



ANNUAL REPORT

2001 = 2013



STATISTICAL SNAPSHOT

2013-2014 CASEWORK

Referral Services

483 applications received
105 referrals

Homeless Persons' Legal Clinic
544 new clients assisted with
988 legal issues

Refugee Civil Law Clinic
60 new clients assisted with
80 legal issues

Mental Health Civil Law Clinic
35 new clients assisted with
55 legal issues

Self Representation Service, QCAT
267 applications received
311 appointments conducted

Self Representation Service, State Courts
242 applications received
255 appointments conducted

Self Representation Service, Federal Court
100 applications received
86 appointments conducted

Administrative Law Clinic
7 new clients assisted

Mental Health Law Practice
210 new files

PRO BONO SINCE 2002

Referral Services (since 2002)
2,833 applications received
1,045 referrals

Homeless Persons' Legal Clinic (since 2002)
4,232 clients assisted

Refugee Civil Law Clinic (since 2007)
278 clients assisted

Mental Health Civil Law Clinic (since 2011)
81 clients assisted

Self Representation Service (since 2007)
2,214 applications received
3,638 of combined service appointments conducted

Administrative Law Clinic (since 2004)
254 clients assisted

Mental Health Law Practice (since 2009)
452 files opened

2013-2014 FINANCIALS

Revenue - \$2,187,802
Expenses - \$1,763,164

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PRESIDENT'S REPORT

I was a member of the founding committee of QPILCH in 2001, leaving the committee in 2006 because of work commitments. I rejoined the committee in 2013 and this is the end of my first year as president.

While absent from the committee I still watched with interest QPILCH's development, but on my return to the committee was surprised at the extent of the changes that had occurred. Even over this last year, more new initiatives such as the *Legal Health Check* and *LegalPod* have been added to QPILCH's repertoire and I attended the launch of the Townsville Office in May 2014.

I can easily attribute QPILCH's development to two things – the staff complement and an involved committee. I am privileged to have as my predecessors Andrew Buchanan, Peter Rosengren, Joanne Rennick and Robert Reed. Both Andrew and Robert remain on the committee and Peter and Joanne's firms are still active participants and supporters. The experience, commitment and continuity of committee members have given QPILCH strong leadership. Having enthusiastic, dedicated and creative staff members has meant that QPILCH has focused on delivering the services for which it is funded and for which its members have committed their time and resources. QPILCH is healthy because it has maintained its focus on the people who it was established to assist.

New patron

QPILCH's strong growth is also thanks to the support of its patron since 2001, the Honourable Paul de Jersey AC, the previous Chief Justice of Queensland, who was this year appointed as Governor of Queensland. We congratulate His Excellency and on behalf of everyone involved in QPILCH, I thank him for his dedication to promoting and supporting the work of QPILCH.

I welcome the Honourable Timothy Carmody, Chief Justice of Queensland, as QPILCH's new patron and look forward to working with the Chief Justice. His depth of experience with areas of the law that affect the most disadvantaged Queenslanders, including leading the Inquiry into Child Protection in Queensland, makes him well-placed to inspire and encourage QPILCH's endeavours.

Townsville office

All Queenslanders should have the same access to justice, regardless of where they live in the state.

2013-14 saw one of the biggest leaps in QPILCH's growth, with the opening of a new office in Townsville. QPILCH has always been a service for all Queenslanders, but the challenges of geography have always made it difficult to serve residents from rural, regional and remote (RRR) Queensland.

We have always taken applications from across Queensland and have conducted the Homeless Persons' Legal Clinic (HPLC) in Toowoomba and Townsville. We have also dedicated resources to building the pro bono capacity of RRR firms and barristers, and have worked with RRR support agencies to ensure clients are referred to us as appropriate.

The Townsville office is helping us to better work with local practitioners and ensure that all Queenslanders receive the same access to legal help.

In January 2014 we also expanded the HPLC to Cairns. We thank the firms, support agencies, and community legal centres (CLCs) that have helped us to expand our services in North Queensland.

Innovation in client services

As a clearing house, QPILCH sees the spectrum of unmet legal needs in Queensland. To help us and our colleagues to meet these needs in the most efficient and effective ways, we bring in the resources of universities to involve students and academics in research that can address real-life problems. In the past, that research has led to innovation in the form of new services, and continual improvement in our casework.

For example, the work of the Mental Health Law Clinic, a student clinic run in partnership with the University of Queensland, led to the establishment of an expanded Mental Health Law Practice, which

gives advice in mental health law, and Mental Health Civil Law Clinics, which provide general civil law advice in the style of our existing outreach clinics (currently targeted at refugees and people experiencing homelessness) but for those experiencing mental ill-health. These clinics extend the model of going out to our clients.

From QPILCH's work with people experiencing homelessness, it has for many years been clear that young people transitioning from care are a particularly vulnerable group. Research in this area, conducted by staff and student clinics, led to the new LegalPod program, in which trained pro bono lawyers will help young people in a non-threatening environment and will proactively connect with the young person throughout their transition to independence, with the expectation that the "pod" of lawyers will be a consistent contact point for the client for up to 4 years.

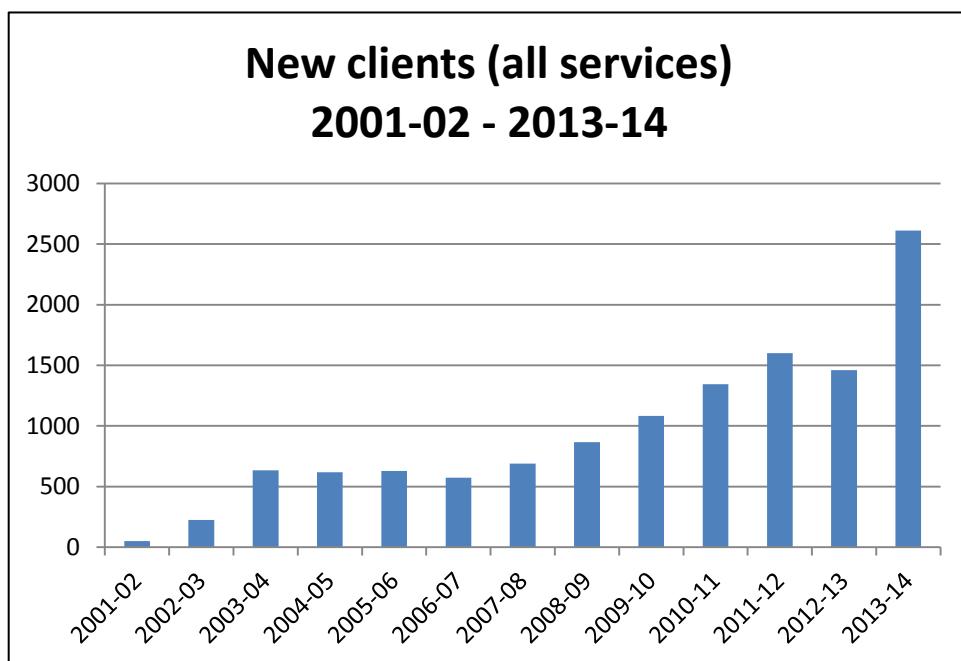
This is just one example of how QPILCH has brought together the pro bono capacity of all sectors of the profession – the research ability of universities complementing thousands of hours of pro bono casework by firms and barristers – to bring best-practice legal services to a vulnerable group within Queensland's community. QPILCH also made submissions to the Carmody Inquiry into Child Protection in Queensland to contribute to better legislation and structural support for young people.

Service delivery

In 2013-14, QPILCH facilitated assistance for over 2,600 new clients with volunteers, members and staff providing full representation or significant support. This is the largest number in one year to date and a 79% increase over last year.

It is very difficult to estimate the monetary value of these services, which should be calculated not just by the value of the actual legal services provided but also by the value of the savings to other services and in terms of the goodwill earned by the profession.

The extent of our work and its steady rise since 2001 is shown in the following graph. These figures are overall, not specific to any particular service area. We started as a referral service in public interest cases and now have a stable of services that have been developed to match specific vulnerable client groups with available pro bono resources of the Queensland legal profession.



As a result of QPILCH's growing service maturity, we have also been able to make a greater contribution in other ways.

QPILCH staff member Iain McCowie assisted the Supreme Court to draft a new Practice Direction to make the pathway for self-represented litigants easier. Iain and the coordinator of our self-representation services (SRS), Elizabeth Pendlebury, also meet regularly with judicial officers and court

registry staff to ensure efficient operation of the SRS. Sue Garlick is working with other agencies to help homeless defendants through the Magistrates Court process following abolition of the Special Circumstance Court. We also hope to expand our service in the Magistrates Court, and I thank Judge Marshall Irwin for his assistance in this endeavour. Catherine Hartley participates in ASIC's Consumer/Regulator Forum. Andrea de Smidt serves on the QAILS board to help develop the CLC sector and Tony Woodyatt is QPILCH's representative on the Queensland Legal Assistance Forum (QLAF), the primary legal assistance sector coordinating body. We aim to develop QPILCH's capacity to research and innovate and I thank the members of our new Research Reference Group, particularly its chair, retired Justice Margaret Wilson, along with Robert Reed, Professor Richard Johnstone, Katherine Curnow and Rebekah Leong. These, among others, seek to improve access to justice for all Queenslanders.

The fantastic outcomes which QPILCH achieves would not be possible without the input of all its members and supporters, and I wish to thank:

- QPILCH members, including firms, barristers, university law schools who provide the volunteer hours and legal knowledge;
- the QPILCH staff, who enthusiastically manage the needs of clients and expertly corral the efforts of members towards the programs we have specially developed, and particularly Tony Woodyatt, QPILCH's director since QPILCH was first established, for his tireless efforts in effectively and efficiently managing the myriad operations of QPILCH ;
- my fellow management committee members, who volunteer their time and expertise to provide guidance and oversight of QPILCH's activities;
- our partner organisations including specified members the Bar Association of Queensland, the Queensland Law Society, Legal Aid Queensland and the Queensland Association of Independent Legal Services;
- our funders, including the Queensland and Federal Governments, listed in more detail in the Treasurer's Report; and
- everyone who has supported QPILCH, be it by making a donation, attending one of our fundraising events, giving freely of their time or allowing their organisation to be involved.

Lucy Bretherton

PRESIDENT



TREASURER'S REPORT

I am pleased to present my first report as Treasurer of QPILCH and the audited financial statements for the 2013-14 financial year.

QPILCH has gone through three funding periods since its inception in 2001.

From 2001 to 2005-06, QPILCH was largely funded by its members. Six foundation law firms and a growing membership of law firms and barristers, along with a small grant from the Queensland Government, provided sufficient funds to maintain a small staff complement.

As we grew, it was necessary to source other funds in order to meet the demand for pro bono legal services. From 2005, QPILCH obtained some secure LPITAF funding for coordination, administrative costs and case assessment and from 2007 a recurrent grant to assist self-represented litigants in the Supreme and District Courts. From 2007, QPILCH obtained some non-recurrent project funds to manage the QLS and BAQ pro bono schemes and extend our services into RRR Queensland, and from 2009 some non-recurrent funds to extend the Self Representation Service to QCAT.

This second phase included early steps in obtaining philanthropic funding. We have over the years obtained several small grants to research or undertake services. In 2011-12 we were very grateful to obtain our first major philanthropic grant from the English Family Foundation to develop our Mental Health Law Practice (MHLP) over three years, a service which had been experiencing exponential demand while operating on a shoe-string budget since 2007.

A third phase commenced from 2013-14. We obtained significant Federal Government grants to open an office in Townsville and to re-commence the Federal Courts Self Representation Service for three and four years respectively. We were given a LPITAF grant to employ staff members to operate the HPLC in Cairns and received welcome advice from the Queensland Attorney-General that our LPITAF grants from 2014-15 would be secure for three years. We also received grants from philanthropic organisations the *Ian Potter Foundation* to establish LegalPod and the *Sylvia and Charles Viertel Foundation* for the MHLP.

As predicted last year by my predecessor Michelle Hutchinson, 2013-14 has been a pivotal year. From 2014-15, we are able to run a budget that does not rely on our surplus to continue services at current levels. However, demand for all our services is increasing, so we must continue to develop new sources of funding to meet the demand.

With the assistance of professional fundraiser Theresa Scanlan, events such as the *Queensland Legal Walk* have gone from strength to strength. We can apply those funds to increase our reach. \$45,000 raised from the 2014 Walk has increased the size of the Disbursement Fund (used to pay for member and CLC client outlays when needed) and augmented the hours of part-time staff members of the HPLC in Brisbane and Cairns to meet extra demand.

The two charts below show the differences in funding from 2012-13 (gross funding of \$1,362,168) to 2013-14 (gross funding of \$2,084,655).

I thank the following individuals and organisations for their substantial and welcome financial support of QPILCH:

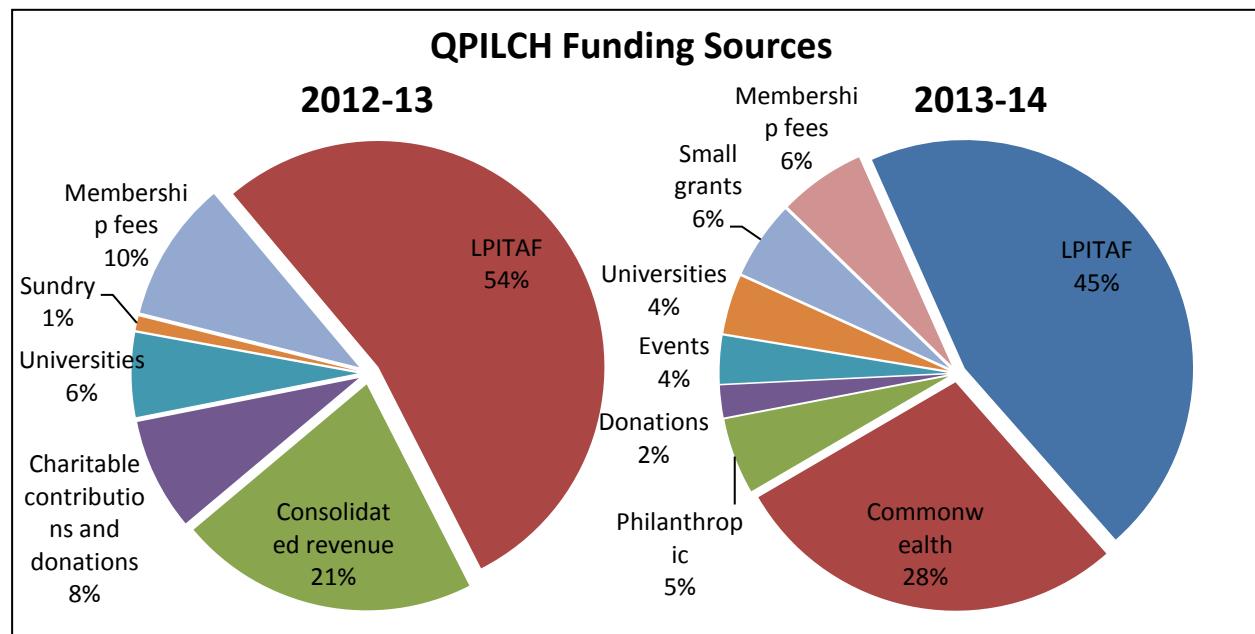
- All QPILCH members;
- Corrs Chambers Westgarth, Herbert Smith Freehills, Minter Ellison, Ashurst, Norton Rose Fulbright and the Australian Government Solicitor for providing secondees;
- McCullough Robertson for funds to employ a consultant to assist with a submission to the Productivity Commission;
- Griffith University, Bond University, the TC Beirne School of Law (UQ), and the Queensland University of Technology law schools for their funding of the student clinics, a resource we cannot do without;

- Mr Allan English and the trustees of the Ian Potter Foundation, the Sylvia and Charles Viertel Foundation and the Sidney Myer Fund for their charitable grants;
- The Queensland Attorney-General, the Hon Jarrod Bleijie MP for his support through LPITAF;
- Senator the Hon George Brandis QC, Attorney-General for the Commonwealth;
- The Brisbane City Council, StreetSmart, Gambling Community Benefit Fund and the Queensland Mental Health Commission for their respective grants;
- A number of Queen's Counsel and the Slater & Gordon Foundation for funding a new student clinic to support the Self Representation Service.
- All QPILCH friends and supporters who have contributed in so many other ways over the last year.

Thanks are also due to our part-time bookkeeper Tracey Dwyer (to January 2014) and Rebecca Slade (from February 2014) and auditor Rob St Clair of Powers Financial Group. They have assisted the management committee to maintain close supervision of our books in keeping with the highest standards of financial accountability to ensure wise use of funds and the maximising of resources for the purpose for which QPILCH was created - to ensure fairness and justice for Queenslanders who cannot afford private representation or obtain legal aid.

Matthew Jones

SECRETARY/TREASURER





Q PILCH AT A GLANCE

Q PILCH helps the most vulnerable
CLIENTS GROUPS...

...using targeted

MODELS OF SERVICE

People experiencing or at risk of homelessness

People representing themselves

Refugees

People experiencing mental illness

Young people transitioning from care to independence

Pro Bono Referral Services

People experiencing hardship are connected with firms and barristers for pro bono advice and representation.

Outreach Legal Clinics

Through the HPLC, RCLC, MHCLC and LegalPod, volunteer lawyers provide legal services in partnership with community agencies.

Self Representation Service

Volunteer lawyers help clients represent themselves, with legal advice and assistance throughout court and tribunal proceedings.

Mental Health Law Practice

Volunteers represent clients in the Mental Health Review Tribunal and along with staff, provide advice about mental health law.

Q PILCH is the leading coordinator of pro bono legal services for Queenslanders.

Q PILCH operates 9am to 5pm, Monday to Friday and has offices in Brisbane, Toowoomba, Townsville and Cairns.



OUR PARTNERS

QPILCH works with many others to help vulnerable and disadvantaged Queenslanders access the legal help they need.

In 2013-14 we worked with...

Law firms, which
provided pro bono representation, advice and assistance
hosted training sessions for lawyers
supported events and community legal education projects

Barristers, who
provided pro bono opinions and representation
trained volunteer lawyers
supported events

Academics & professionals, who
shared expertise
led research
chaired reference groups

Community agencies. QPILCH
provided outreach legal clinics
trained workers to identify legal need
shared expertise in community projects

Community legal centres. QPILCH
participated in sector networks and on boards of management
shared expertise
partnered in collaborative projects

University Law Schools. QPILCH
supervised student clinics offering practical experience and insight into community legal work

Representative bodies. QPILCH
participated in the Queensland Law Society Access to Justice Committee
collaborated with the Bar Association of Queensland on new initiatives



OUR PEOPLE

2013-2014 Management committee

Lucy Bretherton, President	Special Counsel, Ashurst
Matthew Jones, Secretary/Treasurer	Barrister
Andrew Buchanan	Co-opted member
Rochelle Carey (Corporate Legal Unit representative)	Corporate Counsel, Glencore Co-opted member
Matthew Holmes	Partner, MurphySchmidt
Richard Hundt	Lawyer, McCullough Robertson
Kathryn McMillan QC (BAQ representative)	Queen's Counsel
Noela L'Estrange (QLS representative)	CEO, Queensland Law Society Incorporated
Judith McNamara (Associate Member representative)	Assistant Dean, Learning & Teaching, Queensland University of Technology Faculty of Law
Anthony Reilly	CEO, Legal Aid Queensland
Robert Reed	Special Counsel, Minter Ellison
Abbey Richards (resigned May 2014)	Lawyer, Holding Redlich Lawyers

2013-2014 QPILCH Staff

Director	Tony Woodyatt
Deputy Director	Andrea de Smidt (from October 2013)
Referral Service Coordinator	Catherine Hartley (from October 2013), Karen Dyhrberg (on maternity leave)
QLS and Bar Pro Bono Referral Services Solicitor	Tim Laird (from October 2013)
Referral Services Administrator	Melanie O'Sullivan (from October 2013)
Homeless Persons' Legal Clinic Coordinator	Cameron Lavery
Homeless Persons' Legal Clinic Senior Lawyer	Sue Garlick

2013-2014 QPILCH Staff

Homeless Persons' Legal Clinic Lawyer	Stephen Grace (from September 2013), Elizabeth Pendlebury (until September 2013)
Homeless Persons' Legal Clinic Administrator	Fleur Hopkins
Homeless Persons' Legal Clinic Project Officer	Robert Black (from October 2013)
Homeless Persons' Legal Clinic Lawyer (Cairns)	Renee Lees (from January 2014)
Homeless Persons' Legal Clinic Administrator (Cairns)	Donnella Mills (from April 2014)
Homeless Persons' Legal Clinic Administrator (Toowoomba)	Lyn Aplin (from October 2013)
Mental Health Law Practice Coordinator	Ann Herriot
Self Representation Service Coordinator	Elizabeth Pendlebury (from September 2013), Andrea de Smidt (until September 2013)
Self Representation Service Solicitor, Courts	Iain McCowie
Self Representation Service Paralegal, Courts	Jessica Freeburn (from September 2013), Stephen Grace (until September 2013)
Self Representation Service Solicitor, QCAT	Raquel Dos Santos (from February 2014)
Self Representation Service Paralegal, QCAT	Sarah Cox
Self Representation Service Paralegal, Federal Court	Dan Nipperess (from March 2014)
Townsville Managing Solicitor	David Maunsell (from January 2014)
Townsville Paralegal	Danielle O'Connor (from March 2014)
Student Clinic Supervisor	Andrea Perry-Petersen
Administrative Law Clinic Supervisor	Jackson Walkden-Brown
Office Manager	Nicola Skeggs (until January 2014)
Administrator	Jenny Porter
Bookkeeper	Rebecca Slade (from February 2014), Tracey Dwyer (until February 2014)
Fundraiser	Theresa Scanlan

2013-2014 Secondees

Australian Government Solicitor*	Tel Bodiam
Corrs Chambers Westgarth	Marissa Dooris
Corrs Chambers Westgarth	Kara Firth
Corrs Chambers Westgarth	Kate McKenzie
Corrs Chambers Westgarth	Ben Tuckett
Herbert Smith Freehills	Christie Jenkins
Herbert Smith Freehills	Mia La Burniy
Herbert Smith Freehills	Laura Vogler
Minter Ellison	Daniel Nipperess
Minter Ellison	Lisa Saunders
Norton Rose Fulbright	Georgia Hinds

* The Australian Government Solicitor has previously provided a secondee to QPILCH and has organised to provide staff from QPILCH and other community legal centres with several consumer law training sessions. The first training session was conducted in December 2013, and dealt with unfair contract terms and unsolicited consumer agreements. A second training session has been proposed for late 2014 on unconscionable conduct and undue influence.

In all client stories, the names have been changed to protect the privacy of clients.



REFERRAL SERVICES

Overview

In 2002, QPILCH established the Public Interest Referral Service in partnership with law firms to provide structured and coordinated pro bono legal assistance to vulnerable and disadvantaged Queenslanders. In 2009, QPILCH commenced management of the QLS and Bar Pro Bono Referral Services on behalf of the Queensland Law Society and Bar Association of Queensland. Since inception, we have assessed 2,833 applications for pro bono legal representation and advice and have referred out 1,045 matters to our member law firms and barristers.

Our clients

In 2013-14 we referred 105 individuals and community groups to practitioners who demonstrated their commitment to improving access to justice for disadvantaged Queenslanders by providing their services free of charge. The stories of "Alice" and "Sergei" below exemplify work done by these practitioners.

QLS and Bar Pro Bono Referral Service applicant, "Sergei"

Sergei, a pensioner with significant disabilities, took out a loan to buy a boat. He planned to live on the boat and service the loan by renting out his house, but his house was not fit for rental.

The loan was secured against his house and when he defaulted, the bank started action against him in the District Court to recover possession of his property.

There was a dispute over whether the bank had knowledge of Sergei's impairment.

A QPILCH member barrister assisted Sergei with a Counterclaim, arguing that the bank acted unconscionably in providing the loan, and was aware (or should have been aware) of Sergei's impairment. The matter proceeded to trial with the barrister representing Sergei on a direct brief basis and Sergei's friend acting as litigation guardian. The Court excused the requirement that a litigation guardian must have an instructing solicitor and the bank settled during the trial.

Public Interest Referral Service applicant, "Alice"

Alice is a 72-year-old woman who applied to QPILCH for assistance to protect her interest in a property that she co-owned with her daughter. Alice contributed half the purchase price of the property. However, Alice's name was not put on the title and her relationship with her daughter broke down. Alice was forced to leave the property and was at risk of homelessness.

A QPILCH member firm and barrister assisted Alice by sending a letter of demand, lodging a caveat on the property and commencing proceedings against Alice's daughter. After being served with proceedings, the daughter engaged in settlement negotiations which resulted in Alice being compensated for her interest in the property.

Alice is incredibly grateful for all the assistance she has received and is now able to live a safer and more secure life. Alice has told us that she does not know what she would have done without assistance and would likely be living in a tent.

Funding

QPILCH's continued operation and coordination of the Referral Services is made possible by a combination of LPITAF funding and member support:

- In 2013-14, the Public Interest Referral Service received a recurrent LPITAF grant of \$248,654, augmented by members' contribution of \$30,000. This LPITAF grant also funds the wages of the QPILCH Director and administrative staff and a large contribution to overall administrative costs.
- The QLS and Bar Pro Bono Referral Services received funding from LPITAF of \$88,464 and a contribution of \$10,000 each from the **Queensland Law Society** and the **Bar Association of Queensland**.

We were pleased to learn in May 2014 that LPITAF funding for the QLS and Bar Pro Bono Service has been extended to 3 years, and has been allocated for the 2014-2017 period.

We estimate that QPILCH members and QLS and Bar Pro Bono Referral Service participants provided well over \$1.7 million of free legal representation in 2013-14.

As always, our barrister members were particularly supportive in providing advices and representation and assisting clients to mediate and resolve matters.

We thank all our members and the QLS and Bar Pro Bono Referral Service participants for their valuable contribution to the provision of pro bono legal services in Queensland.

How we calculate the value of pro bono work done

When a matter is finalised, members report back to QPILCH on the outcome and the value of the work done. Of the 105 matters referred in 2013-14, members have reported back on 14 matters. \$165,198 of legal work was done on those files, an average of \$11,799 per matter. With a total of 105 matters referred, this would equate to \$1.2 million of pro bono work done on matters referred just in 2013-14.

The true amount is likely to be much higher, given that matters returned within the same financial year are likely to be smaller than average. Also, many firms are still working on pro bono files referred in previous financial years. Our best estimate, based on member feedback, is that an additional \$500,000 of pro bono work was done in 2013-14 on matters referred in previous financial years.

Volunteers and PLT placements

We thank the many volunteers who freely gave their time to assist the Referral Services. In the 2013-2014 financial year we had a number of undergraduate students, PLT placement students and retired and career-break practitioners volunteering their time.

Carmel McMahon	Alex Ganis	Will McIntosh
Daniel Drehorn	Megan Hogan	Alicia Brischetto
Peta Miller	Thomas Baldwin	John Dedegikas
Joy Wang	Damon Hatchett	Fraser Caldwell
Michael Gee	Brad Gallant	Ruth Kennedy
Erin Kelly	Dea Fairchild	Patricia Gray
Madeline Murphy	Kate Chipperfield	Jordan Jones
Erin Tanner	Eleanor Surajballi	Shane Connor
Trish Lee	Marya Atmeh	Julian Gillespie
Darren Williams	Sam Bullen	Kisa Rajapakse
Renee Worsfold	Keertan Samra	Abraham O'Neill
Emma King	Mariel Hoare	

In the words of Michael, PLT student and volunteer

"I commenced volunteering at QPILCH in August 2013 and subsequently completed my practical legal training through QPILCH's referral service. My experience at QPILCH has been extremely rewarding. I have had the opportunity to work on a number of different matters and have had wide exposure to various areas of law. The ongoing support and guidance I have received from staff has been invaluable. It has been an absolute privilege to work with such a dedicated team of people who are passionate about social justice."

In the words of Carmel, volunteer lawyer

"Volunteering at QPILCH is a great opportunity for qualified lawyers to give something back to the community in a friendly and appreciative environment. It also allows lawyers to stay current with legal issues and legislation, and hone the skills of identifying the essential legal issues and finding solutions for them. Older lawyers with work experience in law and other fields are usually able to contribute in a number of additional ways for example, mentoring some of the student lawyers, or assisting clients with practical or common sense solutions drawing on our years of experience."

Student clinical legal education

QPILCH supervises a number of student clinics which support the work of the Referral Services with students either working directly on cases or undertaking research projects which are informed by casework and seek to find solutions to systemic issues. Student clinics also provide senior law students with an exceptional learning experience and allow them to put theory into practice.

Access to Justice Clinic – Queensland University of Technology

The second semester of 2013 was the first semester we ran this clinic with QUT. The students worked on Referral Services files and assisted us to assess applications and refer or advise clients. We thank **The Honourable Justice Jean Dalton** for joining students for lunch in September 2013.

The students' projects were assessed by QUT and they prepared resources for the "Information about the law" section on our website regarding elder law and stolen generations. This section of the website is designed to give people information about the various places they might go for help and likelihood of QPILCH assistance in various areas of law. We are hopeful that this will encourage appropriate applications and discourage applications where the client would be better served elsewhere. The students presented their projects at an information evening at QUT on 24 October 2013, which was attended by clinic supervisor Catherine Hartley.

Public Interest Research Clinic – University of Queensland

The aim of PIRC is to teach students to conduct and evaluate socio-legal research. In 2013-14 PIRC students worked on several projects which involved:

- Considering whether the recommendations in QPILCH's 2009 submission to the Queensland Law Reform Commission Review of Guardianship Law had been considered by the QLRC and implemented by the Government. The students produced an article which will be published in *Parity* in late 2014.
- Examining what consent is required in keeping records for and publishing case studies. The students wrote several case studies which could be used by QPILCH and were exposed to a range of ethical issues.

In the words of our PIRC students

"I have learnt how to work through issues and take steps forward independently without always requiring the instruction of a lecturer or tutor."

"University has given me the legal knowledge but QPILCH has given me a future direction."

- Investigating the correlation between homelessness and asylum seekers; and the effect of the provisions of the *Criminal Offence Victims Act 1995* (Qld) and *Victims of Crime Assistance Act 2009* (Qld) on prisoners.

We thank **The Honourable Justice Atkinson** and her associate, **Professor Heather Douglas** (UQ), **Rachel Ball** (Director of Advocacy and Campaigns, Human Rights Law Centre), **Karen Williams**, **Margaret Deane**, **Kylie McGrath**, **Kayleigh Whittaker** (QADA), **Anna MacGillivray** (Sessional Academic, QUT), **Tukie Balanzategui** (PLS), **Angus Francis** (RAILS), **Kristy Neilsen** (SPER), **Jo-ann Cochran** (MDA), **Keir Daley** (Red Cross), **Miryeong Lee** (Refugee Claimants Support Service), **Karene McCarthy** (Victims Assist Queensland) and **Stephen Keim SC** of Counsel for speaking with the students. The students reported gaining practical skills, confidence and an understanding of the role of law reform.

Social Justice Lawyering Clinic – Griffith University

This clinic, the longest running at QPILCH, was held in first semester 2014 for the 14th time. Students assisted Referral Services with casework, individually presented a seminar on a topic related to social justice and did project work, for which they were assessed. The students drafted factsheets and templates to assist the recently re-established Self-Representation Service at the Federal Courts.

We are grateful to our guest presenters **Cristy Dieckmann** (Director, QAILS), **Corin Morcom** (Allens) and **Adjunct Professor Gillian Hallam** (QUT) for speaking with the students.

Administrative Law Clinic – Bond University

In conjunction with **Bond University**, QPILCH operates three 12-week student clinics per year, providing direct and much needed legal assistance to QPILCH clients seeking review of government decisions. In each clinic, Bond University law students attend QPILCH offices one day per week throughout the semester. The ALC assists the Referral Services with administrative law casework and conducts research on social justice issues related to government decision-making.

The ALC regularly assists recipients of social security payments, veterans, and prisoners. Students conduct telephone interviews with applicants and draft correspondence and documents under the supervision of the clinic supervisor. Examples of research projects that the ALC students have recently undertaken include a report on offender recovery provisions in victim's compensation legislation, a submission on recent right to information legislative reform proposals, and a report on portability provisions relating to pension entitlements.

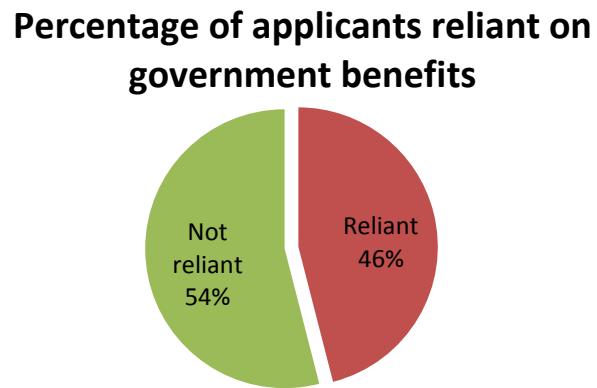
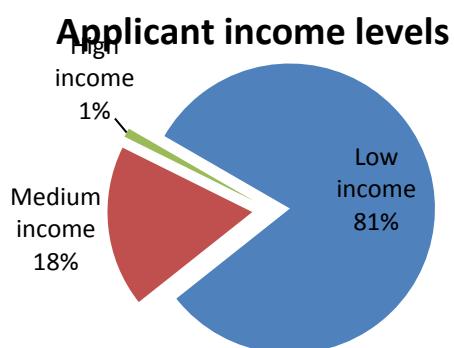
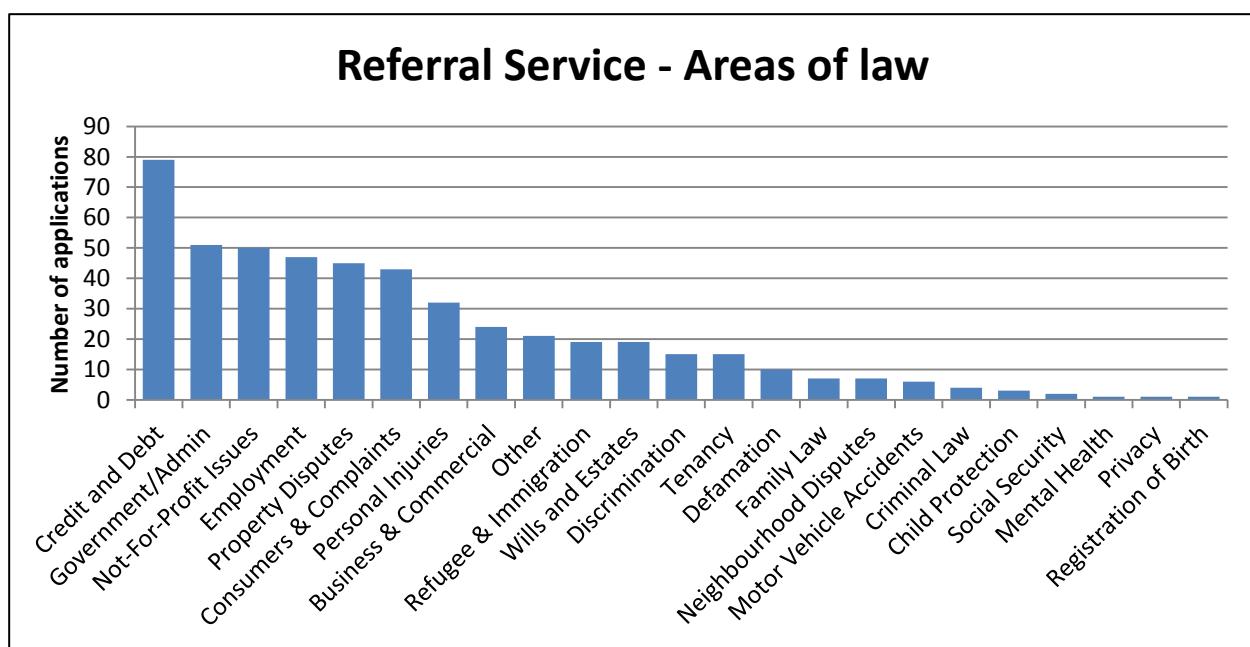
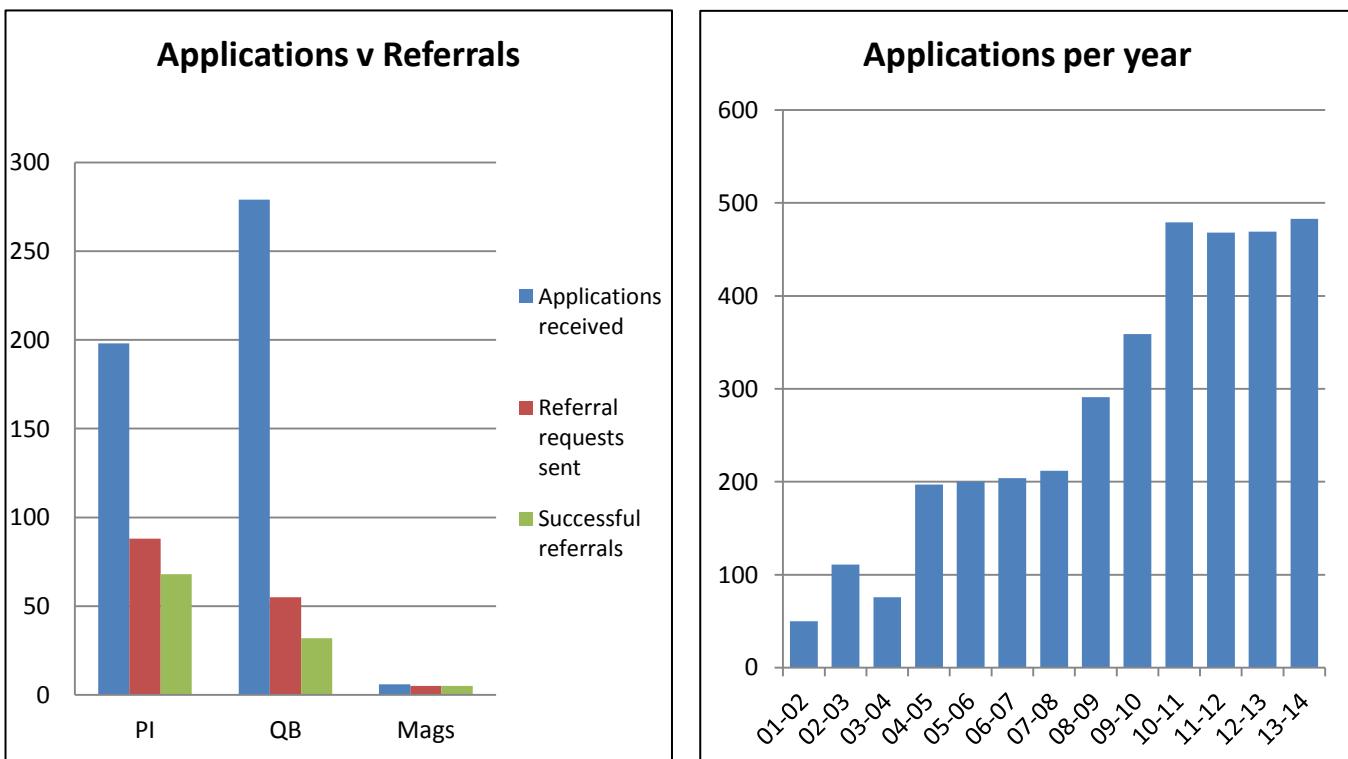
We thank **Stephen Keim SC** and **Madeline Brennan** of Counsel, **Dr Geoffrey Airo-Farulla** (Office of the Commonwealth Ombudsman), **Lauren Reibelt** (Crown Law), **Katie Shephard** (Office of the Information Commissioner), **Eleanor Dickens** (Clayton Utz), **Matt Holmes** (Murphy Schmidt), **Patrick Cranitch** (Welfare Rights Centre), **Senior Member Michelle Howard** (QCAT) and **Senior Member Bernard McCabe** (AAT) who gave their time so generously to meet with the ALC students.

Casework statistics and demographics

This year, the Referral Services received 483 applications for assistance, the highest number in any financial year since we commenced operation in 2001. We sent 146 referral requests and successfully referred 105 matters. This means that 41 requests were not taken up by firms and/or barristers. We are working with our colleagues to improve our referral process and ensure that all applicants receive the legal assistance they need.

Credit and debt, government and administration, employment and not-for-profit issues made up the largest percentage of the 483 applications received. 51% of applicants were female; 49% were male. 20% of applicants were aged between 45 and 54. 17% of applicants were supporting dependants.

Catherine Hartley – referrals@qpilch.org.au; **Tim Laird** – glsbar@qpilch.org.au; **Karen Dyhrberg**, **Ben Tuckett** – referral.secondee@qpilch.org.au; **Jackson Walkden-Brown** – adminlaw@qpilch.org.au; **Andrea Perry-Petersen** – clinic@qpilch.org.au; **Melanie O'Sullivan** – referralsadmin@qpilch.org.au



OUTREACH LEGAL CLINICS

Homeless Persons' Legal Clinic

Refugee Civil Law Clinic

Mental Health Civil Law Clinic

LegalPod

Overview

In December 2002, QPILCH established the Homeless Persons' Legal Clinic (**HPLC**) in partnership with law firms and community agencies to deliver pro bono outreach legal services to vulnerable Queenslanders.

Our outreach model has now provided legal representation and advice to over 4,500 clients experiencing disadvantage, including those who are homeless or at risk of homelessness, people facing mental health concerns, refugees and young people transitioning from care to independence.

In 2013-14, we coordinated the following types of legal clinics for marginalised clients:

- Homeless Persons' Legal Clinic;
- Refugee Civil Law Clinic;
- Mental Health Civil Law Clinic;
- LegalPod.

The legal clinics are located at 23 community agencies in Brisbane, Toowoomba, Cairns and Townsville, with over 400 volunteer lawyers from 25 firms providing targeted and frontline legal assistance.



The team in Brisbane: Sue Garlick (Senior Lawyer), Fleur Hopkins (Administrator), Cameron Lavery (Coordinator), Robbie Black (Project Officer), Stephen Grace (Lawyer).



Volunteer lawyers helping a client at the HPLC at 4AAA Kiosk, West End

Our clients

In 2013-14, we met rising demand and achieved consistently positive and holistic outcomes for our clients, including the following success stories:

Refugee Civil Law Clinic client "Sofia"

Sofia, who is a single-mother refugee with a limited understanding of English, connected with the Refugee Civil Law Clinic (**RCLC**) through her caseworker and raised concerns about her dependent children's access to health, education and social security. After fleeing from Ethiopia, Sofia put her children's wellbeing first and took steps to establish a stable life for her children. However, difficulties arose as her children's dates of birth had been incorrectly recorded on their arrival in Australia, resulting in them being enrolled in the incorrect school grade and changing their entitlements to essential government services.

By collaborating with Sofia's caseworker, the RCLC advised her about legal options and helped her to gather the necessary supporting evidence to correct the government's records, including facilitating bone age x-rays for her children. The RCLC also prepared extensive submissions and successfully applied to the government for Sofia's children's dates of birth to be amended. Sofia's children are now able to access suitable education and appropriate health and social services, and continue stabilising their lives in Australia.

Homeless Persons' Legal Clinic client "Peter"

When Peter met with the Homeless Persons' Legal Clinic (**HPLC**), he was experiencing chronic homelessness and mental health concerns and facing recovery proceedings for debts totalling over \$60,000. After the breakdown of his relationship and loss of his small business, Peter had fallen into a cycle of homelessness and incarceration. During this time, he incurred crippling tax, fines and other debts, which were being pursued by the government and other agencies.

The HPLC obtained pro bono tax assistance from a specialist accountancy firm and after substantive negotiations, achieved a withdrawal of prosecution regarding Peter's debts on 'public interest' grounds. Since being relieved of his debt burdens, Peter has been able to prioritise finding more secure housing and reconnecting with his family.

Mental Health Civil Law Clinic client "Maureen"

Maureen engaged with the Mental Health Civil Law Clinic (**MHCLC**) through her support worker, seeking assistance after being violently assaulted. Maureen experiences multiple mental health issues and lives at risk of homelessness in public housing. Without provocation, Maureen was assaulted and physically injured by her neighbour, and due to financial and personal hardship, she was unable to afford the associated hospital expenses.

The MHCLC advised Maureen about her legal rights and entitlements as a victim of crime in Queensland, and worked with her caseworker to obtain the necessary supporting medical reports to lodge an application for criminal compensation. Maureen was awarded over \$7,000 in victim's assistance, covering her outstanding medical costs, and she expressed her relief and gratitude for the MHCLC's assistance.

Funding

We are grateful to the Queensland Department of Justice and Attorney-General for LPITAF funding of \$248,234 and the Australian Government Attorney-General's Department for the funding of \$76,660 in the last financial year. This vital support allowed us to offer frontline legal assistance to more homeless and disadvantaged clients, particularly in regional and remote Queensland.

In 2013-14, we were also provided a special grant of \$334,000 per year for three years to open a Townsville office, with a major focus on homelessness.

We also thank the following organisations for kindly providing us with grants in 2013-14:

The Ian Potter Foundation (\$50,000);

StreetSmart Australia (\$10,000);

Brisbane City Council (\$19,868);

The Lady Bowen Trust (\$2,000)

Legal Aid Queensland CLE Collaboration Fund (\$12,624);

Supporters and volunteers

We acknowledge the tremendous, on-going pro bono efforts of our partner law firms which contributed over \$3.9 million worth of pro bono legal services and support through the outreach legal clinics in 2013-14. We thank the hundreds of pro bono lawyers who volunteered their time, making it possible for us to address the complex legal needs of the most disadvantaged in our community.

We recognise **Minter Ellison** for generously providing us with full-time secondee lawyers Dan Nipperess and Lisa Saunders. We acknowledge the members of our LegalPod Reference group including chair, **The Honourable Margaret White AO**, former member of the Queensland Court of Appeal, **Lucas Moore** (CREATE Foundation), **Tracey Smith** (PeakCare Queensland), **Dr Cameron Parsell** (Australian Housing and Urban Research Institute – Queensland Research Centre) and **Paul Newman** (Ashurst).

We also thank our partner community host agencies and workers for their substantial contribution. These invaluable collaborations have allowed us to continue offering joined-up, client-focused assistance across Queensland.

Brisbane

We operated the following outreach legal clinics in Brisbane during 2013-14:

Partner firms	Legal clinic locations
Allens	HPLC at New Farm Neighbourhood Centre HPLC at Anglican Women's Hostel MHCLC at Footprints LegalPod
Ashurst	HPLC at Brisbane Homelessness Service Centre LegalPod
Clayton Utz	HPLC at Salvation Army Pindari Men's Hostel HPLC at Salvation Army Pindari Women's Hostel LegalPod
Corrs Chambers Westgarth	Refugee Civil Law Clinic at MDA
DibbsBarker	HPLC Kyabra Phone Clinic
DLA Piper	MHCLC at Open Minds



HPLC volunteers, including Minter Ellison secondee lawyer Lisa Saunders, at HomelessConnect.

Herbert Smith Freehills	HPLC at Bric Housing HPLC at Roma House LegalPod
HWL Ebsworth	HPLC at Mission Australia Café One (until September 2014) HPLC at 139 Club (from September 2014) LegalPod
Holding Redlich	HPLC at Brisbane Youth Service
King & Wood Mallesons	HPLC at Brisbane Youth Service LegalPod
McCullough Robertson	HPLC at 4AAA Kiosk (until January 2014) HPLC at West End Community House (from January 2014)
Minter Ellison	HPLC at 139 Club (from September 2014) HPLC at Mission Australia Café One LegalPod Nundah Phone Outreach Legal Clinic
MurphySchmidt	HPLC at Brisbane Homelessness Service Centre LegalPod

Regional

In the last financial year, we expanded our regional presence with new, local staff members working with volunteer lawyers to deliver HPLCs at the following locations:

- **Cairns** – Homelessness Service Hub, Cairns Mall, Mission Australia, and Youth Empowered Towards Independence;
- **Toowoomba** – The Basement; and
- **Townsville** –South Townsville Drop-in Centre; Homelessness Service Hub.

We thank the following firms, CLCs and lawyers for their support of our regional HPLCs in 2013-14:

Catherine Cheek, Clewett Lawyers	Ken Parry, MacDonald Law Toowoomba
Crosby Brosnan & Creen Lawyers	Craig Burgess, USQ Law School
Paul Green, Kennedy Spanner Lawyers	Townsville Community Legal Service
Boulton Cleary and Kern Lawyers	Connolly Suthers
Andrew Braithwaite, Hede Byrne & Hall	Kathy Walker, Walker Solicitors
Chris Mills	

Research and projects

Our on-going research program is supported by the HPLC Student Clinic and the development and implementation of new projects. This enables us to address the key systemic issues faced by our disadvantaged clients and deliver more effective, targeted legal assistance.

In 2013-14, we made a submission to the Inquiry on strategies to prevent and reduce criminal activity in Queensland, released a discussion paper on *Responding to homelessness and disadvantage in the fines enforcement process in Queensland* and investigated the pathways to civil legal services for people transitioning out of the prison system in South-East Queensland.

Legal Health Check

The Legal Health Check is a resource we have developed within the HPLC since 2009. It is a structured interview tool which helps community workers, HPLC lawyers and clients to identify legal issues which the client has but may not recognise as legal problems. The current Legal Health Check is seven pages long and covers six main legal issues, and also available in a postcard version.

We have been refining the Legal Health Check in the last years by observing its use in the clinics and tailoring the language and substance to suit clients' needs. In 2013-14, we prepared a paper on the development and use of the LHC entitled '*Sharing the Menu: Perspectives and Data from the Legal Health Check*'.

In order to share the LHC with partner organisations, we produced two videos which we use to assist caseworkers and volunteer lawyers to use the LHC to identify the legal needs of marginalised clients. Our videos are available at www.qpilch.org.au/lhc.

We shared the concept of the LHC at the 2013 NACLC conference and have since received enquiries from CLCs around Australia which are interested in using this resource. We also presented a webinar through QAILS which was well attended and reviewed.

More recently we have been approached to work with the National Association of Community Legal Centres to share the Legal Health Check nationally and to develop web-based training resources to support community workers using it. This project will be finalised in June 2015.

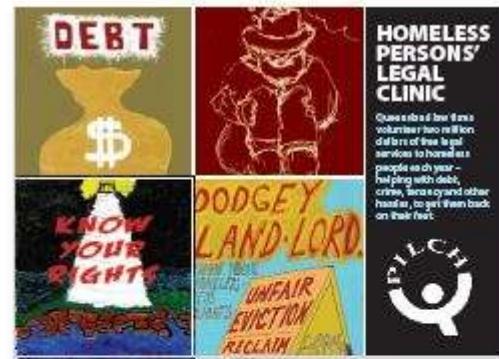
LegalPod

We developed and commenced this innovative legal clinic for young people transitioning from state care, with funding from StreetSmart and the Ian Potter Foundation. Clients are connected to their Pod – a small team of pro bono volunteers who assertively diagnose and address the legal needs of these vulnerable young people, and continue with them for the duration of their transition – up to 4 years.

Other projects

We carried out several other projects during the last financial year, including:

- The **Outreach Legal Clinic**, a phone-based clinic for disadvantaged clients of five agencies on Brisbane's outer-Northside: Red Cross Homestay, Multicultural Development Association, Young Parent's Program, Glenhaven Women's Refuge and Nundah Community Centre;
- **HPLC at Bric Housing**, a pilot clinic funded by Brisbane City Council to deliver outreach legal services to social housing residents in Spring Hill, Brisbane; and
- The **500 Lives/500 Homes campaign** led by Micah Projects, which we contributed to as a member of the Planning Group.



HPLC Student Clinic

Last financial year, we supervised two HPLC Student Clinics in collaboration with **the University of Queensland TC Beirne School of Law**. Each Student Clinic has two rotations, with students spending half of the semester in the QPILCH office working on research projects and the remaining half at HPLC partner law firms, attending and supporting the volunteer lawyers at the clinics.

We are grateful to **Ashurst, DibbsBarker, HWL Ebsworth, McCullough Robertson, Minter Ellison and MurphySchmidt** for hosting students in 2013-14.

In the words of Lixing Ang, law student

"Interacting face-to-face with clients at the [homelessness drop-in service] put a human face to "homeless people". My impression of them changed from "dodgy bunch" to actual living, thinking, and feeling individuals.

[The research topic gave me freedom to consider] the plight of those in need of legal assistance, how getting it could dramatically improve their situation, and the kinds of obstacles that were hindering the proper administration of useful policies.

I learnt of the importance of being a lawyer with a conscience, one that works not just to make a living, but one who strives whenever possible to do the right thing, and importantly, to give back to society (whether through pro bono work or otherwise), including those who cannot afford to pay.

If I had to sum up what I saw in this HPLC, it is that the ones who need help the most are often the ones who face the greatest difficulty in getting it."

Training

We deliver Continuing Legal Education (**CLE**) to our staff, pro bono firms, partner agencies and other community organisations. We thank the firms and agencies that generously hosted CLE sessions and team leader meetings, and thank all presenters for their contributions.

In 2013-14, we offered 21 CLEs and induction training sessions on legal skills and relevant areas of law for volunteer lawyers and presented at various conferences, including a national and an international conference. We held four team leader meetings for volunteers to share experiences and canvass issues raised at the various clinics.

Caseworker training

We trained almost 200 community workers to identify legal issues and refer vulnerable clients at in-house sessions at community agencies. We trained a further 50 caseworkers from 22 community organisations at our annual caseworker training day in 'legal basics'. The Commonwealth and State Ombudsman's Office hosted this day on 13 March 2014. Sessions on topical legal issues were presented by HPLC, CLC and government representatives.

HPLC Continuing Legal Education for volunteer lawyers at MurphySchmidt



Events

Street Soccer

The second annual HPLC Street Soccer Tournament was held on 17 July 2013 at New Farm Park, in partnership with the **Big Issue**. Teams from our partner firms, **Allens, Ashurst, Clayton Utz, Corrs Chambers Westgarth, Herbert Smith Freehills, McCullough Robertson** and **Minter Ellison** joined Big Issue players, community organisations, the Brisbane Roar's possibilities team and the QPS in the tournament. Thanks to participating firms, the event raised around \$4,000 for the Big Issue and the HPLC.



The winning 2013 Street Soccer team, Corrs Chambers Westgarth, with the Honourable Paul de Jersey AC, retired Chief Justice of Queensland

Congratulations to **Corrs Chambers Westgarth** for winning the competition and to **Minter Ellison** for being awarded Best & Fairest by the Big Issue. We thank the Honourable Paul de Jersey AC, Chief Justice of Queensland for presenting the trophies. We also recognise the generous small grant from the Lady Bowen Trust and **Clayton Utz** for supporting the event's BBQ.



QPILCH President Lucy Bretherton, the Queensland Attorney-General, the Hon Jarrod Bleijie MP and residents/actors from HPLC host agency Roma House.

Launch of the HPLC Legal Health Check Videos

Queensland Attorney-General, **The Hon Jarrod Bleijie MP** officially launched our HPLC Legal Health Check Videos in late 2013 and the event was generously hosted at **Herbert Smith Freehills**. We thank Legal Aid Queensland for funding this project.

Other events

In 2013-14, staff and volunteers from our outreach legal clinics also participated in several other events, including National Homeless Persons' Week, HomelessConnect and the Darkness2Daylight Challenge.

These events helped us to foster sector collaboration, connect with new clients and raise community awareness.

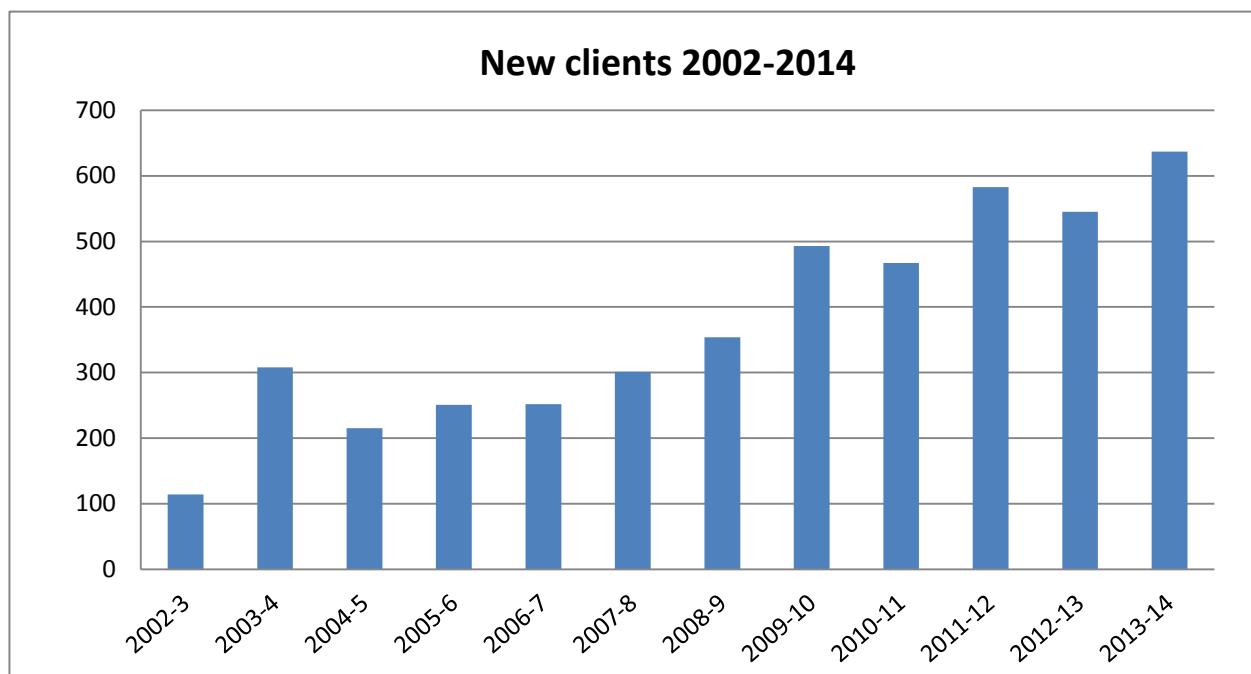
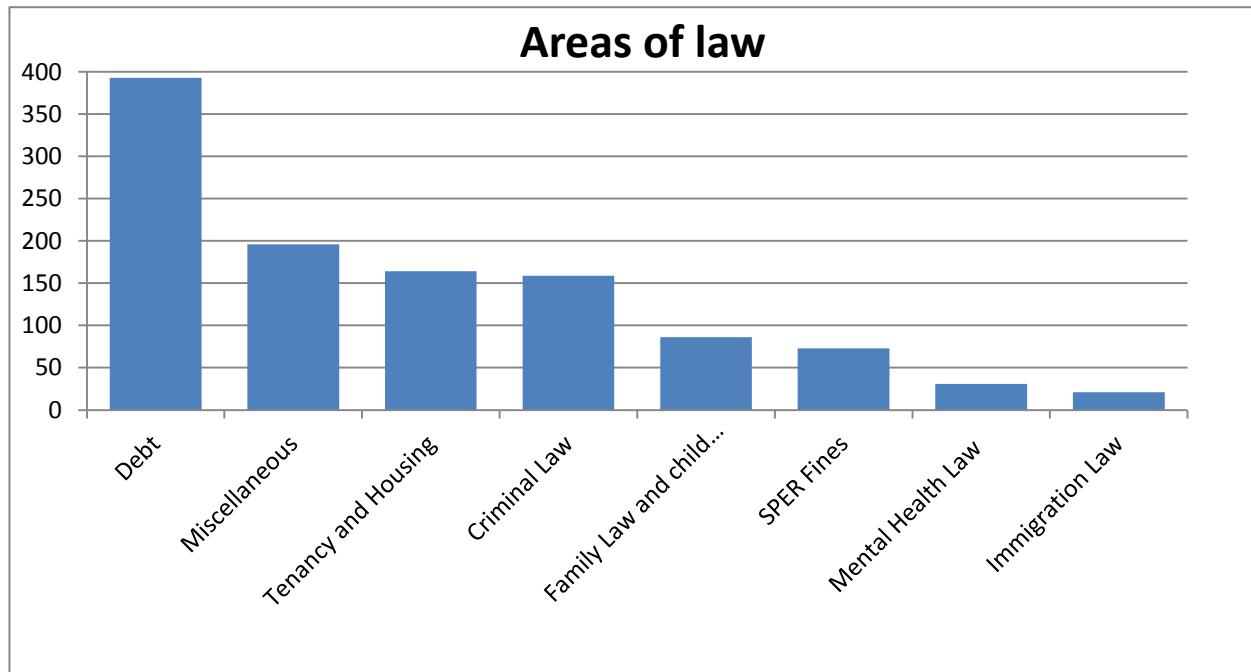


Team members volunteering at the Darkness2Daylight Challenge, which raised awareness of the fight against domestic violence.

Casework statistics

In 2013-14, we opened 1,123 new client files through the Homeless Persons' Legal Clinic, Refugee Civil Law Clinic and Mental Health Civil Law Clinic and LegalPod. During this period, we addressed the complex, multiple legal needs of 637 new vulnerable clients (38.7% female; 61.3% male). 11.5% of our clients identified as Aboriginal or Torres Strait Islander and 15.4% of our clients were culturally and linguistically diverse.

We provided legal representation and advice across all areas of civil law, with an increased prevalence of urgent tenancy and housing disputes, complex debts and victim of crime issues.



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SELF REPRESENTATION SERVICE

Overview

Since it began operations in the Queensland Courts in 2007, QPILCH's Self Representation Service has assisted over 2,200 self-represented litigants and coordinated \$2.9 million worth of pro bono legal services to support disadvantaged Queenslanders.

The Service offers self-represented litigants advice and assistance to complete the legal tasks associated with litigation and currently operates full-time in the Queensland District and Supreme Courts, the Queensland Court of Appeal, the Queensland Civil and Administrative Tribunal and the Federal Circuit Court and Federal Court of Australia.

Our clients

In 2013-14, the Service continued to efficiently address the rising demand for accessible legal advice in Queensland's civil law jurisdictions. A snapshot of those assisted includes:

"Barry" needed help with a general protections claim he had brought in the Federal Circuit Court against his former employer. After losing his job, Barry was struggling to support his wife and two young children with only a Centrelink Newstart payment. Barry's wife was unable to work due to a disability and the family was at risk of losing their home as they couldn't keep up with the mortgage repayments.

A four-day trial had already been set-down at the time of Barry's first appointment. The Service quickly formed the view that Barry had a good case but had not provided adequate evidence to support his cause of action. With the help of **Minter Ellison Lawyers** and **Hynes Legal**, the Service assisted Barry to understand his cause of action, prepare additional affidavit evidence, draft an outline of argument and prepare for the trial. From this improved position, Barry was successful in negotiating a favourable settlement with the Respondent mid-way through the trial. As a result, Barry was able to prevent the bank foreclosing on the family home and gain some breathing room to find another job.

"Suzanne" needed help with an application she had made in QCAT to review a decision made by the Department of Communities, Child Safety and Disability Services to restrict contact visits with her son. Suzanne had a learning disability, no assets and relied on Centrelink payments. Her son had a profound intellectual impairment and was removed after the client was assessed as not having the capacity or willingness to care for him. **HWL Ebsworth, McInnes Wilson, MurphySchmidt Solicitors** and **Minter Ellison Lawyers** assisted Suzanne to apply for an extension of time to comply with directions that had been made by QCAT, consider what outcomes she might like to achieve, draft her statement of evidence, and respond to an offer of settlement made by the Department. Suzanne was successful in reaching an agreement with the Department that increased the amount of time she was able to spend with her son.

"Lily", a low income earning student and single mother, required assistance with her long-running de facto property proceedings in the District Court. **King & Wood Mallesons, Clayton Utz, Corrs Chambers Westgarth Lawyers, DibbsBarker** and **Crown Law** all provided appointments to Lily throughout the course of her proceedings, assisting her to undertake disclosure, enforce interlocutory orders, prepare for the final hearing and then take initial steps to enforce the favourable decision.

Funding

In 2013-14 funding for the operation of the Service at the State Court and QCAT was provided from the Legal Practitioner Interest on Trust Accounts Fund (LPITAF) administered by the Queensland Department of Justice and Attorney General:

- The Service at the State Courts received \$168,512; and
- The Service at QCAT received \$135,969.

As a result of the pilot Service QPILCH conducted in the Federal Circuit Court and Federal Court from July 2011 until October 2012, the Federal Government allocated funding for a rollout of the service in Commonwealth Courts across Australia. In February 2014 QPILCH received \$175,000 to establish and operate the Service in the Brisbane Registry of the Federal Courts.

The Service in the Federal Courts was launched with a function on 23 April 2014, hosted by the Federal Court of Australia. Federal Attorney-General, **Senator the Honourable George Brandis QC**, officiated at the launch which was well attended by members of the judiciary, including the Honourable Justice Keane of the High Court, the Honourable Justices Dowsett, Collier and Rangiah of the Federal Court, Judges of the Federal Circuit Court, lawyers from QPILCH's member firms, QPILCH staff and law students.



Self Representation Service coordinator Elizabeth Pendlebury, Attorney-General Senator George Brandis QC, Judge Burnett of the Federal Circuit Court and QPILCH president Lucy Bretherton.

Research

Informed by casework, the Service was involved in a number of research projects this year including:

- Contributing to the development of *Supreme Court Practice Direction 10 of 2014* about the Self-Represented Litigants Supervised Case List;
- An evaluation of the Service in the State Courts that was published in March 2014 by Dr Cate Banks, Professor Jeff Giddings of Griffith University Law School and Associate Professor Blake McKimmie of the University of Queensland's Psychology Department. The evaluation was funded by a grant from the Australasian Institute of Judicial Administration and confirmed the effectiveness of the Service's model; and
- In April 2014, Service solicitors, Iain McCowie and Elizabeth Pendlebury, presented papers at the Australasian Institute of Judicial Administration's conference on Assisting Unrepresented Litigants - A Challenge for Courts and Tribunals. Iain's paper, *Self-represented parties and the court rules in the Queensland courts*, has subsequently been published in volume 24 of the *Journal of Judicial Administration*.

Contributing firms and barristers

Many of the Service's appointments are staffed on a pro bono basis by volunteer solicitors from QPILCH member firms. This allows the Service to assist more people than it could otherwise. In 2013-14, QPILCH member firms contributed an estimated 2,379 hours of their time at a value of \$733,463.

We thank those participating firms who hosted a CLE session this year as part of the continuing legal education program the Service provides to all volunteers.

Participating firms

Allens	Crown Law	McCullough Robertson Lawyers
Ashurst	Dibbs Barker	McInnes Wilson
Barry.Nilsson.Lawyers	DLA Piper Australia	Minter Ellison Lawyers
Bartley Cohen	Herbert Geer	MurphySchmidt Solicitors
CBP Lawyers	HWL Ebsworth Lawyers	Norton Rose Fulbright
Clayton Utz	Hynes Lawyers	Piper Alderman
Cooper Grace Ward	K&L Gates	Shine Lawyers
Corrs Chambers Westgarth	King & Wood Mallesons	TressCox Lawyers

We are also grateful to the following solicitors and barristers for agreeing to take part in a Settlement Conference Service that the Service in the Federal Courts is coordinating for small claims matters commenced under the *Fair Work Act 2009*: **Anand Shah, Andrew See, Cate Banks, Chris Lenz, Elizabeth Gaffney, Farley Tolpen, George Kalimnios, Grace Lawson, Jens Streit, Jim Brooks, John Farren, Joseph O'Hare, Kelly McIntyre, Keyon Bayani, Leigh Bernhardt, Lynette Vanderstoep, Mark McCarthy, Michael Halliday, Michael Labone, Patricia Feeney, Patrick Wedge, Paul Flintoft, Rob Stevenson, Roman Krumins, Shane Connor, Stephen Lee and Sue McLeod.**

QPILCH members also support the Service by representing clients of the Service where a greater level of pro bono assistance is required, providing opinions to guide the course of action taken by the Service, and by mediating disputes. We thank the following members who assisted in this way in 2013-14:

- **Matthew Jones** of Counsel provided an opinion which assisted us to assess an application from a client who had commenced an appeal to the Full Court of the Federal Court.
- **Stewart Webster** of Counsel, instructed by QPILCH, represented a disadvantaged client in three hearings in the District Court, resulting in consent orders setting aside an enforcement warrant and the underlying judgment, allowing the client an opportunity to bring his case to enforce his interest in the property.
- **MurphySchmidt** accepted a referral to assist a low-income earning former refugee to resolve Supreme Court defamation proceedings.
- **Norton Rose Fulbright** accepted a referral to assist an aged widowed pensioner defend mortgage repossession proceedings brought after a mortgage broker who befriended her persuaded her to take out a loan.

Volunteers

We thank the volunteer undergraduate students, PLT placement students and retired and career-break practitioners who freely gave their time to assist the Service in 2013-14: Shane Connor, Jo Cameron, Chris Curtis, Renee Worsfold, Aanand Jayachandran, Xavier Keary, Victoria Allen, Hannah McAlister, Faeza Lima, Len Brown, Ben O'Brien, Michael Esteban, Nathan Morley and Arndt Herrmann.

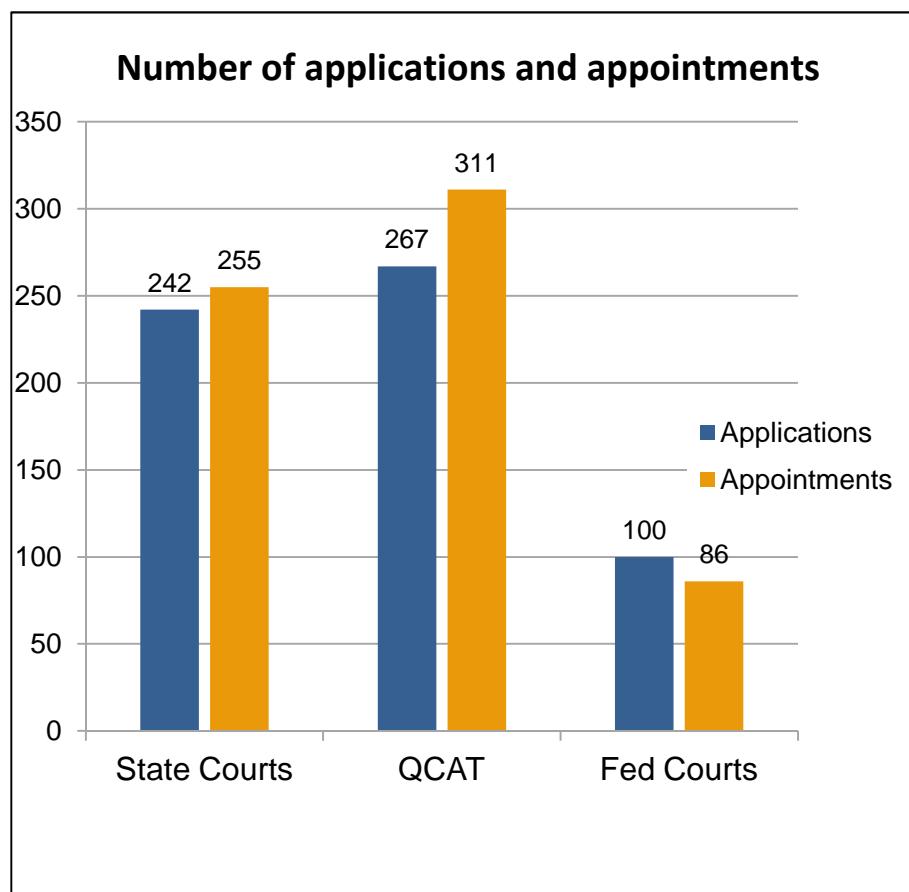
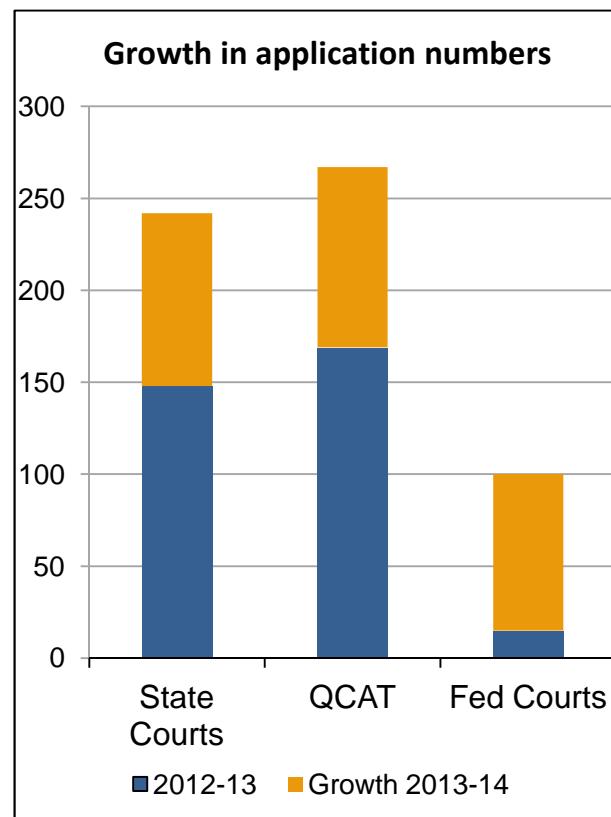
Casework statistics

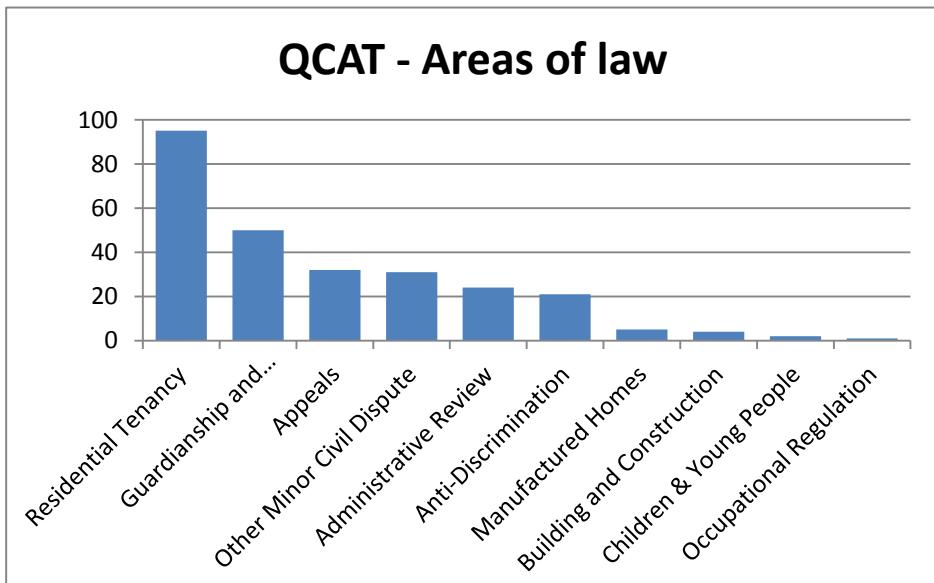
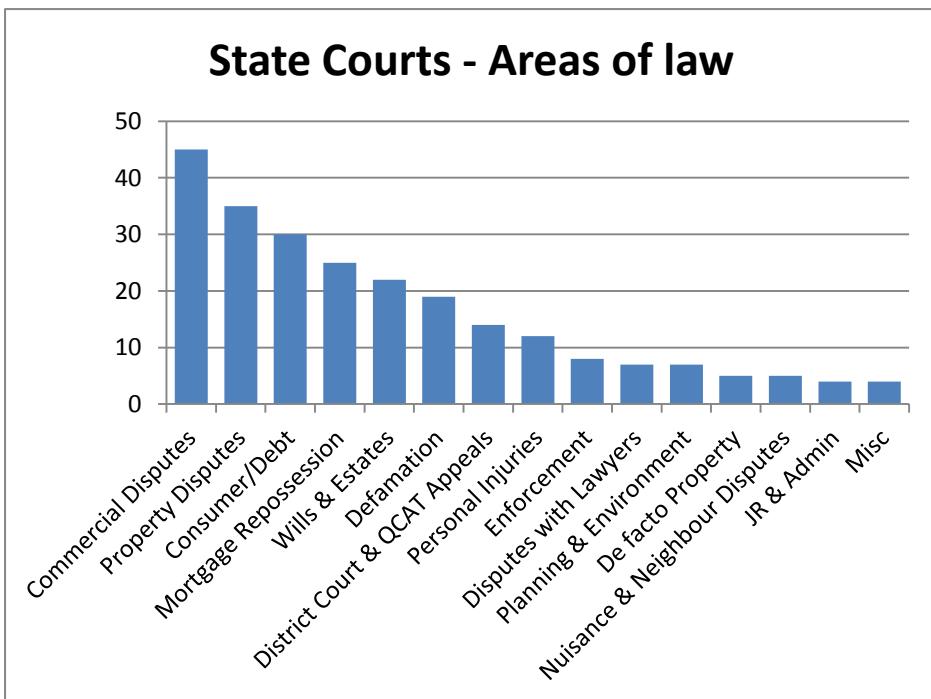
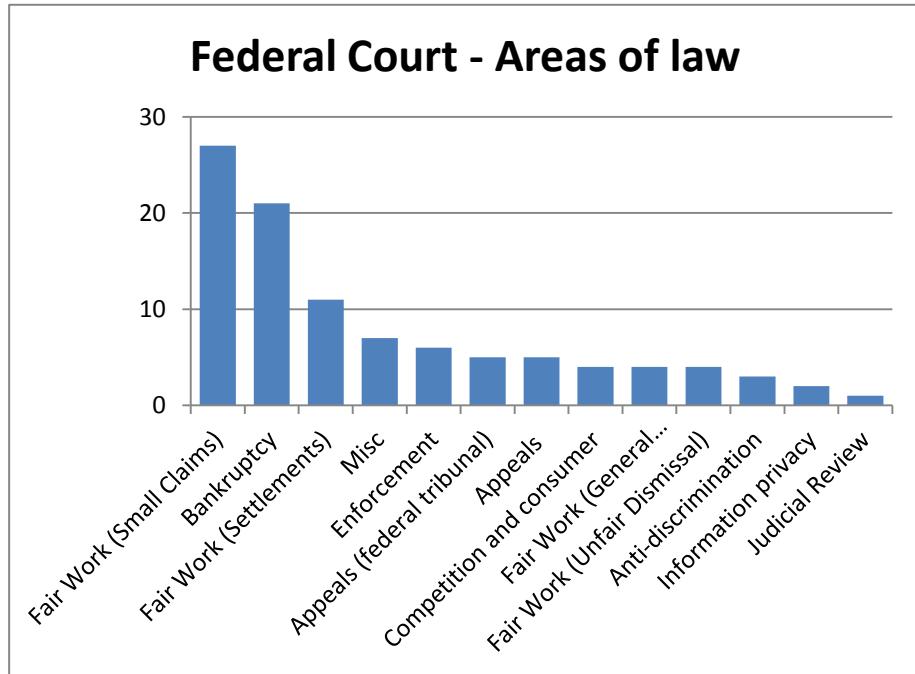
In 2013-14, the Service experienced a significant increase in demand for assistance with a total of 609 applications received. QPILCH staff and volunteer solicitors from member firms provided 652 appointments of at least one-hour duration.

An important purpose of the Service is to encourage the early resolution of disputes and dissuade litigants with a lack of legal merit from commencing or defending proceedings. When an application is assessed as having little merit, an appointment is arranged for the self-represented litigant to receive advice about the proposed legal cause of action and the likely difficulties they will face if they proceed with the action.

In 2013-14, the Service successfully discouraged a total of 69 self-represented parties from commencing or continuing unmeritorious proceedings. These diversions result in benefit not only to the self-represented parties themselves but also to the justice system as a whole.

We provided advice and assistance in many areas of civil law including mortgage repossession, property, consumer, bankruptcy, employment, tenancy and housing, guardianship and administration, discrimination and administrative review.



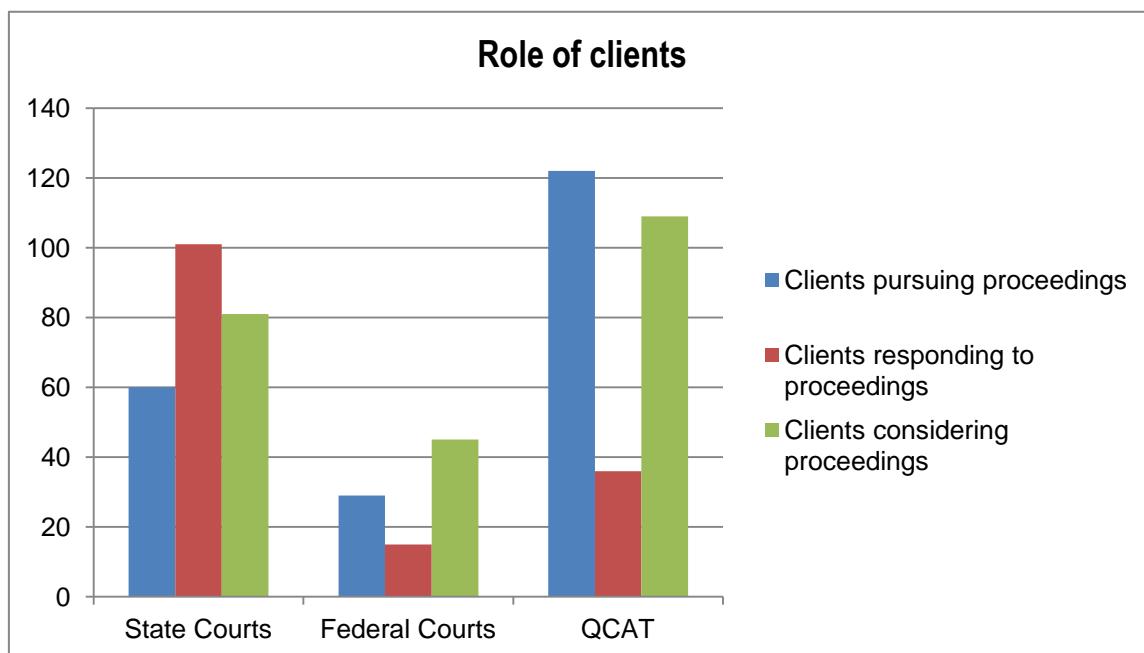


Client demographics

Twenty-eight percent of applicants in 2013-14 stated that they had a disability. Only 19 clients identified as being Aboriginal or Torres Strait Islander.

Of the 609 applications received by the Service in 2013-14, 55% were received from people whose incomes were derived solely from Centrelink benefits and 83% came from people whose incomes were less than \$52,000 per year. In an exit survey sent to clients of the Service when their file is closed, 79% of respondents noted that the cost of legal representation was the main reason they were self-represented.

The majority of applications received by the Service in 2013-14 were from residents of Brisbane or south-east Queensland. About 14% of applications came from clients in rural and regional areas and 5% from interstate or overseas applicants. The Service provides telephone appointments to clients from outside Brisbane, so place of residence does not necessarily create barriers to accessing the Service. This is particularly important given the lack of other services with the ability to provide the type of ongoing, practical assistance with litigation offered by QPILCH's Self Representation Service.



Other contributions and support

We take this opportunity to thank those members of the judiciary and QCAT who have provided their ongoing support. In particular, we thank the President of the Court of Appeal, **The Honourable Margaret McMurdo AC**, The Honourable Justices **Roslyn Atkinson, Peter Lyons, David Boddice and Peter Applegarth**, Her Honour Chief Judge **Patsy Wolfe**, His Honour Judge **Kerry O'Brien**, Queensland District Registrar of the Federal Court of Australia, **Heather Baldwin** and QCAT Member **Patricia Hanly**.

We thank members of the **Reference Group**, John Bond QC (Chair), Magistrate Bronwyn Springer, Joanne Rennick and Dr Shelley Keane, for their guidance throughout the year. We also thank the courts and QCAT for accommodating us in our 'satellite' offices, which are readily accessible for those already attending the courts and QCAT in Brisbane.

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Iain McCowie – courts@qpilch.org.au;
Sarah Cox – qcataadmin@qpilch.org.au;
Daniel Nipperess – fedadmin@qpilch.org.au.



MENTAL HEALTH LAW PRACTICE

Overview

The Mental Health Law Practice (**MHLP**) addresses the serious deficit in legal and advocacy services for people experiencing mental illness or impacted by mental health laws in Queensland. In 2013-14 less than 3% of matters heard in the Mental Health Review Tribunal were attended by a legal representative¹ and only around 2% of ITO review hearings were attended by an advocate or a legal representative.² Queensland continues to have the lowest rate of representation in this context across Australia.

In the 2013-14 financial year, the MHLP experienced greater demand for its services than ever before. We opened **over 200 new files** and arranged advocates to assist clients with **over 70 ITO review hearings**.

The MHLP runs an advocacy service which provides assistance and representation for people with hearings in the Mental Health Review Tribunal throughout Queensland. We have a panel of independent, trained advocates (mostly final year law and social work students) who empower clients to tell their story to the Tribunal within the relevant legal framework so the Tribunal can make the best decision in the circumstances.

Our clients

The MHLP also provides direct advice and assistance in relation to civil law issues and runs a fortnightly outreach service at the Princess Alexandra Hospital. The MHLP established two civil law clinics at **Open Minds** and **Footprints**, staffed by **DLA Piper** and **Allens** respectively. The casework through these clinics is currently supervised by HPLC staff.

The below case studies demonstrate how the MHLP can empower clients to pursue their own path to recovery by addressing their legal issues:

"Mary" was diagnosed with paranoid schizophrenia and had been on an Involuntary Treatment Order (**ITO**) for around 10 years. Mary sought our assistance with an ITO review hearing at the Tribunal, as well as advice on how she could manage over \$9,000 in unpaid fines.

We arranged for an advocate to assist Mary with her ITO review hearing at the Tribunal. We helped Mary to persuade the Tribunal that she was capable of taking responsibility for her treatment, and the Tribunal ultimately decided to revoke her ITO and allow her to engage with mental health services on a voluntary basis. We also advised Mary on her options in relation to her unpaid fines and assisted Mary to apply to the State Penalties and Enforcement Registry to pay off her fines in instalments and, subsequently, to work off her fine through community service.

"Rachel" was diagnosed with anxiety and chronic depression, and had been deemed unfit to work. Rachel sought our assistance with over \$10,000 of debts she had incurred to various lenders.

We liaised with Rachel's creditors on her behalf and managed to secure waivers of over \$3,000 of her debts on compassionate grounds. Once Rachel was in a position to start making payments towards her other debts, we negotiated payment plans for these debts. Our assistance allowed Rachel to take control of her finances without spiraling into further debt. Rachel has since moved out of home and rejoined the workforce.

¹ Mental Health Review Tribunal, *Annual Report 2013-2014* (26 August 2014).

² This data was provided by the Mental Health Review Tribunal upon request and is not made publicly available.

Funding and contributing firms

The MHLP does not currently receive any government funding. The MHLP is grateful for the following private funding to operate our services this financial year:

Since the **English Family Foundation** provided us with a generous grant to establish and run this service in 2012, we have:

- opened **over 340 files** to assist clients with Mental Health Act issues and other civil law matters;
- arranged for our advocates to assist clients with over **100 ITO review hearings**;
- developed a comprehensive advocacy training program and **trained a total of 70 advocates**; and
- **trained over 70 caseworkers** in mental health law and referral pathways.

- \$45,437 from the **English Family Foundation** – for the second financial year of their generous three-year grant;
- \$50,000 from the **Sylvia and Charles Viertel Charitable Foundation** – for the first financial year of their generous three-year grant; and
- a generous one-off donation from **Herbert Smith Freehills** to the MHLP.

We only have funding for a full-time Coordinator for the MHLP until the end of the 2014-2015 financial year. We are continuing to seek alternative funding sources to ensure the continuity and growth of this vital service.

In the words of secondee lawyer, Mia:

"It might appear clichéd to say, but no two days of my secondment were ever the same and no day was ever like my ordinary 'day job'. I could have been representing a client at the MHRT on a couple of hours' notice, facilitating communication between a client and their treating team, assisting a client to understand their rights under the MHA, or driving between hospitals in South-East Queensland to take urgent instructions. I quickly learnt that the only way to get through it was to be as flexible as possible. As part of my secondment, I quickly learnt that listening to my clients' stories was equally as important as providing them with appropriate legal advice...my secondment gave me new opportunities to develop a number of key skills that I will continue to use and grow."

Volunteers and student clinics

In 2013-14, we trained 24 additional advocates and coordinated the work of 15 day volunteers (including four PLT students) including Laura-Rose Lynch, Eleanor Livsey, Xing Lee, Paris Astill-Torchia, Sarah Brown, Sarah Nicol, Timothy Karfs, Kathryn O'Hare, Marie Fernando, Rina Biswas, Tony McCarthy, Portia Tyle, Constance McLaran, Courtney Blomfield and Ella Ma.

Mental Health Law Clinic

We supervised two student Mental Health Law Clinics from the University of Queensland's TC Beirne School of Law. Our clinic students, Tony McCarthy, Constance McLaran, Ashley Kruger, Luke Dalton, Amisha Patel, Ella Ma, Lara Henshall, Alexandra Miller, Anthony Gardner, Hamish Riley, Kate Gover and Matthew Leadbetter assisted with casework, attended our PA outreach clinic and presented seminars on mental health issues.

We thank our guest speakers: **Heather Douglas** and **Marianna Wyder** (The University of Queensland), **Michelle Radke** (Mental Health Review Tribunal), **Richard Denning** (Directorate of Mental Health), the **Honourable Justice David Boddice** (Mental Health Court), **Helen Webster, Julie Hearnden & Roba Ryan** (Queensland Advocacy Incorporated), **Brent Dixon** (Metro North Hospital and Health Service) and **Nadia Beer** (the Park).

In the words of Lani, former clinic student:

"Being part of the student clinic program opened my eyes to the far reaching consequences that having a mental illness can have on a person's legal rights, financial position and personal autonomy.

It also confirmed for me the importance of the work carried out by community legal centres like QPILCH in ensuring that access to justice is available for those who experience societal marginalisation and who, too often, have their voices left unheard.

As a result of my time at the MHLP student clinic, there are three things I gained which I know I will take away with me - the pleasure of working with and learning from passionate and dedicated peers and mentors, a renewed appreciation of the legal profession's continued commitment to the community and an understanding of what it feels like to make a meaningful difference in someone's life."

Research

We undertook the following research projects to enhance the delivery of our service:

Legal Needs of Young People in South East Queensland: In September 2013, the Sidney Myer Fund provided us with a generous grant to undertake research into the legal needs of young people with mental illness in South East Queensland to enable us to develop and target appropriate services for young people with mental illness. MHLP Solicitor Jordan Sacco found that young people with mental illness experience a wide range of legal issues, including mental health law issues such as being subjected to involuntary examination and treatment and restrictive practices, and other civil law issues relating to service-provision, discrimination, housing, employment, education and debt or consumer issues.

Mental Health Legislative Framework Analysis: In November 2013, the Queensland Mental Health Commission engaged us to provide an overview of legislative instruments that impact on people living with mental illness or substance misuse, their carers and families in Queensland. Joanna Abraham, Alicia Brischetto and Tony McCarthy assisted with this research under the guidance of Ann Herriot. In February 2014, we published our final report, which describes the impact of over 50 international, federal and state legislative and rights-based instruments.

Review of the Mental Health Act 2000 (Qld): We prepared comprehensive submissions in relation to the first and second rounds of consultation for the review of the *Mental Health Act 2000 (Qld)*.

Stacey Parker – mhlp@qpilch.org.au



QPILCH IN REGIONAL QUEENSLAND

Overview

QPILCH opened an office in Townsville in March 2014. Since its inception in 2001 QPILCH has sought to service the needs of regional Queensland but the lack of an on-the-ground presence has limited its ability to do so effectively in the North. Opening an office in Queensland's largest regional centre has therefore realised a long-held ambition of QPILCH to broaden the reach of its services and meet unsatisfied need in North Queensland. This step has already proved its worth. From commencement in March until June 2014, QPILCH NQ has:

- assisted clients in 109 matters through the Homeless Persons' Legal Clinic;
- processed 14 applications for assistance through the Self Representation Service in the State Courts and the Queensland Civil and Administrative Tribunal; and
- processed 5 applications through the Referral Service.

Clients have received legal advice and assistance in a range of areas of law including tenancy, debt, administrative review, child protection and discrimination.

QPILCH NQ has partnered with a range of stakeholders in the delivery of its services including Red Cross, judicial officers and staff of the Queensland Courts, Legal Aid Queensland, local law firms, James Cook University and other government and community agencies. QPILCH NQ has also collaborated closely with other community legal services in Townsville and has co-located its premises with Women's Legal Service NQ and Aboriginal and Torres Strait Islander Women's Legal Service.

The Townsville office is staffed by managing solicitor David Maunsell and paralegal Danielle O'Connor in conjunction with dedicated volunteer lawyers, trainee lawyers and law students.

This report highlights the early success of QPILCH NQ in meeting the demand for pro bono legal advice in civil law of those in need in Townsville and surrounding regional areas.

The future – Working together to improve access to justice

We have a unique opportunity to create a locally based organisation focused on community engagement and collaboration that serves those most in need of legal help. From this shared, community-led platform, we aim to create conditions for collective impact that can transform the lives of the people we assist.

Our focus is on:

- raising our community profile;
- increasing law firm membership;
- recruiting volunteer solicitors and barristers;
- sourcing community and commercial investment; and
- building partnerships.

We have an ambitious yet vital program of services planned. The first priority is to offer an outreach civil law clinic to women and children escaping family violence at The Women's Centre. Secondly, we plan to

work with Queensland Health, Mental Health Organisations and local community groups to establish the first specialist Mental Health Law Practice in North Queensland.



Member for Herbert Ewen Jones MP, Mayor of Townsville Cr Jenny Hill, Managing Solicitor David Maunsell and the Honourable Justice David North joined the Townsville legal community to celebrate the official opening of QPILCH's North Queensland office on 19 May 2014.

Our clients

We assisted an elderly man who had run a small business with his wife. His wife developed a serious mental illness and they had to sell the business and go on to a pension. The purchaser of the business defaulted in payment of the balance purchase price of \$5,000. We assisted the man suing the purchaser for the balance purchase price through QCAT and by advising him on his right to sue independent of his wife who now lacks capacity.

A disability pensioner sought assistance to execute a judgment in the Magistrates Court against a body corporate which required the carrying out of repair works arising from a water leak emanating from common property. Until we provided assistance the body corporate had ignored the judgment for over 2 years, causing her financial loss, stress and anxiety and inconvenience. The repair works have now been substantially completed.

In the words of a client of the Self Representation Service, QPILCH North Queensland

"Your service was invaluable to us and your guidance has provided us with the confidence at each step of the way. The whole appeal process was quite daunting at the onset and having someone with legal knowledge to help us navigate was exactly what we needed and wanted."

Funding

The Townsville office is possible thanks to a special grant from the Queensland Department of Justice and Attorney-General of \$334,000 per year for three years. This allows us to open and run the office in Townsville to better serve residence of North Queensland, with a special focus on homelessness, as well as supporting the delivery of QPILCH's Referral Services and Self Representation Service in the area.

Contributing firms and community organisations

Our work would not be possible without partnerships and we are grateful to those who have contributed their time, expertise and support to help QPILCH's Townsville office.

The following local firms have provided volunteer solicitors to QPILCH services:

- **BCK Lawyers;**
- **Crosby Brennan & Creen Lawyers;**
- **Connolly Suthers;**
- **MacDonnells Law;**
- **Maurice Blackburn Lawyers;**
- **Slater and Gordon;** and
- **Wilson/Ryan/Grose Lawyers.**

Thank you also to local barristers **Viviana Keegan** and **Michael Fellows** who have given support.

We have also had invaluable assistance from our friends in the South East and we would like to thank **McCullough Robertson** for their support.

The following organisations, among others, have supported us to ensure we are targeting the most vulnerable clients and work closely with us to ensure the clients receive holistic support as well as having their legal needs addressed:

In the words of Jodie Sanders, Volunteer Solicitor, BCK Lawyers

"We had three really genuine people with some pretty big legal issues. That's a first for me at the (Homeless Persons' Legal) Clinic. I really felt like I had done something worthwhile."

In the words of Ross Newell, Strategic Partnership Broker, Youth Invest

"It was great to be part of the Legal Walk this year and to raise funds for QPILCH. It's a vital service for young people experiencing disadvantage. If they can access free legal help early, before things escalate, then engagement in education, employment or training becomes possible."

- Australian Red Cross;
- North Queensland Domestic Violence Resource Centre;
- North Queensland Women's Legal Service Inc.;
- Aboriginal and Torres Strait Islander Women's Legal Service
- Townsville District Law Association; and
- Townsville Community Legal Service.

Student clinical legal education and volunteers

Working with James Cook University

We have developed a close relationship with JCU and work collaboratively with their School of Law. We are hosting four JCU students to undertake a fourth year subject, 'Legal Placement'. There are eight volunteer law students regularly providing assistance at events, committees and legal research tasks. We also have two students undertaking practical professional legal training with us to complete their Graduate Diploma in Legal Practice.

Volunteers

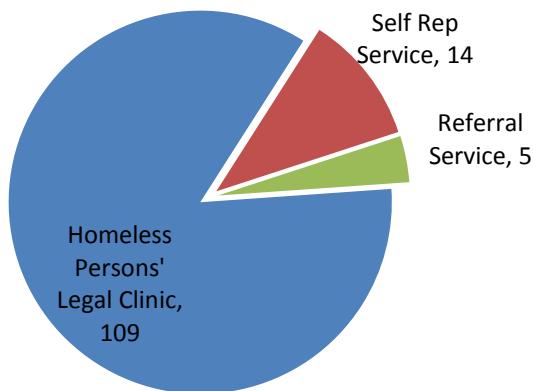
We have a bank of very keen student volunteers who assist us with various tasks. We thank Alan Birrell, Cherie McLaughlin, Nathan Mark, Nicole Maruff, Simon Walker, William McKenzie and William Marsden.

*In the words of Nathan Mark,
Student Volunteer, James Cook University*

"I decided to study law because it's a human endeavour that affects everyone. Volunteering with QPILCH has given me the opportunity to observe and assist where it matters most. I'm glad to be a part of it!"

Casework statistics and client demographics

North Queensland statistics



QPILCH North Queensland has provided support through the Self Representation Service, Homeless Person' Legal Clinic and the Referral Service to people west to Charters Towers to Herberton in the north and extending south to Bloomsbury near Mackay.

The highest demand for services was from the Homeless Persons' Legal Clinic located at the Australian Red Cross Homelessness Hub. Volunteer lawyers assisted 62 clients across 109 matters including tenancy and debt issues.

An office was established at the Townsville Courthouse to operate the Self Representation Service. We assisted 14 people with their claims through the State courts and QCAT. Many of these

people were elderly or had a disability and none could afford to properly defend or pursue their claims without assistance from QPILCH.

QPILCH WEBSITE

In 2012 we re-designed the QPILCH website to make it easier to navigate. We focused on the main user groups: people seeking legal help or information, volunteer lawyers using QPILCH resources and people wanting to support QPILCH.

An informative and navigable website is a valuable resource and saves time for QPILCH staff, particularly in explaining the range and limitations of QPILCH services. The website also links to an e-application form to shorten the application process for people with access to a computer.

This year, we decided it would be good to learn about the site's usage.

We learned that the website receives around 15,500 unique visitors per month. The most common searches that led visitors to the QPILCH website related to court processes and mental health law. The most popular search terms included *statement of claim, cause of action examples, court etiquette, defamation, involuntary treatment order and emergency examination order*.

The website has over 80 factsheets with the most popular being *Defamation, Drafting a Statement of Claim and Privacy rights*, which were each accessed around 10,000 times in 2013-14. Factsheets need to be either regularly updated or else removed, so we monitor their popularity to ensure resources are focused where the need is greatest.

People accessed the website using a range of desktop and mobile devices. During the re-design we were particularly conscious that some clients have limited access to computers so key information (eg clinic drop-in times) had to be easily accessible and displayed clearly even on smartphones.

FUND RAISING

In the last two years QPILCH has increased its fundraising activities in order to meet increased operational expenses and to fund the QPILCH disbursement fund. QPILCH has been able to increase its fundraising activities through the appointment of a professional fundraiser Theresa Scanlan. This Disbursement Fund exists to support the pro bono efforts of private firms and community legal centres. Although lawyers give freely of their time to help people who cannot afford to pay for legal assistance, there are often other costs associated with legal proceedings, including court filing fees, expert reports, and transcript fees.

The QPILCH disbursement fund is accessed to cover these costs in needy cases. Recently, the disbursement fund has been accessed to pay for transcripts of District Court proceedings in which an elderly man was subject to an irregularly obtained enforcement warrant; for medical reports crucial to support a sexual harassment victim's damages claim; and for an interpreter for a hearing-impaired client pursuing a discrimination complaint in QCAT.

We thank all individuals and organisations that supported us during the 2013/14 financial year. We would like to sincerely thank the members of our Fundraising Committee for giving freely of their time and considerable talents to assist our fundraising efforts – Andrew Buchanan (Chair), Kathleen Singleton, Robert Reed, Bob Shead and Rochelle Carey.

There are many ways in which you can financially support QPILCH. All donations of \$2.00 or more are tax-deductible. For a one-off donation, you can make a credit card donation online using our secure site or send a cheque or money order. You can also leave a bequest to QPILCH in your will, and we can provide appropriate clauses for you to use. For regular donations, you can set up a recurring gift at Give Now or donate through your employer's workplace giving programme. Your employer may have a form to complete or you can contact us for a Workplace Giving Form. QPILCH's major fundraising activities are the Queensland Legal Walk, the Red Wine for Justice event and an annual fundraising appeal.

Theresa Scanlan – fundraiser@qpilch.org.au



QUEENSLAND LEGAL WALK

Tuesday, 13 May 2014

Queensland Legal Walk

The 2014 Queensland Legal Walk (formerly the Walk for Justice) was held on Tuesday 13 May 2014. Over 1,100 walkers registered including 70 teams representing barrister chambers and law firms. The five kilometre walk was held in Brisbane, on the Sunshine Coast, in Mackay, Townsville and Cairns.



The largest teams were: Queensland Courts, Queensland Law Society, QUT Law School, Ashurst, Corrs Chambers Westgarth, Herbert Smith Freehills, Minter Ellison and Ferguson Cannon Lawyers of Maroochydore.

The lead walkers were:
The Honourable Paul de Jersey AC, Chief Justice of Queensland, The Hon Jarrod Bleijie MP, Attorney-General and Minister for Justice, His Honour Judge John Robertson, The Hon Ms Fiona Simpson MP, His Honour Judge John Coker, the Honourable Justice David North and the Honourable Justice James Henry.



In Townsville, the Honourable Justice David North led 65 walkers along The Strand followed by a breakfast sponsored by the Townsville District Law Association.

The event raised over \$50,000.00 and the highest fundraising team was the North Quarter Lane Chambers. We thank everyone for their wholehearted support including our sponsors:



BAR ASSOCIATION
OF QUEENSLAND



Queensland
Law Society



Fitness First



Dedicated to a better Brisbane



MITCHELL OGILVIE

 FAR NORTH QUEENSLAND
Law Association INC.



Red Wine for Justice

Red Wine for Justice was held on 23 August 2013 and was a resounding success with over 150 guests from the legal industry wholeheartedly embracing the spirit of the event and helping us to raise almost \$20,000.



Guest speaker was The Honourable Patrick Anthony Keane, Justice of the High Court of Australia.

Our fine wine advisors Vass Poteri (of Cooper Grace Ward) and Justin McDonnell (of King & Wood Mallesons) prepared tasting notes that helped to guide bidders.

We thank all who attended and the following organisations for their generous support:

King & Wood Mallesons

The Biggest Loser Retreat by Golden Door

McPherson Wines

Cotton and Co jewellery

Customs House

QPAC

Brent's Restaurant, Toowong

Sunsuper

The 400 Co.

Mondo Organics

Co Design Portside

The Wheel of Brisbane

Lil' Ladies

Planet Robe



KING&WOOD
MALLESONS

MCPHERSON
A MODERN AUSTRALIAN HERITAGE



AUDITOR'S REPORT

Queensland Public Interest Law Clearing House Inc.

Special Purpose Financial Report
For the year ended 30 June 2014

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.
FOR THE YEAR ENDED 30 JUNE 2014
COMMITTEE'S REPORT**

Your committee members submit the financial report of Queensland Public Interest Law Clearing House Inc ("the Association") for the financial year ended 30 June 2014.

Executive

Lucy Bretherton, President	Special Counsel, Ashurst
Matthew Jones, Secretary/Treasurer	Barrister
Andrew Buchanan	Co-opted member

Committee Members

Rochelle Carey (Corporate Legal Unit representative)	Corporate Counsel, Glencore Co-opted member
Matthew Holmes	Partner, MurphySchmidt
Richard Hundt	Lawyer, McCullough Robertson
Kathryn McMillan QC (BAQ representative)	Queen's Counsel
Noela L'Estrange (QLS representative)	CEO, Queensland Law Society Incorporated
Judith McNamara (Associate Member representative)	Assistant Dean, Learning & Teaching, Queensland University of Technology Faculty of Law
Anthony Reilly	CEO, Legal Aid Queensland
Robert Reed	Special Counsel, Minter Ellison
Abbey Richards (resigned May 2014)	Lawyer, Holding Redlich Lawyers

Principal Activities

The principal activities of the association during the financial year were to provide legal referral and direct services.

Significant Changes

No significant change in the nature of these activities occurred during the year.

Operating Result

The surplus after providing for income tax amounted to \$424,638 (2013: surplus \$43,727).

Signed in accordance with a resolution of the members of the committee.

President
Lucy Bretherton



Secretary/Treasurer
Matthew Jones

Brisbane, 16th October 2014

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Income Statement

For the year ended 30 June 2014

	Note	2014 \$	2013 \$
Revenue			
Memberships		127,468	125,267
Grants	6	1,893,163	1,137,740
Interest		24,169	13,004
Donations and Fundraising	9	121,620	7,427
Sundry Income		21,382	78,730
Total revenue		2,187,802	1,362,168
Expenses			
Staff Costs		1,372,633	1,087,497
Rent Expense		61,741	67,105
Depreciation		11,600	16,066
Event Expenses		30,532	5,152
Administration Expenses		286,658	142,621
Total expenses		1,763,164	1,318,441
Surplus / (deficit) before income tax		424,638	43,727
Income tax expense	1 (c)	-	-
Surplus / (deficit) before income tax		424,638	43,727
Members' Funds			
Members' funds beginning of year		311,648	267,921
Surplus for the year		424,638	43,727
Members' funds end of year		736,286	311,648

The accompanying notes form part of these financial statements.

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Balance Sheet

as at 30 June 2014

	Note	2014 \$	2013 \$
Current Assets			
Cash	2	1,742,333	1,725,620
Receivables	3	75,280	21,580
Prepaid expense		-	1,138
Total Current Assets		<u>1,817,613</u>	<u>1,748,338</u>
Non-Current Assets			
Furniture & equipment	4	76,305	50,904
Total Non-Current Assets		<u>76,305</u>	<u>50,904</u>
Total Assets		<u>1,893,918</u>	<u>1,799,242</u>
Current Liabilities			
Creditors & accruals	5	136,950	194,011
Provision for Employee Entitlements	8	123,697	101,867
Unexpended Grants		814,771	1,120,061
Memberships Prepaid		82,214	71,655
Total Current Liabilities		<u>1,157,632</u>	<u>1,487,594</u>
Total Liabilities		<u>1,157,632</u>	<u>1,487,594</u>
Net Assets		<u>736,286</u>	<u>311,648</u>
Equity			
Members' Funds		736,286	311,648
Total Equity		<u>736,286</u>	<u>311,648</u>

The accompanying notes form part of these financial statements.

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2014

1. Statement of Significant Accounting Policies

Basis of accounting

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Queensland Associations Incorporation Act 1981 Qld. The committee has determined that the association is not a reporting entity.

The financial report has been prepared on an accruals basis and is based on historic 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. Revenue

Revenue is measured at fair value of the consideration received or receivable after taking into account any trade discounts and volume rebates allowed. For this purpose, deferred consideration is not discounted to present values when recognising revenue.

Grant and donation income is recognised when the entity obtains control over the funds, which is generally at the time of receipt. Grant revenue is recognised in line with the terms of the funding arrangement.

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument.

Revenue is recorded net of goods and services tax.

b. Fixed Assets

Furniture & equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all fixed assets are depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

c. Income Tax

The Association is exempt from income tax under Division 50 of the Income Tax Assessment Act 1997.

d. Employee Benefits

Provision is made for the association's liability for employee benefits arising from services rendered by the employees to balance date. Employee benefits have been measured at the amounts expected to be paid when the liability is settled.

e. Cash and Cash Equivalents

Cash and cash equivalents includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

f. Goods and Services Tax (GST)

Revenue, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payables in the balance sheet are shown inclusive of GST.

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2014

1. Statement of Significant Accounting Policies (continued)

g. Provisions

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured at the best estimate of the amounts required to settle the obligation at reporting date.

h. Impairment of Assets

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the high of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is recognised in the income and expenditure statement.

i. Leases

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2014

	Note	2014 \$	2013 \$
2. Cash			
Cash float		25	122
Cash at bank		1,742,308	1,725,498
		<hr/>	<hr/>
		1,742,333	1,725,620
3. Receivables			
Security Deposit		1,450	1,450
Debtors		73,830	20,130
		<hr/>	<hr/>
		75,280	21,580
4. Furniture & Equipment			
Office furniture, at cost		107,386	70,386
Less: accumulated depreciation		(37,522)	(30,227)
		<hr/>	<hr/>
		69,864	40,159
Computers, at cost		41,365	41,365
Less: accumulated depreciation		(35,278)	(31,129)
		<hr/>	<hr/>
		6,087	10,236
Motor Vehicle		2,727	2,727
Less: accumulated depreciation		(2,373)	(2,218)
		<hr/>	<hr/>
		354	509
		<hr/>	<hr/>
		76,305	50,904
5. Creditors and Accruals			
Sundry creditors		41,793	13,496
GST & PAYG Withholding		46,863	127,719
Superannuation		32,670	22,443
Salary Sacrifice		829	849
Visa Credit Card		-	2,509
Donation unexpended		7,995	25,000
Accrued Expenses		6,800	1,995
		<hr/>	<hr/>
		136,950	194,011
		<hr/>	<hr/>

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2014

	Note	2014 \$	2013 \$
6. Grant Income			
Department of Communities	11	-	197,400
Department of Justice & Attorney-General		509,000	273,380
Legal Aid Queensland	10	1,108,843	479,609
Other		275,320	187,351
		<u>1,893,163</u>	<u>1,137,740</u>
7. Operating Lease Commitments			
Being for rent of office			
Payable – minimum lease payments			
- Not greater than 12 months		-	44,736
- Between 12 months & 5 years		-	-
- Greater than 5 years		-	-
		<u>-</u>	<u>44,736</u>
8. Annual Leave			
Annual Leave		71,694	70,450
Long Service Leave		52,003	31,417
		<u>123,697</u>	<u>101,867</u>
9. Fundraising and donations			
Fundraising			
- Law Walk		49,421)
- RWFJ		18,322)
- Street Soccer		5,000)
Donations		33,707)
- Qpilch		15,605)
- Titus Ani Appeal		10,010)
- Less: Expenditure Titus Ani Appeal		(10,445))
		<u>121,620</u>	<u>7,427</u>

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2014

	Note	2014	2013
		\$	\$
10. Use of Funds – Legal Aid Queensland			
Income Statement for the year ended 30 June			
Revenue			
LPITAF recurrent grants		479,391	164,483
CLSP		601,584	241,528
Other grants		27,868	73,598
	6	1,108,843	479,609
Sundry CORE funds			
- Cash collected		66,884	57,115
		66,884	57,115
Total LAQ revenue included in			
Income Statement		1,175,727	536,724
Expenses			
Property expenses		64,851	32,791
Depreciation		9,100	3,700
Staff costs		957,132	432,128
Administration expenses		96,248	69,575
Total expenses included in income statement		1,127,331	538,194
Surplus / (deficit) from ordinary activities		48,396	(1,470)
Less: assets purchased		(55,636)	(1,519)
Surplus / (deficit) per Legal Aid			
Queensland report		(7,240)	(2,989)
Balance Sheet at 30 June			
Assets – Current			
Cash		12,921	20,161
Total Assets		12,921	20,161
Equity			
Accumulated surplus		12,921	20,161
Total Equity		12,921	20,161

Notes to the Financial Statements

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

For the year ended 30 June 2014

	Note	2014	2013
		\$	\$
11. Use of Funds – Department of Communities			
Income Statement			
For the year ended 30 June			
Revenue			
Grant revenue	6	-	197,400
Other revenue		-	-
Total revenue		-	197,400
Expenses			
Operating costs		-	59,277
Organisational costs		-	998
Salaries and wages		-	139,645
		-	199,920
Surplus / (deficit)		-	(2,520)
Less: assets purchased		-	-
Surplus / (deficit) per Department of Communities report		-	(2,520)
Balance Sheet at 30 June			
Assets – Current			
Cash		-	11,576
Computers		-	1,818
Total Assets		-	13,394
Liabilities - Current			
Unexpended grants		-	15,914
Total Liabilities		-	15,914
Net Assets / (Liabilities)		-	(2,520)
Equity			
Accumulated surplus / (deficit)		(2,520)	(2,520)
Total equity		(2,520)	(2,520)

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

Management Committee Statement

for the year ended 30 June 2014

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

In the opinion of the committee the financial report:

1. Presents fairly the financial position of Queensland Public Interest Law Clearing House Inc as at 30 June 2014 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Queensland Public Interest Law Clearing House Inc. will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the committee and is signed for and on behalf of the committee by:



President
Lucy Bretherton



Secretary/Treasurer
Matthew Jones

Brisbane, 16th October 2014



Chartered Accountants

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Valuations Pty Ltd
ABN 33 165 128 052

INDEPENDENT AUDIT REPORT TO THE MEMBERS OF QUEENSLAND PUBLIC INTEREST LAW CLEARING HOUSE INC.

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Queensland Public Interest Law Clearing House Inc (the "Association"), which comprises the balance sheet as at 30 June 2014, the income statement for the year then ended, a summary of significant accounting policies, other explanatory notes and the management committee statement.

Committee's Responsibility for the Financial Report

The committee of the association is responsible for the preparation and fair presentation of the financial report in accordance with the Australian Accounting Standards (including the Australian Accounting Interpretations) and the *Associations Incorporation Act 1981 Qld*. This responsibility includes designing, implementing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

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

Independence

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

Opinion

In our opinion, the financial report of Queensland Public Interest Law Clearing House Inc presents fairly, in all material respects the financial position of Queensland Public Interest Law Clearing House Inc as at 30 June 2014 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial report, and the *Associations Incorporation Act 1981 Qld*.



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**INDEPENDENT AUDIT REPORT TO THE MEMBERS OF
QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC. (continued)**

Basis of Accounting

Without modifying our opinion, we draw attention to Note 1 to the financial report which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the committee's financial reporting responsibilities under the *Associations Incorporation Act 1981 Qld*. As a result, the financial report may not be suitable for another purpose.

Powers Auditors

Rob St Clair, FCA, RCA
Director
Brisbane

Dated this 16th day of October 2014

We thank the following for their financial support in 2013-2014:



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