniors Creating Change—an exciting model of community development in educating seniors about elder abuse. The second day of the conference featured a panel discussion on the multi-disciplinary model in SLASS and a workshop on a SWOT analysis facilitated by Sue Camps from the Office for Seniors.

## SLASS network

The service continued to facilitate bimonthly telelinks with all SLASS services and, from June 2012, Vivienne Campion took over the convenorship of the Older Persons Legal Services (OPLS) network. The OPLS network has made submissions to the Open Ended Working Group on Ageing at the UN and made submissions to the Senate Committee on Community Affairs on the Living Longer Living Better suite of aged-care Bills.

# SENIORS LEGAL AND SUPPORT SERVICE VIVIENNE CAMPION

Thanks go to all staff for their tireless commitment to the service and its clients: Glenys Haren, Joseph Ho, Vivienne Campion, Jennifer Townsend, Frances Privitera, Anthony O'Sullivan and Kirsty Thomas. The nature of SLASS work is demanding and traumatic, and the service could not operate without the hard work and dedication of its staff. SLASS was also very delighted to welcome back social worker Su-Lyn Lee in November 2012. Su-Lyn returned after attending to family commitments and performing various voluntary work.

The service would also like to thank Caxton staff Bridget Burton and Klaire Coles in particular who have provided significant assistance in a number of complex matters, but also the administration staff for their help with recording data and, of course, Karen Nyberg and the students at the front desk who have been wonderful in taking the initial calls for the clients of the service.

Thanks must also go to the Department of Communities, Child Safety and Disability Services for funding the service, which provides such a valuable resource for older clients in the Brisbane, Gold Coast and Sunshine Coast areas.



Anthony O'Sullivan  
Solicitor



Frances Privitera  
Social Worker



Glenys Haren  
Solicitor



Jennifer Townsend  
Social Worker



Su-Lyn Lee  
Social Worker



Kirsty Thomas  
Solicitor

# GEORGE AND ROSARIA'S STORY

SLASS received an urgent referral for a couple of European origin<sup>2</sup>, George and Rosaria both in their 80s, who had been living with their son Pete and his wife. George explained that they had given all their assets, some \$500 000, to their son to build them a house, and that the agreement was that until that home was ready they were to live with their son. However, the relationship between the son and his wife and the older parents had deteriorated and daily incidents of verbal abuse of the older couple had escalated to physical abuse.

At that point, Pete and his wife put Rosaria, for who they held an enduring power of attorney (EPA) and who had a diagnosis of early dementia, into a nursing home on the pretext that she was violent.

The first step SLASS took was to remove George to respite care to avoid further abuse by his son and daughter-in-law. George had significant hearing impairment but had retained excellent capacity. Rosaria's matter was taken on by another agency, and while assisting George in preparation for Rosaria's Queensland Civil and Administrative Tribunal (QCAT) guardianship hearing for revocation of her EPA, SLASS discovered that there had been several previous attempts by Pete and his wife to apply for a QCAT hearing for George to have him declared impaired as well. George also discovered that the title of the new house was only in Pete's name.

Eventually, a hearing for George took place at very short notice, at which legal representation was provided by Glenys Haren and social work support by Frances Privitera. Glenys was successful in obtaining a declaration of capacity for George and having him appointed as the guardian and administrator for Rosaria, which had been George's great wish. The tribunal for Rosaria ordered Pete to account for all moneys obtained from Rosaria, and George's further legal matters regarding the transfer of the new home to George were referred to a private law firm. George and Rosaria were then reunited after a painful forced separation. This was a complex and long-running matter which, after outstanding work by Glenys and Frances, culminated in the fantastic result the clients were seeking.

---

<sup>2</sup> All case studies have been de-identified to protect client confidentiality.

# FAMILY LAW AND CHILD SUPPORT SERVICE

As in past years, these services continued to provide advices and assistance to an ever increasing clientele in child support law and family law.

## Child Support Service

This service provided advices and procedural information to both 'payer' and 'payee' parents and undertook some child support casework on behalf of 'payee' parents in obtaining orders for DNA parentage tests and for declarations of entitlement to administrative assessment of child support.

Assistance for 'payer' parents generally comprised the provision of legal advice and the preparation of basic court documents.

During the past financial year, the majority of clients presented with issues regarding change of assessment disputes, dissatisfaction with Social Security Appeals Tribunal decisions and appeals on points of law to the Federal Circuit Court.

## Family Law Service

The service provided advice and procedural information to a large number of family law clients.

*There was an increase in the demand for assistance with the preparation of court documents and for continuing advice as the clients' cases progressed through the court system.*

On a number of occasions, it also assisted clients with the preparation of their court documents and with information on the general presentation of their cases before the respective court.

Grandparents seeking to spend time with their grandchildren formed a significant portion of the clients for this program.

There was an increase in the demand for assistance with the preparation of court documents and for continuing advice as the clients' cases progressed through the court system.

Generally speaking, there was a noticeable increase in the number of clients seeking more than basic assistance regarding their family law disputes. This increase appeared to stem from the lack of Legal Aid Queensland funding for family law matters and the inability of such clients to afford private assistance and representation.

## Advanced Family Law Clinic

The clinic continued to be an integral part of the centre's Family Law Service and was run in conjunction with the Griffith University Law School. During the past financial year, it operated twice, during the second semester and during the summer vacation. Six students participated in the second semester clinic and eight students in the summer clinic. The students were supervised by a staff member from the Law School and by the centre's family law solicitor, Joseph Ho.

Under this professional supervision, the students provided general advice, procedural information and basic drafting of documents to clients of Caxton.

The assistance to clients provided by the above programs was greatly enhanced and complemented by the centre's Family Law Duty Lawyer Service at the Family Court and the Federal Circuit Court; this became evident through the increasing number of cross-referrals between the Duty Lawyer Service and the above programs.

All services were staffed and supervised by Joseph Ho, and they presented him with another interesting and challenging year.

# 2012–13 HIGHLIGHTS



We were very excited when long-time Caxton staff member Ros Williams tied with Gillian Brown (partner at Minter Ellison Lawyers) and was awarded the Woman Lawyer of the Year Award, presented by the Women Lawyers Association of Queensland.

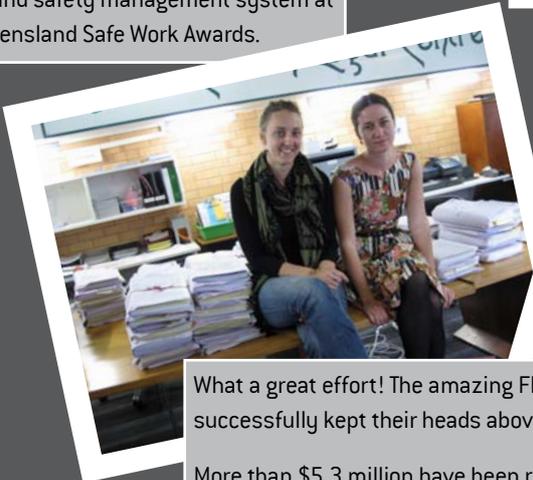


Caxton was awarded the Best workplace health and safety management system at the Queensland Safe Work Awards.



A beautiful cake to complement the World Social Work Day celebrations!

Donna McAuliffe spoke at the World Social Work Day celebrations at Caxton Legal Centre on 19 March 2013. The day commended the contributions of social workers in our service and beyond.



What a great effort! The amazing Flood Team successfully kept their heads above client files! More than \$5.3 million have been recovered from insurances on our clients' behalf ...



Lena Lundell and Ana Oertel holding fort at the Homeless Connect day at the showgrounds.

# 2012–13 HIGHLIGHTS



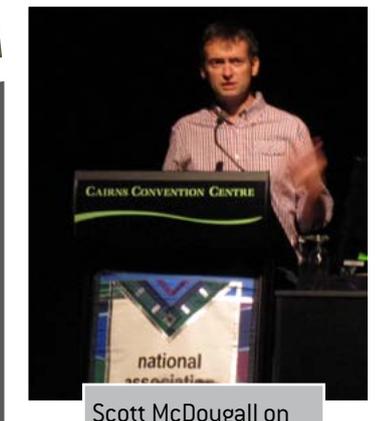
Beautiful stilt walkers from Vulcana Women's Circus collaborated with Caxton Legal Centre and QAILS at the NAIDOC Family Fun Day to increase both community organisations' exposure to the general public.



Caxton staff and friends celebrated Scott McDougall's 10-year anniversary in the role of director at Caxton Legal Centre.



A clinic student receives her certificate of completion from Griffith University Lecturer Zoe Rathus.



Scott McDougall on stage at the NACLCL conference in Cairns.



Angela Lynch (Women's Legal Service), James Farrell (QAILS) and Camielle Donaghey (Caxton Legal Centre) at the NACLCL Conference in Cairns.



Joseph Ho, Phillippa Carr and Griffith University Dean of Law, Bill MacNeil, present students in the Advanced Family Law Clinic with their certificates.



Scott, Ros, Chris and Ariane with the student participants of the Griffith University General Law Clinic which ran over summer 2012–13.

# TRIBUTES FROM VALUED CLIENTS

Dear Bridgette,  
 A big thank you to you and your staff for your recent help through the Legal Centre  
 My case has been resolved in my favour with a positive outcome and I just want to know that you are appreciated

Dear Valaria,  
 A sincere thank you for all your help with my flood claim. I have no doubt that without your available input it would not have been successful.  
 From a thank you to all those based at or at Caxton Legal Centre who provided input and assistance along the way!  
 I am especially appreciative of your willingness to help all without many THANKS.

I wish to thank your staff for their genuine compassion for the case and provision of advice in an attempt to resolve some matters ...

Dear Valaria  
 Extra-special thanks for everything you've done to help me. I appreciate it very much and you again for your kindness.  
 Anushka

Thank you kindly for your help & It is Greatly Appreciated &

A RESIDENT WHO OWED ME \$5, CAME UP WITH \$4.95. I CAN LET U HAVE SILVER BUT I CANT BRING MYSELF 2 PART WITH THE COINIES. SORRY, BUT IT IS HONESTLY THE BEST I CAN DO. I HAVE A 250g PENNY FOR COFFEE + PERSON HU ASSISTS ME 2 NITE -

... I was very impressed how the service was organised. The lady on reception was very helpful and informative and the lawyer was very professional and helped me understand my matters at hand during consultation ...

Dear Valaria,  
 I am so grateful to you for your kind help and support. You have been a great help and I will never forget it. Thank you very much.  
 Love,  
 Valaria



This service works alongside Legal Aid Queensland duty lawyers to assist self-represented litigants in the Family Court and Federal Circuit Court in Brisbane. Our duty lawyer office in the Commonwealth Law Courts is open five days a week, and provides help with documents, negotiations, hearings and referrals.

Lawyers staffing this service this year were Bridie Henderson, Cybéle Koning, Kirsty Thomas and Stephanie Ewart. A number of students, including front office volunteers and students participating in clinics, have also passed through our office.

The service was ably supported by Caxton's administrative staff, including Anne-Maree Elliott, Karen Nyberg, Meg Goodwin and Megan Pearce.

*The value of our service lies, at least in part, in assisting parties to reach agreement instead of continue to litigate.*

This year the service assisted 540 clients. Of those clients:

- 76% were involved in parenting matters
- 6% were litigating property matters
- 4% sought assistance about contraventions of court orders
- 3% were assisted in relation to child support.

Others had matters such as divorce, a combination of issues (e.g. both property and parenting issues) or were unable to be seen due to a conflict of interest. Where our service has a conflict, clients are referred back to Legal Aid Queensland and a preferred supplier is found to advise them.

The value of our service lies, at least in part, in assisting parties to reach agreement instead of continue to litigate. This year, of the clients referred to us:

- 35% required a judicial decision
- 30% reached agreement.

Others were either conflicts or did not require assistance with either a hearing or negotiations as their matter was not listed in court on the day they saw a duty lawyer. Our service attempted to assist these clients as far as possible, though priority is given to clients facing hearings.

## Partnerships and pilot programs

Lawyers from this service also provided advice to clients of the Family Relationship Centre at Upper Mt Gravatt through Caxton's partnership with Relationships Australia. This partnership focusses on providing legal advice to clients prior to their mediations at the centre. This year we have been working toward providing lawyer-assisted mediations to advise clients during mediations.

The Telephone Dispute Resolution Service / Coordinated Family Dispute Resolution pilot program with Relationships Australia and DV Connect concluded this year. The program provided supported mediations in parenting disputes where there had been domestic violence between the parents. Our role in this program was to provide legal advice prior to and during mediation—in tandem with domestic violence workers who provided other support—and entirely by telephone!

The program was very positively assessed by the Australian Institute of Family Studies, but the Attorney-General ultimately decided not to extend it.

# COMMUNITY LEGAL EDUCATION AND LAW REFORM

ROS WILLIAMS AND CAMIELLE DONAGHEY



## Student clinics

Our clinical legal education program continues to be an integral part of Caxton's work and enabled us to provide our clients with casework that would otherwise not be possible. The Griffith University law students attended our General and Family Law Clinics each Monday during the university semesters and over summer, assisting a diverse group of clients across a wide variety of client matters. The students were proficiently supervised by Griffith University staff Maree Stainlay and Phillipa Carr and supported by Ros Williams and Joseph Ho. All students reported that their clinical experience was an invaluable part of their learning.

The front-desk daytime student program was also very effective and has provided Karen Nyberg, our wonderful receptionist, with much needed support particularly in answering the constant flow of incoming phone calls.

*All students reported that their clinical experience was an invaluable part of their learning.*

The Manning Street project, run in conjunction with the University of Queensland, has continued to distinguish itself as a resource for the community legal sector. Law students produced valuable research for Caxton Legal Centre, the Prisoners' Legal Service, Queensland Advocacy Inc. and Legal Aid Queensland. We also hosted two other UQ clinic programs, which have been discussed in the General Service report.

With all these student programs happening at Caxton, we have streamlined our student induction training to ensure consistency across the orientations. Camielle Donaghey completed a Certificate 4 in Assessment and Workplace Training, which has supported the delivery of training and induction to new volunteer solicitors.

# COMMUNITY LEGAL EDUCATION AND LAW REFORM

ROS WILLIAMS AND CAMIELLE DONAGHEY

## Evening advice sessions

Our evening advice sessions have been unusually busy earlier this year and we have barely been able to cope with the demand. Some sessions were not finishing until 11.30 pm and we had real concerns for our volunteers' willingness to continue in these circumstances. The management committee then approved the closure of the sessions latest by 10.00 pm, which unfortunately resulted in some clients having to come back another night.

Over the last year and a half, we have assigned specific students and graduate volunteers to act as session coordinators (the key assistant). These students operate the front desk, complete all the client conflict checks, assist with the 'wrangling' in the waiting room, deal with difficult and high-need clients, and then wait patiently to assist with the building lockup while doing whatever needs to be done in the meantime. This has been an incredible help at the night sessions and we are very grateful to these extremely reliable student volunteers. Emmalene Travers, who has been the Tuesday night second-in-charge since the new scheme began, has just finished up here and we thank her for her tireless weekly efforts.

Joseph Ho, our in-house family lawyer, has been a stalwart in providing phone advice to many of the family clients when we have not had any family lawyers in attendance at the evening sessions. Having our general social worker, Lena Lundell, attending one evening per week has been terrific, and we remain committed to the idea of introducing a regular social work program at our night sessions. This idea will be reconsidered once we have implemented the new changes to the structure of our night sessions.



## Community legal education

Because of our generalist legal focus and our close past association with the Incorporated Associations Manual, Caxton continues to be asked to provide governance training for non-profit organisations. Earlier this year, Ros Williams ran two big outreach community legal education training sessions in Emerald and Blackwater. These all-weekend governance training sessions were a huge success and were very well attended by a variety of local community management committees. Attendees included: Riding for the Disabled, the Neighbourhood Centre, local church groups, local land care groups, senior citizens' respite and/or social groups, the local orchid and show societies, the local pottery and art groups, the lapidary club, Roller-girls, the local kids cricket, football, karting and swimming clubs, the local coop and the local council's community liaison officers. The Central Highlands Development Corp in Emerald hosted the event and organised terrific training facilities. The feedback from the forum was extremely positive.

Caxton also continues to be invited to speak to students about legal careers, and Kate Clark, one of our criminal law volunteer solicitors, and Ros spoke to a large group of law students at St John's College about potential legal careers and work or volunteering in community legal centres.

# COMMUNITY LEGAL EDUCATION AND LAW REFORM

ROS WILLIAMS AND CAMIELLE DONAGHEY

This year, for the first time, we have been part of the Bar Practice Course training program, which gave us an opportunity to speak to the participants about working with marginalised and disadvantaged clients. It was also an opportunity to encourage new barristers to sign up as volunteers for our evening advice sessions and for court work.

*It was also an opportunity to encourage new barristers to sign up as volunteers for our evening advice sessions and for court work.*

The new edition of Caxton Legal Centre's flagship publication *The Queensland Law Handbook* is well underway and due to be published in early 2014. Now in its 30th year, the Law Handbook continues to be a classic and dynamic legal resource for lawyers, law students and the general public, evidenced by a steady flow of sales.

The following self-help kits were produced or substantively updated in the past year:

- Peace and good behaviour order
- Have you lost your job?
- Preparing an affidavit for the Magistrates Court

The Legal Aid-funded CLE Evaluation and Strategy was completed over the year. The project was ambitious as it sought to evaluate the existing community legal education program at the centre, conduct a literature review and develop a strategy for the future delivery of the centre's community legal education (CLE) program. The material generated through this project has been of value in enhancing the knowledge of staff within the CLE program and enabling a greater focus on CLE communication, coordination and planning.

Funding for the CLE Evaluation and Strategy also allowed for the employment of Publications and Volunteer Officer Ana Oertel on a casual basis, and we have been fortunate that Ana's role has continued since then.

The Lawyers Practice Manual received 16 new chapters produced by our esteemed voluntary contributors in a range of areas including the chapter Incorporated Associations, Non-profit Associations and Non-profit Companies by Myles McGregor-Lowndes and a chapter on elder law authored by Brian Herd.

We submitted a number of funding submissions, both successful and unsuccessful, including a LPITAF application to develop the centre's client targeting strategy and an application seeking funds to create a 'Good Neighbours' program aimed at reducing the isolation of older community members.

## Law reform

We have made a number of submissions on key law reform issues affecting our client group in the 2012–13 period.

In particular, we have made submissions in response to the government's reviews about the Queensland Civil and Administrative Tribunal, the proposal to develop stand-alone rules of court to assist the operation of the Domestic and Family Violence Protection Act, and the Youth Justice (Boot Camp Orders) and other Legislation Amendment Bill.

We also initiated our own law reform submission in relation to the need to amend and consolidate laws for the recovery of wrongfully detained property and the disposal of uncollected property. This area of law has always caused difficulties for our clients and there are some confusing jurisdictional issues, which we believe need to be addressed as a matter of priority.

We were pleased to have had the opportunity to hold separate face-to-face meetings with Jarrod Bleijie, the State Attorney-General, and George Brandis, the deputy shadow Attorney-General, to discuss a range of issues affecting access to justice.

*We also initiated our own law reform submission in relation to the need to amend and consolidate laws for the recovery of wrongfully detained property and the disposal of uncollected property.*

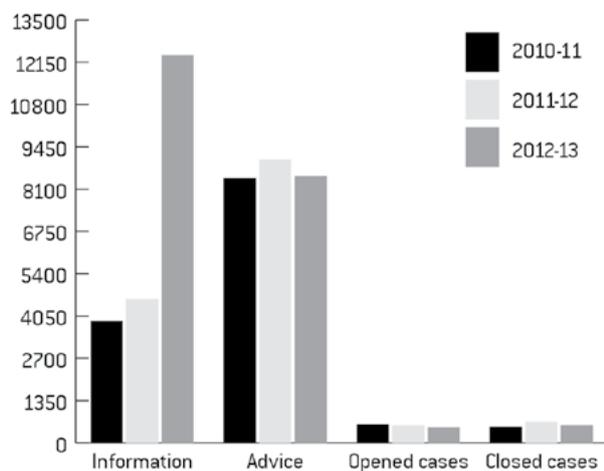
# STATISTICS

Our phone lines at Caxton Legal Centre's reception were running hot this financial year with staff recording **12377** callers receiving **information** regarding their legal problem—almost three times as many as in the previous year! This increase can be partly attributed to increased capacity to respond to client inquiries due to our front desk student program, an improved data recording system and generally busier times.

Actual **legal advices** given have slightly decreased to a total of **8515** (down from 9045 in 2011–12). Of these advices **50.1%** were in the area of **family law**, **43.2%** in **civil law** and **6.7%** in **criminal law** (see the Table below for a detailed breakdown of areas of law).

**497 cases** were **opened** and **555 cases** were **closed** in the 2012–13 financial year.

## Three-year comparison at a glance



**40** (only 1% of total clients) clients had low English proficiency.

**57** (only 1.36% of total clients) clients were from an Aboriginal or Torres Strait Islander background.

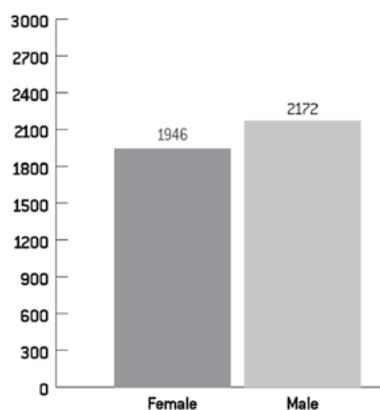
**446** (10.7% of total clients) clients had a disability.

**702** (16.8% of total clients) clients with a dependant living at home were single.

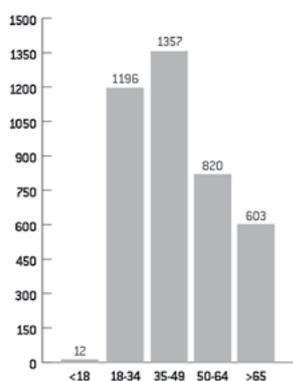
**1005** (24% of total clients) clients with a dependant living at home were a two-parent family.

This financial year we completed **104 CLE activities** and **4 law reform activities**.

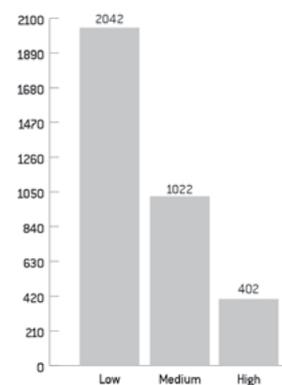
## Client demographics



Gender distribution of 4118 clients attending at Caxton Legal Centre  
(51 clients did not specify their gender)



Age distribution of 3988 clients  
(181 clients did not specify their age)



Income scale of 3467 clients  
(702 clients did not specify their income)

# STATISTICS

The Table below shows a detailed breakdown of the areas of law our clients required advice in. (Please note that the total number of advice given is smaller than the sum of the specific advices given as clients sometimes presented with more than one problem type. The same applies to cases opened and closed.)

Table: Break-down of major problem types and respective client numbers for each service type.

Major problem type	Information given	Advice given	Cases open at start of 2012–13	Cases opened during 2012–13	Cases closed during 2012–13	CLE activities completed	Law reform activities completed
TOTAL ACTIVITIES	12377	8515	180	497	555	13	4
Family Law	5228	5394	95	467	481	7	1
Child support	610	192	7	27	32	0	0
Child/spousal maintenance	402	65	1	5	5	0	0
Contact and residency	401	1191	7	78	73	0	0
Divorce and separation	648	357	2	29	30	0	0
Family/domestic violence	376	2378	62	202	212	7	1
Property	497	572	8	46	50	0	0
Child protection	46	34	0	2	2	0	0
Other family law	2248	605	8	78	77	0	0
Civil Law	6991	4648	145	155	230	6	3
Tenancy	485	265	5	7	7	0	0
Credit and debt	764	790	13	56	48	0	0
Immigration law	0	0	0	0	0	0	0
Govt/administrative law	32	154	2	8	8	0	0
Govt pensions and benefits allowances	49	18	0	0	0	0	0
Consumer and complaints	868	622	100	34	121	0	1
Motor vehicle	443	442	4	8	7	0	0
Wills/probate	439	214	2	6	7	0	0
Environment	28	4	0	0	0	0	0
Injuries	63	89	1	1	1	0	0
Discrimination	42	61	5	4	3	0	0
Employment	2457	888	0	4	3	0	0
Neighbourhood disputes	1033	239	3	8	8	0	0
Other civil law	271	862	10	19	17	6	2
Criminal Law	158	714	6	51	52	0	0
Offences against persons	72	137	1	14	13	0	0
Offences against property and other offences	86	577	5	37	39	0	0

# CAXTON STAFF AND MANAGEMENT COMMITTEE 2012–13

## Management committee

President: Mark Thomas

Secretary: Dan Rogers

Treasurer: Louise Cox

## Committee members

Barbara Kent

Julie Clark

Kevin Lambkin

Margaret Arthur

Matt Woods

Wendy Mulcahy

## Staff

### Caxton Legal Centre staff

Scott McDougall

Director

Anne-Maree Elliott

Business Manager

Camielle Donaghey

CLE Coordinator

Karen Nyberg

Front Office Coordinator

Joseph Ho

Family Law Solicitor

Ros Williams

Law Reform and Community Legal  
Education Solicitor

Michelle Ecclestone

Publications and Administration  
Officer

Megan Pearce

Administration Officer (Accounts)

Symone Wilson

Administration and File  
Management Officer

Bridget Burton

Coordinating Lawyer

General Legal Practice

Klaire Coles

General Lawyer

Yatarla Clarke

Consumer Lawyer

Amanda Hess

Consumer Lawyer

Ana Oertel

Publications and Volunteer Officer

Ariane Wilkinson

General Lawyer

Bill Kyle

Accountant

Justine Meyer

Administration Officer

Lena Lundell

Social Worker

### SLASS

Vivienne Campion

Coordinator

Glenys Haren

Solicitor

Jennifer Townsend

Social Worker

Frances Privitera

Social Worker

Anthony O'Sullivan

Solicitor

Kirsty Thomas

Coordinating Lawyer

Su-Lyn Lee

Social Worker

### Family Court duty lawyers

Stephanie Ewart

Coordinator

Cybéle Koning

Duty Lawyer Solicitor

Bridie Henderson

Duty Lawyer Solicitor

### Casual staff

Gillian Welch

Patrick Wilson

Emile McPhee

### PLT students

Ben Marshall

Gillian Welsh

Jarrold Clarke

### Staff who left

Meg Goodwin

Administration Officer (Accounts)

Julie Howes

Human Resources and Policy  
Officer

John Kooreman

Solicitor

John Stannard

Manager

Client Services

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

1.

**CAXTON LEGAL CENTRE INC.**  
**QUEENSLAND LAW HANDBOOK AND OTHER PUBLICATIONS**  
**TRADING ACCOUNT**  
**FOR THE YEAR ENDED 30 JUNE 2013**

	<b><u>2013</u></b>	<b><u>2012</u></b>
Sales	30,114.25	95,452.08
Royalties	20,771.38	23,566.61
	<hr/>	<hr/>
	50,885.63	119,018.69
 <b><u>Cost of Publications</u></b>		
Stock on Hand 1 July 2012	13,610.52	3,907.28
Publication Costs		
- Postage & Freight	-	2,775.80
- Other	-	950.91
- Marketing	-	10,079.04
- Production	1,020.91	35,476.30
	<hr/>	<hr/>
	14,631.43	53,189.33
Less Stock on Hand 30 June 2013	2,105.30	13,610.52
	<hr/>	<hr/>
	(12,526.13)	(39,578.81)
	<hr/>	<hr/>
<b><u>GROSS PROFIT/(LOSS) ON TRADING</u></b>	<b><u>\$38,359.50</u></b>	<b><u>\$79,439.88</u></b>

The accompanying notes form part of these financial statements.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

2.

**CAXTON LEGAL CENTRE INC.**  
**INCOME AND EXPENDITURE STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2013**

	<u>2013</u>	<u>2012</u>
<b><u>INCOME</u></b>		
Gross Profit/(Loss) on Trading B/F	38,359.50	79,439.88
Department of Communities	939,990.77	928,133.00
Legal Aid Office (Queensland)	228,262.00	214,808.00
Office of Legal Aid & Family Services - Commonwealth		
- Community Legal Centre Grant	310,755.00	188,048.00
- Child Support Service	145,198.74	147,122.45
- Clinical Legal Education	133,617.33	121,870.67
- Flood Assistance	31,978.06	124,122.44
- FRC	28,672.00	28,164.00
- Duty Lawyer	207,060.00	203,400.00
Legal Practitioner Interest on Trust Accounts Fund	129,923.00	259,374.00
Donations	17,747.65	17,583.38
Interest	16,429.31	33,246.22
Membership Fees	813.64	432.72
Sundry Income	35,477.99	5,614.75
UQ Student Clinic	13,000.00	51,418.19
	<u>\$2,277,284.99</u>	<u>\$2,402,777.70</u>
 <b><u>LESS EXPENDITURE</u></b>		
Total Expenditure (Schedule Attached)	<u>\$2,240,654.63</u>	<u>\$2,253,376.81</u>
<b><u>NET SURPLUS/(DEFICIT) FOR YEAR</u></b>	<u>\$36,630.36</u>	<u>\$149,400.89</u>

The accompanying notes form part of these financial statements.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

3.

**CAXTON LEGAL CENTRE INC.**  
**INCOME & EXPENDITURE STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2013**

	<u>2013</u>	<u>2012</u>
<b><u>EXPENDITURE</u></b>		
Accountancy & Audit	8,400.00	8,400.00
Advertising & Publicity	1,080.48	4,136.88
Amenities - Staff & Volunteer	13,490.23	11,088.40
Bank Charges	1,352.71	1,914.26
Cleaning	8,996.61	8,188.62
Client Outlays	17,865.60	2,498.26
Computer Supplies & Maintenance	24,065.22	25,178.78
Consultant Fees	1,200.00	6,243.56
Depreciation	61,100.17	50,476.00
Electricity	18,784.97	16,205.26
Griffith University Expenses	54,772.73	50,472.74
Insurance	10,657.70	10,521.94
Law Books & Journals	25,156.47	23,248.34
Loan Interest & Fees	66,210.51	108,860.62
Minor Equipment	4,764.30	1,773.14
NALC & QAILS Levy	6,900.00	6,000.00
Office Printing	18,638.18	18,869.92
Office Stationery	9,703.66	14,828.02
Postage	12,714.66	15,137.32
Professional Association Fees & Practising Certificates	11,635.22	13,296.12
Project Expenses	1,673.38	7,160.41
Rates	13,229.30	12,458.62
Repairs, Maintenance & Gardening	32,227.67	33,801.38
Security	5,936.92	4,365.18
Seminars & Conferences	2,031.11	4,165.46
Staff Recruitment	530.00	430.00
Staff Training	13,782.50	13,904.56
Sundry Expenses	4,457.13	2,960.34
Superannuation	136,605.02	131,385.60
Supervision	4,369.98	2,745.00
Telephone & Internet	40,096.03	44,030.98
Travel	15,039.67	16,313.32
Wages & Salaries	1,593,186.50	1,582,317.78
<b><u>TOTAL EXPENDITURE</u></b>	<u>\$2,240,654.63</u>	<u>\$2,253,376.81</u>

The accompanying notes form part of these financial statements.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

4.

**CAXTON LEGAL CENTRE INC.**  
**ASSETS AND LIABILITIES STATEMENT**  
**AS AT 30 JUNE 2013**

	<u>2013</u>	<u>2012</u>
<b><u>CURRENT ASSETS</u></b>		
Cash at Bank, on Deposit and on Hand (Note 2)	384,244.36	681,474.94
Debtors & Prepayments	41,654.89	65,004.51
Stock (Note 3)	2,105.30	13,610.52
	<hr/>	<hr/>
<b><u>TOTAL CURRENT ASSETS</u></b>	428,004.55	760,089.97
<b><u>FIXED ASSETS</u></b> (Note 4)	2,747,694.75	2,808,794.92
	<hr/>	<hr/>
<b><u>TOTAL ASSETS</u></b>	3,175,699.30	3,568,884.89
<b><u>CURRENT LIABILITIES</u></b>		
Creditors & Accruals	141,200.03	70,114.42
GST Control Account	53,222.00	140,207.82
Provision for Leave Entitlements	121,923.76	99,961.04
Grants Received & Unexpended (Note 6)	53,040.23	50,138.13
Loan - Westpac	116,976.00	287,640.00
	<hr/>	<hr/>
<b><u>TOTAL CURRENT LIABILITIES</u></b>	486,362.02	648,061.41
<b><u>NON - CURRENT LIABILITIES</u></b>		
Loan - Westpac	795,566.68	1,079,216.77
Provision for Long Service Leave	89,856.11	74,322.58
	<hr/>	<hr/>
<b><u>TOTAL NON - CURRENT LIABILITIES</u></b>	885,422.79	1,153,539.35
	<hr/>	<hr/>
<b><u>TOTAL LIABILITIES</u></b>	1,371,784.81	1,801,600.76
	<hr/>	<hr/>
<b><u>NET ASSETS</u></b>	\$1,803,914.49	\$1,767,284.13
<b><u>ACCUMULATED FUNDS</u></b>		
Balance at 1 July 2012	1,767,284.13	1,617,883.24
Net Surplus/(Deficit) for Year	36,630.36	149,400.89
	<hr/>	<hr/>
<b><u>TOTAL ACCUMULATED FUNDS</u></b>	\$1,803,914.49	\$1,767,284.13
	<hr/>	<hr/>

The accompanying notes form part of these financial statements.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

5.

**CAXTON LEGAL CENTRE INC.**  
**CASH FLOW STATEMENT**  
**FOR THE YEAR ENDED 30 JUNE 2013**

	<b><u>2013</u></b>	<b><u>2012</u></b>
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
<b>Receipts</b>		
Sales	32,158.75	116,974.19
Interest	16,429.31	33,246.22
Other	125,722.36	32,919.59
Cash flows from Government Grants	2,158,359.00	2,089,795.00
<b>Payments</b>		
Wages & Salaries	1,704,209.88	1,725,553.12
Other	405,165.52	380,214.02
<b>Net cash provided by (used in) operating activities</b>	<u>\$223,294.02</u>	<u>\$167,167.86</u>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Payment for purchase of plant & equipment	-	(26,384.09)
Payment for purchase of property	-	(8,529.66)
<b>Net cash provided by (used in) investing activities</b>	<u>\$0.00</u>	<u>\$(34,913.75)</u>
<b>CASH FLOWS FROM FINANCIAL ACTIVITIES</b>		
<b>Payment of borrowings</b>	(520,524.60)	(287,640.00)
<b>Net cash provided by (used in) financing activities</b>	<u>(520,524.60)</u>	<u>(287,640.00)</u>
Net increase (decrease) in cash held	(297,230.58)	(155,385.89)
Cash at beginning of the reporting period	681,474.94	836,860.83
<b>Cash at end of the reporting period</b>	<u>\$384,244.36</u>	<u>\$681,474.94</u>
<b>RECONCILIATION OF NET SURPLUS/DEFICIT TO NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES</b>		
Operating Result	36,630.36	149,400.89
- Depreciation	61,100.17	50,476.00
- Interest	66,210.51	108,860.62
- Increase/(Decrease) in Payables	(15,900.21)	16,720.87
- Increase/(Decrease) in Provisions	37,496.25	16,584.23
- Increase/(Decrease) Unexpended Grants	2,902.10	(117,247.56)
- Increase/(Decrease) in Stock	11,505.22	(9,703.24)
- Increase/(Decrease) in Receivables	23,349.62	(47,923.95)
<b>Net cash provided by (used in) operating activities</b>	<u>\$223,294.02</u>	<u>\$167,167.86</u>

The accompanying notes form part of these financial statements.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

6.

**CAXTON LEGAL CENTRE INC.**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2013**

## **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.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

7.

**CAXTON LEGAL CENTRE INC.**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2013**

**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.

	<b>2013</b>	<b>2012</b>
<b>2. CASH AT BANK, ON DEPOSIT &amp; ON HAND</b>		
Petty Cash	100.00	100.00
National Australia Bank - Cheque Account	3,403.89	34,382.89
National Australia Bank - Cash Management Account	24,503.23	16,541.81
Long Service Leave Account	134,484.11	134,484.11
Westpac - Cheque account	26,224.43	(11,412.08)
Westpac - Cash Reserve Account	192,040.75	503,868.45
Pay Pal Account	3,487.95	3,509.76
	<b>\$384,244.36</b>	<b>\$681,474.94</b>
<b>3. STOCK</b>		
"Qld Law Handbook"	2,105.30	13,473.92
"Grant Seekers Guide"	-	136.60
	<b>\$2,105.30</b>	<b>\$13,610.52</b>
<b>4. FIXED ASSETS</b>		
Land & Buildings - At Cost		
- 1 Manning Street, South Brisbane	2,717,675.25	2,717,675.25
- Depreciation Building	(25,000.00)	-
	<b>2,692,675.25</b>	<b>2,717,675.25</b>
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 2012	91,119.67	115,211.58
- Additions	-	26,384.09
- Depreciation	(36,100.17)	(50,476.00)
	<b>55,019.50</b>	<b>91,119.67</b>
	<b>\$2,747,694.75</b>	<b>\$2,808,794.92</b>

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

8.

**CAXTON LEGAL CENTRE INC.**  
**NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED 30 JUNE 2013**

	<u>2013</u>	<u>2012</u>
<b>5. 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	912,542.68	1,366,856.77
	\$912,542.68	\$1,366,856.77
<b>6. GRANTS RECEIVED &amp; UNEXPENDED</b>		
Office of Legal Aid & Family Services - Commonwealth	-	40,138.13
Legal Aid Office (Queensland)	-	10,000.00
Jupiters Casino Community Benefit Fund	31,290.00	-
Gambling Community Benefit Fund	20,000.00	-
Department of Communities	1,750.23	-
	\$53,040.23	\$50,138.13
<b>7. AUDITOR'S REMUNERATION</b>		

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

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

9.

## 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 8:

1. Presents a true and fair view of the financial position of Caxton Legal Centre Inc. as at 30 June 2013 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 5<sup>th</sup> day of October 2013.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013



LEVEL 1, 488 LUTWYCHE ROAD,  
LUTWYCHE QLD 4030

PO BOX 108  
LUTWYCHE QLD 4030

TELEPHONE: (07) 3357 8322

FACSIMILE: (07) 3357 9909

EMAIL: [info@haywards.net.au](mailto:info@haywards.net.au)

PARTNERS: GREG DORGE  
PETER GELSCH  
PHIL RODRIGON

## 10.

### **INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF CAXTON LEGAL CENTRE INC.**

#### **Report on the Financial Report**

We have audited the accompanying financial report, being a special purpose financial report, of Caxton Legal Centre Inc. which comprises the assets and liabilities statement as at 30 June 2013, and the income and expenditure statement, a summary of significant accounting policies, other explanatory notes and the statement by members of the committee.

#### *Committee's Responsibility for the Financial Report*

The committee of the association is responsible for the preparation and fair presentation of the financial report and has determined that the accounting policies described in Note 1 to the financial statements, which form part of the financial report, are consistent with the financial reporting requirements of the Associations Incorporation Act (Qld) and are appropriate to meet the needs of the members. The committee's responsibilities also include designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

#### *Auditor's Responsibility*

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report 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 entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

# FINANCIAL REPORT YEAR ENDED 30 JUNE 2013

## 11.

The financial report has been prepared for distribution to members for the purpose of fulfilling the committee's financial reporting under the Associations Incorporation Act. We disclaim any assumption of responsibility for any reliance on this report or on the financial report to which it relates to any person other than the members, or for any purpose other than that for which it was prepared.

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

### *Independence*

In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

### *Auditor's Opinion*

In our opinion, the financial report of Caxton Legal Centre Inc. presents fairly, in all material respects the financial position of Caxton Legal Centre Inc. as of 30 June 2013 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements.

  
HAYWARDS CHARTERED ACCOUNTANTS

  
PETER GESCH – PARTNER

5 OCTOBER 2013  
BRISBANE



Caxton Legal Centre Inc.  
© Copyright Caxton Legal Centre Inc.  
1 Manning Street  
South Brisbane QLD 4101

Telephone: (07) 3214 6333  
Facsimile: (07) 3846 7483  
Website: [www.caxton.org.au](http://www.caxton.org.au)

**caxton**  
legal centre inc