

ANNUAL REPORT

2018/2019



Law  Access®

Walk for Justice

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About Law Access

Law Access aims to improve access to justice for the most disadvantaged and marginalised people in Western Australia. We assist some of the most vulnerable people in WA, who would otherwise be unable to obtain legal assistance. We receive requests for assistance from all over the State, and in all areas of the law, and match those who will most benefit from legal assistance, with lawyers willing to provide pro bono assistance.

Our Law Access Pro Bono Gateway delivers:

- Referrals to Western Australian pro bono lawyers
- Referrals to the legal assistance sector
- Research, policy and law reform to address unmet legal need in Western Australia
- Support and resources for pro bono culture to thrive in Western Australia
- Volunteering opportunities for law students and PLT graduates

Law Access is a company limited by guarantee and a public benevolent institution registered with the Australian Charities and Not For Profits Commission. Law Access Limited was established by The Law Society of Western Australia in December 2014 to implement the recommendations of a Lotterywest funded feasibility study *Doing The Public Good* by Kalico Consulting. Law Access Limited commenced delivering the Law Access Pro Bono Referral Service, formerly delivered by The Law Society of Western Australia from 1 July 2015.



Event Ambassador The Hon. Peter Quinlan Chief Justice of Western Australia, with the 2019 Law Access Walk for Justice trophy winners.

Left to Right: Top Individual Fundraiser The Hon. Justice Jennifer Smith, Supreme Court of Western Australia, Top Student Law Society Team Curtin Student Law Society, Top University Law Student Fundraiser Madina Eira (Curtin Law Student Society), Top University Team Murdoch School of Law/SCALES.

Not pictured: Top Fundraising Team SC Associates.



Photo on cover: Bell Tower photo before the inaugural walk. **Left to Right:** Amanda Sugg (President of Edith Cowan University Student Law Society), Fraser Robertson (Co-Pro Bono Coordinator of the Western Australian Bar Association), Maria Saraceni (Law Access Director), Paula Wilkinson (Law Access Director), John Gray (President of Notre Dame Law Students' Society), Rosaline Tan (Principal Lawyer, John Curtin Law Clinic, Curtin University), The Hon. Stephen Thackray (Former Chief Judge of the Family Court of Western Australia), Sonia Walker (Head of Law and Criminology, Murdoch University), The Hon. John Quigley MLA (Attorney General of Western Australia; Minister for Commerce), Professor Natalie Skead (Dean and Head of School, University of Western Australia Law School), The Hon. Gail Sutherland Chief Judge of the Family Court of Western Australia, Chief Magistrate Steven Heath, The Hon. Justice Darren Jackson of the Federal Court of Australia, The Hon. Kevin Sleight, Chief Judge of the District Court of Western Australia, Greg McIntyre SC (President of the Law Society of Western Australia), Catherine Eagle (Community Legal Western Australia), The Hon. Chief Justice Peter Quinlan (Chief Justice of Western Australia), Krishna Prasad (Associate Dean Law, Edith Cowan University), Professor Joan Squelch (Dean of Law, University of Notre Dame Fremantle), Kenyon Lee (President of Curtin Student Law Society), Daniel Baker (President of Murdoch Student Law Society).

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Board Members

The Honourable Malcolm McCusker AC CVO QC

Chairperson and Director of Law Access from 1 August 2018

Hayley Cormann

Barrister, Quayside Chambers and Director of Law Access from 19 December 2018

Adam Ebell

Senior State Prosecutor Office of the Director of Public Prosecutions for Western Australia
Outgoing Chairperson retired 31 July 2018

Emma Griffiths

Principal, Asociatii Commercial Lawyers

Eric Heenan

Barrister, Francis Burt Chambers
Director until 31 December 2018

Matthew Howard SC

Barrister, Francis Burt Chambers and Director of Law Access from 1 January 2019

Marshall McKenna

Partner, Gilbert + Tobin

Elizabeth Needham

Barrister, Francis Burt Chambers

Cav. Maria Saraceni

Barrister, Francis Burt Chambers

Shayla Strapps

CEO, Mental Health Law Centre and Director of Law Access from 1 January 2019

Paula Wilkinson

Director, Kim Wilson & Co



Left to Right: Michele Lord (Principal Lawyer, Law Access), The Honorable Malcolm McCusker AC CVO QC (Chairperson and Director), Dominique Hansen (Chief Executive Officer, Law Access), The Hon John Quigley MLA (Attorney General of Western Australia and Minister for Commerce).

Chairperson's Report

I have had the honour of being the chairman of the Board of Law Access since 1 August 2018.

In its first four years of operation Law Access has, in my opinion, carried out its purpose with distinction. It has:

- Responded to 2839 first enquiries
- Received 2010 applications for pro bono assistance
- Made 679 referrals to lawyers to provide free, reduced or deferred fee assistance as appropriate
- Provided 1041 applicants with information about why their matters were not suitable for referral.
- Supervised and trained 104 Law student volunteers and interns
- Provided Practical Legal Training to 5 volunteer graduates.

This year Law Access had the following notable achievements:

July 2018

Law Access implemented the Filepro electronic case management system which has made managing contacts

and applicant files much more efficient.

February 2019

A Research report initiated by the Law Access Research sub-committee and led by Associate Professor Jill Howieson of the UWA Law School on Family Violence and Property settlements was launched by The Hon. Stephen Thackray, retired Chief Judge of the Family Court of Western Australia.

March 2019

Law Access obtained a Lotterywest Grant to support development of a new purpose-built website, which will be launched in November 2019.

May 2019: Law Access held its biggest ever Law Access Walk for Justice, led by The Hon. Peter Quinlan Chief Justice of Western Australia.

June 2019

On the invitation of The Hon John Quigley MLA, Attorney General of Western Australia and Minister for Commerce, Law Access briefed Western Australian State Parliamentarians (at a function hosted at Parliament House by the Attorney) about Law Access' service and how to make

effective referrals. This was well received, and attracted favourable comment.

Law Access completed a new Impact Model, mapping the changes needed to deliver Law Access' objective of Equal Access to Justice. A new Monitoring and Evaluation Plan and Reporting Framework measures Law Access' impact against this model.

The achievements of Law Access are the result of a "team effort". I sincerely thank, on behalf of Law Access, the generous pro bono lawyers who accept referrals; Law Access' small and dedicated team of skilled staff; the volunteers and secondees who assist the Law Access team with triage and referrals; the generous donors, in-kind supporters, sponsors and funders, who provide the life-blood of the organisation; and last, but certainly not least, Dominique Hansen, for her conscientious and inspired role as Chief Executive Officer of Law Access.

**Malcolm McCusker AC CVO QC
Chairman and Director,
Law Access**

Statistics

2018/19



1,182
enquiries

responded to by
email or telephone



510
applications

means tested and
merit assessed



246*
applicants

were advised why
their matter had no merit



179
matters placed

applicants matched
with lawyers



\$1.86m**
estimated value

of pro bono legal services



4,650***
pro bono

legal hours provided

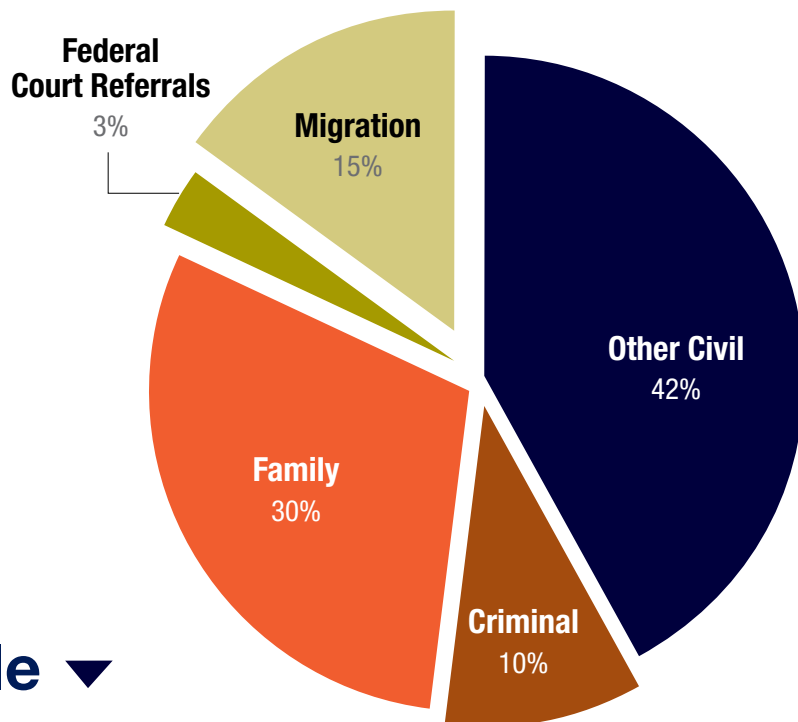
* in some cases the reason related to means testing but the great majority related to merit.

** this estimate is calculated by multiplying \$10,000 by the total number of pro bono lawyers who took referrals in last financial year. There were 186 lawyers which included some lawyers who took multiple referrals and some referrals made to multiple lawyers ie lawyer and barrister.

*** this estimate is calculated by multiplying each pro bono referral (186) by the average pro bono hours completed per referral (25 hours). It should be noted that some referrals resulted in less than 25 hours of pro bono work while others resulted in much more than 25 hours of pro bono work and it is likely to be a conservative estimate

Applications by Matter Type

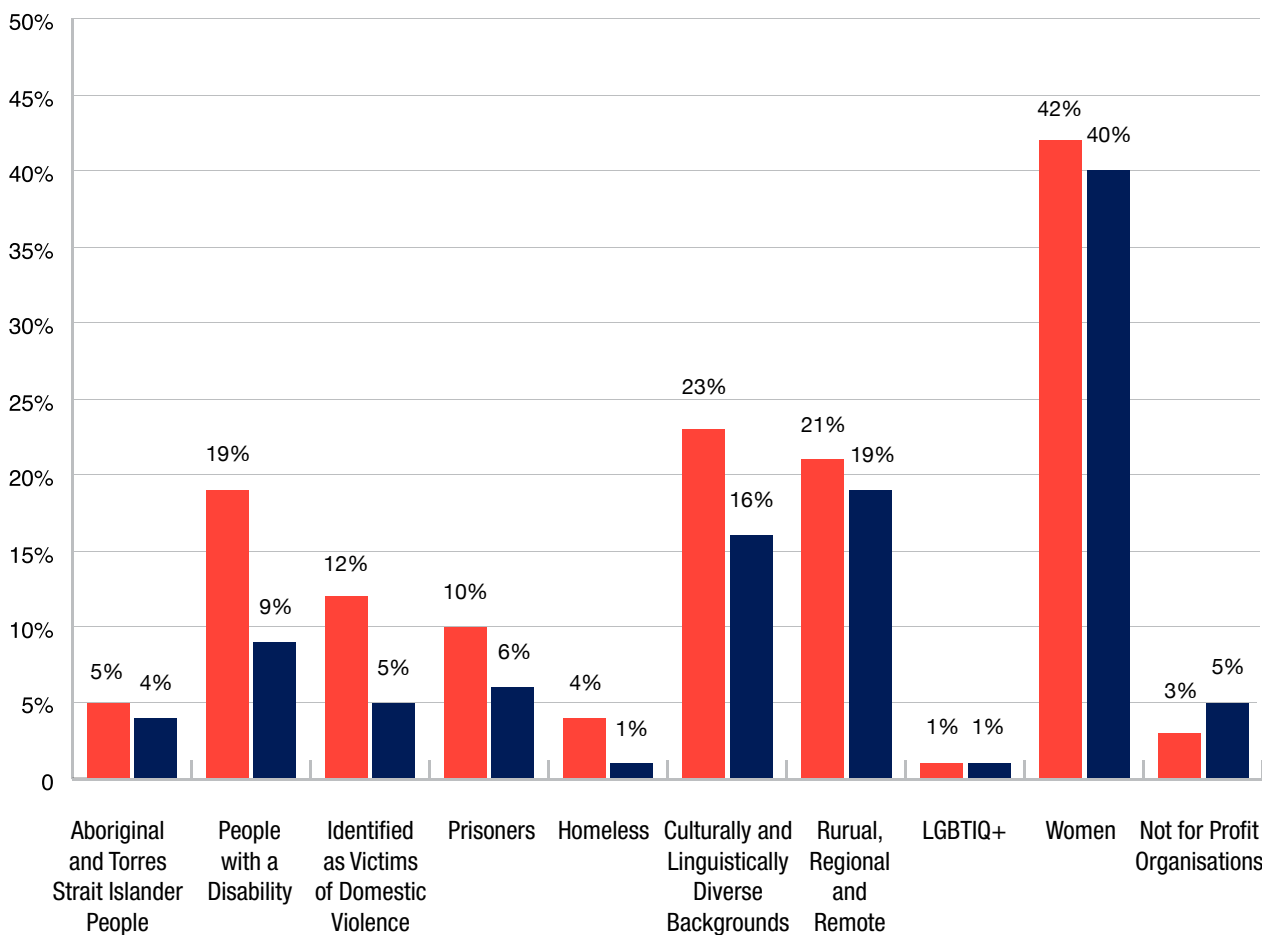
The figure opposite shows that family law and civil law (excluding migration) were the matter types with the highest numbers of applications. Criminal law applications are on par with last financial year, which is expected given the cuts to legal assistance in Magistrates Court matters.



Comparison Applicant Profile

The number of applications received from people with a disability, victims of domestic violence, prisoners, people who are homeless, people from Culturally and Linguistically Diverse backgrounds, people in rural, regional and remote communities, and women increased compared to the previous year.

■ FY 2018/19 ■ FY 2017/18



Case Studies

Case studies are being developed on an ongoing basis as a part of our Monitoring and Evaluation Plan. Our new website www.lawaccess.org.au will feature new case studies.

Banking and Finance Law

Beth* was approached by her ex-husband to provide a personal guarantee secured by a mortgage for money he was borrowing from a lender. She was told at the time that the loan was for him personally, but she later found out that the loan was actually for his company.

Beth's ex-husband had a history of intimidating her during their marriage. Her ex-husband's lawyer came to her house without notice and she did not have a chance to obtain independent legal advice. Beth felt bullied and misled into signing the loan documentation.

Her ex-husband never made any repayments on the loan and he declared bankruptcy. Beth was then

served with a Supreme Court writ against her by the lender, seeking orders for possession and sale of her house. Beth was referred to Law Access by a community legal centre and was referred to a pro bono barrister and pro bono instructing lawyer.

Beth's matter was settled and she was not held to be liable for the loan. This meant that Beth was able to keep her house. This was an exceptional outcome and Beth said: "I won my case, which I believe may help someone else who may [be] taken advantage of like I was. [My pro bono lawyer] took the stress out of my situation, [they] also gave me the confidence to fight for my rights. I was extremely happy and appreciative of the support I received."

Family Law

Lydia's* ex-partner filed for bankruptcy and the Trustee was distributing the remaining funds. Lydia cares for a disabled child from the relationship. She had never made any property claims against her ex-partner although they separated some years ago. She wanted to claim the remaining funds to cover costs associated with medical treatment and care for their daughter.

A pro bono lawyer provided urgent assistance before the Trustee distributed the funds. As a result, Lydia obtained 50% of the funds rather than the 30% originally offered by the Trustee. Lydia had previously been frustrated and anxious about her matter, but she had a positive experience and was able to better understand her legal matters and legal options.

Criminal Injuries Compensation

Sarah* applied to Law Access for help with making a criminal injuries compensation (CIC) application. Sarah was a victim of sexual abuse as a young child and suffered from anxiety all her life. However, she was only diagnosed in recent years with post-traumatic stress disorder (PTSD) as a result of her childhood sexual abuse. She was unemployed and receiving a parenting benefit and wanted to make a CIC application to help cover the costs of psychological treatment for anxiety and PTSD.

Sarah had been going to Medicare-subsidised treatment sessions and she was approaching a significant part of her treatment process. However

she could not afford the full cost of her remaining treatment.

Law Access was able to find her a pro bono lawyer to help her with the application. Although Sarah was out of time, her pro bono lawyer helped her obtain compensation that was double what she expected. This meant that Sarah was able to continue her treatment.

Sarah said "I liked that Law Access could help me. I wouldn't have been able to do what I could without it. The lawyer was excellent – the best lawyer I've ever had."

* Names have been changed to protect confidentiality

This year brought many changes at Law Access

Report from the Chief Executive Officer

We farewelled our inaugural Director Adam Ebell and welcomed new Chairperson Malcolm Mccusker AC CVO QC . I would like to thank Adam for his steadfast support since becoming an inaugural Law Access Director in December 2014.

I would also like to thank our inaugural Senior Family Lawyer Meredith Hunter who moved to a new role in September 2018. We were fortunate to gain a new Senior Family Lawyer Linda Cao in October 2019.

In March 2019 Katrina Williams our Principal Lawyer resigned. I would like to take this opportunity to thank Katrina for her extensive contribution to access to justice.

Katrina first started assessing Law Access pro bono referrals in September 2012 while an employee of the Law Society of Western Australia. Katrina

undertook the extensive planning and creative work required to develop and run the current service with passion and professionalism. She will be greatly missed by the Board and staff of Law Access and we wish her every success.

Our new Principal Lawyer Michele Lord commenced on 17 April 2019. Prior to joining Law Access Michele worked at Legal Aid in the Perth, Fremantle and in Kununurra offices including a year seconded to the Aboriginal Family Law Service.

Together our team of dedicated

employees, secondees, volunteers, pro bono lawyers, in kind supporters and our funders and donors achieved important milestones from our strategic plan.

Enhancing Our Services

Unmet Legal Need in Protection & Care Matters

Law Access received a generous donation of \$5,000 from Allen & Overy Perth partners to implement a Protection and Care project to increase pro bono assistance in this area of unmet legal need.

We worked with project leader Families Inclusion Network of WA (FINWA) and Murdoch Law School, UWA Social Work, AFLS, ALSWA, Legal Aid WA, Community Legal WA, Women's Legal Services WA, Djinda and Developmental Disabilities WA to organise a symposium on 27 March 2019 on unmet legal need

“ Together our team of dedicated employees, secondees, volunteers, pro bono lawyers, in kind supporters and our funders and donors achieved important milestones from our strategic plan.”



Left-Right: The Hon. Stephen Thackray, Lisa Jarvis, Ian Murray, Professor Lisa Young, Professor Robyn Carroll, Fiona Lester, Dominique Hansen, Associate Professor Sarah Murray.

in Care and Protection. Further work is now being undertaken by Law Access with the working group PCAN (Protection and Care Action Network) to promote opportunities for pro bono work.

Law Access Stakeholder Advisory Committee

Our Stakeholder Advisory Committee, chaired by Kylie Kerin, met three times to guide the development and direction of the service with representatives from the profession, the Courts, Tribunals and key stakeholders such as Community Legal Western Australia and the Aboriginal Legal Service of WA, the five Western Australian Law Schools and The Western Australian Council of Social Services.

Key issues discussed by the Committee included:

- Offering Non-Legal Supports when making pro bono referrals
- Associate Professor Jill Howieson of the University

of Western Australia spoke about the findings and recommendations of her cross institutional research project on Family Violence and Property Settlement.

- The WA Government's proposed pro bono requirement for government legal services tender arrangements.

Disbursements Fund

The Law Access Disbursements Fund provided support for pro bono lawyers who took our referrals. The disbursements covered costs including interpreters, fees for expert reports and travel costs.

Alternative triage process where conflicts are identified

We are grateful to the Western Australian Bar Association pro bono co-ordinators Elspeth Hensler and Fraser Robertson who undertook pro bono merit assessments for Law Access

Left-Right: Sam Lowther, Bridget Rumball, Natasha Terbeeke (Academic Services Team Leader, UWA Law School), Professor Natalie Skead (Dean and Head of UWA Law School), Clinton Ducas, and Joseph Sabbagh.



where conflicts prevented Law Access from conducting a merits assessment.

Improved Referral information

Law Access made a presentation to State Members of Parliament on 13 June 2018 which explained the service we offer and how to make an effective referral. Information packs developed for State parliamentarians were amended for distribution to our key stakeholders to further improve warm referrals to Law Access.

Working in partnership

Annual Conference of the Family Law Practitioners' Association of Western Australia.

In August 2018 Law Access was invited to present about the impact of pro bono family law referrals at the Family Law Practitioners of Western Australia Conference. Law Access also held a stall to engage with family lawyers interested in taking pro bono referrals.

Collaboration with universities on a common research agenda

On 25 February 2019, the Law Access-initiated research publication on family violence and family law property settlements was launched by The Hon. Stephen Thackray. The launch was attended by representatives from Minister McGurk's office and the State Attorney General's office. Letters have been exchanged with State and Federal politicians to try to progress the report's recommendations and meetings have been held

with representatives from relevant Western Australian Government Departments to discuss the research findings. A link to the research report and the launch speech are here: <http://www.news.uwa.edu.au/2019022511240/research/law-changes-urged-property-issues-involving-family-violence>

Collaborative service planning

Law Access participated in the Collaborative Service Planning group for legal assistance providers and Federal and State Government representatives. Law Access was also a member of a working group examining the sector's resilience.

Collaborate with the Law Society's Access to Justice Committee

Law Access has continued to report on policy and public interest issues arising through our service to The Law Society of Western Australia's Access to Justice Committee.

Building Organisational Capacity

FilePro implementation

Law Access implemented donated FilePro case management software from 1 July 2018. The new electronic case management system resulted in a significant improvement in our casework management and reporting systems. We are grateful for the continued support from Filepro who have adapted and tailored their product for our service.

Corrs Legal Assistant Secondees

We thank Corrs Chambers Westgarth for generously providing secondee legal assistants one day per week throughout the year from July 2018. This has significantly enhanced our service effectiveness.

Other non-legal secondees

Law Access was fortunate to receive strategic advice on various projects from John Morhall, a retired CEO with extensive experience in the Government and private sector.

We also received pro bono property valuation advice from Mark Houlahan and pro bono business valuation advice from Martin Smoothy. This advice was of great assistance to our family law pro bono referral service.

New Law Access website

Law Access was able to secure a grant from Lotterywest in late March 2019 to build a new website with the capacity for a portal for pro bono practitioners and online application form submission. The grant and complementary sponsorship

secured from Allens and Clayton Utz will meet the fees of our contracted website developer Clever Starfish.

We are grateful to Allens and Clayton Utz for their sponsorship not met by the Lotterywest grant. We anticipate the new website will enable improved efficiencies for Law Access and will help us to continue to build our identity. The new website should be ready to be launched in the last quarter of 2019.

Asylum Seekers Judicial Review Project

We are grateful to King & Wood Mallesons for seconding lawyers each fortnight since April 2019 to undertake Judicial Review work with our Specialist Migration Lawyer.

Lawyer assistance with merit assessments and referrals

Law Access thanks Clayton Utz, Jackson McDonald and MinterEllison for generously providing secondee lawyers to assist Law Access with triage, assessment and placement of applications.

We are also grateful for pro bono lawyers Lisa Jarvis (since February 2019) and Genevieve French (since April 2019) who have volunteered at Law Access one day a week to assist with triage and referrals.

Other essential in kind support

Law Access continued to receive in kind accommodation and facilities from The University of Western Australia.

We received insurance as well as in kind corporate services, and reception support from The Law Society of Western Australia.

Law Access also continued to receive donated archival services from Compu-Stor, a vital service which has provided in kind support since our first year of operation.

Student volunteers, interns and Practical Legal Training Graduates

We received in kind paralegal and administrative support from law student volunteers and student interns from The University of Western Australia, Edith Cowan University and the University of Notre Dame Australia.

We also had law students from Murdoch University and Curtin University who volunteered their time with us during semester break periods.

We thank volunteer Practical Legal Training students Melissa Paterniti, Elizabeth Alderson and Richa Malaviya for their valuable contribution throughout the year. We thank The Law Society of Western Australia and The Piddington Society for their valuable Practical Legal Training programmes.

Recognition strategy for our pro bono lawyers, volunteers, secondees, pro bono partners and staff

The Board and staff of Law Access celebrated and recognised our pro bono lawyers and volunteers by issuing certificates of recognition, providing letters of support for nominees for Law Week Awards and by holding the 2019 Law Access Walk for Justice to celebrate the contribution of the WA pro bono legal community. We also publicised a number of successful outcomes on social media and where appropriate to do so we named the firms who took our referral.

At our Thank You Drinks on 10 December 2018, the Board and staff of Law Access recognised and celebrated our pro bono lawyers, secondee lawyers and law student volunteers who champion access to justice in Western Australia. Guest speaker The Hon. Chief Justice Peter Quinlan, Chief Justice of Western Australia, highlighted the vital impact of pro bono legal work within the justice system.



Left-Right: Nicole Rajoo (MinterEllison), Laura Dindar (Jackson McDonald), Spencer Flay (Corrs Chambers Westgarth), Sharon Milton (MinterEllison), Nadia Palermo (MinterEllison), Jessica McGovern (MinterEllison)

Ensuring our sustainability

Our fundraising and revenue strategy

This year our fundraising subcommittee led by Elizabeth Needham directed the service's efforts towards explaining and evaluating our impact.

John Hockley of Counsel also generously assisted Law Access to draft our template Bequest clauses which were uploaded to the website.

The Committee oversaw a 14% increase in donations from \$104,776 the previous year coming to a total of \$119,291. This included a \$6,000 McCusker Charitable Foundation funded scholarship for our Piddington Justice Project Practical Legal Training graduate Richa Malaviya.

We were thrilled that the Law Access Walk for Justice on

national Pro Bono Day attracted a record 600 participants this year and raised more than \$90,000 due to a generous donation matching commitment by the McCusker Charitable Foundation. Thank you for your generous participation. Sponsorship from the College of Law and the 5 Western Australian Law Schools assisted Law Access to present this event.

We also received vital donations from generous CPD presenters, as well as law firms Allen & Overy, Corrs Chambers Westgarth and Jackson McDonald and our generous individual supporters through our Give Now Appeal.

We secured a triennial Public Purposes Trust grant from 1 July 2019 coming to a combined 3 year total of \$765,000. This core PPT grant amount will enable Law Access to properly plan and co-ordinate our fundraising efforts over the next 3 years to ensure our sustainability.

We were fortunate to secure a further \$100,000 in one-off funding from the Department of Justice for expenditure next financial year.

Developing relationships and engagement

Law Access continued to recruit and attract pro bono lawyers through a regular segment in the Law Society of Western Australia's weekly newsletter Friday Facts, and by supporting our pro bono networks.

Pro Bono Coordinators' Committee

Sponsored by Allen's our Law Access Pro Bono Co-ordinators' Committee met four times throughout the year, with representatives from 20 large and medium sized firms. Guest speakers included representatives from the Family Inclusion Network of WA and the Aboriginal Legal Service of Western Australia.



Left-Right: Thomas de Bes (Australian Government Solicitor), Katrina Williams (Principal Lawyer, Law Access), Bryn de Bes (UNDA law student intern).

“ We were thrilled that the Law Access Walk for Justice on national Pro Bono Day attracted a record 600 participants this year and raised more than \$90,000 due to a generous donation matching commitment by the McCusker Charitable Foundation.”

Law Access Lawyers for Refugees Network

Our Specialist Migration Lawyer Jessica Bayley made referrals to our dedicated Law Access Lawyers for Refugees Network. Jessica also took part in related national working groups and sent regular emails to Network members keeping them up to date with developments.

Building our brand and profile

Law Access continued to implement our marketing and communications plan, with an emphasis on increasing our social media profile.

Interviews with our new Chairperson featured in Brief and the Australian Pro Bono Centre September Newsletter.

The annual Law Access Walk for Justice also received coverage by online media and social media.

Monitoring and evaluation plan

Our first Law Access Impact Report will be launched in December 2019 thanks to a Public Purposes Trust Grant which enabled Law Access to contract Emma Pritchard Consulting. Work commenced in November 2018 and was completed in June 2019.

Emma Pritchard Consulting:

- Reviewed our existing monitoring and evaluation plan and data collection systems.
- Assisted Law Access to map our service outcomes and develop our new Theory of Change based Evaluation framework.
- Prepared an evaluation tool for Law Access which will include a template for future annual impact reports using the new evaluation model.

Thanks again to the pro bono legal community and all of our supporters for the role each of you played to help us deliver equal access to justice. I would also like to specially thank my Chairperson Malcolm McCusker AC CVO QC, my wonderful staff and the Members of the Board for all of their hard work and support.

Dominique Hansen
Chief Executive Officer

Thank you

Pro bono lawyers

We thank all the pro bono lawyers who took our referrals and the legal assistance service providers and stakeholders who assisted us.

We are grateful to members of our Pro Bono Coordinators' Committee who helped to guide and support our work.

Practical Legal Training volunteers, Law Student volunteers and interns

Elizabeth Alderson, Rahana Bell, Lara Del Bianco, Sebastian Boccardo, Kylie Dahl, Bryn de Bes, Clinton Ducas, Tom Durkin, Daniel Dyer-Smith, Femke Elferink, Prema Gungapersand, Imogen Keall, James Lazzara, Sam Lowther, Richa Malaviya, Patrick Mallows, Eve Newton-Johnson, Grace Peka, Matthew Price, Bridget Rumball, Liam Takeda, Sarah Thiruneelakandan, Amy Thomasson, Ellen Tydeman, Anthony Worrall, Siew Mei Yong

Secundee Lawyers and Legal Assistants

Jackson McDonald:

Laura Dindar, Simon Ringrose, Justin Sims, Kimberley Swift

MinterEllison:

Jessica McGovern, Sharon Milton, Nadia Palermo, Nicole Rajoo

Clayton Utz:

Dan English, Zoe Timms

Corrs Chambers Westgarth:

Clare Caiacob, Jess Cooper, Sam Jackson, Kate Jones, Martine Olivier, Valerie Sidhom

King & Wood Mallesons:

Emily Bell, Joel Bond, Danika Kuczerepa, Emily Lamberto, Patrick Mackenzie, Brenda Valdez Martinez, Allison Warrior

Volunteers

Lisa Jarvis – volunteer lawyer

Genevieve French – volunteer lawyer


John Morhall – governance and projects

Mark Houlahan – conducted a Pro bono Property Valuation on a matter referred by Law Access and also provided pro bono advice directly to our Senior Family Lawyer.

Martin Smoothy – provided pro bono business valuation advice directly to our Senior Family Lawyer.

Funders

Public Purposes  Trust

 Government of Western Australia
Department of Justice

McCusker
Charitable
Foundation

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supported

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The Law  Society
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The voice of the legal profession in Western Australia

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WESTERN
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LAW SCHOOL

Major Donors

ALLEN & OVERY

CORRS
CHAMBERS
WESTGARTH
lawyers

 Jackson
McDonald
Legal Depth | Breadth | Presence

Donors

We thank all those who donated to the Law Access Walk for Justice, the individuals who regularly donate to the Law Access GiveNow appeal, CPD presenters who elected that The Law Society of Western Australia make a donation to Law Access on their behalf, the WA Society of Jewish Jurists and Lawyers and other generous CPD donors who donated to Law Access.

Law Access Walk For Justice sponsors

College of Law, Curtin University, Edith Cowan University, Murdoch University, the University of Notre Dame Australia, and the University of Western Australia.

Thank You Drinks sponsors

MinterEllison

In-kind supporters

Compu-Stor, FilePro (donation of software and support), and the University of Western Australia, John Morhall (donation of laptop and computer monitor).

Website sponsors

Clayton Utz and Allens

Stakeholder Advisory Committee Members

Thank you to the members of our Law Access Stakeholder Advisory Committee for your input and engagement throughout the year.

Pro Bono coordinator committee sponsor

Allens

Law Access thanks the generous pro bono lawyers who accepted our referrals this year:

Randhir Amoganathan	Obvia Legal
Val Antoff	Crystal Lawyers
Maryse Aranda	Maryse Aranda Lawyers
Rani AriaRetnam	Sparke Helmore Lawyers
Ganasan Arujunan	AUM Legal
Richard Bannerman	Bannerman Solicitors
David Blades	Chisholm Law
John Bochat	Rattigan Kearney & Bochat
David Bodeker	David Bodeker Legal
Sally Bruce	Jackson McDonald
Rebecca Bunney	Cullen Macleod
Felicity Cain	Cathal Smith Legal
John Cameron	Barrister
Bill Cannon	Ashurst
SanLing Chan	Solicitor, Immigration
Dane Chandler	Barrister, Francis Burt Chambers
Chess Cheng	Ally Legal
Emma Chinnery	Jackson McDonald
Felicity Clarke	Hall & Wilcox
Paul Cook	Sherlock Legal
Rachel Cosentino	Barrister, Francis Burt Chambers
Mark Cox	MDC Legal
Simon Creek	HHG Legal Group
Matthew Crowley	Barrister, Francis Burt Chambers
Melissa De Abreu	Herbert Smith Freehills
Mallika De Toni	King & Wood Mallesons
Nathan Draper	D'Angelo Legal
Clare Duncanson	Clayton Utz
David Earnshaw	Earnshaw & Associates Lawyers
Marie Eberlein	MinterEllison
Jessica Edmeades	Gilbert + Tobin
Justin Edwards	Barrister, Francis Burt Chambers
Warren Elder	West End Legal
Yvette Fenton	Clayton Utz
Andrew Gay	Ashurst
Michelle Gaynor	Ashurst
Hamish Glenister	Cathal Smith Legal
Julie Gray	Gray & Co Lawyers
Haley Graydon	DLA Piper
Louise Greenwood	HHG Legal Group
Michael Gresham	Ilberys Lawyers Pty Ltd
Prue Hawkins	Empire Barristers & Solicitors
Sam Hemachandra	FourLion Legal
Kate Hill	Hartrey Legal
David Hillard	Clayton Utz
John Hockley	Barrister, Francis Burt Chambers
Philippa Honey	Barrister, Francis Burt Chambers
Tom Hosking	Hall & Wilcox
Helen Hotai	Frost & Associates
Stephen Howells	Barrister, Owen Dixon Chambers West
Anthony Jarvis	Opportuna Legal
Edwina Jones	Ashurst

Steven Jones	Barrister, Francis Burt Chambers
Bill Keane	Barrister, Francis Burt Chambers
Roisin Keating	Equitas Lawyers
Elizabeth Keen	Pragma Legal
Stephen Kemp	Kemp & Associates
Benjamin King	Carr & Co
Michael Klimek	Klimek Family Law
Anu Kothapalli	Jackson McDonald
Louis Kristopher	Morris, Alexander & Nelson Barristers and Solicitors
Adam Levine	K & L Gates
Rob Lilley	Douglas Cheveralls Lawyers
Elyce Lines	Kim Wilson & Co
Peter Lochore	Barrister, Francis Burt Chambers
Nunzio Lucarelli QC	Barrister, Francis Burt Chambers
Danielle Lukic	Gilbert + Tobin
Alex Lustig	Jackson McDonald
Will Macdonald	George Papamihail Barristers & Solicitors
Patrick Mackenzie	King & Wood Mallesons
Catriona MacLeod	Cullen Macleod
Natalija Macura	Calverley Johnston
Simon Majteles	Barrister, Francis Burt Chambers
Sophie Manera	Rothstein Lawyers
Stacey Marino	Hall & Wilcox
Doris Matias	DS Family Law
Peter McCullough	Ashurst
Ben McGowan	Hall & Wilcox
Scott Meacock	Hall & Wilcox
Revathi Mohan	RM Law
Greg Mohen	Kott Gunning
Carolyn Moss	Barrister, Francis Burt Chambers
Martin Muk	George Papamihail Barristers & Solicitors
Aisling Murray	Hall & Wilcox
Elvira Mustafa	Baily Family Law
Elizabeth Needham	Barrister, Francis Burt Chambers
Siobahn Nims	HHG Legal Group
Rachel Oakeley	Barrister, John Toohey Chambers
Denis O'Haire	Forbes Kirby Lawyers & Consultants
Collin Ong	King & Wood Mallesons
Charlotte Osborne	Squire Patton Boggs
Lachlan Palmos	Palmos Legal
Anne Payne	Paynes Lawyers
Stephen Penrose	Tottle Partners
Jacinta Pitos	Ashurst
Rachel Pocock	HHG Legal Group
Andriano Poncini	Clayton Utz
Karene Primrose	Jackson McDonald
Simon Quenby	Ashurst
John Ralph	Ralph Legal
John Rando	Rando Solicitors
Graeme Rattigan	Rattigan & Associates
Jeremy Rich	Allens

Fraser Robertson	Barrister, John Toohey Chambers
Nicholas Rodda	Barrister, Francis Burt Chambers
Clinton Russell	Barrister, Francis Burt Chambers
Michael Rynne	Barrister, John Toohey Chambers
Rajesh Saharan	Saharan Family & Criminal Lawyers
Reuben Saul	Estrin Saul Lawyers
Cyle Schneider	Sparke Helmore Lawyers
Lauren Shave	Gilbert + Tobin
Chad Silver	Rebus Legal
Jennifer Solliss	Barrister, Francis Burt Chambers
Juliet Somerville	ABMS Lawyers
John Southalan	Barrister
Adam Spashett	Bowen Buchbinder Vilensky
Janelle Sputore	Gilbert + Tobin
Warnar Spyker	Spyker Legal

Shayla Strapps	Chisholm Law
Evan Sylwestrzak	Jones Day
Amanda Thackray	Barrister, John Toohey Chambers
David Thompson	Barrister, Fourth Floor Chambers
Karina Travaglione	Allen & Overy
Charmaine Tsang	Lavan
Nicholas van Hattem	Barrister, Francis Burt Chambers
Stephen Walker	Barrister, Fremantle Chambers
Mark Wallbridge	Wallbridge Legal
James Wang	King & Wood Mallesons
Leigh Warnick	Barrister, Francis Burt Chambers
Simon Watters	Barrister, Albert Wolff Chambers
Anthony Willinge	Barrister, Francis Burt Chambers
Thomas Wilson	Jackson McDonald
Grahame Young	Barrister, Francis Burt Chambers

Pro bono lawyers receiving direct approaches will first refer applicants to Law Access.



The Hon. Justice Stephen Thackray, Chief Judge of the Family Court of Western Australia with pro bono family lawyers.
Left to Right: Gary Mack, Meredith Hunter, Michael Klimek (behind), Frances Veltman (front), Paul Cook, Rebecca Bunney, The Hon. Chief Judge Thackray, Anastasia Christou (behind), Kate Hill, Vince Bradley, Elizabeth Needham, Simon Creek (front).



Law Access Specialist Migration Lawyer, Jessica Bayley, with some members of the Law Access Lawyers for Refugees Network. **Left to Right:** Alice Graziotti, Daniel Estrin, Hamish Glenister, and Jessica Bayley.

FINANCIAL STATEMENTS



Statement of Profit and Loss

For the year ended 30 June 2019

	Notes	2019 \$	2018 \$
Revenue	3	430,315	341,676
Employee expenses		(279,913)	(280,064)
Depreciation expenses		(2,778)	(2,006)
Fundraising expenses		(2,804)	(2,730)
Other expenses		(67,043)	(30,335)
Surplus for the year		<u>77,777</u>	<u>26,541</u>

The above Statement of Profit and Loss should be read in conjunction with the accompanying notes.

Statement of Financial Position

As at 30 June 2019

	Notes	2019 \$	2018 \$
Current assets			
Cash and cash equivalents	7	218,413	234,666
Trade and other receivables	4	118,981	3,275
Prepayments		282	-
Total current assets		337,677	237,941
Non-current assets			
Office equipment		7,242	2,696
Total non-current assets		7,242	2,696
Total assets		344,919	240,637
Current liabilities			
Trade and other payables	5	40,730	5,424
Income received in advance	8	100,000	100,000
Provisions	6	8,018	12,534
Total current liabilities		148,748	117,958
Non-current liabilities			
Provisions	6	11,191	15,476
Total non-current liabilities		11,191	15,476
Total liabilities		159,939	133,434
Net assets		184,980	107,203
Equity			
Accumulated surplus		184,980	107,203
Total equity		184,980	107,203

The above Statement of Financial Position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the year ended 30 June 2019

	Accumulated Surplus \$	Total equity \$
Balance as at 1 July 2017	80,662	80,662
Surplus for the year	26,541	26,541
Balance as at 1 July 2018	107,203	107,203
Surplus for the year	77,777	77,777
Balance as at 30 June 2019	184,980	184,980

The above Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the year ended 30 June 2019

	<u>Notes</u>	<u>2019</u> <u>\$</u>	<u>2018</u> <u>\$</u>
Cash flows from operating activities			
Receipts from donations, grants, other revenue		347,307	474,670
Interest receipts		2,109	1,501
Payments to suppliers and employees		(365,669)	(346,049)
Net cash generated by operating activities		<u>(16,253)</u>	<u>130,123</u>
Net increase in cash and cash equivalents		<u>(16,253)</u>	<u>130,123</u>
Cash and cash equivalents at the beginning of the year		234,666	104,543
Cash and cash equivalents at the end of the year	7	<u><u>218,413</u></u>	<u><u>234,666</u></u>

The above Statement of Cash Flows should be read in conjunction with the accompanying notes.

Notes to the Financial Statements

For the year ended 30 June 2019

1 General information

Law Access Limited is a company limited by guarantee incorporated and domiciled in Australia.

The address of its registered office is Level 4, 160 St Georges Terrace, Perth, WA Australia.

The postal address for the principal place of business is PO Box Z5345, Perth WA 6831.

The physical address of the principal place of business has been supplied to the ACNC but is suppressed for publication on the ACNC website as Law Access' work is conducted remotely and members of the public/applicants are not able to attend the principal place of business in person.

Law Access Limited is a public benevolent institution established to coordinate the giving of free, reduced fee, or deferred fee legal advice or representation by the legal profession. The service is targeted at financially disadvantaged individuals and not-for-profits in the community in genuine need of legal assistance who satisfy a means and merits test and are unable to obtain assistance from Legal Aid or a community legal centre.

2 Summary of accounting policies

A) Basis of Preparation

These general purpose financial statements have been prepared in accordance with the following mandatory Australian Accounting Standards applicable to entities reporting under the Australian Charities and Not for Profits Commission Act 2012 and the significant accounting policies disclosed below, which the directors have determined are appropriate to meet the needs of members. Such accounting policies are consistent with those of previous periods unless stated otherwise.

AASB 101 - Presentation of Financial Statements

AASB 107 - Cash Flow Statements

AASB 108 - Accounting Policies, Changes in Accounting Estimates and Errors

AASB 1031 - Materiality

AASB 1048 - Interpretation of Standards

AASB 1054 - Australian Additional Disclosures

The financial statements have been prepared on the basis of historical cost, except for certain properties and financial instruments that are measured at revalued amounts or fair values at the end of each reporting period, as explained in the accounting policies below.

Historical cost is generally based on the fair values of the consideration given in exchange for goods and services. All amounts are presented in Australian dollars, unless otherwise noted.

B) Significant accounting judgements, estimates and assumptions

The preparation of financial statements requires management to make judgements, estimates and assumptions that affect the application of policies and reported amounts of assets, liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and other factors that are believed to be reasonable under the circumstance, the results of which form the basis of making the judgements. Actual results may differ from these estimates.

The estimates and underlying assumptions are reviewed on an ongoing basis. Revisions to accounting estimates are recognised in the period in which the estimate is revised if the revision affects only that period or in the period of the revision and future periods if the revision affects both current and future periods.

Useful lives of assets

The entity reviews the estimated useful lives of assets at the end of each reporting period.

C) Revenue

Revenue is measured at fair value of consideration received or receivable.

Revenue is recognised when the amount can be reliably measured and it is probable that the economic benefits will flow to the entity.

Grants

Grants are government grants and are recognised when all conditions attached to the grant have been satisfied and there is reasonable assurance that the grant will be received. When the conditions of the grants have not been satisfied it is recognised as a liability in the statement of financial position.

Donations

Donations include grants received from charitable trusts and foundations. Donations collected are recognised when the entity gains control of the funds, usually at the time of receipt.

Other Revenue

Other revenue includes non-government grants (e.g. Law Society of Western Australia Public Purposes Trust) and sponsorship income.

Interest income

Interest income is recognised on an accrual basis using the effective interest method.

D) Income Tax

Law Access Limited is exempt from income tax under Division 50 of the Income Tax Assessment Act 1997.

E) Cash and Cash Equivalents

Cash and cash equivalents comprise cash at bank and in hand and short-term deposits with an original maturity of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

F) Trade and Other Receivables

Trade and other receivables are measured initially at fair value then subsequently at amortised cost using the effective interest method, less provision for impairment.

Trade and other receivables are considered impaired when they are past due or when there is objective evidence that the entity will not be able to collect the amount due.

G) Office Equipment

Office equipment is measured at cost less accumulated depreciation. The assets are depreciated over their useful lives to the entity, commencing from the time the asset is held ready for use.

Gains or losses arising from the disposal of office equipment is the difference between the carrying amount and the disposal proceeds and recognised in profit or loss.

H) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the entity that are outstanding at the end of the reporting period. These amounts are usually paid in 30 days.

I) Employee Benefits

Short-term employee benefits such as annual leave, wages and salaries are expected to be settled wholly within 12 months after the reporting period. The amounts are expected to be paid when the liabilities are settled.

Long-term employee benefits such as long-service leave are not expected to be settled wholly within 12 months after the reporting period. The amount is measured as the present value of expected future payments to be made to employees, with consideration given to anticipated future wage and salary levels, experience of employee departures and period of service. Expected future payments are discounted with reference to market yields at the end of the reporting period using corporate bonds with terms to maturity close to the estimated future cash outflows.

J) Provisions

Provisions are recognised when the entity has a present obligation (legal or constructive) as a result of a past event, it is probable that an outflow of economic benefits will be required to settle the obligation and a reliable estimate can be made of the obligation.

K) Goods and services tax (GST)

Revenue, expenses and assets are recognized net of the amount of GST except where the amount of GST incurred is not recoverable from the Australian 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 are shown inclusive of GST.

L) In Kind Services

The Law Access service receives in kind support in the form of accommodation, archival storage, corporate services support, electronic file management, law firm secondees, pro bono lawyers and law student volunteers. In accordance with AASB 1058 paragraph 19, Law Access has elected not to formally recognise these volunteer contributions in the financial statements

In the Financial Year ending 30 June 2019 Law Access received in kind support from The Law Society of Western Australia, The University of Western Australia, Compu-Stor, FilePro, Clayton Utz, Corrs Chambers Westgarth, Jackson McDonald, King & Wood Mallesons and MinterEllison. We also received valuable volunteer hours from pro bono lawyers and law students from The University of Western Australia, Edith Cowan University, The University of Notre Dame Australia, Murdoch University and Curtin University.

3 Revenue

	2019	2018
	\$	\$
Revenue		
Government grants	125,704	100,000
Other revenue	183,250	135,250
Donations	119,291	104,776
Interest on investments	2,070	1,650
	430,315	341,676

4 Trade and other receivables

Current

Trade debtors	114,400	825
Accrued income	300	350
Other receivables	4,281	2,100
	<u>118,981</u>	<u>3,275</u>

5 Trade and other payables

Trade creditors	24,156	584
Accrued expenses	481	-
Other payables	16,092	4,840
	<u>40,730</u>	<u>5,424</u>

6 Provisions

	2019 \$	2018 \$
Current		
Provision for Annual Leave	8,018	12,534
	<u>8,018</u>	<u>12,534</u>
Non-current		
Provision for Long Service Leave	11,191	15,476
	<u>11,191</u>	<u>15,476</u>

7 Cash and cash equivalents

Cash at bank and on hand	48,561	28,869
Short-term deposits	169,852	205,797
	<u>218,413</u>	<u>234,666</u>

7.1 Reconciliation of cash

Reconciliation of profit for the year to net cash flows from operating activities

Surplus for the year	77,777	26,541
Depreciation of non-current assets	2,778	2,006
	<u>80,555</u>	<u>28,547</u>
<i>Movements in working capital</i>		
(Increase)/decrease in trade receivables	(115,706)	(1,243)
(Increase)/decrease in other assets	(7,607)	486
Increase/(decrease) in trade and other payables	35,306	(1,012)
Increase/(decrease) in provisions	(8,801)	3,346
Increase in income in advance	-	100,000
Net cash generated by operating activities	<u>(16,253)</u>	<u>130,123</u>

8 Income received in advance

The \$100,000 income in advance as at 30 June 2019 is a Department of Justice grant for expenditure in the 2019-2020 financial year.

Directors' Declaration

The Directors declare that in the Directors' opinion:

- a. there are reasonable grounds to believe that Law Access Limited will be able to pay its debts as and when they become due and payable; and
- b. the attached financial statements and notes satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*.

Signed in accordance with a resolution of the Directors made pursuant to subsection 60.15(2) of the Australian Charities and Not-for-profit Commission Regulation 2013.

On behalf the Directors.

X 

Hon. Malcolm McCusker AC CVO QC
Director and Chairperson

Date: 23/9/19.

LAW ACCESS LIMITED

Independent Audit Report

To the members of Law Access Limited

Report on the Financial Report

We have audited the accompanying financial report of Law Access Limited which comprises the statement of financial position as at 30 June 2019, the statement of profit and loss for the year then ended, statement of changes in equity and statement of cash flows for the year ended that date, a summary of significant accounting policies, other explanatory notes and the declaration by directors.

The Responsibility of directors for the Financial Report

The directors of the entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with relevant accounting standards and the financial reporting requirements of the Australian Charities and Not-for-Profits Commission Act 2012. The directors' responsibility also includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error.

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 judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, 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 the Australian Charities and Not-for-profits Commission Act 2012, and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants', that are relevant to our audit of the financial report in Australia.

GREG LEDGER PTY LTD

CHARTERED ACCOUNTANT

ABN 63 066 718 134

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Wembley, WA 6913

Suite 2, 20 Altona Street
West Perth, WA 6005

Telephone+(08) 93221114
Facsimile + (08) 9322 1134

Liability limited by a scheme approved under Professional Standards Legislation.

20 August 2019

The Directors
Law Access Limited
4th Floor, 160 St Georges Terrace
Perth WA 6000

AUDITOR INDEPENDENCE DECLARATION

This declaration is made in connection with the audit of the financial report of Law Access Limited for the year ended 30 June 2019 and in accordance with the requirements of Subdivision 60-C section 60-40 of *Australian Charities and Not-for-profits Commission Act 2012*.

I declare that, to the best of my knowledge and belief, there have been:

- No contravention of the auditor independence requirements as set out in the Australian Charities and Not-for-profits Commission Act 2012 in relation to the audit; and
- No contravention of any applicable code of professional conduct in relation to the audit.

Yours sincerely



Ross Gregory Ledger
Chartered Accountant
Registered Company Auditor

LAW ACCESS LIMITED

Audit opinion

In our opinion, the financial report of Law Access Limited is in accordance with Division 60 of the Australian Charities and Not-for- Profits Commission Act 2012, including:

- a) giving a true and fair view of the entity's financial position as at 30 June 2019 and of its financial performance for the year then ended; and
- b) complying with Australian accounting standards to the extent described in Note 1, and Division 60 of the Australian Charities and Not-for-Profits Regulation 2013.



RG Ledger
Chartered Accountant
Registered Company Auditor

20 AUGUST 2019



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