

Annual Report 2017–18

There is no excuse for elder abuse. There is no excuse for
Racism. It stops with me. Racism. It stops with me.
Know your rights. Know your rights. Know your
Human rights. Human rights. Human rights.

caxton
legal centre inc

President's Report

MARK THOMAS

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Office hours: 9 am – 5 pm Monday to Friday

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

Call us to book an appointment.



It is passing strange to be writing this for the 2017–18 Annual Report ... it will be the last president's report that will appear over my signature given that I will not be nominating for the role of president at the 2018 AGM. I should say that this is not the result of any loss of enthusiasm for, or commitment to, the work of Caxton, but rather a subjective assessment of the appropriate point at which the positives of continuity in the role of president should yield to the positives of renewal.

It is entirely coincidental, although not in my view a bad thing, that the change in the person of the president should come at almost exactly the same time as Peter Lyons arrives and takes up the position of Chief Executive Officer of the centre. The prospect of Scott's departure to become the state's Anti-Discrimination Commissioner was not remotely on the horizon this time last year. It is nevertheless an opportunity for the centre's approach from now into the 2020s to be guided by both a new president and a new CEO.

It is, of course, remarkable that Scott occupied the position of director for 16 years. When Barry Cotterell, Merran Lawler and I sat as the selection panel for the director's position way back then, we did not expect (and could not realistically have expected) that we were choosing a director for so long a period of time. It is a tribute to Scott's dedication and commitment to the centre and its ideals that he remained in the position for so long, when he must have been presented with a number of opportunities to move along in his career (and almost certainly his income status).

I sincerely hope that the incoming president and Peter forge (as I am sure they will) a professional relationship in the coming years that is as effective and as productive as I believe has been the case over the last 16 years. The relationship that Scott and I developed over that period was characterised by mutual trust and respect for the knowledge and judgement

that went to inform our respective positions. There were, of course, few occasions on which there were significant differences between those positions, but the resolution of any differences was, finally, in the best interests of Caxton itself.

It would be artificial, in writing this report, to confine its content to the end of June 2018. The shape of Caxton, as we approach this AGM, is undeniably different from what it was a year ago. Significant structural changes in the external environment called for a substantial review of the organisation to prepare the centre to navigate new challenges in order not merely to survive, but to continue to flourish (as it has flourished despite the perceived challenges of the last decade). That process was not without its difficulties.

Beginning the new year with a new president, a new CEO and with the prospects of the recruitment of a new Chief Operations Officer should be seen as the tremendous opportunity it is to continue to build Caxton's enviable reputation for the efficient and effective delivery of high-quality legal, social work and support services to those in the community who would otherwise face substantial disadvantage. That reputation is the product of the remarkable efforts of all staff who have worked at Caxton since its inception, as well as the volunteers who give generously of their time (when they might otherwise be at home relaxing) and of course the members of the management committee, who volunteer their time and various forms of expertise, often at the most inconvenient of times (i.e. State of Origin).

In signing off, I would like to thank all of the people associated with Caxton for the consistent and substantial support they have provided to me since I first took on the privilege of the centre's presidency, confessing at the same time that I cannot actually recall what year that was.

Director's Report

SCOTT MCDUGALL

It's an immense honour to deliver my 15th and final report as Director and Principal Lawyer of Caxton Legal Centre.

Throughout the 2017–18 financial year, Caxton Legal Centre continued its core business of legal service delivery as well as advocating for elder abuse and human rights with significant outcomes in each area.

In February, at the 5th National Elder Abuse Conference in Sydney, the Family, Domestic Violence and Elder Law Practice partnered with Siren Theatre Company for a presentation of professionally acted elder abuse scenarios. It was well received, with audience members stating that the drama provided a focus on the critical issues pertinent to elder abuse in an engaging and accessible way. Seniors Legal and Support Service staff now regularly use drama in their community legal education. Caxton together with other legal services colleagues were successful in securing funds for the establishment of Elder Abuse Action Australia (EAAA), a peak body designed to provide leadership on responses to elder abuse. As work towards a national plan in response to elder abuse and the Royal Commission into Aged Care unfold, Caxton will continue to play a critical role in sharing its expertise on elder abuse and the unique benefits of our social worker-lawyer multidisciplinary model.

The importance of human rights frameworks to Caxton's legal advice and casework was recognised in the name change of the General Practice to the Human Rights and Civil Law Practice. This program, which encompasses Caxton's employment, discrimination, social work, coronial assistance, criminal and civil law work, delivered a high volume of law reform submissions articulating the interests of vulnerable people in areas including the regulation of tow trucks and the introduction of fees for paper billing. This program also ably supported volunteers through the evening advice sessions to provide the bulk of legal advice given by Caxton. The Queensland Retirement Village and Park Advice Service

(former Park and Village Information Link) prepared an urgent response to a confidential consultation on the draft Housing Amendment Bill, and the Bill introduced to parliament reflected a number of our suggested changes. This service additionally undertook an extensive community legal education program reaching people in many regional Queensland communities. Caxton also played an ongoing role in the campaign for the introduction of a Human Rights Act in Queensland. The recent allocation of funding to implement the introduction of the Act is a welcome development. The passage of an effective and enforceable Human Rights Act would have profound benefits for Caxton's clients and represent one of the centre's most important law reform outcomes.

Improving services to Aboriginal and Torres Strait Islander community members continued to be a priority for Caxton Legal Centre with staff taking part in cultural awareness training on North Stradbroke Island in July 2017. In March 2018, the centre's second Reconciliation Action Plan (RAP) was proudly launched by former Social Justice Commissioner Mick Gooda. The centre strongly values our relationships with the Aboriginal and Torres Strait Islander community, and recognises the generosity of the members of the RAP Working Group, who provide valuable direction on Caxton's RAP.

Since taking on this role in 2002, I have had the privilege of working with many hundreds, if not thousands, of dedicated and diligent lawyers, social workers, students, administrative staff and volunteers, all committed to the notion of making a material difference to the lives of strangers by providing access to justice. I would like to take this opportunity to thank all of the people I have worked with throughout my time at the centre together with the selfless volunteer lawyers who so willingly give their time to sustain the operations of the centre. I would also like to thank the members of the management committee for their careful guidance and support, and for giving me the opportunity to lead this extraordinary Queensland institution.

Team Reports

HUMAN RIGHTS & CIVIL LAW PRACTICE AND FAMILY, DOMESTIC VIOLENCE & ELDER LAW PRACTICE AND QUEENSLAND RETIREMENT VILLAGE & PARK ADVICE SERVICE AND SOCIAL WORK

Human Rights and Civil Law Practice

This year the General Practice team changed its name to the Human Rights and Civil Law Practice. This change was made to more accurately reflect the work we do and to acknowledge the expertise of the workers in our team in human rights law.

In 2017–18, the Human Rights and Civil Law Practice comprised the:

- employment law service
- consumer law service
- general civil and minor crime advice and casework service
- coronial assistance legal service
- human rights and anti-discrimination casework
- social work
- the Park and Village Information Link (now the Queensland Retirement Village and Park Advice Service)
- community legal education program.

STAFF CHANGES

Our long-term social worker Lena Lundell took 12 months unpaid leave to take up an exciting clinical opportunity. Romana Leisser was originally employed as a temporary social worker to cover Lena's leave, but has now been permanently appointed after Lena resigned her position to continue her new opportunities.

Faye Austen-Brown joined the team in January 2018. Faye has extensive experience in criminal law and has greatly contributed to increase our team's capacity to assist clients with criminal law problems.

In January 2018, Bridget Burton took 18 months leave from her position as team leader and coordinating lawyer to take an exciting opportunity as Director of the University of Queensland Pro Bono Centre. Klaire Coles has taken on the team leader and coordinating lawyer role for the duration of Bridget's leave.

January 2018 also saw us welcome Amrit Priyar to our team as a junior lawyer. Amrit moved to the Family and Elder Law Team (now called Family, Domestic Violence and Elder Law Practice) in July 2018.

Phylli Verrall was seconded to the LGBTI Legal Service for three months, and her position was filled by Jade Henderson during that period.

CASEWORK HIGHLIGHTS

We continued our work to support the deaf community through our casework in employment and anti-discrimination matters, in relation to interactions with police and consumer law matters.

We also focused on the rights of marginalised workers, significantly increasing our unfair dismissal and general protections casework practice.

Our consumer law program continued to obtain great outcomes for clients through the Financial Ombudsman Service and Consumer and Investments Ombudsman.

We further developed our response to the ongoing need of victims of domestic violence by focusing our casework support on women who had criminal law and anti-discrimination matters arise after police failed to obtain interpreters when attending domestic violence call outs. We have assisted a number of women who were incorrectly deemed to be the perpetrator of the violence as they could not properly explain the situation to police because of poor English language skills.

CORONIAL ASSISTANCE LEGAL SERVICE

The Coronial Assistance Legal Service had its first full year of operation. Klaire Coles and Yatarla Clarke have provided advice and/or representation to 53 families. They have acted in three inquests and have agreed to act in a further seven inquests that will be heard in the coming year.

We have provided advice to clients at all stages of the coronial process including:

- burial disputes
- applications for burial assistances
- in relation to whether death is a reportable death under the *Coroners Act 2003* (Qld)
- ongoing coronial investigations
- inquest
- in relation to the reopening of coronial investigations
- appealing decisions of coroners including findings and decisions not to hold an inquest.

Klaire and Yatarla have also continued their work with the State Coroner and Coroners Court, the Department of Justice and Attorney-General, the Office of Industrial Relations, the

Townsville Community Legal Service and a number of victim support services to improve the experience of families throughout the coronial process.

LEADERSHIP AND LAW REFORM

Tim Murray continued his work on the Queensland Law Society's Industrial Law Committee.

Klaire Coles and Yatarla Clarke also continued their active engagement with the Coronial Stakeholder Committee, which is working toward making the coronial system more accessible for bereaved families.

Gillian Welsh continued her work in the consumer credit space, participating in stakeholder consultation with the Australian Securities and Investments Commission and in law reform activities with consumer advocates across the country.

This year, we provided submissions, met with government and other decision makers and lobbied for significant changes in relation to:

- the *Retirement Villages Act 1999* (Qld) and *Manufactured Homes (Residential Parks) Act 2003* (Qld)
- debt management firms
- the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry
- the overrepresentation of Aboriginal and Torres Strait Islander people in prison
- the coronial jurisdiction
- guardianship and administration matters
- paperless bills
- the Retail Exempt Selling Guideline for electricity on supply (affecting residents of manufactured home parks)

- police powers during the Commonwealth Games
- the Australian Solicitors' Conduct Rules
- a Human Rights Act for Queensland.

COMMUNITY LEGAL EDUCATION

We provided legal education to high-school students about human rights, domestic violence, elder abuse, employment law, community legal centres and Legal Aid Queensland. We spoke to community workers and counsellors about their legal obligations when making case notes. Our PAVIL team (now called Queensland Retirement Village and Park Advice Service) delivered community legal education talks to over 1500 residents and prospective residents of manufactured home parks and retirement villages. We also educated grandparents about their rights and responsibilities when caring for their grandchildren.

A number of members of the Human Rights and Civil Law Practice attended a cultural awareness tour and training at Stradbroke Island, and we also participated in the NAIDOC Family Fun Day at Musgrave Park where Caxton shared a stall with Bayside Community Legal Centre.

EVENING ADVICE SESSIONS

Our evening advice sessions (Monday to Thursday) continued to thrive throughout the year, and we were routinely able to provide advice to approximately 90 clients per week on criminal law, civil law, family law and employment law matters. This was largely due to the expert organisation of our volunteer coordinator, Michelle Ecclestone, our dedicated staff coordinators and our wonderful volunteers.

Family, Domestic Violence and Elder Law Practice

The Family, Domestic Violence and Elder Law Practice (FDVELP) is a fully integrated multidisciplinary team of lawyers and social workers who provide legal advice, assistance and social supports to clients who are experiencing family law issues, domestic violence and elder abuse. This collaborative model is especially effective in our Seniors Legal and Support Service, which responds to older persons who are at risk of or are experiencing elder abuse. Our lawyers and social workers together visit the older person at their home, aged care facility or hospital to overcome barriers in accessing our services, respond to urgent safety needs and address the coexisting legal and social needs with one seamless service. Our Family Law Service also includes this multidisciplinary model of a lawyer and a social worker providing legal assistance and social supports to clients at the family law courts.

Family law and domestic violence advice and casework is also delivered within the practice. During the past 12 months, our practice has successfully undertaken complex casework in all programs including conducting trial work in the Magistrates Court, providing representation in Queensland Civil and Administrative Tribunal hearings, and advocating with financial service providers regarding financial elder abuse and responsible lending issues. Community education has been conducted in partnership with other organisations and government departments including the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP), the Office of the Public Guardian (OPG), the Public Trustee, Police, Legal Aid Queensland, Aged and Disability Advocacy Australia (ADA Australia) and the Elder Abuse Prevention Unit (EAPU).

STAFF CHANGES

Two of our lawyers, Joanna Abraham and Keryn Ruska, have taken up exciting opportunities to expand their skills and do project work in related areas of practice outside Caxton, and we welcomed Terry Stedman and Sue-Ellen Wright to our team to assist during their period of leave. We sadly said good-bye to Stephanie Ewart who has opened her own legal practice. Stephanie has been employed with Caxton for over eight years in our practice. We wish her all the best and thank her for her wonderful contribution to Caxton. We also wish to congratulate Colette Bots who has taken on new responsibilities as a senior solicitor in our practice.

FAMILY LAW AND DOMESTIC VIOLENCE ADVICE AND CASEWORK PROGRAM

Our family law and domestic violence advice and casework program continues to provide day-time and evening advices for clients who have family law or domestic violence issues. Clients receive advice primarily about separation, parenting disputes, property settlements, child support, spousal maintenance and divorce applications. Clients are triaged for more follow-up work carried out during our face-to-face appointments and student family law clinics, which includes reviewing family law orders and assisting with drafting court documents. Clients experiencing domestic violence receive advice and assistance to draft an application for a protection order. Respondents to domestic violence proceedings are assisted to respond to an application. Our lawyers have also conducted domestic violence hearings. We continue to provide phone advices for child protection matters during our evening advice sessions to clients who otherwise would be unable to access any service.

Below is a thank you from a family law evening advice client referring to a volunteer lawyer and volunteer student:

- Dear Caxton Street
- I have been wanting to write to you to thank your wonderful service – and in particular F – for the care, legal know-how and attention he gave me during what has been a very stressful period. As a Social Worker of over 33 years I have referred many clients to your service but have never been in use of your service.
- Please pass on my compliment to F and your male receptionist C – as well as your funding body.

CASE EXAMPLE

Police made an application for a protection order against our client, a mother of five children who suffers from depression, anxiety, bipolar disorder and post-traumatic stress disorder. A lengthy history of serious physical violence, controlling behaviour and emotional abuse against our client resulted in a protection order against our client's ex-partner containing only conditions to be of good behaviour and not commit domestic violence. Our client had, on previous occasions, been too afraid to accept police assistance in obtaining further conditions due to his threats.

Police made the application against our client after she allegedly cut her ex-partner with a bread knife in self-defence after she had been repeatedly punched and shoved by him. On the basis of this same incident, the ex-partner was charged with contravention of the existing protection order.

Our duty lawyer service referred our client to Caxton Legal Centre's Family, Domestic Violence and Elder Law Practice to prepare an Application for Variation of the protection order against the other party to seek that multiple conditions be

added to protect our client. We also sought that the police application against our client be dismissed on the basis that our client was vulnerable, a victim of domestic violence and the person most in need of protection. We succeeded in obtaining six extra conditions against the other party, as well as having the children named by consent without admissions of the other party. In addition, the client received family law advice on her options in relation to mediation and parenting arrangements.

Police opted not to withdraw the application even after having been directed by the magistrate to reconsider their position, and we assisted our client with the stressful process of contesting the police application against her. The matter was listed for hearing and our service drafted up an affidavit for the client.

After multiple adjournments over a period of nearly five months, police finally withdrew their application at the second hearing review mention date. Our client was relieved and stated that without the assistance of our service she probably would have just consented without admissions to the police application, which would have been a gross injustice.



FAMILY LAW DUTY LAWYER SERVICE AND FAMILY ADVOCACY AND SUPPORT SERVICE

The Family Law Duty Lawyer Service and the Family Advocacy and Support Service continued to operate five days per week from the family law courts, Brisbane, providing duty lawyer advice and social work supports to clients involved in family law proceedings or about to commence those proceedings. We noticed a growing demand for our services with the rise in self-represented litigants in the family law system.

CASE EXAMPLE

A trial judge referred a father, who was the respondent in parenting proceedings involving a seven-year-old child, which was set down for a final hearing, to our Family Advocacy and Support Service for assistance and support. An independent children's lawyer supported the mother, who was seeking a final order for supervised time at a contact centre and sole parental responsibility with no decision-making involvement of the father. The very distressed father, who had limited involvement in the child's life and had filed

Clients are provided with urgent assistance to prepare court documents to obtain orders to locate and recover a child. They are assisted at the first hearing date to understand the court process and negotiate interim arrangements, and also at interim hearings and at trial preparation. Social supports, information and referrals are provided by the social worker at the court to enable clients to address social needs, identify and respond to domestic violence and become connected with services that support families.

no trial material, received comprehensive and practical legal advice to resolve all parenting issues from Caxton's duty lawyer and emotional support from our social worker.

The duty lawyer was able to negotiate for the father's views to be included in all decisions. The duty lawyer was also successful in adjourning the contact matter to prepare an affidavit on the issue of supervision, and the trial judge finally granted the orders sought by the father. This meant that the client could build a good relationship with the child in a safe and natural environment.

DOMESTIC AND FAMILY VIOLENCE DUTY LAWYER SERVICE

Our lawyers provided duty lawyer services to almost 700 clients over the last financial year in collaboration with other legal and support services at the Brisbane Magistrates Domestic Violence Court. The clients received a full representation service at the first hearing of the protection order application.

Our service provides legal advice to respondents, and Legal Aid Queensland provide legal advice to the aggrieved. Many clients are assisted to resolve the matter at the first hearing. Sometimes the respondent is the person who is most in need of protection, and assistance is provided to apply for a protection order. We continued to see clients who present with complex issues including mental health, housing, substance abuse, criminal history and literacy issues.

CASE EXAMPLE

Our elderly client experienced serious and controlling psychological and emotional domestic violence within her ten-year relationship with her second husband. Our client owned her own home, and her husband, who had lived with her, convinced her to draw down all her superannuation to support him. He was also an expert in impression management, making everyone believe he was her loving carer.

Our client's mental health had significantly deteriorated and she had tried to commit suicide on various occasions. She had been hospitalised several times due to her mental health. When she tried to tell social workers, doctors and her psychologist that she was experiencing serious emotional domestic violence, nobody had validated her experience or assisted her to do something about it.

SENIORS LEGAL AND SUPPORT SERVICE

The Seniors Legal and Support Service (SLASS) continued to provide legal advice, social work support and complex casework for older persons who are experiencing or are at risk of experiencing elder abuse. With a human rights framework underpinning the work we do, we provide a suite of legal and social support options, which increase the autonomy of the older person to choose what is best for them to address their situation. The most commonly presenting issues are still financial and psychological abuse of older persons by their adult children often living in the older person's home.

We have successfully assisted older people to:

- set boundaries and live peaceful lives in their own homes
- recover funds from granny flat situations turned bad
- be released from lending arrangements they were pressured into by family members and received no benefit
- obtain orders that protect them from physically abusive partners and relatives
- retain decision-making authority over their personal and financial matters.

Caxton's social worker was the first person to believe her story and support her to leave the home and receive legal advice. Our social worker and lawyer visited the client in a safe place and completed her application for a protection order. Our duty lawyer appeared for the client on the first return date to argue for an ouster order, and she was also supported by a social worker. We provided the husband with a list of housing options including crisis housing, and he relocated within 14 days. A temporary protection order was made with the full suite of conditions. At the next return date, the duty lawyer negotiated with the husband's duty lawyer for a final protection order.

The client was incredibly relieved and happy to be back in her house with her beloved animals. She very overtly exclaimed that she could now live her last years in peace and without feeling the need to end her life prematurely because of the abuse she had been enduring.



LAW REFORM AND LEADERSHIP

The Family, Domestic Violence and Elder Law Practice is actively engaged in legal reform especially in the areas of family law and about the prevention of domestic violence and elder abuse. There is significant change afoot in the family law system, and we prepared a lengthy submission to the Australian Law Reform Commission on the proposed family law reforms.

National Elder Abuse Conference

Scott McDougall, Mark Thomas, Ros Williams, Helen Wallace, Cybele Koning and Melody Valentine attended the 5th National Elder Abuse Conference in Sydney. The number of attendees has grown to over 500 participants, signaling that elder abuse is now being recognised as a serious issue.

The Seniors Legal and Support Service actively engaged with other attendees at their stall in the exhibition area, and Mark and Cybele presented on the integrated social worker–lawyer intervention model. People were extremely interested in that model, asking many questions about how that service is delivered and how it can be replicated in other states.

Helen, Cybele, Anne-Louise McCawley and Brian Herd formed a panel of experts and explored the dynamics of elder abuse, providing insights in response to four questions: 1. How do you balance an older person's right to make their own decisions with the need to protect them from abuse? 2. Why does elder abuse continue to elude the health care system? 3. What should we expect from banks to adequately address financial elder abuse? 4. Should elder abuse be a crime?

Virginia Trioli chaired the panel, and we received fantastic feedback about the value of using a role play to get the message out.

The highlight of our service's efforts was the drama performed by Siren Theatre Co and arranged by Ros, where the actors presented two classic elder abuse scenarios.

Caxton and ADA Australia have partnered to convene the National Conference in 2019 to be held on 22 and 23 July at the Brisbane Convention and Exhibition Centre.

Elder Abuse National Plan and Elder Abuse Action Australia

We have been involved in consultations with state and federal government departments and other stakeholders regarding the national plan on elder abuse. It is an exciting time for people passionate about eliminating elder abuse now that serious attention is given to what it might take to tackle the issue. Elder Abuse Action Australia (EAAA), the national body established to deliver a knowledge hub and provide policy guidance on elder abuse, has received federal funding and has commenced its work. Cybele is a board member of EAAA and Scott was a founding director.

COMMUNITY ENGAGEMENT

All members of FDVELP are actively engaged in social and legal reform especially about the prevention of elder abuse and practice initiatives to address systemic issues surrounding domestic and family violence. We are also extensively involved in community education and actively engage with relevant networks and community groups by:

- organising our annual two-day statewide Seniors Legal and Support Services Conference attended by SLASS lawyers and social workers from Queensland and external stakeholders
- delivering presentations, role play and community discussions on elder abuse focused on Aboriginal and Torres Strait Islander communities and services, including outreach visits to Cherbourg and Logan in collaboration with DATSIP, EAPU, ADA Australia, the OPG and the Queensland Indigenous Family Violence Legal Service
- presenting our elder abuse role play plus Q & A time for allied health professionals at the Prince Charles Hospital and for the Redcliffe Older Person's Action Group on World Elder Abuse Awareness Day
- representing our practice at stalls at Seniors Week and the Forde Seniors Expo
- presenting on elder abuse to the support groups at Carers Qld, to Alzheimer's Queensland, to trainee geriatricians at the Prince Charles Hospital, to social work students at Griffith University, to the Greek Orthodox Community and to Dementia Training Australia
- speaking on a COTA podcast on how to recognise and respond to elder abuse
- being an active technical advisory group member for the National Prevalence Study on Elder Abuse

- being an active member of the Guardianship Implementation Reference Group
- attending quarterly meetings of the enduring power of attorney reference group chaired by the OPG
- attending quarterly meetings of the EAPU reference group
- attending the Gold Coast Elder Abuse Taskforce formed to provide collaborative casework planning for complex elder abuse cases on the Gold Coast
- being a member of the steering committee of the Child and Family Legal Assistance Forum
- being a member of the Brisbane Domestic Violence Service sub-committee and two of its working groups, the legal working party group, and the culturally and linguistically diverse working party group
- attending the Federal Circuit Court of Australia and Brisbane Magistrates Domestic Violence stakeholder meetings.

Queensland Retirement Village and Park Advice Service

The Queensland Retirement Village and Park Advice Service (QRVPAS—formerly PAVIL) provides legal advice and information to people in Queensland living in (or considering moving into) a retirement village or manufactured home park. In 2017–18, the team has been working hard to finalise casework matters for large groups of clients, deliver an extensive program of community legal education sessions across Queensland, and to advocate for better consumer protections in the *Retirement Villages Act 1999* (Qld) and *Manufactured Homes (Residential Parks) Act 2003* (Qld).

COMMUNITY LEGAL EDUCATION

The 2017–18 financial year saw QRVPAS delivering community legal education (CLE) to a total of 3158 participants across South East Queensland, Warwick and Stanthorpe, out west as far as Roma, and up north to Mackay, Gladstone, Rockhampton and Bundaberg.

We have had overwhelmingly positive feedback from participants who attended our CLE sessions.

- Very informative, easy to understand, well presented
- Excellent that we now know that we have a place to turn to when legal help is needed
- It was informative and information really equates to power
- Nastassja was very clear and precise with her coverage of topics from the Manufactured Homes Act, and with her advice to those residents who raised queries throughout the talk. We would not hesitate to recommend this visit and presentation to other such residential parks

Here we must give a special thank you to Michelle who has fielded many enquiries and managed our CLE schedule during such a busy period.

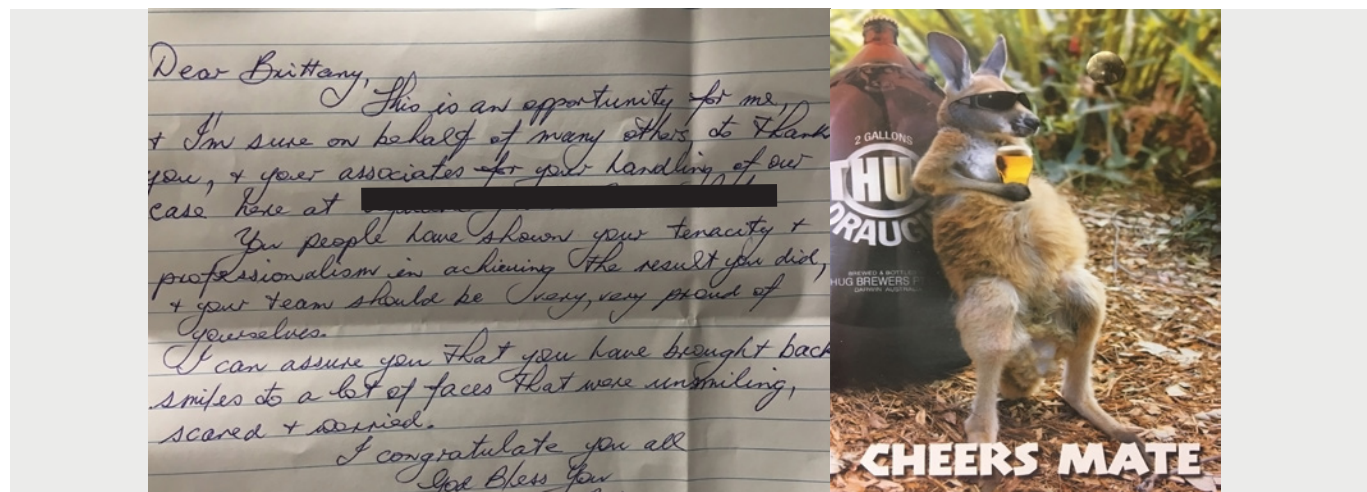


LAW REFORM

In mid-2017, the Queensland Government introduced the Housing Legislation (Building Better Futures) Amendment Bill 2017 (Qld). Our team was involved in various stages of consultation on the Bill, and appeared at the Public Works and Utilities Committee hearing to advocate for the interests of consumers. The Bill has since been passed and resulted in amendments to both the *Retirement Villages Act 1999* (Qld) and *Manufactured Homes (Residential Parks) Act 2003* (Qld), which introduced some important protections for residents.

QUEENSLAND RETIREMENT VILLAGE AND PARK ADVICE SERVICE FUNDING

After a lengthy period of uncertainty about the future of QRVPAS, we are pleased to have received additional funding from the Queensland Government's Department of Housing and Public Works, which will see the service carry on over the next five years. We are looking forward to building on our existing strengths to continue to deliver great outcomes for our clients.



CASE EXAMPLE

The service represented a group of 21 people who were homeowners living in a manufactured home park. The park owner had recently issued the residents with new site agreements that included an additional term requiring them to obtain building certification. The residents were concerned that the cost of doing so would be prohibitive—with some of their homes being over 20 years old—and many refused to sign the agreements. Nevertheless, the park owner proceeded to issue them with breach notices requiring the homes to be certified, and then applied to the Queensland Civil and Administrative Tribunal (QCAT) for an

order terminating their site agreements and evicting the individuals from the park.

With barristers Andrew Crowe QC and Maxwell Walker appearing before QCAT, the matter ultimately resolved with all 21 clients retaining their right to continue living at the park without having to obtain costly certification. This group of clients included many elderly pensioners who had been living in the park for over 10 years, along with other individuals in situations of financial hardship, who would have had to abandon their home and be at risk of homelessness if they were evicted from the park.

Social Work

Social work services are alive and well across all Caxton's services. We have enjoyed a relatively stable year in terms of staffing with just one social worker Lena Lundell moving on. Lena has been ably replaced by Romana Leisser, based with the Human Rights and Civil Law Practice.

You can see in the diagram below how our social work resources are deployed.

Family, Domestic Violence and Elder Law Practice	<ul style="list-style-type: none"> Social work service to Seniors Legal and Support Service Social work service to Family Advocacy and Support Service in the Family Court
Human Rights and Civil Law Practice	<ul style="list-style-type: none"> Social work service to clients through the Queensland Retirement Village and Park Advice Service, the Coronial Assistance Legal Service, the Human Rights and Civil Law Practice (including employment law), and the Family Law and Family and Domestic Violence Duty Lawyer services
Administration and Community Engagement	<ul style="list-style-type: none"> Social work service to support front desk staff with clients as needed

CASE EXAMPLE

Our client, Mr B, an 87-year-old widower, wanted help with financial, verbal and psychological abuse from his son. He had relocated to Brisbane at the persistent urging of his son, leaving his friends and social groups behind. The honeymoon of support from Mr B's son was short lived, however, and an old pattern of coercive control re-emerged. In short, his son:

- contacted Mr B's friends telling them not to call and threatening them
- persuaded Mr B to revoke his existing enduring power of attorney (EPA) and to appoint the son instead
- twice applied to the Queensland Civil and Administrative Tribunal (QCAT) to be appointed as Mr B's guardian and administrator including an interim order
- twice demanded Mr B's GP provide a medical report confirming loss of decision-making capacity
- demanded Mr B cease contact with Caxton
- demanded that Caxton cease contact with Mr B
- interfered with Mr B's arrangements with his neighbours for help with pet care.

QCAT granted the son's application on an interim basis—our client found out when his access to his bank account

reduced to a small allowance. QCAT refused the application at the hearing where the medical reports confirmed his decision-making capacity across all domains.

Sadly, months later, as Mr B prepared to sell his home and move back interstate, his son repeated the QCAT application process. At this point our social worker, with Mr B's consent, liaised with the GP and QCAT case manager to update on recent history, confirmed that Mr B wished his new EPA to be a confidential document and not given to his son, and that current capacity reports would be provided.

To Mr B's relief, the application for an interim order was dismissed, a limitation order was made to ensure Mr B's EPA document would remain confidential, and also the application for guardianship and administration was later dismissed following the submission of new medical reports.

Mr B's health then improved, he regained control of his finances and decision making in all areas of his life, he set up a new EPA with special clauses to minimise future risk of interference by his son and was able to move near his supportive friends. Our social worker played a vital role ensuring Mr B had information and supports needed to take action.

TWO SOCIAL WORK MODELS

We use two models of interpersonal work. One is where a staff or volunteer lawyer refers a client for social work assistance when the lawyer providing advice has concerns about the client's wellbeing. The other model features in our Seniors Legal and Support Service, where the social worker and lawyer work jointly with each client and use a shared file. Both ways of working are effective, and the interdisciplinary collaboration is seamless with good understanding of the respective roles and skills. You can read about the integrated model within our elder abuse work on the Caxton Legal Centre website.

Ultimately, the client benefits when those providing a service have a more holistic understanding of the person's situation and their capacity to engage with the justice system while facing multiple health or welfare challenges.

SECTOR AND PROFESSIONAL DEVELOPMENT

The social worker's tool kit is always packed with knowledge of resources that are likely to benefit clients. We maintained good networks across the human services sector so that we could make warm referrals for clients. For example, we contributed at stakeholder groups for elder abuse, central Brisbane interagency networks, and a Gold Coast group that has trialled a collaborative, multi-agency response to complex elder abuse cases.

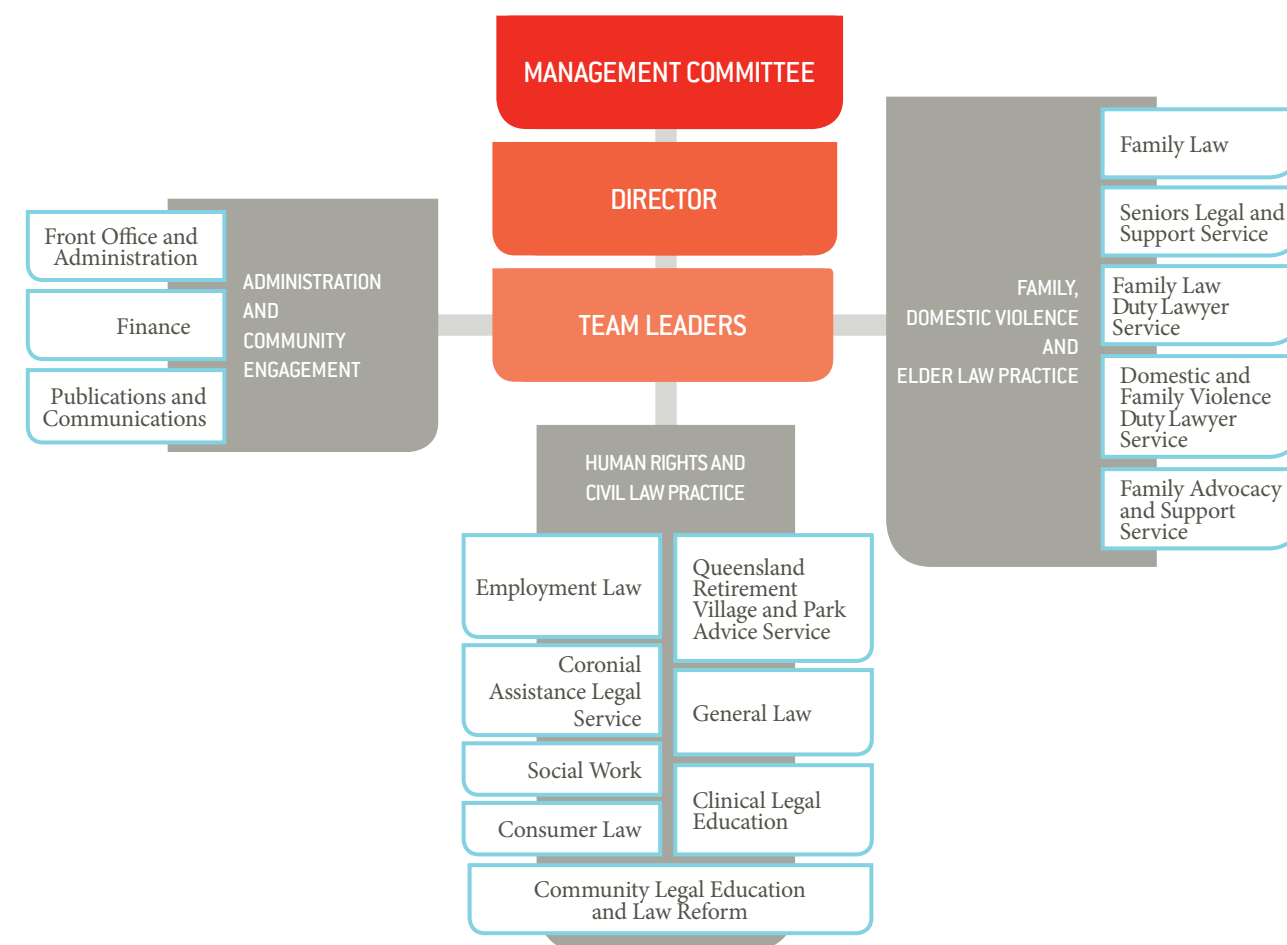
We supervised university social work students offering them high-quality placements and also supported some university social work research, such as a UQ project underway to examine the life course of older people living in precarious housing.

Social work themes featured strongly at the Seniors Legal and Support Service two-day training conference in September 2017. We trialled a role play of a Caxton home visit to elicit audience involvement at key decision points of the 'case'. We repeated this at the National Elder Abuse Conference in February in Sydney and enjoyed seeing professional actors performing the roles.

CULTURAL CHANGE THROUGH COMMUNITY LEGAL EDUCATION

Social workers played a large role in our community education sessions offered throughout the year in various forms, from information booths, presentations and role plays. This is a grass roots approach to raising awareness with community audiences and agencies about how to access justice. Combined with our law and policy reform efforts at state and national levels, the end game is a fairer society with access to justice for all. The privilege of working with our clients at the coalface makes it imperative that we strive for change where it is needed.

Our Organisation



OUR VISION

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

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

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

OUR GOALS

To promote access to justice.

To provide free legal advice and information.

To empower people to address their legal problems.

To increase community awareness of the law.

To produce clear, easy-to-read publications.

To work to change unfair laws.

WHO WE ARE

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

WHAT WE DO

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

OUR CLIENTS

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

University Student Clinics

Queensland University of Technology

The Queensland University of Technology clinic at Caxton continued to provide students with an invaluable experience and hands-on introduction to the law and the work that we do. There were three clinics, which ran throughout the year, with students becoming involved in one of two placement types. Some students attended our busy evening advice sessions and assisted with the client intake process, took instructions from clients and observed the provision of legal advice

University of Queensland

The Consumer Law Advice Clinic continues to be supervised by Caxton lawyer Amanda Hess and sees UQ students taking instructions directly from clients and working on a range of consumer protection matters. In addition to producing favourable outcomes for vulnerable clients, the clinic develops the students' interviewing, research and analysis skills in a supportive environment. The students gain the experience of dealing with clients directly and an appreciation for the difficulty clients experience when dealing with consumer law issues and financial hardship.

MANNING STREET PROJECT

Caxton Legal Centre's partnership with the University of Queensland Pro Bono Centre generates policy research to help leverage the work of community legal centres and non-profit agencies throughout South East Queensland. The director of the Pro Bono Centre provides project oversight and leads the coordination between the various agencies involved. During 2018, Bridget Burton, Coordinating Lawyer of the Human Rights and Civil Law Practice at Caxton, was seconded to the Pro Bono Centre to act as director while Monica Taylor is on leave.

provided by our many volunteer lawyers and barristers. Others assisted our staff lawyers within our Family Law and Domestic and Family Violence Duty Lawyer services located at the Federal Circuit Court and Magistrates Court. There, students assisted with the client intake process, observed the provision of legal advice and had the opportunity to learn from watching our duty lawyer representation in court.

In Semester 2 2017, UQ law students (under supervision of Monica Taylor) worked on the following four projects:

- Like Love Project—responding to vilification preceding the same-sex marriage postal survey with the LGBTI Legal Service
- We need to axe the tax, period—GST and sanitary items with Share the Dignity and Dr Thea Vogt
- environmental law reform with the Environmental Defenders Office
- video-conferencing in youth justice—an empirical research project with the Youth Advocacy Centre and Professor Tamara Walsh.

In Semester 1 2018, UQ law students (under supervision of Bridget Burton) worked on the following four projects:

- objectionable behaviour evictions in social housing with Caxton Legal Centre
- police photography of young people (responding to Operation Tucson) with Caxton Legal Centre
- barriers to accessing justice in rural, regional and remote communities in Queensland with the UQ Pro Bono Centre
- lobbyists and the revolving door between industry and government with the Environmental Defenders Office.

Griffith University

Caxton has now been running student legal clinics in conjunction with Griffith University for 24 years, and we continue to run a general law student clinic in first semester and family law student clinics in semesters 2 and 3 each year. Our clinics enable us to engage with law students in a genuine, work-integrated learning environment, providing students with practical real-world skills. Most importantly, our clinics give us the opportunity to provide needy clients with additional attention and service, especially in the preparation of simple court documents, which we often cannot complete at our evening advice sessions.

Running our clinics during the day when our social workers are on the ground, also enables us to provide a more holistic service in accordance with our preferred multidisciplinary model of service delivery. This is invaluable for our students' learning and provides additional support for our clients when necessary. One of our students from last year sent the following message:

Good morning Ros and Fiona,

I hope this email finds you both well.

In early February, I was fortunate enough to gain a graduate position working at Porter Davies Lawyers in their property department. I have been working here for six weeks and while I'm still learning every day I am settling in. While the area of law is different to a lot of the work we did in the clinic, I honestly believe that I wouldn't have been as prepared for my new role had I not spent time working at Caxton in the clinic.

As today is a Monday, which was our clinic day, I was thinking of you both and wanted to communicate my thanks for the guidance, support and friendship you both shared with me. My time at the Caxton general clinic was by far my favourite experience at university.

Would love to catch up with you both one day in the future. Have a great Monday.

Kind Regards,

Patrick Lally

In first semester, we again worked with six talented final-year law students from Griffith to advise clients across a wide range of legal matters including property damage claims, debt disputes, discrimination cases, neighbourhood disputes, tenancy disputes, criminal matters, a range of family law matters and substitute decision-making matters.

This semester, our family law clinic took a new turn when experienced lawyer Terry Stedman joined our family law team and took over as co-supervisor in the family law clinic, along with Bronwyn Lloyd. This clinic similarly gives us the opportunity to provide vulnerable clients with more detailed help in terms of document preparation and advice. Our clients are often particularly desperate to gain understanding about procedural matters and how to act as self-represented litigants. Legal know-how is one thing, but the 'show-how' is very often what our clients want from our service.

Thank You!

Volunteering is always a matter of choice ...

and all of Caxton's invaluable volunteers made that choice, often on a weekly basis—you all went the extra mile beyond your day-to-day work and family duties, to provide Caxton's clients with accurate, immediate and practical legal advice. You made an enormous difference in the lives of our clients, which is reflected in the grateful feedback we receive regularly. A humble 'thank you' hardly matches our level of appreciation for all your fantastic work!

We are also extremely grateful to our volunteer law students, who played a pivotal role at the front desk and at the evening advice sessions. You attended to endless numbers of clients who often presented with distressing stories or complex

scenarios. We required you to have insight and patience, and to rapidly learn about what legal problems we can help with and how to make appropriate referrals—and you never let us down! In 2017–18, we answered an average of 141 calls a day ... this would have been absolutely impossible without you!

A special thank you must go to the members of the Bar who selflessly assisted with a number of matters in court and achieved many positive outcomes that undeniably changed our clients' lives.

And last not least, many thanks to Allens for their continual support with the excellent layout of this report.

Our unreserved **Thank You** goes to:

BARRISTERS

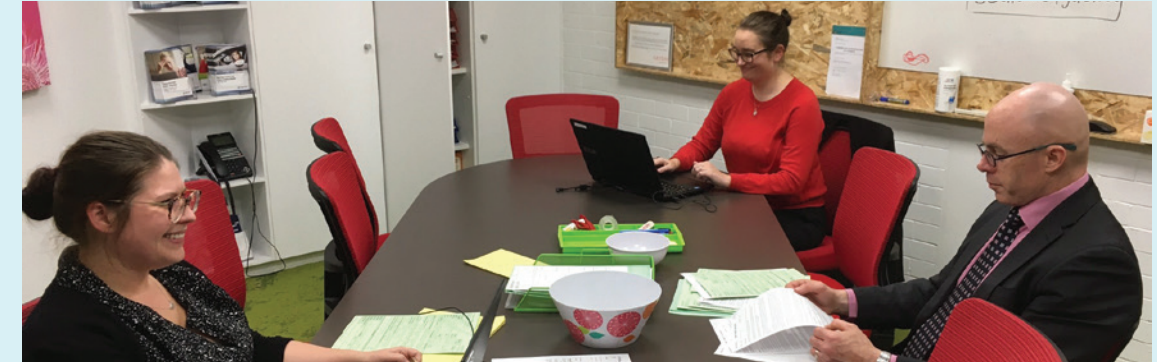
Andrew Boe	Stephanie Brown
Stephen Carius	Carolyn Buchan
Simon Cleary	Luke Bull
Craig Coulsen	Stephen Carius
Josh Creamer	Jessica Carroll
Andrew Crowe QC	Glenn Carthew
Kate Eastman QC	Shannon Chen
Dan Fuller	Daniel Clare
Simon Hamlyn-Harris	Simon Clayler
Matt Jackson	Stephen Colditz
Stephen Keim SC	Hannah Daley
Polina Kinchina	Jack Donaghy
Katrina Kluss	Helen Donavan
Michael Liddy	Angus Eaton
Charles Martin	Rica Ehlers
Jade Marr	Stephanie Ewart
Sian McGee	Amelia Feachnie
Paula Morreau	Niamh Fields
Travis O'Brien	Matt Forbes
Mitch Rawlings	Susan Frisby
Sally Robb	Kate Fuller
Scott Seefeld	Yusuf Furgan
Bruce Wacker	Grant Furiosi
Maxwell Walker	Adele Garnett
Patrick Wilson	Andrew Gillard
Michael Woodward	Sean Gilmour

VOLUNTEER LAWYERS

Thomas Allen	Nick Glen
Fiona Banwell	Sophie Goossens
Ellie Bassingthwaight	Erinn Griffiths
Jane Binstead	Graeme Haas
Michael Bonasia	Anita Marie Hall
Melissa Bostock	James Hall
Emma Bray	Phil Hall
Kate Brodnik	Elizabeth Harvey
Patrick Brown	Robert Harvey
	Mark Healy
	Julie Hearnden
	Amy Hehir

Reimen Hii	Ben Michell
Chad Hill	Simone Mizikovsky
Melanie Hindman	Nashneen Mohammed
Louise Hogg	Natalie Morris
Melissa Hogg	Adam Moschella
Amy Honan	Joshua Mountford
Alice Husband	Aimee Mundt
Robert Ivessa	Ray Murphy
Kane Jones	Christine Nguyen
Jane Kam	Josephine Nicholson
Claudine Kasselis	Nicole Nolan
Johanna Kennerley	Genevieve Nuttall
Amanda Kent	Bridget O'Brien
Sky Kim	Emily O'Hagan
Emma Kirkby	Neil Paris
Sarwan Kovacevic	Damien Payard
Ria Ku	Luke Percy
Remy Kurz	Dermot Peverill
Jasmine Lam	Aurora Porras
Andrew Lander	Dan Pratt
Flora Lee	Matthew Price
Trang Le-Huy	Niren Raj
Emily Lewsey	Vaishi Rajanayagam
Victoria Limerick	Samantha Ramsay
Anna Lloyd	Kristin Ramsey
Jack Longley	Mitchell Rawlings
Rachel Lusic	Adam Ray
Gregory Lutvey	Kelsea Read
Ken Mackenzie	Jacob Redden
Martin Mallon	Polly Richardson
Rebecca Mann	Phillip Ridgway
Elena Marchetti	Yoshiko Robertson
Clare McDonald	Edmund Robinson
Harry McDonald	Kay Rosolen
Iain McGregor-Lowndes	Flynn Rush
Kathryn McMillan	Ann-Maree Russo
Dean McNulty	Nigel Saines
Jane Meehan	Aaron Santelise

Reimen Hii	Ben Michell
Chad Hill	Simone Mizikovsky
Melanie Hindman	Nashneen Mohammed
Louise Hogg	Natalie Morris
Melissa Hogg	Adam Moschella
Amy Honan	Joshua Mountford
Alice Husband	Aimee Mundt
Robert Ivessa	Ray Murphy
Kane Jones	Christine Nguyen
Jane Kam	Josephine Nicholson
Claudine Kasselis	Nicole Nolan
Johanna Kennerley	Genevieve Nuttall
Amanda Kent	Bridget O'Brien
Sky Kim	Emily O'Hagan
Emma Kirkby	Neil Paris
Sarwan Kovacevic	Damien Payard
Ria Ku	Luke Percy
Remy Kurz	Dermot Peverill
Jasmine Lam	Aurora Porras
Andrew Lander	Dan Pratt
Flora Lee	Matthew Price
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Dean McNulty	Nigel Saines
Jane Meehan	Aaron Santelise



Olga Sashko	Fleur Barnard
William Schoenmaker	Katherine Barnes
Nikila Schomberg	Maud Beach
Brandon Selic	Anna Brasnett
Thomas Serafin	Jackson Bristed
Michael Seymour	Elaina Brook
Rifayat Shamma	Shannon Brown
Jai Shepherdson	Chrystal Campbell
Justin Sibley	Tom Canniffe
Sooraj Sidhu	Steven Cawood
Ron Sinclair	Aron Cheung
Nicole Smith	Ruth Cobbold
Roisin Sommerville	Denielle Collins
Luke Steel	Ellie Conroy
Robert Stevenson	Lydia Cowan-Dillon
Frances Stewart	Taylor Crydon
Megan Stewart	Camren Cutuli
Brent Stowers	Courtney David
Aleksandra Symenovych	Sarra Davis
Monica Taylor	Nicholas Davison
Chris Templeton	Laura Dawson
William Thams	Kaitlin De Souza
Emma Thompson	Clea Denham
Karen Thorpe	Simran Desai
Robert Tooth	Cecille Dimalanta
Darren Townsend	Nam Doan
James Treganza	Raphael Ebeling
Claire Tuffield	Sarina Fair
Stuart Unwin	Emma Fell
Faith Valencia-Forrester	Benjamin Forshaw
Joshua Van Coevorden	Shakira Fraser
Lynette Vanderstoep	Gemma Galloway
Jane Vasey	Daniel Gerber
Lisa Walker	Sarah Gilmore
Maxwell Walker	Christel Goh
Myles Walker	Shannon Gorman
Stephanie Walker	Ashleigh Gray
Patrick White	Siwei Guo
James Wieden	Amelia Hasson
Kurt Wildermuth	Emily Hazzard
Patrick Wilson	Tara Holland
Yi Zhao	Ella Humphreys
Pawel Zielinski	Toby Hunt
Thomas Zwoerner	Damien Janbroers

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Ruth Cobbold
Denielle Collins
Ellie Conroy
Lydia Cowan-Dillon
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Amrit Prihar
David Quodling
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Ngarangi Rangihuna
Ramisa Raya
Beth Royan
Neraj Saluwadana
Aimee Schoeman
Brittany Seip
Eden Sher
Mu Shwe
Rachel Sim
Brodie Smith

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Eleanor Sondergeld
Kate Stewart
Hayley Stokes
Bianca Stringer
Maxwell Suchall
Georgia Sullivan
Carissa Tan
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Jasmine Tran
Stephanie Tsimos
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Anabelle von Frankenberg
Angelina Vukovic
Sara Wainwright
Jessica Walton
Ashley Watson
Ally Wells
Harriet White
Isobel Whittle
Hannah Whitton
Toni Wiltshire
Timothy Wong

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Amrit Prihar
Kaitlin De Souza
Jarred Mace
Faeza Lima
Alex Neilson
Guy Kelleher
Carol McPhail

SOCIAL WORK STUDENTS

Shannon Gorman
Saad Asghar
Aimee Schoeman

LAW FIRMS

Allens
Ashurst
Herbert Smith Freehills
HopgoodGanim
MinterEllison

Making Waves

LAW REFORM CAMPAIGNS AND ACTIVITIES



RON SINCLAIR, one of our volunteer lawyers, sadly passed away early this year. Ron joined our roster late in 2016 and quickly became a fixture at our Tuesday night sessions, providing clients with sage advice about a myriad of sometimes incredibly complex civil law matters.

Ron's move into semi-retirement, after a very long legal career where he worked internationally in high-end commercial disputes and contract matters, saw him seeking out new ventures, including volunteering at Caxton. He immediately stood out as a lawyer with incredible

experience and wisdom, and the special gift when it came to managing our clients. He also particularly enjoyed mentoring our student volunteers, and the clinical students quickly worked out that Ron was the 'go to guy' as he was always approachable and took time to discuss any issues.

We just loved having Ron around because of his wit and wry sense of humour. He loved a joke and brought real warmth to our busy evening clinics. We all miss him dearly.

Law Reform Campaigns

HUMAN RIGHTS ACT CAMPAIGN

Caxton has played a leading role in the campaign for a Human Rights Act in Queensland since 2015 when the Attorney-General announced that the state government would refer the question of whether it is appropriate and desirable to legislate for a Human Rights Act in Queensland to the Legal Affairs and Community Safety Committee.

We joined a number of other community legal centres, community organisations and disability services to support and campaign for the introduction of a Human Rights Act in Queensland.

The momentum of the campaign built in the 2017–18 financial year, with the Labor Party making an election commitment prior to the 2017 election to introduce a Human Rights Act if they formed government.

We have continued to play an integral role in the campaign by meeting with members of parliament and seeking to educate the community on the need for a Human Rights Act and the benefit of the protection and promotion of human rights for all Queenslanders.

We have participated in this campaign because all Queenslanders should be treated fairly and equally, and have their fundamental human rights respected, protected and fulfilled. All too often we witness our clients treated unfairly by government and have their human rights infringed with very little recourse.

The Human Rights Bill has been introduced to Queensland Parliament on 31 October 2018.

ELDER ABUSE CAMPAIGN

Caxton has been in the thick of moving the national discussion on elder abuse towards action. Elder Abuse Action Australia (EAAA) was launched by the Attorney-General Christian Porter on 14 June at the Seniors Rights Service in Sydney. Scott McDougall was a founding director and Cybele Koning is a board member of EAAA. Elder Abuse Action Australia is the new national peak body established to respond to and prevent elder abuse.

The first piece of work for EAAA will be to support the development of a Knowledge Hub. As recommended by the Australian Law Reform Commission's report *Elder Abuse—A National Legal Response*, a national plan to address elder abuse was announced in February 2018 at the National

Elder Abuse Conference in Sydney, which Scott, Mark Thomas and Cybele attended. The Council of Attorneys-General, comprising the Commonwealth and all state and territory Attorneys-General, has agreed to work together to develop the plan. Cybele attended the state government consultation and provided written feedback on the National Plan Consultation Paper. Scott and Cybele attended the Commonwealth government consultation day in Canberra.

RACISM. IT STOPS WITH ME CAMPAIGN

Caxton Legal Centre is proud to have joined forces with some of Australia's leading businesses, sporting bodies and non-government organisations to support the Racism. It Stops With Me campaign. This year we have committed to preventing racism by pledging to take activities in support of the campaign, which is being led by the Australian Human Rights Commission. Staff have included the campaign banner in their email signatures and we have distributed campaign material throughout the centre.

Law Reform Activities

This year we delivered submissions in response to the following broad range of Bills, inquiries and departmental discussion papers:

- Australian Law Reform Commission's inquiry into the incarceration rate of Aboriginal and Torres Strait Islander peoples
- Australian Law Reform Commission's review of the family law system
- Family Law Amendment (Family Violence and Cross-examination of Parties) Bill 2017
- the review of the Australian Solicitors' Conduct Rules
- changes to the *Retirement Villages Act 1999* (Qld) and *Manufactured Homes (Residential Parks) Act 2003* (Qld)
- the Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry
- the Guardianship and Administration and Other Legislation Amendment Bill 2017 inquiry (joint submission with Townsville Community Legal Service)
- review of the General Insurance Code of Practice (Mental Health Best Practice Principles)
- Australian Energy Regulator (Retail Exempt Selling Guidelines)
- review of the Australian Charities and Not-for-profits Commission.

Reconciliation Action Plan

Caxton Legal Centre engaged in a range of activities inspired by our Reconciliation Action Plan 2018–20.

RECONCILIATION ACTION PLAN LAUNCH

In March 2018, Caxton was honoured to have Mr Mick Gooda, former Aboriginal and Torres Strait Islander Social Justice Commissioner, present as a guest speaker for the launch of its Reconciliation Action Plan 2018–20. Local Elder Uncle Sam Watson also attended the launch and Straddie Indigenous Delights treated us to a feast of delicious Aboriginal bush tucker.

The RAP launch created a welcomed opportunity for Caxton to strengthen its relationships with Aboriginal and Torres Strait Islander individuals and agencies, and to demonstrate our leadership in engaging in the RAP process within the legal services sector.

CULTURAL AWARENESS TRAINING

In August 2017, Caxton Legal Centre staff took a trip to Minjerribah, or North Stradbroke Island, as part of Caxton's cultural awareness training commitment. Staff learned about the Quandamooka people's cultural practices and use of artefacts, and took a tour of the Goompi Trail.

ENGAGEMENT WITH ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE AND SERVICES

Staff provided community legal education about elder abuse for Indigenous agencies and people in the Logan and Beenleigh areas, at Cherbourg, Zillmere and Morayfield, and met with the Inala Indigenous Health Service to share information and promote referrals. Caxton partnered with Legal Aid Queensland to hold a stall at Musgrave Park for the annual NAIDOC Family Fun Day.

JUSTICE IN FOCUS SERIES

As part of the Justice in Focus Series, Caxton partnered with Sisters Inside Inc. to present System Failure: The Overrepresentation of Aboriginal and Torres Strait Islander Women in Prison. A panel of Aboriginal and Torres Strait Islander women discussed the historical, social and systemic drivers that have resulted in the vast overrepresentation of Aboriginal and Torres Strait Islander women in prison.

PRESENTATION AT THE MYALL CREEK AND BEYOND SYMPOSIUM

Caxton Legal Centre Director Scott McDougall gave a talk on the history of massacres of Aboriginal people in the Queensland region at the Myall Creek and Beyond Symposium at the Oorala Aboriginal Centre at the University of New England.

Justice in Focus Series

Caxton's successful public forum series continued to engage large audiences on a wide range of essential topics that will shape our future.

Our ongoing relationship with ABC Radio National meant that the discussions were broadcast on the 'Big Ideas' program, ensuring they reach a national audience.



SOFT ON CRIME? How Sentencing Can Better Reflect Community Values – March 2018

Research found that, in 62% of cases, jurors would issue more lenient sentences than judges following a guilty verdict, however, that number deviated depending on the nature of the conviction.

We invited Kate Warner, Governor of Tasmania and law professor, the Honorable Margaret McMurdo AC and Dan Rogers, legal director at Robertson O'Gorman Solicitors, to a panel discussion on community values and the appropriateness of current sentencing practices.

This forum was moderated by ABC Radio National's Cathy Van Extel, and proudly presented in partnership with the Queensland Sentencing Advisory Council.



UNLAWFUL NON-CITIZENS: the Rise in Character Visa Cancellations – October 2017

The recent changes to the Migration Act raised significant human rights questions around enhanced ministerial powers, unlawful detention of immigrants and proportionate responses to those convicted of criminal offences.

Our panellists Julian Burnside AO QC, lawyer Kylie McGrath, academic Dr Peter Billings and Police Federation of Australia CEO Mark Burgess shared their insights at this discussion, which was proudly presented in partnership with the University of Queensland's TC Beirne School of Law.

This forum was moderated by ABC Radio National's Paul Barclay.



THE PERFECT STORM: the Evolution of Australia's Elder Abuse Crisis – September 2017

Reluctance to report elder abuse means there is a lack of hard data, however, the World Health Organisation estimates that one in six people over the age of 60 years will experience elder abuse worldwide.

We invited Age Discrimination Commissioner The Hon. Dr Kay Patterson AO, Matt Corrigan of the Australian Law Reform Commission and author Melanie Joosten to discuss the way factors such as an ageing population, plummeting housing affordability, ageism and family breakdown have converged to create a 'perfect storm' in the form of widespread elder abuse in Australia.

This forum was moderated by ABC Radio National's Antony Funnell and proudly presented in partnership with the Queensland University of Technology.

Highlights



CULTURAL AWARENESS TRAINING In August 2017, Caxton Legal Centre staff took an overnight immersion trip to North Stradbroke Island as part of Caxton's cultural awareness training commitment.



COMMUNITY LEGAL EDUCATION Brittany Smeed presented a well-received community legal education session about retirement living options to seniors at the University of the Third Age.



FAMILY FUN DAY Caxton staff seized the opportunity at the NAIDOC Family Fun Day and spoke to many members of the Aboriginal and Torres Strait Islander community and other service providers about our services, and built key connections and important referral pathways.



QUEENSLAND LEGAL WALK Caxton staff joined more than 1000 other walkers at the annual Queensland Legal Walk in May 2018, which raised almost \$100 000 for LawRight to continue their onerous work to assist vulnerable people experiencing complex social and legal problems.



RAP LAUNCH We were honoured to have Mick Gooda, former Social Justice Commissioner, launch Caxton's second Reconciliation Action Plan in March 2018.



SLASS CONFERENCE On day two of the SLASS conference, hosted by Caxton Legal Centre, an informal panel comprising Darren Clark, Allyson Lindsay, Karen Williams and Clinton Miles, discussed casework conundrums.



ELDER ABUSE CONFERENCE In February 2018, Cybele Koning and Helen Wallace attended the annual Elder Abuse Conference in Sydney.



CHERBOURG In November 2017, the Seniors Legal and Support Service headed to Cherbourg to present an educational talk about preventing and responding to elder abuse.



QUT LAW PRIZE Keryn Ruska presented Matthew Connop with the QUT Faculty of Law prize, sponsored by Caxton Legal Centre, for high-achieving Aboriginal and Torres Strait Islander student.

Case Studies

from the Human Rights and Civil Law Practice

Caxton Legal Centre lawyers Bridget Burton and Phylli Verrall were successful in having an appeal against the amount of compensation awarded to our client Ms Thorne upheld by the Queensland Civil and Administrative Tribunal (QCAT).

Initially, Ms Thorne successfully represented herself in an impairment discrimination complaint in QCAT with the tribunal finding that her former employer unlawfully discriminated against her on the basis of her impairment, and that the employer also sought unnecessary information on which unlawful discrimination could be based.

The effect of the discriminatory conduct caused Ms Thorne significant financial and non-financial loss. Despite the tribunal finding in her favour and accepting evidence of her loss, Ms Thorne was only awarded \$10 000 compensation.

Bridget and Phylli, assisted by counsel Andrew Boe and Polina Kinchina, represented Ms Thorne in her appeal against the quantum of compensation awarded by the tribunal. The basis of the appeal was that the award of compensation at first instance was manifestly inadequate when compared to other jurisdictions.

The tribunal found that an award of \$10 000 for hurt and humiliation in the circumstances of the case was extremely low. The tribunal held [at 60]:

In our view, an award of \$10,000 where an ongoing psychological injury was accepted is unreasonable or plainly unjust so that we may infer that in some way there has been a failure to properly exercise the discretion within the law.

The tribunal upheld the appeal and ordered that the matter be returned to the tribunal for rehearing on the issue of final orders to be made.

Recent decisions of the QCAT Human Rights Division reflect a significant increase in compensation for hurt and humiliation, and Caxton will continue to agitate for higher compensation awards, particularly in cases that involve breaches of human rights.

Thorne v Toowoomba Regional Council & Tytherleigh [2017] QCATA 128

from the Human Rights and Civil Law Practice

Tim Murray and Dan Fuller of counsel acted for an Aboriginal cultural heritage officer in a general protections claim in the Fair Work Commission. Our client was one of three Aboriginal cultural heritage officers who were dismissed because their employer thought they were not able to establish an ancestral connection to the Barada Barna people.

The three employees were all descendants of the same ancestor, Kitchener Brown, who was forcibly removed from his family in Central Queensland and taken to Cherbourg in 1908. Due to his removal, there is contention over whether Kitchener Brown was a Barada Barna person.

Fair Work Commissioner Chris Simpson found that being Barada Barna was an inherent requirement of the job but found that, at the time the decision to dismiss the employees was made, the employer did not hold a genuine or honest belief that Kitchener Brown was not a Barada Barna person. As the employer was unsure whether the employees were Barada Barna or not, their dismissal was unlawful. The commissioner ordered that the employer pay compensation to the three employees for their financial loss and to compensate them for the hurt and humiliation they suffered because of the dismissal. In his concluding comments in the decision, Commissioner Simpson stated:

It is impossible not to be moved by the great sense of sadness accompanying the facts of this case that are a by-product of the Stolen Generation of which Kitchener Brown was a victim. It is difficult to even begin to imagine the extent of misery the public policy of that time has inflicted on past and now present generations.

Roos v Winnaa Pty Ltd [2018] FWC 3568

from the Family, Domestic Violence and Elder Law Practice—Seniors Legal and Support Service

Raymond is a 70-year-old alcoholic man who separated from his wife many years ago. The service met Raymond when he was desperate to leave the secure dementia unit in a nursing home, where his son had placed him. The Queensland Civil and Administrative Tribunal (QCAT) had appointed Raymond's son to be his financial administrator after a hospital admission, when he was found living in squalid conditions. Once in receipt of good health care, Raymond's health and capacity to make decisions for himself were largely restored, although he still suffered from depression and anxiety. Raymond's son would not support Raymond moving back into the community, fearing a repeat episode of alcohol abuse and self-neglect.

Raymond felt aggrieved that he had been 'imprisoned' in the nursing home. He tried to escape over the wall of his room, and went on a hunger strike to force the nursing home to act. However, Raymond's son would not agree to a reviewed capacity assessment and would not discuss Raymond's financial situation with him, including a property settlement that was underway with his former wife.

The SLASS lawyer and social worker were concerned about balancing what appeared to be competing issues. On one hand, Raymond presented with reasonable capacity and convincingly advocated for his individual rights, but on the other hand, as the lawyer and social worker spent more time with him, it became apparent he had a lack of insight into the realities of his situation, including living independently. Knowing how best to intervene was sometimes tricky when balancing duty-of-care considerations, legal capacity across a number of decision-making domains, supporting Raymond's autonomy and maintaining familial relationships.

The social worker and lawyer supported Raymond at a QCAT application to declare his capacity. The tribunal declared that Raymond had capacity for day-to-day financial decisions (management of his pension, signing a lease, paying his bills), but that his son would remain his financial administrator for more complex financial decisions (management of his half share of the house sale proceeds).

As a result of the SLASS team's advocacy, Raymond's son eventually agreed to support Raymond to move to a friend's house where he would be well supported, and Raymond was released from the secure dementia unit.

The social worker and lawyer always adopted a family-centred approach in communications with Raymond's son while asserting Raymond's rights. Raymond was able to maintain his relationship with his son and can negotiate access to his term deposit for larger purchases. Practical social work support (e.g. help to set up direct debit bill payment) and access to a limited budget for alcohol have facilitated Raymond's ability to live independently in a way that is low risk and ongoing.

Client Tributes

Thank you so much, this Legal team is amazing and especially Yatarla who was assigned to us, a most caring compassionate lawyer. This has been a very difficult time for us and the care provided by your Firm was just amazing. Would highly recommend your service to anyone needing a compassionate caring look at a situation. Thank you from the bottom of our heart.



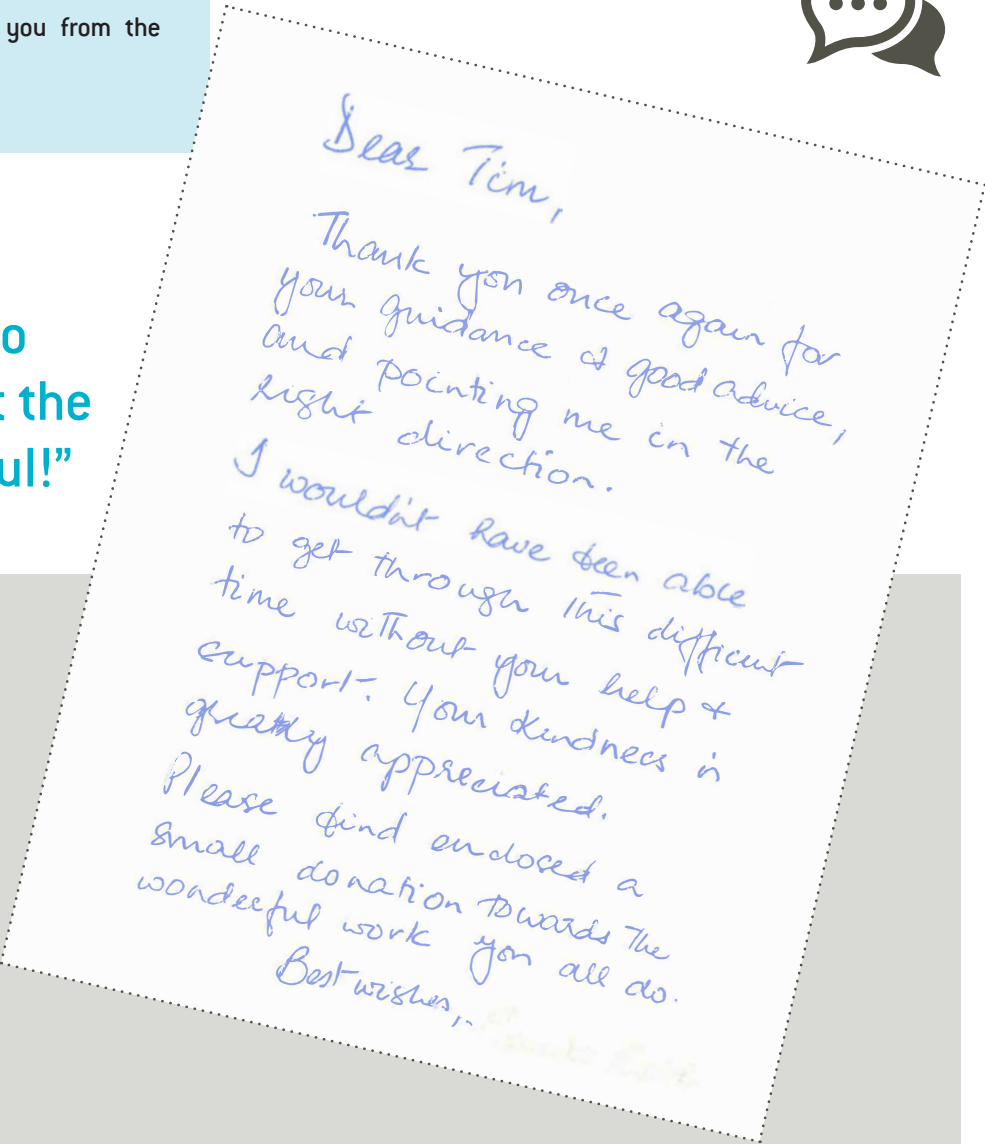
“Thank you so much. That was at the top range of helpful!”

Dear Romana

Im writing to thank you for your support today and through my journey. I don't know what the future will hold for me, hopefully positive, but to have you supporting me and that you have believe in me, means more than you realise.

Through this journey I have met wonderful people that far out weigh the people that have set out to deliberately destroy my life. Thank you again you are a credit to Caxton.

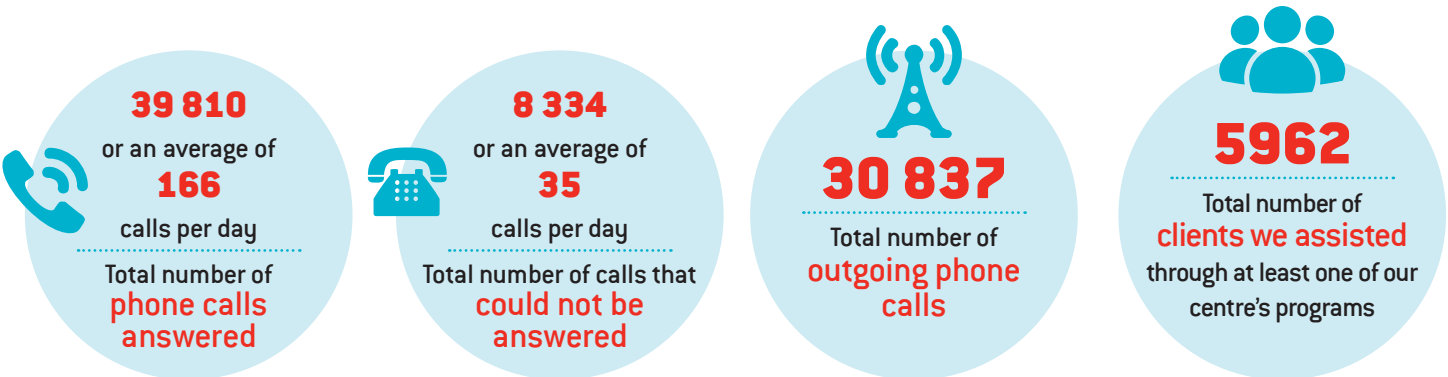
“You’re absolutely brilliant. No one realises how much help your phone calls give. I start to think maybe I can do something.”



Key Statistics

The National Association of Community Legal Centres introduced a new client information database [CLASS] for community legal centres in this financial year. New counting rules were also introduced, which changed the way we were required to record services to clients. The statistics in this annual report have been collected using this new system.

Our Services at Caxton Legal Centre



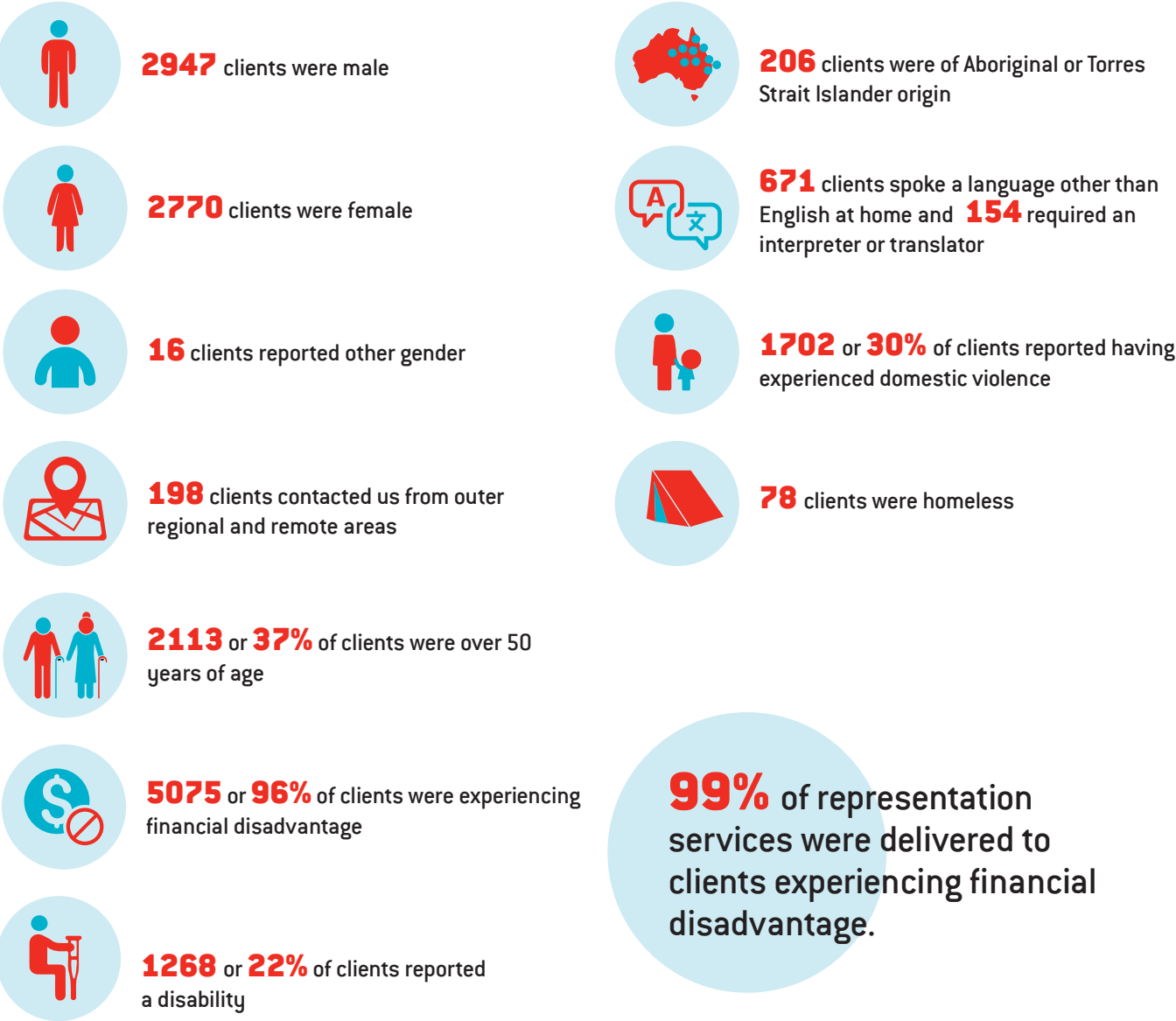
A BREAKDOWN OF OUR PROGRAMS AND THE NUMBER OF CLIENTS ASSISTED

Our Services	Number of Clients
Court Services	1214
Queensland Retirement Village and Park Advice Service	374
Seniors Legal and Advice Service	571
Social Work	190
Family Law, and Human Rights and Civil Law Practice (provided by staff lawyers)	1293
Evening Advice Sessions (most areas of law and provided by volunteer lawyers)	2320
Total	5962

Caxton’s **191** volunteers delivered **2932** discrete assistance services to clients at our evening advice sessions.

Our Clients

Note: Individual numbers do not necessarily add up to their sum total as some clients did not divulge certain information.



Interpreting Services

To ensure that the need for clear communication with our clients whose first language is not English was fully met, Caxton Legal Centre engaged 341 interpreters from the Translating and Interpreting Service (TIS National). Twenty-eight interpreters were retained on a face-to-face basis and

313 interpreters assisted over the phone. The most sought after languages were Mandarin (102), Arabic (46), Farsi (38), Vietnamese (16), Hazaragi (15) and Croation (11).

To cater for our deaf clients, 38 interpreters from Deaf Services Queensland assisted during consultation.

How we Assisted our Clients

CAXTON LEGAL CENTRE IN-HOUSE SERVICES

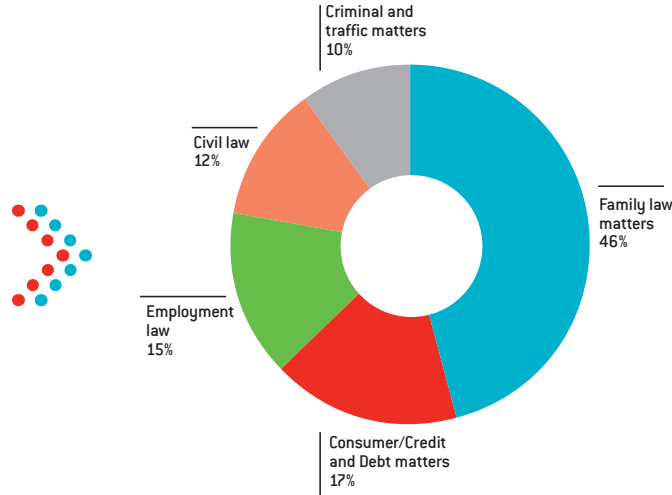
During the 2017–18 financial year our services provided:

4685 discrete assistances
228 representation services



Human Rights and Civil Law Practice, Family Law Program, Domestic and Family Violence Program, Employment Law Program, evening advice sessions

A breakdown of the areas of law our clients presented with



1195 hours of social work assistance



General Social Work

38 families received legal advice and representation



Coronial Assistance Legal Service

3 representations received at inquest

374 households received legal assistance

2888 hours of legal advice and representation



Queensland Retirement Village and Park Advice Service

84 community legal education session to

3158 people

571 clients received assistance

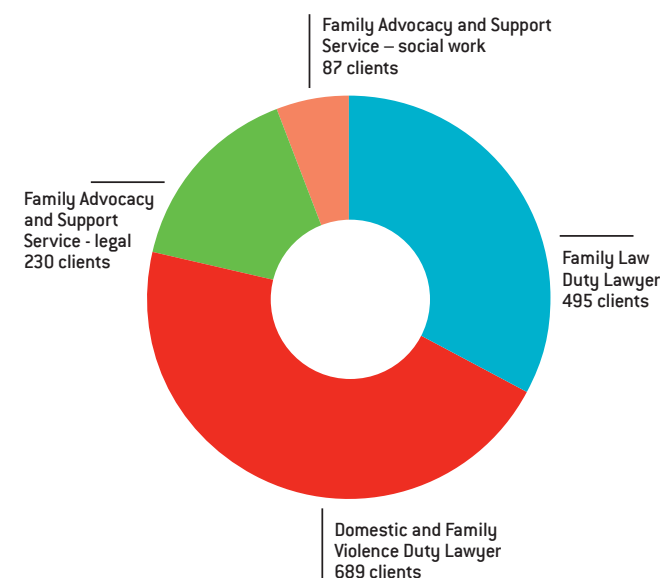


Seniors Legal and Support Service

5237 hours of legal advice, social work support and representation

SERVICES AT THE MAGISTRATES COURT AND THE FEDERAL CIRCUIT COURT

The pie graph below shows a breakdown of the family and domestic violence court services.



Caxton Legal Centre Media Engagement and Website Use

DIGITAL COMMUNICATION

This last financial year, we concentrated on communicating our news via social media. This strong focus paid off and our Facebook audience has grown by 13% while our Twitter followers have increased by 23%.

WEBSITE USE

More and more Queenslanders are searching for help online. Our Queensland Law Handbook, which features 63 chapters on a large spectrum of Queensland and Commonwealth law, and a plethora of legal self-help kits and factsheets has been highly successful. We can report an overwhelming 300% increase in the number of views over the year, and an average of 21 000 visitors to the site each month.

Caxton Legal Centre launched its new organisational website in June 2018.

Our People

MANAGEMENT COMMITTEE

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



FAMILY, DOMESTIC VIOLENCE AND ELDER LAW PRACTICE

Team Leader and Coordinating Lawyer – Cybele Koning
 Lawyer – Joseph Ho
 Lawyer – Barbara Fox
 Lawyer – Keryn Ruska
 Lawyer – Tile Imo
 Lawyer – Gareth Walters
 Lawyer – Colette Bots
 Lawyer – Amrit Prihar
 Lawyer – Sue-Ellen Wright
 Lawyer – Terry Stedman
 Lawyer – Joanna Abraham
 Senior Social Worker – Helen Wallace
 Social Worker – Frances Privitera
 Social Worker – Su-Ilyn Lee
 FASS Support Worker – Sally Richardson
 Social Worker (locum) – Jannah Hoopman
 Social Worker (locum) – Jane Meehan

ADMINISTRATION AND COMMUNITY ENGAGEMENT

Business Manager – Anne-Maree Elliott
 Accountant – Bill Kyle
 Communications and Community Engagement Officer – Camielle Donaghey
 Publications Officer – Ana Oertel
 Front Office Coordinator – Karen Rayner
 Finance Officer and Paralegal – Megan Pearce

COMMITTEE MEMBERS

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

Volunteer Coordinator – Michelle Ecclestone
 Administration Officer – CJ Stuart
 Administration Officer – Symone Wilson
 Administration Officer – Jeff Poole
 Administration Officer (casual) – Alexandra Pathirana
 Administration Officer (casual) – Charlie O'Brien
 Administration Officer (casual) – Damian Janbroers
 Administration Officer (casual) – Jade Paidel

HUMAN RIGHTS AND CIVIL LAW PRACTICE

Acting Team Leader and Coordinating Lawyer – Klaire Coles
 Senior Lawyer – Yatarla Clarke
 Senior Lawyer – Gillian Welsh
 Lawyer – Phylli Verrall
 Lawyer (Community Legal Education) – Ros Williams
 Lawyer – Tim Murray
 Lawyer – Georgia May
 Lawyer – Amanda Hess
 Lawyer – Melody Valentine
 Lawyer – Brittany Smeed
 Lawyer – Nastassja Milevskiy
 Lawyer – Faye Austen-Brown
 Social Worker – Romana Leisser
 Social Worker (casual) – Jane Meehan

DIRECTOR

Scott McDougall

PLT STUDENTS

Amrit Prihar
 Kaitlin De Souza
 Jarred Mace
 Faeza Lima
 Alex Neilson
 Guy Kelleher
 Carol McPhail

SOCIAL WORK STUDENTS

Shannon Gorman
 Saad Asghar
 Aimee Schoeman

STAFF ON SECONDMENT

Bridget Burton – Team Leader and Coordinating Lawyer

STAFF WHO LEFT

Candice Hughes – Law Clerk
 Stephanie Ewart – Lawyer
 Renea Hart – Senior Lawyer
 CJ Stuart – Administration
 Lena Lundell – Social Worker
 Jade Henderson – Lawyer
 Faeza Lima – Director's Assistant

CASUAL STAFF WHO LEFT

Sheila Pereira
 Crystel Goh
 Alexis Beebe

Treasurer's Report & Funding Sources

Treasurer's Report

LOUISE COX

Caxton Legal Centre Inc. completed the 2017–18 financial year with a surplus of \$72 306 on an annual turnover of \$3 901 006.

Income for the year increased by over \$316 000 or 8.8%. The increase in income occurred predominately in three areas. Since March 2017, Caxton has been funded to provide legal and social work support through the Family Advocacy and Support Service in Brisbane's Family Court and Federal Circuit Court registries. The 2017–18 financial year was the first year this service has been fully funded. Caxton also received new funding in 2017–18 to establish and provide the statewide Coronial Assistance Legal Service in conjunction with Townsville Community Legal Service and to develop the framework for an integrated service system to provide financial protection for seniors.

Total expenses increased by \$366 194 for the year. The introduction of new legal services saw wage expenses increase by \$367 268 to break the three million dollar wages barrier for the first time. Other non-wage expenses were well controlled and actually fell by just over \$1000. This resulted in the centre's non-wage expenses again falling below 20% of total expenses. One factor contributing to this was the previous restructuring of the centre's mortgage/

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Funding Sources

CAXTON LEGAL CENTRE ACKNOWLEDGES OUR FUNDING SOURCES

The Commonwealth Attorney-General's Department and the Queensland Department of Justice and Attorney-General provided funding through the Community Legal Service Program for our Human Rights and Civil Law Practice, the Family Law Program, the Clinical Legal Education Program, the Family Law Duty Lawyer Service, the Domestic and Family Violence Duty Lawyer Service, the Family Advocacy and Support Service, the Employment Law Service, the Coronial Assistance Legal Service (provided in conjunction with Townsville Community Legal Service) and for the maintenance of the Queensland Law Handbook Online.



debt arrangements, which saw Caxton operate debt free throughout this last financial year.

The centre's major funding streams were ongoing as part of existing agreements for the year, which created an overall level of certainty that had been lacking for a number of years. However, uncertainty still surrounded our Park and Village Information Link service (now called the Queensland Retirement Village and Park Advice Service), which had been funded by a number of short-term extensions to our initial agreement. This situation is always difficult to manage and stressful for staff involved, however, that program is now secure for a further five years after Caxton was the successful applicant in the Department of Housing and Public Works tender process held in August 2018.

In summary, throughout the 2017–18 financial year, Caxton consolidated its existing areas of work and developed some new areas of delivery. Overall services increased, costs were well controlled and the centre operated debt free. Caxton continues to operate within its means with adequate resources to meet its ongoing financial commitments and is well placed to take up new opportunities and meet future challenges.

The management committee would like to thank Bill Kyle for his ongoing excellence in financial reporting.

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

The Queensland Department of Communities, Disability Services and Seniors provided funding for the Seniors Legal and Support Service and the social work service of the Human Rights and Civil Law Practice. The Queensland Department of Housing and Public Works provided funding for our Queensland Retirement Village and Park Advice Service (previously called the Park and Village Information Link).

Financial Report

1.

CAXTON LEGAL CENTRE INC. STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2018

	Note	2018	2017
Revenue	2	3,851,956.06	3,493,589.60
Other Income	2	49,050.63	91,071.54
Employee benefits expense		3,099,404.61	2,732,136.06
Depreciation and amortisation expense		110,792.45	76,478.30
Insurance		9,979.09	9,774.42
Motor vehicle and travel expenses		27,938.84	28,149.92
Property Expenses		52,164.16	66,057.98
Staff training and development expenses		110,427.10	111,054.01
Audit, legal and consultancy fees		102,753.00	14,300.00
Client support services expense		21,699.97	20,993.36
Other operating costs		293,541.32	403,561.61
Current year surplus before income tax		72,306.15	122,155.48
Income tax expense		-	-
Net current year surplus		72,306.15	122,155.48
Other comprehensive income		-	-
Total comprehensive income for the year		\$72,306.15	\$122,155.48
Total comprehensive income attributable to members of the entity		\$72,306.15	\$122,155.48

The accompanying notes form part of these financial statements.

2.

CAXTON LEGAL CENTRE INC.
STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2018

	<u>Note</u>	<u>2018</u>	<u>2017</u>
ASSETS			
Current Assets			
Cash at Bank - On Hand	3	649,224.24	279,611.05
Debtors & Prepayments		43,017.39	100,115.79
Total Current Assets		692,241.63	379,726.84
Fixed Assets		2,736,218.97	2,847,011.42
Total Fixed Assets	4	2,736,218.97	2,847,011.42
TOTAL ASSETS		\$3,428,460.60	\$3,226,738.26
LIABILITIES			
Current Liabilities			
Creditors & Accruals		257,939.28	235,659.53
Employee Provisions		340,522.79	243,755.93
Income Received & Unexpended	6	221,195.00	253,080.98
Total Current Liabilities		819,657.07	732,496.44
Non-Current Liabilities			
Employee Provisions		141,854.32	99,598.76
Total Non-Current Liabilities		141,854.32	99,598.76
TOTAL LIABILITIES		961,511.39	832,095.20
NET ASSETS		\$2,466,949.21	\$2,394,643.06
MEMBERS FUNDS			
Retained Surplus		2,466,949.21	2,394,643.06
TOTAL MEMBERS FUNDS		\$2,466,949.21	\$2,394,643.06

The accompanying notes form part of these financial statements.

3.

CAXTON LEGAL CENTRE INC.
STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2018

	<u>Retained Surplus</u>	<u>Revaluation Surplus</u>	<u>Financial Assets Reserve</u>	<u>Total</u>
Balance at 1 July 2016	2272487.58	NIL	NIL	2272487.58
Comprehensive Income				
Surplus for the year attributable to members of the entity	122155.48	-	-	122155.48
Total comprehensive income attributable to members of the entity	122155.48	-	-	122155.48
Balance at 30 June 2017	2394643.06	NIL	NIL	2394643.06
Balance at 1 July 2017	2394643.06	NIL	NIL	2394643.06
Comprehensive Income				
Surplus for the year attributable to members of the entity	72306.15	-	-	72306.15
Total comprehensive income attributable to members of the entity	72306.15	-	-	72306.15
Balance at 30 June 2018	2466949.21	NIL	NIL	2466949.21

The accompanying notes form part of these financial statements.

4.

CAXTON LEGAL CENTRE INC.
STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2018

	<u>2018</u>	<u>2017</u>
CASH FLOWS FROM OPERATING ACTIVITIES		
Receipts		
Interest	2,806.72	4,041.84
Other	349,015.89	286,328.36
Cash flows from Government Grants	3,588,036.00	3,234,985.91
Payments		
Suppliers and Employees	(3,570,245.42)	(3,293,636.76)
Net cash provided by (used in) operating activities	<u>\$369,613.19</u>	<u>\$231,719.35</u>
CASH FLOWS FROM INVESTING ACTIVITIES		
Payment for purchase of plant & equipment	-	(227,443.38)
Net cash provided by (used in) investing activities	<u>\$NIL</u>	<u>\$(227,443.38)</u>
CASH FLOWS FROM FINANCIAL ACTIVITIES		
Payment of borrowings	-	(361,847.32)
Net cash provided by (used in) financing activities	<u>-</u>	<u>\$(361,847.32)</u>
Net increase (decrease) in cash held	369,613.19	(357,571.35)
Cash at beginning of the reporting period	279,611.05	637,182.40
Cash at end of the reporting period	<u>\$649,224.24</u>	<u>\$279,611.05</u>
RECONCILIATION OF NET SURPLUS/DEFICIT TO NET CASH PROVIDED BY (USED IN) OPERATING ACTIVITIES		
Operating Result	72,306.15	122,155.48
- Depreciation	110,792.45	76,478.30
- Interest & Fees	-	7,589.34
- (Increase)/Decrease in Receivables	57,098.40	(76,532.62)
- Increase/(Decrease) in Payables	22,279.75	14,170.61
- Increase/(Decrease) in Provisions	139,022.42	52,941.37
- Increase/(Decrease) Unexpended Grants	(31,885.98)	34,916.87
Net cash provided by (used in) operating activities	<u>\$369,613.19</u>	<u>\$231,719.35</u>

5.

CAXTON LEGAL CENTRE INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

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) and Australian Charities and Not-for-Profits Commission Act 2012. 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.

(f) Income Tax

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

6.

CAXTON LEGAL CENTRE INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

	<u>2018</u>	<u>2017</u>
2. REVENUE AND OTHER INCOME		
Revenue		
Revenue from Government Grants		
Legal Aid Office (Queensland)	1,054,332.00	440,548.00
Legal Aid Office (Queensland) - Other Projects	402,930.98	84,015.56
Office of Legal Aid & Family Services - Commonwealth	752,540.00	1,392,258.00
Department of Communities, Disability services and Seniors	1,110,119.00	1,032,952.00
Department of Housing and Public Works	300,000.00	300,000.00
	<u>3,619,921.98</u>	<u>3,249,773.56</u>
Other Revenue		
Non-Recurrent Funding	135,616.00	124,921.92
Interest	2,806.72	4,041.84
Clinic Fees	77,150.00	100,000.00
Royalties	16,461.36	14,852.28
	<u>3,851,956.06</u>	<u>3,493,589.60</u>
TOTAL REVENUE		
	<u>3,851,956.06</u>	<u>3,493,589.60</u>
Other Income		
Donations	10,478.90	17,726.44
Membership	430.00	580.00
Sundry Income	38,141.73	72,765.10
	<u>49,050.63</u>	<u>91,071.54</u>
TOTAL OTHER INCOME		
	<u>49,050.63</u>	<u>91,071.54</u>
TOTAL REVENUE AND OTHER INCOME		
	<u>\$3,901,006.69</u>	<u>\$3,584,661.14</u>
3. CASH AT BANK, ON DEPOSIT & ON HAND		
Petty Cash	200.00	200.00
Westpac - Cheque account	38,355.33	35,548.86
Westpac - Cash Reserve Account	610,336.99	243,530.27
Pay Pal Account	331.92	331.92
	<u>\$649,224.24</u>	<u>\$279,611.05</u>

The accompanying notes form part of these financial statements.

7.

CAXTON LEGAL CENTRE INC.
NOTES TO AND FORMING PART OF THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2018

	<u>2018</u>	<u>2017</u>
4. FIXED ASSETS		
Land & Buildings - At Cost		
- 1 Manning Street, South Brisbane	2,717,675.25	2,717,675.25
- Depreciation Building	(150,000.00)	(125,000.00)
	<u>2,567,675.25</u>	<u>2,592,675.25</u>
Land and buildings are included in the Financial Statements at cost. However, this does not necessarily represent the market value or recoverable amount, as the association is a non-profit organisation, and the service potential of land and buildings is not related to the land and building's ability to generate net cash inflows.		
Office Equipment & Furniture		
Written Down Value 1 July 2016	254,336.17	78,371.09
- Additions	-	227,443.38
- Depreciation	(85,792.45)	(51,478.30)
	<u>168,543.72</u>	<u>254,336.17</u>
	<u>\$2,736,218.97</u>	<u>\$2,847,011.42</u>
5. CHARGE ON PROPERTY		
The following mortgages have been given over freehold premises at 1 Manning Street, South Brisbane:-		
First Mortgage - Westpac Bank		
- Balance of Mortgage	-	-
The organisation has a business overdraft facility with Westpac Bank for \$600,000.00.		
6. GRANTS RECEIVED & UNEXPENDED		
Department of Justice and Attorney-General	-	25,000.00
Department of Housing and Public Works	75,000.00	150,000.00
Legal Aid Queensland	17,695.00	20,930.98
Clinic Fees - Queensland University of Technology	36,000.00	57,150.00
Department of Communities, Disability Services and Seniors	42,500.00	-
Community Benefit Payment	50,000.00	-
	<u>\$221,195.00</u>	<u>\$253,080.98</u>

The accompanying notes form part of these financial statements.

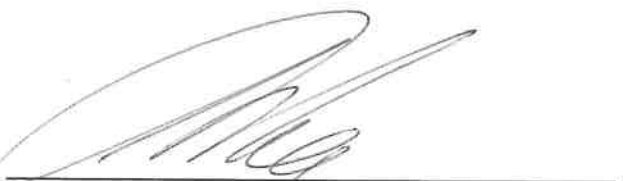
CAXTON LEGAL CENTRE INC.**STATEMENT BY MEMBERS OF THE COMMITTEE**

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.

1. In the opinion of the committee the financial report as set out on pages 1 to 7 are in accordance with the Australian Charities and Not-for-Profits Commission Act 2012 and:
 - (i) Comply with the Australian Accounting Standards applicable to the entity; and
 - (ii) Give a true and fair view of the association's financial position as at 30 June 2018 and its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements.
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 Declaration is signed in accordance with Subs 60.15(2) of the Australian Charities and Not-for-Profits Commission Regulation 2013.


 President


 Treasurer

26/11/18

Date



LEVEL 1 488 LUTWYCHE ROAD
 LUTWYCHE QLD 4030
 PO BOX 198
 LUTWYCHE QLD 4030
 TELEPHONE: (07) 3357 8322
 FACSIMILE: (07) 3357 9909
 EMAIL: admin@haywards.net.au
 PARTNERS: GREG DORGE
 PETER GESCH
 PHIL ROBINSON

INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF**CAXTON LEGAL CENTRE INC.****Report on the Audit of the Financial Report****Opinion**

We have audited the financial report of Caxton Legal Centre Inc., which comprises the statement of financial position as at 30 June 2018, the statement of profit & loss and other comprehensive income, statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the certification by members of the committee on the annual statements giving a true and fair view of the financial position and performance of the association.

In our opinion, the accompanying financial report of Caxton Legal Centre Inc. has been prepared in accordance with Division 60 of the Australian Charities and Not-for-Profits Commission Act 2012 and the Associations Incorporation Act (QLD).

- 1) Giving a true and fair view of the associations financial position as at 30 June 2018 and of its performance for the year then ended; and
- 2) Complying with Australian Accounting Standards to the extent described in Note 1 and Division 60 of the Australian Charities and Not-for-Profits Commission Regulation 2013.

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Report section of our report. We are independent of the association in accordance with the Auditor Independence Requirements of the ACNC Act and ethical requirements of the Accounting Professional and Ethical Standards Board's APES110: code of Ethics for Professional Accountants (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist the association to meet the requirements of the Australian Charities and Not-for-Profits Commission Act 2012 and the Associations Incorporation Act (QLD). As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

Responsibilities of the Committee for the Financial Report

The committee is responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the Australian Charities and Not-for-Profits Commission Act 2012 and the Associations Incorporation Act (QLD), and for such internal control as the committee determines is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

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


Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

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

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

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


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

Dated this 24th day of September 2018

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- Office hours: 9 am – 5 pm Monday to Friday
- Caxton Legal Centre holds free legal advice sessions on Monday to Thursday evenings for people on a low income or who face other disadvantage.
- Call us to book an appointment.