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# **ANNUAL REPORT**

2013 - 14

# **OUR HISTORY**

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1976 – Caxton Legal Centre was established as the Baroona
Legal Service, named after its location in the Baroona Hall on
Caxton Street in Paddington.

1979 – Caxton received a Commonwealth grant to pay the salary of a full-time solicitor, however, the Queensland Legal Aid Commission recommended the money not be passed on to Caxton. The service commenced full-time operation anyway, surviving on strong community support and fundraising.

1983 – Caxton launched its first major publication, The Legal Resources Book (Qld), which paved the way for The Queensland Law Handbook, the Incorporated Associations Manual and the Lawyers Practice Manual.

1987 – Caxton moved from the draughty but beloved Baroona Hall to Heal Street, New Farm, and shortened its name to Caxton Legal Centre.

1997 – Caxton commenced the development of a funded specialist legal service for older people, and the Legal Outreach for Older People (now known as the Seniors Legal and Support Service) was established.

1999 – Caxton brought Supreme Court action on behalf of Lesley Williams to recover Aboriginal 'stolen wages', which led to the Queensland Government's stolen wages reparation scheme.

2004 – The Rights in Public Space action group organised the forum Legislated Intolerance at the Banco Court, featuring Murrandoo Yanner as a keynote speaker, which was instrumental in raising awareness of the impact of public order policing on vulnerable people.

2006 – Caxton was instrumental in the hearing of a successful appeal by the Full Court of the Federal Court, which led to the Queensland Government investing \$30 million into the education budget for the provision of Auslan interpreting services. A gala bash celebrated 30 years of the centre's operation.

2009 – The number of people receiving free legal advice sat at about 12 000 clients a year, while the roster of volunteer lawyers contained 300 names.

**2010** – Caxton Legal Centre purchased the premises at 1 Manning Street, South Brisbane, and moved the services to the new location later that year.

**2011** – Caxton partnered with Legal Aid Queensland and others to assist hundreds of people affected by Brisbane's flood. The total amount recovered on behalf of clients exceeded \$5.3 million.

2012 – Caxton's long-standing and cherished staff member Ros Williams tied with Gillian Brown for the Woman Lawyer of the Year Award.

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# **FUNDING SOURCES**

# Caxton Legal Centre acknowledges its 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 (CLSP) for our General Law Service, Family Law and Child Support Service, Clinical Legal Education Program, Family Law Duty Lawyer Service and partial funding for our Seniors Legal and Support Service. The CLSP is administered by Legal Aid Queensland. 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. Queensland University of Technology funded our evening advice student clinic.

Caxton also received funding through the Legal Practitioner Interest on Trust Account Fund (LPITAF) for the Consumer Law Service. The Queensland Department of Communities, Child Safety and Disability Services provided funding for the Seniors Legal and Support Service and the Social Work Service.

The centre also received a grant through the Brisbane City Council Lord Mayor's Community & Sustainability Environmental Grants Program to perform an energy audit.













# **HIGHLIGHTS**

Our new 12th edition of The Queensland Law Handbook was launched by the Commonwealth Attorney-General, the Honourable George Brandis QC, at Avid Reader Bookshop in February 2014.



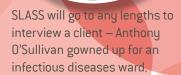
The Park and Village Information Link started its services on 14 April 2014.



On 17 June 2014, the Seniors Legal and Support Service celebrated World Elder Abuse Awareness Day.



We proudly announce the acquisition of a beautiful Aboriginal painting by Jyi Lawton, which now adorns the reception area.





funding from the Gambling Community Benefit Fund and the Jupiters Casino Community Benefit Fund for much needed renovations outside the reception area.

The Manning Street Project, a pro bono partnership between Caxton Legal Centre and the UQ Pro Bono Centre, published Missing Persons, a valuable resource for people dealing with a missing person.

Scott McDougall presented on Genocide in Australia - Did it happen? at the World Indigenous Legal Conference on 25 June 2014.

# THANK YOU!

No opportunity should be missed to highlight the important role of volunteers at Caxton Legal Centre. It is incredible to think that Australia-wide volunteers donate more than 700 million hours of unpaid work each year to their local communities, and the economic contribution has been estimated at more than \$200 billion, outstripping the mining, agricultural and retail sectors (Volunteering Australia).



Caxton's invaluable team of volunteers contributes a fair share of that time, providing legal support to clients who would otherwise miss out. Without the skill and motivation of our volunteers, Caxton would not have been able to sustain the intense service delivery load and respond to the various needs of our clients. We wish to show our sincere appreciation of the contribution made by every one of our volunteers and thank them for helping us to achieve Caxton's vision of providing equal access to justice.

We would also like to say a special thank you to members of the private bar who assisted us with a number of matters in court, and to the tireless law students who staff the front desk, assisted at evening advice sessions and resourced our general legal practice.

## Our unreserved Thank You goes to:

Volunteer lawyers	Clark, Kate	Gill, Michael	Jain, Vikas
Armstrong, Jim	Clayer, Simon	Giuliani, May	Jasper, Julia
Baldwin, Janine	Cleveland, Georgina	Gladstone, Margot	Jeffreys, Mark
Barry, Danielle	Colditz, Stephen	Godfrey, Luke	Jenkins, Christie
Bartlett, Julie	Colless, Nathan	Gouveia, Carlos	Jordaan, Johannes
Bedford, Neal	Cooling, Damien	Govind, Sarwan	Kaur, Saranjit
Bell, David	Cope, Michael	Groeneveld, Helena	Keane, David
Boehm, Temika	Croft, Sophie	Haas, Graeme	Keim, Stephen
Bonasia, Michael	Cruz, Jose	Hall, Anita Marie	Kent, Avalon
Bookallil, Sophia	Cunningham, Timothy	Hall, James	Kirkman-Scroope, Patricia
Bostock, Melissa	Dallas, Andrew	Hall, Phil	Krakat, Michael
Braad, Nadia	Delport, Michelle	Hamlyn-Harris, Simon	Kwong, Darrell
Bradford, Victoria	Dennings, Randal	Hamman, Eibhlin	Lawler, Patrick
Braid, Jesse	Donovan, Helen	Healy, Mark Damien	Le, Jayne
Brown, Patrick	Doyle, Michelle	Hearnden, Julie	Liddy, Michael
Burrow, Liam	Dreger, Sarah	Henderson, Neil	Lightfoot, Bronwyn
Cahill, John	Droguet, Bernadette	Henrikson, Nicholas	Lindbergh-Ostling, Lucy
Cameron, Kathleen	Dulley, Yasmin	Hickman, Emily	Lovell, Alison
Cariappa, Poonam	Dunlop, Matthew	Hickey, Matthew	Ludemann, Cherriee
Carius, Stephen	Dunworth, Robert	Hii, Darius	Luthera, Nader
Carlowe, Crispian	Ellis, Raelene	Hiller, James	Lutvey, Gregory
Carroll, Samantha	Fleming, Andrew	Hinds, Georgia	Massy, Charles
Carthew, Glenn	Fogerty, Rebecca	Hogg, Louise	Mawuli, Vavaa
Chan, Joey	Ford, James	Honan, Amy	McCann, Greta
Chen, Wei-Loong	Gear, Chad	Hunt, Claudia	McDermott, Caroline
Chesnutt, Amy	Gibson, Tali	Hurst, Kate	McKenzie, Kate

McMahon, Rebecca McPhee, Emile Meehan, Deirdre Menninger, Melissa Mills, Tamlyn Moloney, Siobhan Monks, Shane Montgomery, John Morgan, Russell Munday, Sharon Murphy, Ray Murphy, Sarah Nelson, Alex Newman, Chris Ng, Nicholas Nicholson, Josephine Nolan, Nicole Norman, Tony O'Brien, Bridget O'Connor, Caroline O'Hagan, Emily O'Meara, Christopher Panwar, Priya Parkinson, Matthew Paudyal, Dash Pennington, Phil Pierce, Neesha Poiner, Richard Pratt, Dan Rajanayagam, Vaishi Ramsey, Kristin Ray, Adam Ray, Matthew Renfrey, David Richards, Eryn Richardson, Amy Richardson, Polly Ridgway, Phillip

Robb, Sally

Rodgers, Dan

Rolfe, Meaghan

Robinson, Edmund

Russo, Ann-Maree Saunders, Gary Scandrett, Brendan Schoenmaker, William Scott, Leah Scott, Sophie Selic, Brandon Shield, Lisa Siostrom, Caitlin Sit, Will Smith, Mahoney Smith, Tracey Stanovitch, Arlene Stapleton, Emma Steel, Luke Stevenson, Robert Stower, Candice Stowers, Brent Tate, Rohan Taylor, Alice Thorpe, Karen Tiley, Luke Townsend, Raegyn Traeger, Carly Tran, Thomas Trim, Michael Tropoulos, Steve Tuhtan, Alexander Turvey, Craig Umashev, Claudine Unwin, Stuart Vanderstoep, Lynette Virine, Juliana Vogler, Laura Voight, Jason Voight, Margaret Wacker, Bruce

Walker, Lisa

Walker, Maxwell

Wedgwood, Zoe

Wheeler, Joseph

Walker, Stephanie

Wilkinson, Abbey Wilson, Patrick Winstanley, Elizabeth Woolf, Seone Wright, Sue-Ellen Wu, Horace Yellowlees, Charlotte Yeo, Claire Young, Alexandra Zabloski, Kailey Law Firms Allens Ashurst Carne Reidy Herd Clayton Utz **DLA Piper** Herbert Smith Freehills McCullough Robertson Minter Ellison Anderson, Keilin Auld, Fiona Baldry, Hannah Bartels, Adam Bennett, Louis Chen, Jenny Chin, Anne-Marie Clarkin, Daniel Clayton, Steven

Student Volunteers Dajan, Marbruk Daniell, Matthew Dawe, Robyn Douglass, Isaac Faithfull, Jessica Farkas, Gertrud Farmer, Lucy Farquharson, Isobel Fisher, Jordan Griffiths, Stephanie

Hanlon, Liam

Harth, Natasha Hatcher, Naomi Karfs, Timothy Karklins, Joshua Khan, Zafar Kingston, Sarah Komadina, Sara Lindsay, Nick Manley, Laura McIIIhatton, Liam McKeon, Ailsa McMahon, Tegan Ng, Catherine Nuttall, Genevieve Patel, Amisha Philips, Julia Reid, Morgan Riley, Kate Romano, Alexander Smith, Emily Solar, Kasey Spicer, Renee Staunton, Kelly Sun Eum, Louis Surajballi, Eleanor Tang, Tammy Tyle, Portia Vanenn, Alexander

Walker, Juliet

Webster, Stuart

Wieden, James

Wong, Bonita

Wong, Melanie

# **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 by providing free legal advice and information.

To empower people to address their legal problems and increase community awareness of the law.

To produce plain-English 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.

# PRESIDENT'S REPORT

#### MARK THOMAS



It is, I suppose, no longer surprising to write a report on Caxton's activities for the year, which records yet more growth and tremendous achievements across the range of our programs. To list every such outcome—including the major structural successes as well as the everyday wins, which staff bring about for their clients—is obviously impossible. I do, however, want to record my appreciation (and admiration) for the staff of the centre who applied themselves well beyond their expected duties and responsibilities to attend to our clients in need.

Some things which have happened over the last year, however, do deserve special mention.

As Brisbane prepares for the G20 Leaders Summit in November 2014, Caxton has established an Independent Legal Observers Project. Legal observers are an independent third party in a demonstration, protest or any public event who watch and record the interactions of police or security personnel with members of the public. In the case of the independent legal observers (ILOs) for G20, all of them will be admitted as legal practitioners. As officers of the court, they promote confidence in their independence. Caxton will be coordinating up to 90 ILOs at the impending G20 summit. I would like to thank Dan Rogers (Caxton's Secretary), who has been the architect of the project and has worked tirelessly throughout most of the year. We have also been greatly encouraged by the level of support we have received from the Queensland Police Service, the Queensland Law Society, the Bar Association and indeed the legal profession. We are hopeful that the legal observers will play a role in facilitating the enjoyment of fundamental civil rights to liberty, freedom of assembly and political expression.

The Park and Village Information Link, or PAVIL, has been established early in 2014 and is a new specialist service offered by Caxton providing free information and legal assistance for residents and prospective residents of retirement villages and manufactured home parks in Queensland. Caxton's engagement with this sector has a long history, with a former Director, Merran Lawler, having taken a personal interest in the dynamics of caravan parks (as they were then called).

In the second half of 2013, Caxton collaborated with the University of Queensland, Griffith University and Queensland University of Technology to stage a pilot series of public interest forums, the Justice in Focus Series, at the Banco Court, with the forums regularly featuring on ABC Radio National's Big Ideas broadcasts. The pilot has flowered into a continuing arrangement in 2014. Topics have included Separation of Powers, Youth Justice, The War on Drugs and Regulating Genetic Resources (The Nagoya Protocol). Each of the forums features acknowledged experts in the relevant field with a range of views from the conservative to the radical. The final forum for 2014, Brisbane G20: Protest and Policing in a Mature Democracy, is timed to coincide with the summit, with a panel comprising Tim Costello, Walter Sofronoff QC, Dr Tim Soutphommasane, Assistant Commissioner (QPS) Katarina Carroll and Professor Simon Bronitt.

... Caxton's strength is bound up ... by the hundreds ... of clients who leave the centre having managed to access the justice system.

As always, though Caxton's strength is bound up not in the physical structure at Manning Street (in which, by the way, we now have considerable equity) or in the high profile events in our calendar, but by the hundreds, thousands even, of clients who leave the centre having managed to access the justice system.

# **DIRECTOR'S REPORT**

#### SCOTT MCDOUGALL



Amongst the many happenings at Caxton this year, we established a new pilot service, initiated some major projects and reaped the rewards from an investment in reviewing and evaluating our internal organisational practices.

Following extensive consultation with staff and volunteers, and a comprehensive analysis of client data, the management committee decided to trial the introduction of booked appointments for the generalist evening advice sessions, which commenced in October 2013. After 37 years of operating drop-in advice sessions, this decision was not taken lightly. We have already observed that the new arrangement has led to better pairing of volunteer expertise with client needs, less follow up for day-time staff, fewer conflicts of interests and hopefully a much improved experience for clients and volunteers alike.

In December, we were approached by the Department of Housing and Public Works to establish the Park and Village Information Link (PAVIL) pilot program, to service residents of manufactured homes and retirement villages. We were fortunate to recruit Catherine Wilson and Joanna Abraham to establish this service, which has already assisted 139 clients in the first three months of operation.

Since we moved from New Farm to Manning Street, a short distance from Musgrave Park, a place of great significance to Queensland's Murri community, we have reflected on the changes required to ensure that our organisation is trusted as a culturally safe place for Aboriginal and Torres Strait Islander clients to seek legal and social work assistance. Whilst we have worked on building informal relationships with Aboriginal and Torres Strait Islander people, stakeholders and organisations, in late 2013, the Caxton management committee committed to the preparation of an innovate Reconciliation Action Plan (RAP) to help guide our efforts. I would like to thank the members of our voluntary RAP working group, comprising a number of talented and emerging leaders of Queensland's Aboriginal and Torres Strait Islander community, President Mark Thomas and staff, for their commitment to this exciting plan.

In June, the centre was fortunate to receive triennial funding from the Legal Practitioner Interest on Trust

Account Fund to operate our generalist and consumer law programs. We subsequently received a one-off grant from the Commonwealth Attorney-General's Department for frontline service delivery. These funding commitments have enabled us to significantly bolster our generalist legal service team and to increase our capacity to undertake targeted casework in 2015.

Caxton's student clinics have enjoyed another fruitful year, and the Manning St Project, coordinated by the University of Queensland Pro Bono Centre, has cemented its role as both an invaluable source of research assistance for Queensland's community legal centres and an opportunity for law students to gain insight into the personal rewards of a lifelong commitment to pro bono legal work.

Students and volunteers made significant contributions to the centre's law reform work this year including submissions in response to proposed changes to the Commonwealth racial vilification laws, the G20 Safety and Security Act and the Property Agents and Motor Dealers legislation.

There have been many moments of individual and collegiate effort that have resulted in life-changing outcomes for our clients...

Caxton is fortunate to attract and retain dedicated, motivated and resourceful staff across the breadth of our various programs. There have been many moments of individual and collegiate effort that have resulted in life-changing outcomes for our clients, only a few of which are alluded to in the program reports that follow.

In recent years, Caxton's organisational management has benefited significantly from the careful stewardship of the finance risk and compliance sub-committee, which has continued to place the centre in a sound financial position. Further improvements were made to the ground floor of the building to create wheelchair access and an outdoor meeting area, which was funded by the Gambling Community Benefit Fund and the Jupiters Casino Community Benefit Fund. The building together with our staff, management committee and volunteers comprise a significant community asset of which it is an honour and a privilege to be a part of.

# TREASURER'S REPORT

#### LOUISE COX



Caxton Legal Centre Inc. will complete the 2013-14 year with a surplus of \$206 889. Income for the year increased by 7.5% to just over \$2.5 million.

An increase in program income for the year is due mainly to the commencement of two new areas of work—the student clinic program has been expanded to include a new clinic with QUT, and Caxton has been funded by the State Department of Housing and Public Works to undertake a Park and Village Information Link (PAVIL) pilot program.

The PAVIL program will run for two years from February 2014 to January 2016 and has resulted in two new solicitors being employed for the period.

Publication income has increased in 2013-14 due to a new edition of The Queensland Law Handbook being published, our 12th edition. In conjunction with the new edition, our online shop has been upgraded to allow the sale of electronic copies of the book, as well as individual chapters.

We completed a major building renovation to the Manning Street entrance and driveway. The project cost was in excess of \$60 000 and was funded predominately through grants from the Jupiters Casino Community Benefit Fund and the Gambling Community Benefit Fund. Other capital expenditure in the year included a general upgrade of computer equipment.

Wages continue to be Caxton's largest expense with over \$1.7 million being spent on wage and wage-related costs, representing approximately 80% of Caxton's operational expenditure.

Non-wage expenses have been controlled well again in the 2013-14 financial year. Loan interest and fees relating to our building mortgage have decreased again by around 20% and are now less than half of those incurred two years ago. The management of cash flow and the mortgage debt are still being constantly monitored by the organisation.

Management of costs around building maintenance has also been a focus. Provisions relating to building maintenance have been increased and will be maintained at higher levels for the immediate future. A review of required maintenance of the building has been completed, and these new provisions will allow the organisation to absorb the expected expenses more evenly over a number of years.

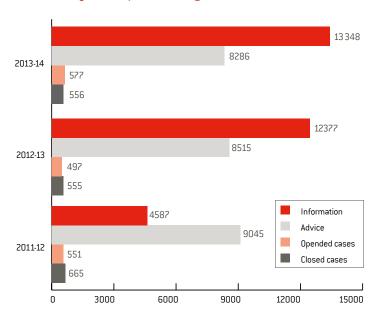
Overall, the financial position of Caxton remains strong and our cash position remains sufficient to meet our ongoing commitments. The centre has continued to expand its areas of work while remaining financially healthy and well placed to continue its valuable work into the future.

Thanks go to Bill Kyle, Megan Pearce and Anne-Maree Elliott for their great work in managing the business aspects of Caxton in such a way as to ensure ongoing financial viability of our services.



The 2013–14 financial year was a very busy year for the centre. Our reception team, competently supervised by front office coordinator Karen Nyberg, was at times run off their feet attending to 13 348 phone calls by people requesting information about their legal problems. Compared to last year, this number was up by 971 callers and certainly outstripped our target set at 6000 for the financial year. Take a look at the Figure below for a three-year comparison.

#### Three-year comparison at a glance



We are extremely grateful to our administration team and our volunteer law students for providing the first port of call to our clients and making sure all the centre's services are running smoothly.

# Programs offered by the General Service

The General Service also experienced a very busy year. Many thanks must go to our hard-working volunteer lawyers and law students who provided generous support to the general practice and its 4411 clients during the 2013–14 financial year.

In the 2013–14 financial year, the General Service offered



# Highlights from 2013-14

The new structure integrating the Social Work Service is working well.

Following a review of the delivery of our evening advice services, in September 2013 we began offering appointment-based night sessions for our general advice service to replace the drop-in model. We have surveyed our volunteers and are currently assessing the new service delivery model.

The need for pro bono assistance for clients with employment law problems continued to grow.

The need for pro bono assistance for clients with employment law problems continued to grow. In response, we began to develop the Unfair Dismissal and General Protections Advocacy Scheme, which will commence in the next financial year. Caxton will partner with private law firms to provide continuity of legal assistance from the first appointment through to and including the formal conciliation process. The scheme is being developed with the generous help of our partners, in particular Clayton Utz and Redfern Legal Centre.

# Staffing

In February 2014, we temporarily said goodbye to Bridget Burton who has taken up an opportunity for secondment with Legal Aid Queensland for 14 months. Yatarla Clarke has ably taken on Bridget's role in her absence.

In June 2014, we welcomed Abbey Richards to the team. Abbey comes to us from Holding Redlich, and she will coordinate the Unfair Dismissal and General Protections Advocacy Scheme as well as the evening employment and consumer credit law sessions.

Gillian Welsh, our excellent PLT student from 2012, began work as a solicitor in the General Service in March this year.

Our clients continue to benefit from Melody Valentine's extensive experience offered in her phone-based advice sessions. Melody is also developing our precedent base.

Klaire Coles is on maternity leave, due to return in 2015.

We have had four PLT students this year: Ben Marshall, Mabruk Dajan, Louis Eum and Rebecca Lavithias. They provided us with high-quality research and support.

# Evening advice sessions

The night sessions have been consistently busy throughout the year.

Compared with last year there were increases in the number of people receiving advice in:

criminal law, in particular property offences family (significant law increase) and debt

There was also significant increase in demand for tenancy and employment law advice.

The Employment Law Service remained extremely busy throughout the year. We received on average almost 70 calls a week from people seeking help with employment law matters. However, due to limited resources, we were able to provide appointments to only eight clients per week and these were booked out within 10 minutes of being made available. Due to employment law being a specialist area and often involving complex issues, we stopped offering advice in employment law matters during the general law evening sessions and restricted it to the dedicated employment law evening appointments. This accounts for the overall decrease in number of advices provided to clients in this area, but it has allowed us to provide more in-depth advice in those matters.

#### Student clinics

The University of Queensland ran a Consumer Law Advice Clinic 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.

Griffith University law students attended our General Clinic and Family Law Clinic each Monday, and Griffith co-supervisors, solicitors Chris Jones and Katrina Finn, really have become a part of the Caxton team.

Queensland University of Technology law students took part in the clinical program, which also offered a summer clinic. Twelve final-year law students worked across our three evening advice sessions, supporting and observing the legal advisors and assisting us by taking instructions during the setup phase of the sessions. Our QUT students reported that they were finding the experience valuable and inspiring.

# Legal casework

The general practice has a small but effective casework practice. Most cases undertaken in 2013–14 were related to:

consumer
credit
problems in which
some element of
unconscionable or
exploitative conduct
was present

antidiscrimination and human rights matters

In the anti-discrimination portion of the practice, we successfully resisted an application for special leave to apply to the High Court. We also undertook work on several cases that 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 Thank You! section. This year, however, we are particularly grateful to barristers Simon Hamlyn-Harris, Sally Robb and Michael Liddy for their extraordinary contributions.



Melody Valentine Solicitor



Gillian Welsh Solicitor



Abbey Richards Solicitor

# Volunteer program

This year, we welcomed more than 50 new volunteer lawyers through our regular volunteer inductions.

We organised a number of continuing professional development events throughout the year to convey information about certain legal problem topics that arose during our evening advice sessions and to give our volunteers a chance to accrue CPD points.

Here is a big Thank You to the following speakers for their valuable contributions:



The 2013 Volunteer Christmas Party was well attended, and 50-plus volunteer lawyers and students celebrated their tremendous efforts over the year. Scott McDougall praised their firm commitment to the centre and its clients, and conveyed a heart-felt thank you to all. Flamenco guitarist Camaron De La Vega provided excellent entertainment throughout the night.

We aim to distribute a volunteer e-newsletter every two months to inform our volunteers about upcoming changes and events, and to convey interesting news.

## Social Work Service

The Social Work Service at Caxton Legal Centre continued to be provided by Lena Lundell throughout the 2013-14 financial year.

The centre has a very diverse client base, and Lena supported clients who experienced grief and loss, trauma, mental health issues, financial debt, social isolation, natural disasters, acquired brain injury, homelessness or risk of homelessness, addictions, domestic violence or anxiety through the provision of counselling, information and referrals, court support and advocacy. See Table 1 for various statistics on client numbers and services provided.

Table 1: General client statistics for the 2013–14 financial year

Social Work Service	Number of clients
Total number of clients	197
New clients	124
Cases opened	43
Cases closed	20
Advices given	683
Community legal education	10

# Student placements

The service was very fortunate to have had social work student Larissa Fewquandie for her final placement. Under the supervision of Lena, Larissa has been an exemplary student in all ways, but was particularly outstanding in her willingness and competency with research as well as her interpersonal skills with clients. Larissa and a group of Indigenous law students from the QUT clinic have also been working on the centre's Reconciliation Action Plan. Thank you Larissa for all your hard work—you are greatly missed!

# Community legal education

A short overview of the networking and sector development activities Lena was involved in:

Lena attended the Improving Responses to Men Sexually Abused in Childhood: Confronting the Complexity symposium organised by Griffith University. This symposium contained important information for social workers on how to best support men and how to refer them to appropriate services for ongoing support.



- The Inner South Interagency Network (ISIN) continued to be supported by Lena bimonthly.
- Together with other ISIN members, Lena facilitated the Mental Health Awareness Day on 19 October 2013 at the People's Park in West End. Around 200 people from the general community, other organisations and clients attended the BBQ and enjoyed the singing and mandala-making workshops, the yarning circle and yoga. What a great day!
- Lena organised Caxton's presence at the biannual Homeless Connect event at the Brisbane Showgrounds. The stall was very popular, and many people received information and referrals. Caxton volunteers and staff generously participated in this event.
- In June 2014, Caxton attended at the NAIDOC family fun day. This year we decided to make our presence more interactive to increase our profile with the Aboriginal and Torres Strait Islander communities. We installed a time capsule, where the public could express their aspirations for their community for the next 10 years. We also created a painting with the children. Both activities received very positive feedback.
- World Social Work Day was again celebrated at Caxton. We were delighted to have had Professor Karen Healy, President of the Australian Association of Social Work, to open the event with a very interesting speech about social work advocacy and the public image of the profession.
- The Social Workers and Advocates group, established by Lena, has continued to meet regularly this year.
- Community legal education sessions and materials were provided to government departments, service providers and community groups to promote Caxton's services and particularly the social work program available to Caxton's clients.

Lena would like to thank Caxton staff and other professionals from non-government organisations and the private sector for their great efforts and commitment to providing our clients with optimal assistance.

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



The Seniors Legal and Support Service (SLASS) has maintained excellent advice and support to seniors who are suffering or are at 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 program, and Table 2 provides a quantitative breakdown of the types of elder abuse dealt with by SLASS staff compared to the last financial year.

Table 1: General client statistics for the 2013–14 financial year

SLASS			
Total number of clients	392		
New clients	248		
Cases opened	213		
Cases closed	223		
Advices given	1466		
Community legal education	8		

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	209 (down from 514)
Elder abuse – neglect	18 (down from 34)
Elder abuse – physical	136 (down from 185)
Elder abuse – psychological	717 (up from 630)
Elder abuse – social	211 (down from 232)
Family or domestic violence	60 (up from 5)
Elder abuse – financial	1003 (down from 1247)



Kirsty Hartnett Coordinating Solicitor



Anthony O'Sullivan Solicitor

## PLT students

In 2013–14, we have been lucky enough to have the services of Renee Spicer. After working at David Jones for 10 years in a range of positions including management, Renee utilised her wonderful people skills while discovering her passion for the work we do at SLASS. Renee provided tireless support to the SLASS social workers and lawyers and, in her spare time, worked closely with Joseph Ho by assisting him with family law clients.

## Outreach

Anthony O'Sullivan continued the monthly outreach to the Sunshine Coast until mid-2014 when the position was taken over by Kirsty Hartnett. Kirsty travels to the Sunshine Coast for fortnightly client appointments and is working actively with the Suncoast Community Legal Centre to raise awareness of elder abuse by conducting a series of community education seminars.

# Community legal education

The service has continued to provide legal education to the community at large including to social workers at the major South East Queensland hospitals, to home care providers, community workers and seniors groups.

The focus has been on raising awareness of elder abuse by exploring a range of prevention strategies and to educate the wider community ...

The focus has been on raising awareness of elder abuse by exploring a range of prevention strategies and to educate the wider community on recognising the risk factors and signs of elder abuse. Topics regarding enduring powers of attorney and seniors rights are of course a constant and popular part of our presentations.

# Community

SLASS and the Queensland Public Interest Law Clearing House undertook another joint project in relation to guardianship and elder abuse. The project culminated in a publication distributed to all Queensland medical general practitioners. General practitioners are often the first professionals clients confide in if they are experiencing elder abuse, and it was thought a simple publication of services to refer clients to would be a valuable tool.

# SLASS state-wide conference and network event

The SLASS state conference took place on 29 and 30 May 2014 at the Law Society building in Brisbane. The conference was attended by representatives of all Queensland SLASS offices.

Day one saw presentations from: Mark Crofton, Acting Public Trustee, who gave an update on his 2011 Churchill Fellowship Report and on recent trends in financial abuse; Bill Mitchell, who discussed progress towards a Convention on the Rights of Older Persons; Margaret Arthur of Carne Reidy Herd, who gave a fascinating case update; Ms Anne-Louise McCawley, who spoke on older patients and human rights; and a panel of Kevin Martin, Public Guardian, Jodie Cook, Public Advocate, Professor Jill Wilson from University of Queensland and David Manwaring of Queensland Advocacy Inc. (QAI) had a spirited discussion on supported decision making and the future of guardianship.

On day two, Professor Ben White discussed endof-life decision making; Franceska Jordan gave an interactive workshop on effective communication; Stafford Shepherd presented some ethical dilemmas; and Antony Shields from Aged Care Assessment Team guided us through the legislative changes to the aged care assessment program.



Glenys Haren Solicitor



Frances Privitera Social Worker

#### SLASS network

SLASS services throughout Queensland meet up through a bimonthly telelink to discuss emerging issues. Vivienne Campion has continued to convene the Older Persons Legal Services network and has chaired several meetings of the Brisbane Seniors Network Group.

Vivienne also presented a paper at the International Federation of Aging in Hyderabad in June 2014. She has represented SLASS on the Elder Abuse Prevention Unit reference group and on a number of other working groups, including the Office of the Public Advocate's Advisory Group on supported decision making, the Queensland Law Society's Elder Law Committee, QAI and Allen's Capacity Round Table. Vivienne also provided a submission to the Australian Law Reform Commission inquiry into Equality, Capacity and Disability in Commonwealth Laws.

# Thank you

As always, many thanks go to the great SLASS team of Vivienne Campion, Glenys Haren, Anthony O'Sullivan, Kirsty Hartnett, Su-Lyn Lee, Jennifer Townsend and Frances Privitera for their hard work and dedication. Our service would not run as smoothly without the fantastic work of the administration team comprising Karen Nyberg, Megan Pearce, Michelle Ecclestone and Symone Wilson.

SLASS would also like to give thanks to the Department of Communities, Child Safety and Disability Services for funding the service and giving us an opportunity to provide such a valuable resource for older clients in the Brisbane, Gold Coast and Sunshine Coast areas.

Our appreciation also goes to the reference group for their contribution and support, and the exchange of ideas around the group's research projects on issues faced by older persons.



Jennifer Townsend Social Worker



Su-Lyn Lee Social Worker

# FAMILY LAW AND CHILD SUPPORT SERVICE JOSEPH HO

As in past years, this service continued to provide advice and assistance to an ever increasing clientele in family law and child support.

# Family Law Service

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

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.

... there was a noticeable increase in the number of clients seeking more than basic assistance regarding their family law disputes.

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 funding for family law matters and the inability of such clients to afford private assistance and representation.

# Child Support Service

The Child Support Service provided advice 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.

# 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 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 services 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 crossreferrals between the Duty Lawyer Service and the

Joseph Ho supervised and staffed all family law services, which presented him with another interesting and challenging year.

# **COMMUNITY LEGAL EDUCATION AND** LAW REFORM

ROS WILLIAMS AND CAMIELLE DONAGHEY





# Clinical legal education and student training

Caxton's Clinical Legal Education program continues to be an integral part of Caxton's work and a valuable model for delivering client service. Participants in our student clinics always rate them as being one of the most rewarding aspects of their legal training. Some of the students had the opportunity to be part of a very complex case that also involved a huge amount of pro bono work by three of our volunteer lawyers, Shane Monks (barrister), Max Walker and Stephanie Walker (solicitors). The students were able to witness a case progressing from the initial interview right through to tribunal proceedings—a very valuable experience indeed! For more details about the law student clinics, please refer to the General Service report.

Throughout the 2013–14 financial year, we continued to run the Manning St Project in conjunction with the UQ Pro Bono Centre. In this project, law students produce high-quality research material for publication and/ or use in law reform and lobbying efforts. This year, students have been looking at projects as diverse as laws relating to missing people, what makes lawyers do pro bono work and international laws relating to liability for asbestos-related illnesses. The students do not gain any academic credit and work in the true pro bono spirit on these projects. The research is overseen by individual project supervisors and by UQ's Monica Taylor, who also has extensive experience in the community legal sector.

We continued to take on other law students as front office student volunteers, and Karen Nyberg, Caxton's amazing and multi-talented front office coordinator, did a fantastic job supervising and training our many law students.

# Evening advice sessions

Evening advice sessions continue to be the core business at Caxton.

As reported elsewhere, we have been trialling (for the first time in 37 years!) an appointment-based evening

The new model has certainly been an opportunity for volunteers to have a more civilised experience, and we no longer have to turn clients away at the door.

A review is currently underway to assess which system best serves our client (and volunteer) needs, but it seems to be working well. The new model has certainly been an opportunity for volunteers to have a more civilised experience, and we no longer have to turn clients away at the door. This is partly due to the conflict of interest checks being undertaken in advance and scheduled appointments being adhered to. We wait to hear what direction the future holds.

# Community legal education

As in previous years, our work with incorporated associations continued. We ran a series of four evening forums late last year for non-profit association management committees. These attracted immediate bookings from people of a diverse range of incorporated associations. To attend to this demand, we organised additional intensive training sessions for a communitybased kindergarten and the Access Arts Inc.

management committee. With the help of our social worker, we have also held legal information/outreach sessions for workers at Karuna, a Brisbane-based charity, and for clients at QUINH. In the spirit of our newly developed Reconciliation Action Plan, we propose to run future management committee training sessions for incorporated associations that provide services to Indigenous clients.

Leading into schoolies week last year, we updated and reissued our Schoolies Week brochure. The brochure was first developed in conjunction with the launch of our Police Powers booklet, a highly popular resource, which recorded over 30 000 website hits since it was first developed. We also gave a radio interview addressing schoolies week issues with a journalist at the Gold Coast ABC. No doubt, this enabled us to get our key messages out to a broad client group.

This must have been a year for digital media, as we also ran our first webinar for the Queensland Association of Independent Legal Services on non-profit associations and a training session via telelink to committee members working in regional areas outside Gympie. This work is incredibly rewarding as management committee members welcome every opportunity to acquire new governance skills.

# Training for lawyers

We have continued to share our experience in working with marginalised and disadvantaged clients with participants of the Bar Practice Course. It has been wonderful to be included in the panel list for the course.

Inductions and training sessions for our new volunteer lawyers and law students have been ongoing, and our volunteer coordinator has done a wonderful job of streamlining volunteer manuals, codes and training materials. We were also able to pass on Caxton's extensive experience in a training session for new volunteers and the coordinator at the revamped Robina Community Legal Centre.

#### Law reform

Sadly, our government funders have excluded law reform from our funded work. Accordingly, any law reform we undertake will have to be on a completely pro bono basis; however, it will give us the opportunity to involve our volunteers in a much more significant way.

The first six months of this financial year was an extremely busy time for law reform, with the government rushing through a lot of changes to various laws. Due to very short timeframes, it became impossible for us to allocate resources to a lot of law reform issues and we had to make choices. The process leading into the repeal of the *Property Agents and Motor Dealers Act 2000* (Qld), specifically the significant reduction in the protection offered under the statutory warranty, caused us particular concern, and it was a huge job to try to review the laws to ascertain how the proposed changes were going to affect our clients. Unfortunately, the old legislation was repealed. It was interesting to see that only a few submissions were made.

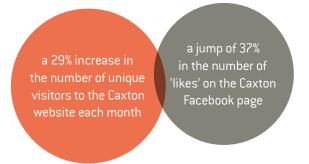
## **QLH** launch

Attorney-General George Brandis QC launched the 12th edition of *The Queensland Law Handbook* on Caxton's behalf in February 2014 at the Avid Reader Bookshop in West End. Over 60 contributing authors spent time reviewing and updating chapters in their areas of specialisation in order to once again make this invaluable resource on state and Commonwealth law available to Queenslanders.

In 2014, the Law Handbook was also released as an eBook for the first time, representing a shift for Caxton in making legal information available via electronic media.

## Communications

There was a significant growth in the number of people accessing Caxton via the internet:



We have also commenced use of bulk email communication via Mail Chimp, a web-based email program which reports on the proportion of recipients that have opened an email and enables professionally formatted messages to be sent easily.



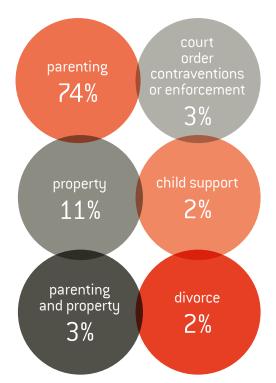
This service works alongside Legal Aid Queensland (LAQ) duty lawyers to assist self-represented litigants with any part of any family law matter in the Family Court and Federal Circuit Court (Brisbane).

Cybéle Koning and Stephanie Ewart staffed the service this year, with indispensable support from Caxton's administrative staff, including Anne-Maree Elliott, Karen Nyberg, Symone Wilson, Megan Pearce and Michelle Ecclestone.

The value of our service is ... to assist parties reach agreement instead of continue to litigate.

This year, the service assisted 615 clients, an increase of around 13% from last year.

Client matters involved:



The value of our service is, at least in part, to assist parties reach agreement instead of continue to litigate. This year, of the clients referred to us 38% required a judicial decision and 34% reached agreement.

We were unable to assist some clients due to a conflict of interest, or because their matter was not listed in court on the day they saw a duty lawyer. Our service attempts to assist these clients as far as possible, though priority is given to clients facing hearings.

Where our service has a conflict, clients are referred back to LAQ; and an LAQ preferred supplier is found to advise them.

## **Partnerships**

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 and Women's Legal Service. This partnership focusses on providing legal advice to clients prior to their mediations at the centre.

This year, we started providing lawyer-assisted mediations to advise clients during Family Relationship Centre mediations, and early indications suggest this service will be valuable to clients attempting to reach agreement outside court.

# **CENTRE STORIES**

# Client tribute

Steve M.\* first came to an evening advice session and saw one of the family law volunteers - Yasmin. He was referred to the family law clinic and has been in a couple of times.

Mr M. collected some documents this morning and wanted to let everyone know he was 'blown away' with the assistance we have provided, and said he felt so relieved and happy he was about to cry. He was extremely grateful and said we had made a difference in his life. If not for us he would be destitute, but he now has some hope.

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

'It is a powerful reminder of just what great work the Community Legal Centres do. Underfunded and under resourced, they exist in order to help people deal with legal problems, but in many cases the real help they give lies in the fact that they extend the simple dignity of listening to a person's distress. They help rescue the alienated. I am hugely impressed with Community Legal Centres. They deserve to be better funded and better recognised for the work they do.'

Julian Burnside in Alienation to Alien Nation, The Conversation, 19 September 2013

#### Roberts's story

Robert\* came to Caxton Legal Centre for legal advice in regard to serious criminal charges and other family law issues. The volunteer lawyer who advised him at the evening advice session referred Robert to the social worker for counselling.

Robert, now 35 years old, has been misusing drugs since he was a teenager, but has had periods of abstinence from time to time. However, whenever difficulties emerged in his life he would fall back into the habit of using methamphetamines to shut out his problems. Robert was married to Sonja and they have three sons, who he loves very much. Sonja and Robert used to equally share the care for the children, and a parental agreement was in place.

This year, Robert was charged by the police with manufacturing drugs and now faces serious criminal charges. He lost care of his three sons, and Sonja refused to let him have any contact with his children.

During the counselling sessions provided by Lena, Robert spoke about his difficult childhood. With Lena's help, Robert recognised that most of his issues, particularly his low self-esteem and his perceived inability to function without being inebriated, stemmed from feeling unsafe and betrayed. He was able to realise that he does have choices in his life, and that he also has responsibilities to meet.

Things were looking up when the opportunity arose for Robert to enter an in-house rehabilitation centre, and he has been progressing well over the last few months. Weekly supervised visits with his sons are now occurring on a regular basis.

Caxton Legal Centre gave Robert helpful legal advice and a referral to Legal Aid to have representation in court. He was also able to discuss his rights in regard to his children with Caxton's family law solicitor.

\*The names and dates have been changed to protect client privacy.

#### Mary's Story

Mary\* is an 80-year-old aged pensioner. Her husband passed away about 20 years ago, and she continued to live in their home, which they owned outright. She has one son, Peter,\* and four grandchildren.

About five years ago, Mary was admitted to hospital for surgery, and again a week later to have a broken arm and a dislocated shoulder attended to.

Her daughter in law collected Mary from hospital and, on that very day, took her to a solicitor where Mary was coerced to execute a Transfer to transfer one half share of her property to her grandson. At the time Mary was on significant pain medication, and she can only remember fragments of that day. There was no time for Mary to consider this transaction, and Peter assured her the transfer was only for a year or so until he could refinance. He also explained that the loan is in his son's name, but Peter was responsible for the repayments.

The solicitor suggested to Peter to take his mother to her GP for a formal capacity assessment. The report stated Mary had full capacity. A letter from the solicitor to the doctor asked the doctor to specifically question Mary about the transfer, but Mary categorically denies being questioned.

Mary and her grandson entered into a 'low doc' mortgage, and shortly thereafter Peter went bankrupt and lost his house and trucking business.

Two years later, Mary was contacted by the bank to advise that the mortgage repayments were in arrears. She contacted her son who said he could not assist, so Mary paid the debt out of her last term deposit.

To make things worse, Mary's pension was reduced to \$150 per fortnight due to the 'gift'.

Peter finally contacted Welfare Rights in the belief that it was the loan that had reduced his mother's pension. Welfare Rights managed to have Mary's pension reinstated and contacted SLASS as they had suspicions about the transfer. Mary was also advised to disclose the loan to Centrelink

After Mary became a client of SLASS, the first step Kirsty Hartnett took was to write to the bank requesting the transaction be reversed and Mary's home be released as security for the mortgage. Kirsty then made a formal application to the Financial Ombudsman for determination. Further submissions to the Financial Ombudsman Service were necessary over the next year and, finally, SLASS received a call from the bank advising their decision to release Mary from the mortgage.

Thanks to the fantastic effort by Kirsty and SLASS, Mary is again debt free and able to enjoy and stay in her own home.

\*The names and dates have been changed to protect client privacy.

Caxton's Frances Privitera, PLT student Louis Eum and Social Work student Larissa Fewquandie represented the centre at the Homeless Connect event



Viv and Glenys's QCAT win for elderly client-victim of physical and financial abuse



Human rights are at the forefront of the fight against elder abuse (or Viv on her favourite rant!) at the Australian Association of Gerontologists

# VERA RAYMER Born: 19 April, 1919

to Eternal Life: 27 April 2013



The staff at Caxton Legal Centre Inc. are sincerely humbled and honoured by the most generous bequest made by Vera Raymer to the centre for the services of the aged. We would like to express our deepest gratitude and appreciation!

# PARK AND VILLAGE INFORMATION LINK CATHERINE WILSON



Caxton received funding from the Department of Housing and Public Works to establish and run a two-year pilot program, the Park and Village Information Link (PAVIL) and appointed Catherine Wilson as solicitor and Joanna Abraham as project worker.

PAVIL is a specialist service, providing legal information and advice to residents of retirement villages and manufactured homes across Queensland. Assistance is prioritised to focus on older people, including groups of residents.

# Development

Prior to 'going live', the PAVIL team spent four weeks in a development and implementation phase to develop service guidelines, website content, promotional material and frequently asked questions. It also provided a time for familiarisation with the two main pieces of legislation that we would be advising on and consideration of relevant past decisions.

The Tenants' Union of Queensland Inc. provided a handover report to PAVIL, summarising significant issues that arose in manufactured home parks during their service.

Since commencement, the PAVIL team has also spent considerable time establishing networks and referral

links with key resident groups as well as professional and industry stakeholders. In addition, a mail-out to retirement villages and manufactured home parks in Queensland was arranged, with 297 letters going to retirement villages and 167 letters going to manufactured home parks. As a result, we have had a number of enquiries for community legal education, which are scheduled to take place in the latter half of 2014.

#### Commencement

PAVIL officially commenced operation on Monday 14 April 2014. Caxton opted for a soft launch, with Caxton staff gathering to enjoy some pavlova in honour of the new Pav's (PAVIL team). The Minister for Housing and Public Works, The Hon. Tim Mander, made a formal announcement about the PAVIL project's commencement on Wednesday 16 April 2014.

... clients are largely happy to receive relevant information and advice, and take steps on their own behalf ...



Joanna Abraham Solicitor

## Client services

PAVIL has experienced substantial uptake in services since commencement. The summary in Table 1 below shows services provided by PAVIL between 14 April 2014 and 30 June 2014.

Table 1: General client statistics for the period 14 April to 30 June 2014

	Manufactured Home	Retirement Village	Total	
Information / Advice / Referral	61	63	124	
Individual Assistance (Casework)	9	6	15	
CLE	3			
Website Hits / Information Download	979			

Table 2 sets out some of the recurring issues that formed part of enquiries to PAVIL.

Table 2: Commonly encountered client issues

#### Retirement Villages **Manufactured Homes** disputes with scheme operators disputes with park owners electricity rebates and charging electricity rebates and charging solar energy consumption, storage and solar panel solar energy consumption, storage and solar panel installation installation general information for prospective residents general information for prospective home owners functioning of residents committee capital replacement fees in site agreements general and personal services fee increases right for additional family members or friends to reside in manufactured home parks or retirement amount and payment of exit fees and exit entitlements when exiting a retirement village functioning of home owners committees reselling a right to reside in a retirement village, in particular the length of time the unit is for sale payment of site rent site rent increases, including amount and frequency selling a manufactured home, including assignment of site agreements

As PAVIL is still in the early stages of service delivery, we have limited information about the effect of the information and advice given to clients. It appears, however, that clients are largely happy to receive relevant information and advice, and take steps on their own behalf before further PAVIL assistance is required.

# **Training**

PAVIL was fortunate to receive an offer of training from CRH Law, arranged by Margaret Arthur. On Thursday 24 April 2014, Brian Herd presented a two-hour training session on retirement villages and manufactured homes. The PAVIL team was also able to attend half a day of the SLASS training on 6 June 2014.

# Network meetings attended

The PAVIL team has attended meetings with the following key stakeholders since commencement:

- Tenants Union of Queensland Inc.
- Manufactured Home Owners Alliance
- Association of Residents of Queensland Retirement Villages
- Queensland Civil and Administrative Tribunal
- Residential Services Unit (Department of Housing and Public Works)
- Leading Age Services Australia (Qld)
- Queensland Public Law Interest Clearing House

- Seniors Legal and Support Service
- Legal Aid Queensland
- Property Council of Australia.

# Other meetings

PAVIL has been invited to participate in the following reference groups:

- Ministerial Working Party on the review of the Manufactured Homes (Residential Parks) Act 2003 (Qld)
- Critical Reference Group Retirement villages and later life transitions: the impact of financial and contractual obligations
- Department of Housing and Public Works Seniors Professional Advice Project.

# Factsheets and community education

In late June 2013, PAVIL commissioned the preparation of factsheets relating to all aspects of manufactured homes and retirement villages, from initial thoughts about moving in through to leaving a park or village. It is anticipated that these will be completed in September 2014 and will be made available on the Caxton website as well as in print form.

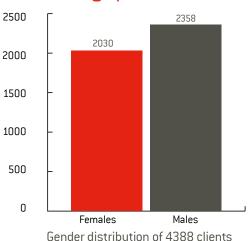
PAVIL has also started to plan a series of community education sessions around South East Queensland to further increase awareness of important issues in parks and villages.

# **STATISTICS**

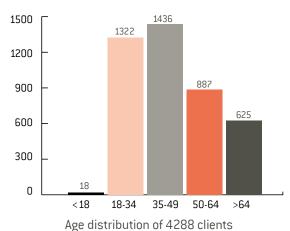
The total number of legal advices given during the 2013–14 financial year amounted to 8289, which was slightly down from last year's figure of 8515, but certainly exceeded the target by 2679 advices. Of these, 4274 advices were given in a face-to-face interview, 2849 clients received answers over the phone, 1147 letters were written outlining legal advice and 16 email responses to clients were registered.

The most popular area of law was family law claiming 50.9% of all advices, followed by civil law (40.2%), and advice in criminal law was considerably less sought after with taking up only 8.9% of all advices given this financial year.

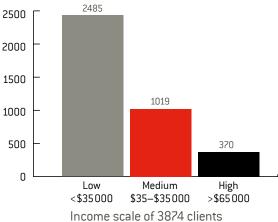
# Client demographics

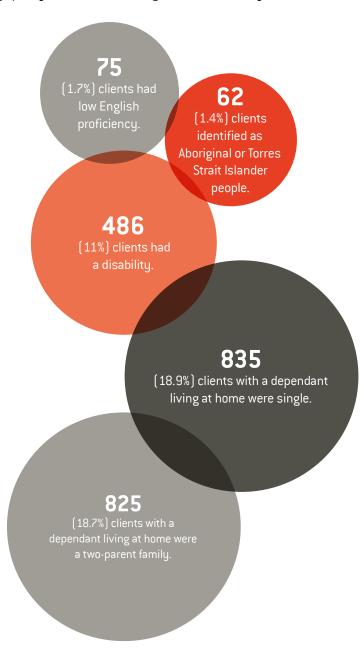


Gender distribution of 4388 clients attending at Caxton Legal Centre



2405





This financial year we delivered 28 community legal education activities and completed 4 law reform submissions.

We opened 461 new cases during the 2013–14 financial year, and 556 cases were closed.

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.)

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

Major problem type	Information	Advice	Cases open at start	Cases opened during period	Cases closed during period	CLE activities completed	LRLP activities completed
TOTAL ACTIVITIES	13 348	8289	116	579	556	28	4
Family Law	5516	5460	55	586	604	8	3
Child support	442	212	2	32	29	0	0
Child/spousal maintenance	329	65	1	5	6	0	0
Contact and residency	464	1547	12	91	95	0	0
Divorce and separation	735	432	2	40	38	0	0
Family/domestic violence	297	1825	54	223	237	8	3
Property	637	637	5	60	63	0	0
Child protection	67	31	0	3	3	0	0
Other family law	2545	711	9	132	133	0	0
Civil Law	7586	4318	60	207	176	20	1
Tenancy	643	327	4	9	10	0	0
Credit and debt	720	859	15	68	47	0	0
Immigration law	0	0	0	0	0	0	0
Govt/administrative law	13	171	4	11	13	0	0
Govt pensions and benefits allowances	20	6	0	0	0	0	0
Consumer and complaints	852	371	8	25	21	0	0
Motor vehicle	423	321	6	11	14	0	0
Wills/probate	380	299	1	17	16	0	0
Environment	16	0	0	0	0	0	0
Injuries	71	51	1	2	3	0	0
Discrimination	84	80	6	3	4	0	0
Employment	3492	672	0	7	4	0	0
Neighbourhood disputes	644	283	3	7	9	0	0
Other civil law	169	878	12	47	35	20	1
Criminal Law	246	951	6	46	44	0	0
Offences against persons	162	3	9	9	0	0	0
Offences against property and other offences	134	789	3	37	35	0	0

# **CAXTON STAFF AND MANAGEMENT COMMITTEE**

## Management committee

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

#### Committee members

Barbara Kent Margaret Arthur Julie Clark Matt Woods

Kevin Lambkin

Wendy Mulcahy Mark Jeffreys

## Staff

## Caxton Legal Centre staff

Scott McDougall, Director

Anne-Maree Elliott, Business Manager

Camielle Donaghey, CLE Coordinator

Karen Nyberg, Front Office Coordinator

Joseph Ho, Solicitor (Family Law)

Ros Williams, Solicitor (Law Reform and Community Legal Education)

Michelle Ecclestone, Administration Officer

Megan Pearce, Administration and Support Officer

Symone Wilson, Administration Officer (File Management) Klaire Coles, Solicitor (General)

Yatarla Clarke, Coordinating Lawyer, General Practice

Abbey Richards, Solicitor (Civil)

Amanda Hess, Solicitor (Consumer)

Ana Oertel, Administration Officer (Publications)

Bill Kyle, Accountant

Justine Meyer, Administration Officer

Lena Lundell, Social Worker

Gillian Welsh, Solicitor

Melody Valentine, Solicitor Bridget Burton, Solicitor

# SLASS

Vivienne Campion, Manager

Kirsty Hartnett, Coordinating Lawyer

Glenys Haren, Solicitor

Jennifer Townsend, Social Worker

Frances Privitera, Social Worker

Anthony O'Sullivan, Solicitor

Su-Lyn Lee, Social Worker

#### **PAVIL**

Catherine Wilson, Senior Solicitor

Joanna Abraham, Solicitor

#### Family law duty lawyers

Stephanie Ewart, Coordinating Lawyer (Duty Lawyer)

Cybéle Koning, Solicitor (Duty Lawyer)

#### Casual staff

Genevieve Nuttall

Andrew Kennedy

#### PLT students

Louis Eum

Mabruk Dajan

Rebecca Lavithias

Renee Spicer

Rose Maitland

## Social Work students

Larissa Fewquandie

#### Staff who left

Ariane Wilkinson, Solicitor (General)

Bridie Henderson, Solicitor (Duty Lawyer)



Anne-Maree Elliott Business Manager



Karen Nyberg Front Office Coordinator



Bill Kyle Accountant



Megan Pearce Administration and Support Officer



Michelle Ecclestone Administration Officer



Symone Wilson Administration Officer (File Management)



Justine Meyer Administration Officer

# CAXTON LEGAL CENTRE INC.



1.

## **CAXTON LEGAL CENTRE INC.** QUEENSLAND LAW HANDBOOK AND OTHER PUBLICATIONS **TRADING ACCOUNT FOR THE YEAR ENDED 30 JUNE 2014**

		<u>2014</u>	<u>2013</u>
Sales Royalties		54,797.83 18,148.47	30,114.25 20,771.38
		72,946.30	50,885.63
Cost of Publications			
Stock on Hand 1 July 2013	2,105.30		13,610.52
Publication Costs - Production	46,720.00		1,020.91
		48,825.30	14,631.43
Less Stock on Hand 30 June 2014	33,000.00		2,105.30
		(15,825.30)	(12,526.13)
GROSS PROFIT/(LOSS) ON TRADING		\$57,121.00	\$38,359.50

2.

## **CAXTON LEGAL CENTRE INC. INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2014**

	<u>2014</u>	<u>2013</u>
INCOME		
Gross Profit/(Loss) on Trading B/F Department of Communities Legal Aid Office (Queensland) Office of Legal Aid & Family Services - Commonwealth	57,121.00 946,958.00 221,197.00 320,729.00 143,900.00 130,816.00 29,100.00 210,168.00 113,235.00 13,853.02 17,364.24 630.00 10,804.23 29,600.00 110,194.93 80,000.00 31,290.00 20,000.00	38,359.50 939,990.77 228,262.00 310,755.00 145,198.74 133,617.33 31,978.06 28,672.00 207,060.00 129,923.00 17,747.65 16,429.31 813.64 35,477.99 13,000.00
LESS EXPENDITURE		
Total Expenditure (Schedule Attached)	\$2,280,071.05	\$2,240,654.63
NET SURPLUS/(DEFICIT) FOR YEAR	\$206,889.37	\$36,630.36

3.

## **CAXTON LEGAL CENTRE INC. INCOME & EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2014**

	<u>2014</u>	<u>2013</u>
EXPENDITURE		
Accountancy & Audit	8,600.00	8,400.00
Advertising & Publicity	4,352.19	1,080.48
Amenities - Staff & Volunteer	11,556.53	13,490.23
Bank Charges	1,806.67	1,352.71
Cleaning	11,909.96	8,996.61
Client Outlays	3,051.24	17,865.60
Computer Supplies & Maintenance	27,819.17	2 <del>4</del> ,065.22
Consultant Fees	12,642.00	1,200.00
Depreciation	65,643.64	61,100.17
Electricity	19,329.47	18,784.97
Griffith University Expenses	55,363.64	54,772.73
Insurance	8,394.68	10,657.70
Law Books & Journals	28,162.73	25,156.47
Loan Interest & Fees	53,321.75	66,210.51
Minor Equipment	7,304.93	4,764.30
NACLC & QAILS Levy	7,015.00	6,900.00
Office Printing	21,524.16	18,638.18
Office Stationery	7,247.90	9,703.66
Postage	17,311.46	12,714.66
Professional Association Fees & Practicing Certificates	14,357.18	11,635.22
Project Expenses	2,079.14	1,673.38
Rates	13,538.91	13,229.30
Repairs, Maintenance & Gardening	66,217.33	32,227.67
Security Seminars & Conferences	6,129.67	5,936.92
Staff Recruitment	4,458.64	2,031.11
Staff Training	315.00	530.00
Sundry Expenses	19,370.00	13,782.50
Superannuation	2,094.25	4,457.13
Supervision	142,484.05	136,605.02
Telephone & Internet	4,950.00	4,369.98
Travel	42,860.50 10,890.07	40,096.03 15,039.67
Wages & Salaries	1,577,969.19	1,593,186.50
rrages & salaries	1,3//,503.19	1,333,100.30
TOTAL EXPENDITURE	\$2,280,071.05	\$2,240,654.63

4.

## **CAXTON LEGAL CENTRE INC. ASSETS AND LIABILITIES STATEMENT AS AT 30 JUNE 2014**

	<u>2014</u>	<u>2013</u>
CURRENT ASSETS		
Cash at Bank, on Deposit and on Hand (Note 2) Debtors & Prepayments Stock (Note 3)	585,531.66 8,783.59 33,000.00	384,244.36 41,654.89 2,105.30
TOTAL CURRENT ASSETS	627,315.25	428,004.55
FIXED ASSETS (Note 4)	2,777,799.13	2,747,694.75
TOTAL ASSETS	3,405,114.38	3,175,699.30
CURRENT LIABILITIES		
Creditors & Accruals GST Control Account Provision for Leave Entitlements Grants Received & Unexpended (Note 6) Loan - Westpac	180,808.16 54,959.85 134,500.98 84,333.07 116,976.00	141,200.03 53,222.00 121,923.76 53,040.23 116,976.00
TOTAL CURRENT LIABILITIES	571,578.06	486,362.02
NON - CURRENT LIABILITIES		
Loan - Westpac Provision for Long Service Leave	731,072.43 91,660.03	795,566.68 89,856.11
TOTAL NON - CURRENT LIABILITIES	822,732.46	885,422.79
TOTAL LIABILITIES	1,394,310.52	1,371,784.81
NET ASSETS	\$2,010,803.86	\$1,803,914.49
ACCUMULATED FUNDS		
Balance at 1 July 2013 Net Surplus/(Deficit) for Year	1,803,914.49 206,889.37	1,767,284.13 36,630.36
TOTAL ACCUMULATED FUNDS	\$2,010,803.86	\$1,803,914.49

5.

## **CAXTON LEGAL CENTRE INC. CASH FLOW STATEMENT FOR THE YEAR ENDED 30 JUNE 2014**

	<u> 2014</u>	<u> 2013</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts		
Sales	54,160.55	32,158.75
Interest	17,364.24	16,429.31
Other	260,824.55	125,722.36
Cash flows from Government Grants	2,245,631.00	2,158,359.00
Payments		
Suppliers and Employees	(2,163,969.02)	(2,109,375.40)
Net cash provided by (used in) operating activities	\$414,011.32	\$223,294.02
CASH FLOWS FROM INVESTING ACTIVITIES		
Payment for purchase of plant & equipment	(26,611.00)	_
Payment for purchase of property	(69,137.02)	-
Net cash provided by (used in) investing activities	\$(95,748.02) 	\$NIL
CASH FLOWS FROM FINANCIAL ACTIVITIES		
CASH FLOWS FROM FINANCIAL ACTIVITIES		
Payment of borrowings	(116,976.00)	(520,524.60)
Net cash provided by (used in) financing activities	(116,976.00)	(520,524.60)
Net increase (decrease) in cash held	201,287.30	(297,230.58)
Cash at beginning of the reporting period	384,244.36	681,474.94
Cash at end of the reporting period	\$585,531.66	\$384,244.36
RECONCILIATION OF NET SURPLUS/DEFICIT TO NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES		
Operating Result	206,889.37	36,630.36
- Depreciation	65,643.64	61,100.17
- Interest	52,481.75	66,210.51
- Increase/(Decrease) in Payables	41,345.98	(15,900.21)
- Increase/(Decrease) in Provisions	14,381.14	37,496.25 <sup>°</sup>
- Increase/(Decrease) Unexpended Grants	31,292.84	2,902.10
- (Increase)/Decrease in Stock	(30,894.70)	11,505.22
- (Increase)/Decrease in Receivables	32,871.30	23,349.62
Net cash provided by (used in) operating activities	\$414,011.32	\$223,294.02

6.

#### **CAXTON LEGAL CENTRE INC. NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014**

#### 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.

7.

## **CAXTON LEGAL CENTRE INC. NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS** FOR THE YEAR ENDED 30 JUNE 2014

## 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.

2. CASH AT BANK, ON DEPOSIT & ON HAND	<u>2014</u>	<u>2013</u>
Petty Cash	200.00	100.00
National Australia Bank - Cheque Account	-	3,403.89
National Australia Bank - Cash Management Account	-	24,503.23
Long Service Leave Account	-	134,484.11
Westpac - Cheque account	41,723.95	26,224.43
Westpac - Cash Reserve Account	541,792.59	192,040.75
Pay Pal Account	1,815.12	3,487.95
	\$585,531.66	\$384,244.36
3. STOCK		
"Qld Law Handbook"	33,000.00	2,105.30
	\$33,000.00	\$2,105.30
4. FIXED ASSETS		
Land & Buildings - At Cost		
- 1 Manning Street, South Brisbane - Depreciation Building	2,717,675.25 (50,000.00)	2,717,675.25 (25,000.00)
	2,667,675.25	2,692,675.25

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 2013	55,019.50	91,119.37
- Additions	95,7 <del>4</del> 8.02	•
- Depreciation	(40,643.64)	(36,100.17)
	110,123.88	55,019.20
	\$2,777,799.13	\$2,747,694.45

8.

## **CAXTON LEGAL CENTRE INC.** NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS **FOR THE YEAR ENDED 30 JUNE 2014**

5. CHARGE ON PROPERTY	<u>2014</u>	<u>2013</u>
The following mortgages have been given over freehold premises at 1 Manning Street, South Brisbane:-		
First Mortgage - Westpac Bank - Balance of Mortgage	848,047.43	912,542.68
	\$848,047.43	\$912,542.68
6. GRANTS RECEIVED & UNEXPENDED		
Gambling Community Benefit Fund Jupiters Casino Community Benefit Fund Department of Communities Brisbane City Council Estate Vera Raymer Department of Housing	- - 4,528.00 65,000.00 14,805.07	31,290.00 20,000.00 1,750.23 - - -
	\$84,333.07	\$53,040.23

#### 7. AUDITOR'S REMUNERATION

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

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:

- Presents a true and fair view of the financial position of Caxton Legal Centre Inc. as at 30 June 2014 and its performance for the year ended of that date.
- At the date of this statement, there are reasonable grounds to believe that Caxton Legal Centre 2. 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



TELEPHONE: (07) 3357 8322

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 2014, 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.

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 2014 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

22 SEPTEMBER 2014 BRISBANE

PETER GESCH - PARTNER

NOIES	

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