

ANNUAL REPORT

2017-2018

Werribee Office (Head Office)

Level 1, 8 Watton Street

Werribee VIC 3030

Ph: 03 9749 7720

Fax: 03 9749 8276

Email: admin@westjustice.org.au

Day Service: Monday to Friday 9.00am – 5.00pm by appointment

Night Service: Monday evenings from 6.30pm by appointment

Footscray Office

Level 1, 72 Buckley Street

Footscray VIC 3011

Ph: 03 9749 7720

Fax: 03 9689 8155

Email: admin@westjustice.org.au

Day Service: Monday to Friday 9.30am – 5.00pm by appointment

Night Service: Tuesday evenings from 6.30pm by appointment

Sunshine Youth Office

Visy Cares Hub

80B Harvester Road

Sunshine VIC 3020

Ph: 03 9091 8237

Fax: 03 9091 8207

Email: sunshine@westjustice.org.au

Day Service: Monday, Wednesday and Friday 9.30am – 4.30pm by drop in

Australian Business No. 72 604 181 071

Australia Company No. 604 181 071

www.westjustice.org.au

www.twitter.com/WesternCLC

www.facebook.com/WEstjustice

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A WORD FROM THE CEO AND CHAIR

It has been three years since the amalgamation of the Footscray, Wyndham and Western Suburbs Community Legal Centres, which brought a long and proud history and experience to WESTjustice.



To showcase our work to date, we produced three impact statements summarising the work of WESTjustice, including saving our clients over \$15M between 2015-18.

Some of the highlights this year include:

- New Health Justice Partnerships with Mind Australia and McAuley Community Services for Women;
- Launch of the Couch Surfing Limbo report; and
- New services including the Pasifika Clinic, Hear Me Clinic and the International Students Work Rights Legal Clinic



We wish to acknowledge the outstanding service of our Board of Directors – Sarah Strapps, Meredith Blackstock, Meseret Abebe, Patricia Crossin, Peter Renwick, Rhys Benny, Stuart Brown and Warren Mundy, who are extremely skilled and capable and thank all of our dedicated volunteers, staff and supporters as we all strive to deliver the best outcomes for our community.



We also acknowledge the continued financial contributions of our philanthropic funders, local, state and federal governments; without their continued support our organisation could not serve and support those at risk in our community.

WE can be proud of what we have achieved so far.

Vern Fettke, Board Chair
Denis Nelthorpe, Chief Executive Officer

For a copy of our impact statements, please visit our website.

OUR PEOPLE

BOARD

Vern Fettke Chairperson
Sarah Strapps Secretary/Public Officer
Meredith Blackstock Director
Meseret Abebe Director
Patricia Crossin Director
Peter Renwick Director
Rhys Benny Director
Stuart Brown Director

STAFF

Denis Nelthorpe CEO
An Huynh General Operations Manager
Angus Woodward Senior Lawyer
Annette Au Yeung Principal Lawyer
Banafsheh Abedali Community Worker
Carol McNair Administrator
Catherine Hemingway Director of Policy & Community Development
Chrisovalantis Nicolaou Lawyer
Gabrielle Watson-Munro Senior Lawyer
Gillian Davy Community Engagement Manager
Ha Le Principal Lawyer
Heather Neilson Financial Counsellor
Hilary Knack Family Violence Lawyer
Jennifer Lindstrom Family Violence Lawyer
Joseph Nunweek Senior Lawyer
Matthew Martin Senior Lawyer
Michelle Moone Administrator
Monique Hurley School Lawyer
Neng Boi Community Worker
Pa Hmun Community Worker
Pauline Alabakis Family Violence Lawyer
Priyanka Shetty Senior Lawyer
Rebekah Wong Lawyer
Sharon Blazier Financial Counsellor
Shifrah Blustein Policy & Projects Lawyer
Shorna Moore Director of Policy & Community Development
Stephanie Tonkin Director of Policy & Community Development
Tarni Perkal Director of Policy & Community Development
Tess Matthews Refugee Lawyer
Veronika Levchenkova Administrative Assistant
Vincent Shin Senior Lawyer

Vu Kim Senior Lawyer
Wendy Sengotta Mind Project Lawyer
Za Tuah Ngur (Nguri) Community Worker

WE WELCOMED...

Dacia Abela Tenancy Lawyer
Francesca Lai Employment Lawyer
Lachlan Clarke Administrative Assistant
Melissa Hardham Director of Policy & Community Development
Rachel Shulkes Family Violence Program Manager
Sarouche Razi Principal Lawyer
Sean Vagg Senior Lawyer
Semisi Kailahi School Lawyer
Su Robertson Clinical Practice Manager
Susan Huang Tenancy Lawyer
Trang Chau Tenancy Lawyer

WE SAID GOODBYE TO...

Charles Watson Clinical Legal Supervisor
Ebony Bake Tenancy Lawyer
James Leckie Family Violence/Tenancy Lawyer
Jane Berry Night Service Coordinator
Michelle Chumbley Advocacy Services Manager
Warren Mundy Director

TRAIN THE TRAINER (TtT) PARTICIPANTS

Program 1

Feeda Awlo	Najib Warsame
Kenneth Gonkarnue	Ngawang Dolkar
Michael Apout	Poni Peter
Mina Barghi	Sabira Sabira

Program 2

Ashwaq Mohamed	Ngun Bor Chin
Htee Thaw Wah Keh	Norman Katende
Huda Abdurahman	Rebecca Kupil
Maryann Essa	

Program 3

Ambili Unni	Ernina Sasongo
Ankita Mishra	Irene Hughes
Deruka Dekeuk	Kok Wah Chai
Eddie Nsanzimana	Youzhen Huang

STATISTICS



SERVICES

GENERALIST LEGAL SERVICES

Werribee Office
Footscray Office
Sunshine Youth Branch

SPECIALIST LEGAL SERVICES

Consumer Advice and Advocacy Program
Family Law and Family Violence Legal Clinic
Fines Legal Clinic
Hear Me Legal Triage Clinic
Mortgage Wellbeing Service
Motor Vehicle Accident Legal Clinic
Newly Arrived and Refugee Employment Law Service
Pasifika Legal Clinic
Refugee Legal Clinic
Tenancy Advice and Advocacy Program
Youth Law Clinic

FINANCIAL COUNSELLING

Financial Counselling Service
Burmese Financial Counselling Service

SCHOOL LAWYER PROGRAM

The Grange P-12 College
Tarneit Senior College
Warringa Park College
Wyndham Central College
Wyndham Community and Education Centre (VCAL)

OUTREACH LEGAL ADVICE SERVICES

Laverton Community Hub
McAuley Community Services for Women
Sunshine Family Relationship Centre
Werribee Mercy Hospital
Wyndham Youth Resource Centre
UP @ Newport Community Hub

DUTY LAWYER SERVICES

Family Violence Intervention Orders

Werribee Magistrates' Court
Sunshine Magistrates' Court

COMMUNITY ENGAGEMENT ACTIVITIES

Community Legal Education
Community Development and Law Reform
Student Placement / Internships

The Hear Me Legal Triage clinic is a new WEstjustice/Victoria University student clinic, which started in March 2018. It has two distinct parts.

- 1. Telephone triaging of our Laverton and General clinics – Students telephone clients with appointments scheduled to confirm attendance, discuss their legal matter and create a file note with the information they obtain, which allows legal staff to perform their role more effectively.*
- 2. Community referral register – Using Microsoft SharePoint, students create a database containing referral information. This register is designed for internal WEstjustice use only but contains information about all relevant community referral points. Referral parameters are a significant part of this register. Currently, this is under construction, planned to go live in 2019.*

The Pasifika Clinic provides legal information, advice, casework, advocacy and referral to people from Pacific Islander or Maori background in Western Melbourne. Through casework, the Clinic also seeks to identify systemic issues that impact Pasifika communities and develop projects that provide broader, system level advocacy for communities.

We have partnered with McAuley to deliver legal help to women who have experienced family violence and in particular economic and financial abuse. Our work has meant that over \$100,000 of debt was waived for 24 women supported by McAuley.

*"I have had an incredible internship over the course of the last six months. I have learned an extensive amount about many aspects of the Australian legal system, and have had the chance to work with many amazing people. The experience I gained here is truly invaluable... This WEstjustice team is memorable not only for valiant efforts in service of social justice, but for the work culture that has developed here."
Joseph Scales, intern*

For more information about our services including outreach locations, please visit our website.



HIGHLIGHTS



The **Restoring Financial Safety** project uses cross-sector collaboration to develop practical responses to economic abuse.



WEstjustice's Employment Law Project wins HESTA Community Sector Award for Outstanding Organisation



Burmese Financial Counselling Clinic distributes anti drink driving key rings in Burmese and Hakha Chin to community members



Photos (L to R, T to B):

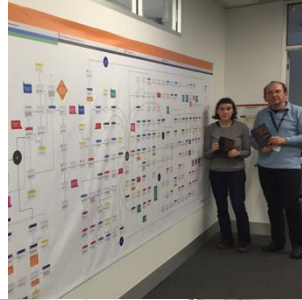
- Melissa & Vincent present at UNSW Law event on the School Lawyer program
- Family Law Clinic student interns
- WEstjustice staff at the NACLCL conference
- TtT Program 1 participants
- Restoring Financial Safety – video on economic abuse partnership with McAuley
- Gabrielle & Tarni accepting Hesta Community Sector Award
- Recognising Carol's 30 years of service
- Vic Uni Student Awards – Hoi Nam Dang winner of Cindy Farran Award for his outstanding commitment at WEstjustice
- TAC funded anti drink driving key rings in Burmese and Hakha Chin
- Team Building – Holey Moley
- Treasurer Tim Pallas & Monique present at Wyndham Central College – How to make a law
- *Couch Surfing Limbo* report launch
- Catherine at Government House
- Shifrah & Mark Madden, Centre for Innovative Justice with the first comprehensive Toll & Infringements Map
- Denis at the Senate Inquiry into road tolls; *we need more oversight and proportional enforcement*
- Volunteer Appreciation event
- Vic Uni Student Awards – Ashlee McPhail winner of Outstanding Student Professional Practice (Sunshine Youth Legal Centre)
- Callum Rose and Siti Suhaimi – Hear Me Clinic students
- School Lawyer team meet with Law Institute President Belinda Wilson
- Planning meeting with the Victorian Pasifika community
- TtT Program 2 participants at VEOHRC
- Volunteer training night
- Nguri wins Brimbank Council's Community Wellbeing Award
- Yes campaign
- *Justice in Mind* launch
- Sunshine Youth student interns



Couch Surfing Limbo report launched by the Commissioner for Children and Young People, Liana Buchanan and hosted by Wyndham City Council



Catherine receives award for meritorious services to multiculturalism at Government House



Westjustice community worker & Chin community leader, Nguri receiving an award for her work with the Chin community



Health justice partnership *Justice in Mind* launch with Mind Australia



CLIENT STORIES

Mortgage Wellbeing Service

Background:

John is in his mid-50s, married with four children and employed full-time.

He and his wife, Jenna were previously experiencing financial difficulty due to a sudden death in the family and their subsequent mental health struggles. Jenna recently returned to work after a lengthy period of unemployment.

Throughout this period of hardship, John fell into arrears of over \$10,000.00 on his mortgage repayments with the Bank, and subsequently the Bank commenced legal proceedings against him in the County Court for repossession of his home.

John and Jenna have numerous other debts owing, including Council and water rates, utilities arrears, and tax debts. Although he could now afford the mortgage repayments and other debts due to his wife returning to work, John required assistance to negotiate a repayment arrangement with the Bank and to discontinue the County Court proceedings.

What Was Done?

WEstjustice prepared a financial statement with John to negotiate with the Bank, showing that he could now service the mortgage repayments on an ongoing basis.

We entered into negotiations with the Bank's lawyers requesting John be placed on a serviceability test for six months and that the County Court proceedings be put on hold whilst our request was being considered by the Bank. We explained the reasons for our client's financial hardship and that he and his wife are now both working and earning income.

We proposed that under the serviceability test the County Court proceedings would be discontinued and the arrears balance on the mortgage account would be capitalised (added back onto the total balance outstanding on the mortgage account) if our client could meet his minimum monthly mortgage repayments for a period of six months without any further defaults.

Case Outcome:

The Bank agreed to our proposal and placed John on a six month serviceability test with the view to capitalising the arrears balance and discontinuing the County Court proceedings upon successful completion of the test. The County Court proceedings will be put on hold during the test period unless our client defaults on a mortgage repayment.

Impact to Client:

John was able to remain in his property and avoid its repossession, put a hold on any further enforcement action, and continue making his mortgage repayments.

Home Insurance

Background:

Peter is currently unemployed, reliant on Centrelink and is the carer for his mother. He lives with his parents and younger sibling, George in the family home.

George has a long history of mental illness. He suffered from psychosis, bipolar, hallucinations, post traumatic stress disorder and schizoaffective disorder.

Peter, George and their parents were all home and content policy holders with an Insurer for the family home where only the Mother and Father were listed on the certificate of title.

During a significant mental health breakdown, George caused significant damage to the home and also contents in the property. The initial claim was assessed for over \$100,000.00 and it was rejected.

Peter made a complaint with the Financial Ombudsman Service ("FOS") and was subsequently referred by FOS to WEstjustice.

FOS initiated conciliation between the parties. We made basic submissions and the Insurer offered an inadequate settlement amount of \$3,000.00 when the claim amount was valued at over \$100,000.00.

We rejected their offer of \$3,000.00 and made further submissions to FOS that included evidence. FOS then decided that they would make a determination in our favour but gave the Insurer an opportunity to make an offer.

The Insurer offered to pay the full amount to settle the matter which we accepted on behalf of our client.

Ultimately after further assessments, the final payout amount totalled over \$150,000.00.

What Was Done?

WEstjustice made formal submissions with supportive evidence to FOS and was able to convince FOS that the correct decision in this matter would be to allow our client to claim on her home and content insurance policy.

Case Outcome:

The Insurer arranged for the repairs and reimbursements totalling over \$150,000.00 when initially only offering \$3,000.00.

Health Justice Partnership

Background:

Suzie was a victim of sexual assault at the workplace and as a result suffered from post traumatic stress disorder, severe depression and was suicidal. She was admitted to Mental Health Unit as an involuntary patient.

Suzie's partner, Sam organised a workcover claim to be made against Suzie's employer. Sam pressured Suzie to exaggerate her mental health condition to stay in the Mental Health Unit in an attempt to increase Suzie's workcover compensation claim. Sam was regularly abusive towards Suzie and continued to coerce Suzie into behaving in certain ways until the parties relationship ended. After disclosing the abuse, Suzie was referred to WEStjustice.

Sam convinced Suzie that her lawyers would only continue to act for her if she made Sam her litigation guardian. If Suzie did not do this, Sam claimed the lawyers would refuse to act for her and she would be left having to pay them almost \$100,000.00 in legal fees.

Guardianship Orders

Suzie was only aware of one Guardianship order that had been made. The Unit had assessed that Suzie had regained capacity and she wanted to remove the Guardianship order.

After Sam realised that Suzie had disclosed to the hospital that she had been coaching Suzie about her mental health and was now seeking to remove the Guardianship order, Sam sought to remove Suzie from the hospital. She tried to force Suzie to leave the hospital against her will, stop her from continuing her medical treatment and prevent her parents from having any access to her.

The Unit refused to release Suzie into the care of Sam or stop her medical treatment as requested by Sam. The hospital decided to stop Sam from visiting Suzie as they considered her a danger to Suzie's mental health. As a result of this decision, Sam contacted the Office of the Public Advocate to complain about the hospital not adhering to the Guardianship order and the hospital sought the Victorian Civil and Administrative Tribunal ("VCAT") to list a reassessment hearing for the Guardianship order.

What Was Done?

Per Suzie's instructions, WEStjustice appeared for her at VCAT to remove the Guardianship order.

We made a re-assessment application with VCAT to ensure there was a record of Suzie's wishes on file.

We attempted to refer this matter to both the Mental Health Legal Service and Victoria Legal Aid however neither service was able to provide assistance at short notice.

Despite the time restraint, we were able to provide supporting medical documents due to our existing Health Justice Partnership with the Mental Health Unit.

Case Outcome:

VCAT revoked the Guardianship order.

Suzie is now preparing to leave the Mental Health Unit and return to her parents' house to recuperate.

All names have been changed to maintain confidentiality

FINANCIAL REPORT 17-18

	2018	2017
INCOME	\$	\$
Government Grant Funding	2,230,282	1,869,675
Other Grant Funding	877,710	872,152
Philanthropic Funded Projects	346,379	181,948
Other	93,244	178,391
TOTAL INCOME	3,548,161	3,102,166
EXPENDITURE	\$	\$
Administration	124,817	131,937
Depreciation	38,017	37,370
Employment	24,402	18,137
Occupancy	249,296	216,624
Organisational	111,722	106,343
Staff salaries and wages	2,983,219	2,574,985
TOTAL EXPENDITURE	3,531,473	3,085,396
NET SURPLUS/(DEFICIT)	16,688	16,770

	2018	2017
STATEMENT OF FINANCIAL POSITION	\$	\$
Current Assets	1,051,919	995,438
Non Current Assets	268,869	291,684
TOTAL ASSETS	1,320,788	1,287,122
Current Liabilities	1,021,968	971,379
Non Current Liabilities	-	33,611
TOTAL LIABILITIES	1,021,968	1,004,990
NET ASSETS	298,820	282,132

	2018	2017
STATEMENT OF CASH FLOWS	\$	\$
From Operating Activities	30,280	182,187
From Investing Activities	(15,201)	(16,604)
From Financing Activities	-	-
NET INCREASE/(DECREASE) IN CASH HELD	15,079	165,583
Cash and cash equivalents at beginning of FY	951,949	786,366
Cash and cash equivalents at end of FY	967,028	951,949

For our full financial report, please visit our website.

ACKNOWLEDGEMENTS

AMES
Anglicare
Births Deaths and Marriages Victoria
Brimbank Melton Community Legal Centre
BusVic
CDC Victoria
Centre for Innovative Justice—RMIT University
Cindy Dickman—Financial Counsellor
cohealth
Committee for Wyndham
commUnity Plus Services
Consumer Action Law Centre
Consumer Affairs Victoria
Corrs Chambers Westgarth
Council to Homeless Persons
Department of Economic Development, Jobs,
Transport and Resources
Department of Education and Training
Department of Health and Human Services
Department of Justice and Regulation
Department of Premier and Cabinet (Office of
Multicultural Affairs and Citizenship)
Djerriwarrh Health Services
EACH
Ethnic Communities' Council of Victoria
Federation of Community Legal Centres
Gadens
Good Shepherd Australia New Zealand
H3 Alliance
Hall & Wilcox
Helen Macpherson Smith Trust
Hesta Superannuation
Hobsons Bay City Council
Hoyne
HWL Ebsworth
Insurance Council of Australia
Iwi n Aus
Justice Connect
Justice Connect—Referral Team
K&L Gates
Kimberley Foundation
King & Wood Mallesons
KPMG
Lander & Rogers Lawyers
Laverton Community Hub
Laverton P-12 College
Legal Services Board + Commission
Leigh Howard—Barrister
Lentara UnitingCare (Broadmeadows)
Library at The Dock
Lighthouse Foundation
Lord Mayor's Charitable Foundation
McAuley Community Services for Women
Maddocks Lawyers
Maribyrnong City Council
Mark Irving—Barrister
Maurice Blackburn
Melbourne Social Equity Institute
Metro Trains
MiCare
Mind Australia
Mondira Mukerjee—Locum
National Association of Community Legal Centres
National Union of Workers
Newsboys Foundation
Phoenix Youth Centre
Public Transport Ombudsman
Public Transport Victoria
Relationships Australia Victoria
R E Ross Trust
Ryan Carlisle Thomas Lawyers
Scanlon Foundation
Spectrum Migrant Resource Centre
Social Security Rights Victoria
Suncorp
Sunshine Family Relationship Centre
Sunshine Magistrates' Court
Study Melbourne Student Centre
Susan Aufgang—Barrister
Tandem Media
Tarneit Senior College
The Grange P-12 College
The Jack Brockhoff Foundation
Thriving Communities Partnership
Transdev
Transport Accident Commission
UnitingCare Werribee Support and Housing
VicBar
Victorian Government
Victorian Government—Department of Justice
Victoria Law Foundation
Victoria Legal Aid
Victoria Legal Aid—Equality Law Team
Victoria University
Victoria University—College of Law and Justice
Victorian Women's Benevolent Trust
Victorian Women's Trust (Fay Marles Equal
Opportunity) Sub Fund
Visy Cares Hub Sunshine
Warringa Park College
Werribee Magistrates' Court
Werribee Mercy Hospital
Werribee VCAT
Whitelion Open Family
Women's Health West
WorkSafe Victoria

Wyndham Central College
Wyndham City Council
Wyndham Community and Education Centre (VCAL)
Wyndham Youth Resource Centre
Yarra Trams
Young Workers Centre

Youth Junction Inc
Youth Services @ Point Cook
Yvonne Montfort—Social Worker

The Centre wishes to thank all our funders, pro bono partners, community partners, secondees, volunteers, interns and supporters

For a full list of volunteers, please visit our website.

