

# Annual Report

# 2002-2003

Queensland Public Interest Law Clearing House Incorporated



## QPILCH MEMBERS

Allens Arthur Robinson  
Ash Solicitors  
Franc Asis, Barrister  
Australian Competition and Consumer Commission  
Bain Gasteen  
Bar Association of Queensland Inc  
Brian Bartley & Associates  
BDO Kendalls, Chartered Accountants  
Blake Dawson Waldron  
John Bond SC, Barrister  
Jacoba Brasch, Barrister  
Clayton Utz  
Jean Dalton, Barrister  
Deacons  
James Douglas QC, Barrister  
Energex Limited  
Freehills

Griffith University Law School  
Hunt & Hunt  
Stephen Keim, Barrister  
Liam Kelly, Barrister  
Legal Aid Queensland  
Ross Mack, Barrister  
Mallesons Stephen Jaques  
McCullough Robertson Lawyers  
McInnes Wilson  
Minter Ellison  
MurphySchmidt  
Damien O'Brien, Barrister  
Queensland Association of Independent Legal Services Inc  
Queensland Law Society Incorporated  
Darryl Rangiah, Barrister  
Shine Roche McGowan  
David Thomae, Barrister  
Walkers Solicitors (Toowoomba)

## **PRESIDENT'S REPORT**

2002-03 was the first full year of operation of the Queensland Public Interest Law Clearing House, so it is with pride in our achievements and confidence in the future that I present my second President's Report.

### **Pro Bono referrals**

In the last twelve months QPILCH has received 111 written applications for pro bono assistance, of which 40 have been referred out to member firms. Not all applications received in the year have yet been assessed for referral. The demand on our service continues despite minimal publicity. The total referred this year and last is 57. Only 25 of these referred matters have been costed to date (16 completed, 9 in progress); with an estimated value of pro bono services exceeding \$110,000. I think that this clearly demonstrates the value of QPILCH and underscores the contribution made by the legal profession to the provision of legal services to disadvantaged members of the community. And it is still early days.

The acceptance of cases by member firms and barristers is not the only contribution however made by the legal profession through QPILCH.

### **Secondments**

Our first project, the *Homeless Persons' Legal Clinic* has now been operating for over a year (see report below). Blake Dawson Waldron made this project possible by the secondment to QPILCH of solicitor Carla Klease. Over the last 15 months, Carla has coordinated the legal assistance provided to homeless people by member firms. Carla's organisational skills, her legal knowledge and her compassion have assured the success of this project. Unfortunately for QPILCH, Carla's secondment ended on 4 October 2003. Carla will be sorely missed.

From April, Mallesons Stephen Jaques seconded solicitor Kirsten Hagon to QPILCH to develop the *Refugee and Immigration Legal Support (RAILS)* project (see report below). Kirsten left in August to continue legal studies at Cambridge, but in that short four month period was able to generate enormous enthusiasm from the profession to assist the expected burgeoning number of refugees seeking permanent residence. More recently, Kirsten secured funding for her part-time coordinator's position for a further year through successful applications to the Gambling Community Benefit Fund and Myer Foundation.

In February and March, Minter Ellison seconded solicitor Marissa Ker to undertake assessment work and more recently, Allens Arthur Robinson has seconded solicitor Rochelle Spedding for six months to undertake this role. Because of the flow of applications, including at times complex cases which are assessed for public interest and legal merit, the contribution of these secondees has been vital to maintaining the timely and thorough assessment of applications for pro bono assistance. This role is an important one because it ensures that applicants whose cases are assessed as without merit are fully apprised of the reasons for that decision, and because it focuses the contribution of members on cases that have merit.

I wish to express my sincere thanks to the secondees and their firms. Without this support we would not have been able to achieve anywhere near the level of assistance provided to those who cannot access legal aid or a private lawyer. I commend the secondees' professionalism, dedication and overall contribution to QPILCH's work and feel.

## **Student programs**

Griffith University and QPILCH jointly commenced a student clinic in second semester 2002. Clinics have followed in first and second semesters 2003. As part of their course, final year Griffith law students undertake research projects of public interest and assist in assessing applications for pro bono assistance under the supervision of the QPILCH coordinator. The aim of this structured course is to equip the next generation of lawyers with an appreciation of public interest issues. I thank Association Professor Jeff Giddings and Professor Jan McDonald for their kind assistance and support for the "Public Interest Lawyering" course. I also thank the students who have participated to date for their enthusiasm and valued contribution.

We have also developed strong student volunteer programs with students from the University of Queensland, Queensland University of Technology and Bond University. The students volunteer their services to undertake case assessment and research under staff supervision. I thank these dedicated students for their voluntary assistance.

## **Public Interest Address**

While not occurring during the relevant year, it is noteworthy that we held our first Public Interest Address on 20 August 2003. David Marr, author, journalist and lawyer entertained and challenged those present at a lunch at the Customs House. He outlined the story behind the Tampa crisis in gripping detail. For those who have read his book about the Tampa, *Dark Victory*, it added a further emotional dimension to the story. David invited all lawyers present to question their response to what he argued has been a breach of the rule of law.

In 2004, we hope to have Geoffrey Robertson QC as our next guest speaker.

## **Membership**

We have continued over the last year to continue to grow our membership. As seen by the list on the cover of this report, we now have 35 including our first corporate legal unit member Energex Limited and government legal unit member in the Australian Competition and Consumer Commission.

However as reported in my last report, we must significantly increase our membership to be self-sustaining, and we are still some way from that goal. We need more member law firms and barristers, as well as lawyers from government and the business sector. This is an imperative not only for financial viability but also so we can spread the workload and draw on the skills of the whole profession.

## **Acknowledgments**

In this my second annual report, I again thank many people who have enabled QPILCH to grow.

Our patron, The Hon Paul de Jersey, AC, Chief Justice of Queensland continues to provide his enthusiastic support for QPILCH, as does The Hon Rod Welford MP, Attorney-General and Minister for Justice.

I also need to record QPILCH's gratitude to the **Grants Committee of the Queensland Law Society** for funding to continue the Homeless Person's Legal Clinic.

We are also indebted to the **Gambling Community Benefit Fund** for its assistance to purchase workstations and equipment for our student and secondee programs and in September 2003, to continue the RAILS project. I also thank the **Myer Foundation** for their contribution to the RAILS project.

And there has been generous assistance provided by members and others who again deserve credit and gratitude: **Shine Roche McGowan** provided use of its premises for a year free of rent which concluded in March 2003. This generous early support enabled QPILCH to establish and consolidate. **Clayton Utz** provided some printers and **Andrew Hall** continues to maintain our computer network at reduced fees. **Legal Aid Queensland** designed and printed the cover of this annual report.

The speed with which QPILCH has been established could not have occurred without the whole-hearted support of our members and others who have generously provided their time, energy and resources. I particularly wish to thank **our members** for being part of QPILCH and for accepting referrals on a pro bono basis to assist people in need.

Finally, I also thank **committee members** who have given so much of their time and energy to the management of QPILCH.

### **The Future**

We hope to develop more targeted clinics and programs that can address areas of high legal need. Several projects, including a rural and regional project, an Indigenous intellectual property project and an administrative law project are being investigated.

I know that more firms, barristers and lawyers from other sectors are considering joining QPILCH. QPILCH is a unique opportunity to marshal resources from all sectors towards the cause of equal access to justice. I encourage members of the profession to become involved in this initiative. I know some lawyers may feel that QPILCH is a 'big end of town' project, but this is far from reality. Yes it is true that the larger firms have greater resources to share. But members of any size can participate. Involvement can be limited to contributing membership fees or to participating in referral work, clinics, projects, seminars and workshops and research and submissions. We welcome the advice and experience that the whole profession has to offer.

**Andrew Buchanan**  
**President**

### **2002-03 MANAGEMENT COMMITTEE**

#### **Executive**

Andrew Buchanan, President – Partner, Allens Arthur Robinson  
Hugh Scott-Mackenzie, Vice-President – Partner, Mallesons Stephen Jaques  
Simon Cleary, Secretary/Treasurer – Solicitor, Legal Aid Queensland

#### **Committee Members**

Genevieve Bolton – Solicitor, Welfare Rights Centre (retired June 2003)  
Lucy Bretherton – Special Counsel, Blake Dawson Waldron  
Tom Byrne – Queensland Law Society Incorporated  
Associate Professor Jeff Giddings – Director, Clinical Legal Education, Griffith University Law School  
Geoff Harley – Managing Partner, Clayton Utz  
Dan O'Connor – Chief Executive, Bar Association of Queensland Inc  
Robert Reed – Senior Associate, Minter Ellison  
Peter Rosengren – Partner, McCullough Robertson (retired June 2003)  
Robyn Wilkinson – Executive Legal Officer, Legal Aid Queensland

## **REFERRAL SERVICES**

QPILCH refers requests for legal assistance in public interest matters to its members who provide assistance pro bono or for reduced fees. Our aim is to increase access to justice by disadvantaged members of the community and to assist and support community groups that advance the public interest. QPILCH provides a central point of contact for the community to seek legal assistance, connects the pro bono work of the profession directly to the community and provides a filter through which cases are passed to ensure that the most deserving cases are given priority.

QPILCH is not a substitute for legal aid, but rather an additional source of coordinated legal assistance for those who currently might otherwise not be assisted by available services. By focusing on public interest cases, we are able marshal the resources of the legal community and government and corporate sectors to maximise the use of scant resources.

Other advantages provided by a central clearing house include:

- giving priority to legal areas not covered by other legal service providers and to areas usually not litigated.
- canvassing issues raising concerns/ambiguities likely to be resolved or clarified through litigation – test cases.
- focusing on accountability issues such as professional regulation and instances of arbitrary exercise of discretionary power.

Our members provide a range of legal services from litigation to document drafting to assisting community groups with incorporation and tax issues etc. However, legal expertise will not be enough on its own. QPILCH seeks to work closely with other disciplines as well as with lawyers working in other fields. The process for assessing applications for assistance from individuals and community organisations involves an assessment of its compliance with our public interest guidelines and a determination of legal merit.

In the first test, we ask if the matter:

- affects a significant number of people, or
- involves groups of people facing particular difficulties, focusing on the financially and socially disadvantaged.

We also consider issues such as the cost of the case in the context of what benefit will accrue to the community as a whole if the claim is successfully pursued. We assess if the matter involves complex issues such as matters that may be difficult to prove. We consider the benefits that will accrue to the community if a referred case is successfully pursued.

## **CASEWORK REPORT**

In 2002 – 2003 there were a total of 111 written applications for assistance to QPILCH, and a great deal more telephone inquiries. The majority of our applications have come from individuals, with the remainder being made by community groups, non-profit organisations or community legal services seeking expert advice. Many individuals and organisations are referred to us from Legal Aid Queensland, community legal centres and the Queensland Law Society.

Our casework has covered a broad range of legal areas, including:

- discrimination;
- mortgage lending schemes that have failed;
- personal injuries;
- refugee and immigration matters.
- defamation;

- industrial relations and wrongful dismissal from employment;
- family law; and
- compensation claims for a variety of matters.

Of the matters not referred by QPILCH to members, some were referred to other legal service providers that could provide the appropriate assistance. In this regard, if there may be other forms of assistance open to an applicant, we aim to try and inform them of these avenues.

When an application is assessed as without legal merit and is rejected, we attempt to explain in simple terms the reasons for the assessment so that the applicant has some idea why it was not referred.

Our timeframe for assessments differs with each case. However generally we estimate 4 weeks to complete an assessment. This will largely depend on the complexity of the legal issue and the number of documents to be reviewed. Assessment of refugee applications takes considerably longer as often we are required to lodge Freedom of Information requests on behalf of the applicant.

We have a number of student volunteers from each of the universities in south-east Queensland volunteering their time each week to undertake case assessments. The time that students and lawyers volunteer is invaluable in helping QPILCH carry out its work.

As stated in the President's Report, a total of **40** applications that met the public interest and legal merit tests were referred to our member firms.

The following selection gives an insight into the types of cases referred to and undertaken by QPILCH members.

### ***Not for Profit Organisations and Community Organisations***

- **Blake Dawson Waldron** gave advice to a south-east Queensland community association fighting an unwanted garbage dump.
- Barrister **Stephen Keim** provided a lengthy opinion to a community group about a possible claim in nuisance in relation to the noise arising from the new Gold Coast Highway.
- **Hunt & Hunt** successfully represented an applicant, a community organisation and its director, before the Family Court in relation to an alleged breach of a family court order for refusing to reveal to a party the whereabouts of a child in its care.
- **Clayton Utz** assisted a new environmental group, Earth First Australia to incorporate.
- **McCullough Robertson Lawyers** provided mediation services to a community organisation.
- Barrister **Darryl Rangiah** prepared an opinion for the Brain Injury Association regarding interpretation of a statute that could impact on its staff.
- **Deacons** assisted the Eczema Association of Australia and the Croquet Association Queensland with incorporation issues.
- **Allens Arthur Robinson** gave the National Association of Community Legal Centres advice on directors and officers insurance and assisted the South Brisbane Immigration and Community Legal Service to recover the costs associated with an immigration law claim
- **Mallesons Stephen Jaques** is advising the former directors of a defunct community hospital regarding the retention and release of hospital records.
- QPILCH associate member **BDO Kendalls, Chartered Accountants** assisted the International Commission of Jurists with setting up its accounting system.

### ***Discrimination***

- **McCullough Robertson** and barrister **Dan O'Gorman** represented a community organisation in a five day Anti-Discrimination Tribunal hearing over a local authority's facilities for the disabled.
- **Shine Roche McGowan** assisted an applicant in a Anti-Discrimination Commission mediation hearing regarding a complaint of discrimination on the basis of race.
- **MurphySchmidt** assisted an applicant in a complaint regarding disability discrimination in the workplace.

### ***Refugee and Immigration***

- **Mallesons Stephen Jaques** and **Allens Arthur Robinson** have assisted in several immigration law appeal cases before the Federal Court.

### ***Other***

- **MurphySchmidt** assisted an applicant with a brain injury to successfully claim on insurance which had been refused.
- **Blake Dawson Waldron** assisted an applicant defending a defamation action following whistleblowing about unclean industry practices.
- **MurphySchmidt** and **McInnes Wilson Lawyers** have helped several applicants with actions before the Guardianship and Administration Tribunal.

### **CASEWORK STATISTICAL INFORMATION**

	<b>2002-03</b>	<b>2001-2</b>	<b>Total</b>
<b>Inquiries</b>	<b>194</b>	<b>108</b>	<b>302</b>
<b>Written applications for assistance</b>	<b>111</b>	<b>50</b>	<b>161</b>
<b>Referrals</b>	<b>40</b>	<b>17</b>	<b>57</b>

### **PROJECT REPORTS**

#### **Homeless Persons' Legal Clinic**

The Homeless Persons' Legal Clinic was launched in December 2002 by the Hon Rod Welford MP, Attorney-General and Minister for Justice, to provide free legal assistance to, and advocacy on behalf of, one of society's most disenfranchised groups – homeless people.

The Clinic is the first legal service in Queensland that is specifically designed to address the legal needs of homeless people. Legal issues are often a contributing factor which prevent homeless people from leaving the cycle of homelessness or which cause people to become homeless. Because of the range of pressures and issues confronting many homeless people (including financial, social, psychological, medical and health issues), legal problems often go unaddressed unless legal services are provided at places where homeless people already frequent.

The Clinic provides an innovative outreach service where civil legal services are delivered at crisis accommodation centres and welfare agencies. Six clinics have commenced at the 4AAA Kurilpa Kiosk, Mission Australia Community Café, Ozcare Homeless Men's Hostel (formerly St Vincent's Community Services), Red Cross Youth Night Café, Salvation Army's Pindari Homeless Men's Hostel and Wesley Mission Brisbane's Emergency Relief Service.

The Homeless Persons' Legal Clinic is a partnership between private law firms, which provide the lawyers, and welfare agencies, which provide the venue. The Clinic is staffed by lawyers from Allens Arthur Robinson, Blake Dawson Waldron, Clayton Utz, Freehills, Hopgood Ganim, Mallesons Stephen Jacques, McCullough Robertson, McInnes Wilson, Minter Ellison and MurphySchmidt. Gilshenan & Luton joined the project after the conclusion of the 2002/2003 financial year.

Each participating law firm contributes staff on a pro bono basis and is responsible for the provision of services at one of the Clinic locations, either in conjunction with another firm or on their own.

The Clinic has been coordinated by Carla Klease since its inception in July 2002. Blake Dawson Waldron seconded Ms Klease for two days per week to establish and coordinate the Clinic. The Clinic also received \$25,000 from the Queensland Law Society Grants Committee that assisted the Clinic in its day to day operation.

From December 2002 to 10 June 2003, the Clinic provided assistance to 114 people at a commercial rate of over \$195,000.00. During this period, over 650 hours of services were provided by over 154 lawyers.

In addition to providing legal assistance, the Clinic has sought to identify and address issues that affect homeless people in need of law reform. The coordinator has been involved in the establishment of a group to address the regulation of public places (and more particularly, the *Vagrancy, Gaming and Other Offences Act*).

The Clinic has also been greatly assisted in its law reform research and some casework by student volunteers from the three Brisbane universities.

Subject to the receipt of funding in 2004 or the securing of a secondee to act as Coordinator, the Clinic will continue to provide homeless people with information and representation, enhancing their access to justice, empowering them and addressing some of the underlying causes of their homelessness.

An evaluation of the pilot clinics can be accessed from our website.

### **Refugee and Immigration Legal Support Project**

The Refugee and Immigration Legal Support (RAILS) Project is a joint project of QPILCH and the South Brisbane Immigration and Community Legal Service (SBICLS). It was initiated in early 2003 to meet the impending increase in demand for assistance by refugees seeking permanent residency in Australia. Lawyer, journalist and author David Marr launched the project at QPILCH's inaugural Public Interest Address.

There are a number of projects around Australia coordinating pro bono legal assistance for refugees and asylum seekers. However the RAILS project is the first of its kind in Brisbane to engage the private profession in providing coordinated pro bono legal support. The RAILS project is addressing these needs through three initiatives to augment services provided by SBICLS.

- a) coordination of volunteer migration agents to assist Temporary Protection Visa holders with submissions to the Refugee Review Tribunal (RRT)
- b) coordination and assessment of referrals to firms and barristers in appeals from the RRT to the Federal Court and High Court
- c) In conjunction with Griffith University Law School and the Ethnic Communities Council, the preparation of information sheets outlining the rights, entitlements, obligations and the refugee determination processes for refugees/asylum seekers and for the community working with them.

Kirsten Hagon, a secondee solicitor from Mallesons Stephen Jaques, undertook the planning and establishment of the project.

Since the end of the financial year, Kirsten completed her secondment, and Tamara Price is coordinating the project until November. Thanks are due to Tamara for her voluntary assistance with the continuation of the project.

Funding to continue the project into 2004 has been received from the Gambling Community Benefit Fund and the Myer Foundation.

### **GRIFFITH LAW SCHOOL PUBLIC INTEREST LAWYERING CLINIC**

QPILCH has developed an innovative clinical program with Griffith University Law School enabling students to benefit from working on a wide range of matters related to the work of QPILCH. Students receive the opportunity to review requests for assistance received by QPILCH and to consider in detail whether such matters satisfy the QPILCH public interest guidelines. Students have also had opportunities to work on Community Legal Education projects as part of the course. Students have prepared a model solicitor/client agreement, an article on the new coroner's legislation, a pro bono referral manual, a fees and costs waiver manual, and materials for the RAILS project.

The continuing development of the clinic illustrates the interest of QPILCH staff and management in developing the public interest lawyers of tomorrow. Special thanks to Tony Woodyatt for his enthusiastic supervision of the students and his attention to detail in exposing the students to a wide range of work.

The first group of clinic students wrote 2 articles about their experiences, one published in the *Alternative Law Journal* and the other in *Proctor*. Jenny Clark, Louise Formosa and Paula Rogers wrote 'For participating students, the clinic provided the opportunity to gain valuable insight into the political and social framework shaping pro bono work in Queensland. . . .We gained valuable practical skills and, above all, developed our social justice values.'

**Associate Professor Jeff Giddings**  
**Griffith Law School**

#### **Public Interest Lawyering Students**

##### **Semester 2 2002**

Jenny Clark  
Ben Cochrane  
Kate Fitzgerald  
Louise Formosa  
Craig Pratt  
Paula Rogers

##### **Semester 1 2003**

Nadine Gillespie  
Carly Macoun  
Rebecca Sheppard  
Kathleen Simpson  
Jillian Williams

##### **Semester 2 2003**

Jessica Brake  
Alana Ebert  
Nikola Errington  
Kate McArthur  
Sami Osman  
Rachael Spoor

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### **Queensland Public Interest Law Clearing House Incorporated**

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**BRISBANE QLD 4001**

**Queensland Public Interest  
Law Clearing House Inc**

**Financial Statements  
As at 30 June 2003**

## Management Committee Statement

In the opinion of the Management Committee -

- (a) The financial report, as set out on pages 3 to 8 , presents fairly the Association's financial position at 30 June 2003 and its performance, as represented by the results of its operations and cash flows, for the year ended on that date, in accordance with Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board; and
- (b) At the date of this statement there are reasonable grounds to believe that the Association will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Management Committee and is signed for and on behalf of the Management Committee.

(President)  
Mr Andrew Buchanan

(Secretary/Treasurer)  
Mr Simon Cleary

Brisbane, 23 October, 2003

Queensland Public Interest Law Clearing House Inc.

**Statement of Financial Position**

**As at 30 June 2003**

	Note	30 June 2003 \$	30 June 2002 \$
<u>Current Assets</u>			
Cash	2	71,863	102,691
Receivables	3	22,254	-
Total Current Assets		<u>94,117</u>	<u>102,691</u>
<u>Non-Current Assets</u>			
Furniture & equipment	4	24,037	2,021
Total Non-Current Assets		<u>24,037</u>	<u>2,021</u>
<b>Total Assets</b>		<u>118,154</u>	<u>104,712</u>
<u>Current Liabilities</u>			
Creditors & accruals	5	7,124	8,507
Subscriptions in Advance		32,755	25,655
Provision for Employee Entitlements		4,306	-
Total Current Liabilities		<u>44,185</u>	<u>34,162</u>
<b>Total Liabilities</b>		<u>44,185</u>	<u>34,162</u>
<b>Net Assets</b>		<u>73,969</u>	<u>70,550</u>
<u>Equity</u>			
Members Retained Funds		73,969	70,550
<b>Total Equity</b>		<u>73,969</u>	<u>70,550</u>

The accompanying notes form part of the financial report.

Queensland Public Interest Law Clearing House Inc.

**Statement of Financial Performance**

For the year ended 30 June 2003

	Note	30 June 2003 \$	30 June 2002 \$
<b>Revenue</b>			
Membership		36,055	-
Grants	6	51,981	100,000
Interest		137	100
Donations and Fundraising		3,625	182
Sundry Income		-	5,693
		<u>91,798</u>	<u>105,975</u>
<b>Expenses</b>			
Staff Costs		63,691	19,394
Operating Expenses		35,153	16,031
		<u>98,844</u>	<u>35,425</u>
<b>Operating Surplus (Deficit)</b>		(7,046)	70,550
Prior year GST refund		10,465	-
		<u>3,419</u>	<u>70,550</u>
Members funds beginning of year		70,550	-
Members funds end of year		<u>73,969</u>	<u>70,550</u>

The accompanying notes form part of the financial report.

Queensland Public Interest Law Clearing House Inc.

**Statement of Cash Flows**

For the year ended 30 June 2003

	30 June 2003 \$	30 June 2002 \$
<b>Cash flows from operating activities</b>		
Receipts of income	91,246	138,204
Payments to suppliers & employees	-98,974	-33,209
Interest received	137	100
<b>Net cash provided by operating</b>	<u>-7,591</u>	<u>105,095</u>
<b>Cash flows from investing activities</b>		
Payment for plant & equipment	-24,487	-2,404
<b>Net cash provided by investing</b>	<u>-24,487</u>	<u>-2,404</u>
Net increase (decrease) in cash held	-32,078	102,691
Add opening cash brought forward	102,691	0
<b>Closing cash carried forward</b>	<u>70,613</u>	<u>102,691</u>

Note (a)

**Reconciliation of operating loss to net cash flows from operations**

<b>Operating surplus (loss)</b>	3,419	71,327
Add depreciation	2,471	383
<u>Changes in assets &amp; liabilities</u>		
Receivables	-23,504	0
Creditors	2,923	7,730
Accrued Income	7,100	25,655
<b>Net cash flows from operating</b>	<u>-7,591</u>	<u>105,095</u>

The accompanying notes form part of the financial report.

Queensland Public Interest Law Clearing House Inc.

**Notes to the Financial Statements**

**For the year ended 30 June 2003**

**Note  
1**

**Statement of Significant Accounting Policies**

This financial report is a special purpose financial report that has been prepared in accordance with Australian Accounting Standards, other mandatory professional reporting requirement and the requirements of the Associations Incorporation Act (Qld) 1981.

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.

The following material accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of this financial report.

- (a) Income Tax  
Queensland Public Interest Law Clearing House Inc. is exempt from income tax as a non-profit charitable institution.
  
- (c) Cash  
For the purpose of the Statement of Cash Flows, cash includes cash on hand and at the bank.
  
- (d) Fixed Assets  
Fixed assets have been capitalised at their cost of acquisition.  
Depreciation has been calculated on the Prime Cost basis based on an estimate of the asset's useful life.

Queensland Public Interest Law Clearing House Inc.

**Notes to the Financial Statements**

For the year ended 30 June 2003

Note		2003 \$	2002 \$
<b>2</b>	<b>Cash</b>		
	Cash float	224	235
	Cash at bank	71,639	102,456
		<u>71,863</u>	<u>102,691</u>
<b>3</b>	<b>Receivables</b>		
	Debtors	22,220	-
	ABN Withholding Credits	34	-
		<u>22,254</u>	<u>-</u>
<b>4</b>	<b>Furniture &amp; Equipment</b>		
	Computers, at cost	8,512	1,905
	Less: accumulated depreciation	(1,967)	(370)
		<u>6,545</u>	<u>1,535</u>
	Office furniture, at cost	18,379	499
	Less: accumulated depreciation	(887)	(13)
		<u>17,492</u>	<u>486</u>
		<u>24,037</u>	<u>2021</u>
<b>5</b>	<b>Creditors and Accruals</b>		
	Sundry creditors	1,453	-
	GST	2,606	6,774
	PAYG	3,065	956
	FBT	-	777
		<u>7,124</u>	<u>8,507</u>
<b>6</b>	<b>Grants</b>		
	Qld Law Society Grants Committee	25,000	45,455
	Queensland Government	5,000	4,545
	Member "Seed Funding"	-	50,000
	Other	21,981	-
		<u>51,981</u>	<u>100,000</u>

Queensland Public Interest Law Clearing House Inc.

**Notes to the Financial Statements**

**For the year ended 30 June 2003**

**Note**

**7 Commitments**

As at 30 June 2003 there were no mortgages, charges or securities of any description affecting the assets of the Association.

**8 Management Committee Members**

Management Committee Members during the year included

Andrew Buchanan (President)  
Hugh Scott-Mackenzie (Vice-President)  
Simon Cleary (Secretary/Treasurer)  
Peter Rosengren  
Robyn Wilkinson  
Genevieve Bolton  
Robert Reed  
Jeff Giddings  
Lucy Bretherton  
Geoff Harley  
Tom Bryne  
Dan O'Connor

The Management Committee Members do not receive any remuneration for their services.

**9 Association Details**

The principal place of business of the Association is

Queensland Public Interest Law Clearing House Inc.  
Level 2 Watson's Building  
129 Margaret St  
Brisbane QLD 4000



**PITCHER PARTNERS**

ACCOUNTANTS AUDITORS & ADVISORS

Level 21  
300 Queen Street  
Brisbane  
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AN INDEPENDENT MEMBER OF BAKER TILLY INTERNATIONAL OFFICES THROUGHOUT THE WORLD

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

### **Scope**

#### *The financial report and committee's responsibility*

The financial report comprises the statement of financial performance, statement of financial position, statement of cash flows, accompanying notes to the financial statements, and the Management Committee's declaration for Queensland Public Interest Law Clearing House Inc (the association), for the year ended 30 June 2003.

The Management Committee of the association are responsible for the preparation and true and fair presentation of the financial report in accordance with the Associations Incorporation Act 1981. This includes responsibility for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial report.

#### *Audit approach*

We conducted an independent audit in order to express an opinion to the members of the association. Our audit was conducted in accordance with Australian Auditing Standards in order to provide reasonable assurance as to whether the financial report is free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive rather than conclusive evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

We performed procedures to assess whether in all material respects the financial report presents fairly, in accordance with the Associations Incorporation Act 1981, including compliance with Accounting Standards and other mandatory financial reporting requirements in Australia, a view which is consistent with our understanding of the company's financial position, and of its performance as represented by the results of its operations and cash flows.

We formed our audit opinion on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial report, and

- assessing the appropriateness of the accounting policies and disclosures used and the reasonableness of significant accounting estimates made by the Management Committee.

While we considered the effectiveness of management's internal controls over financial reporting when determining the nature and extent of our procedures, our audit was not designed to provide assurance on internal controls.

### **Independence**

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.

### **Audit opinion**

In our opinion, the financial report of Queensland Public Interest Law Clearing House Inc is in accordance with:

- (a) the Associations Incorporation Act 1981, including:
  - (i) giving a true and fair view of the association's financial position as at 30 June 2003 and of its performance for the year ended on that date; and
  - (ii) complying with Accounting Standards in Australia and the Associations Incorporation Act 1981; and
- (b) other mandatory financial reporting requirements in Australia.

Pitcher Partners

R J St Clair  
Partner

Brisbane, 23 October 2003

# Qld Public Interest Law Clearing House I

GPO Box 1543  
Brisbane Qld 4001

## Profit & Loss Statement

1/07/2002 through 30/06/2003

Income		
Other Income		\$10,465
Grants		
State Funds Grant		
QLS Grants Committee	\$5,000	
Other Grants	\$25,000	
Total Grants	\$21,981	
Service Generated Income		\$51,981
Membership	\$36,055	
Fundraising /Donations	\$3,625	
Sundry Income	\$138	
Total Service Generated Income	\$39,818	
Total Income		\$102,262
Expenses		
Salary and On Costs		
Salaries	\$51,028	
Superannuation	\$4,674	
Work Cover	\$114	
Salary Package	\$907	
FBT - Tax Exp	\$2,663	
Provision for annual leave exp	\$4,306	
Total Salary and On Costs		\$63,691
Operating Expenses		
Rent	\$6,250	
Cleaning	\$210	
Other Premises Costs	\$6,014	
Staff Training	\$750	
Practising Certificate	\$615	
QLS Membership	\$300	
Staff Recruitment	\$221	
Telephone and Fax	\$2,477	
Postage	\$549	
Post box rental	\$131	
Telephone connection	\$655	
Email and internet	\$829	
Project expenses	\$17	
Depreciation Expense	\$2,471	
Electricity	\$172	
Stationery	\$2,114	
Printing&Publications	\$586	
Photocopier Charges	\$318	
Bank Charges	\$170	
Amenities	\$849	
Public Liability Insurance	\$917	
Contents Insurance	\$270	
Finance,Audit,Accounting Fees	\$2,296	
Library,Resources,Subscription	\$365	
Travel	\$1,049	
Computing	\$2,883	
Computer Software	\$1,456	
Other	\$219	
Total Operating Expenses		\$35,153
Total Expenses		\$98,844
Net Profit/(Loss)		\$3,417