



ANNUAL REPORT 2019/2020

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.



Left to Right: The Hon. Malcolm McCusker AC CVO QC, The Hon. Peter Quinlan, Chief Justice of Western Australia, The Hon. Justice Jennifer Smith, Supreme Court of Western Australia, at the Law Access Thank You Drinks, 1 December 2019.



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2019/20 Board Members

The Honourable Malcolm McCusker AC CVO QC

Chairman and Director
of Law Access from
1 August 2018

Hayley Cormann

Barrister Quayside
Chambers retired
12 September 2019

Emma Griffiths

Principal Associate
Lawyers retired
9 December 2019

Matthew Howard SC

Barrister, Francis Burt
Chambers

Greg McIntyre SC

Barrister, Michael Kirby
Chambers

Marshall McKenna

Partner, Gilbert + Tobin

Judy McLean

Principal Solicitor &
Coordinator, Fremantle
Community Legal Centre

Elizabeth Needham

Barrister, Francis Burt
chambers, retired
9 December 2019

Cav. Maria Saraceni

Barrister, Francis Burt
Chambers

**Professor Natalie Skead
FAAL PFHEA**

Dean and Head of School,
UWA Law School
Chair, Australasian Law
Academics Association

Shayla Strapps

Deputy Chief Executive
Officer, Ruah Community
Services; Chief Executive
Officer, Ruah Legal Services
and Mental Health Law Centre

Paula Wilkinson

Director, Kim Wilson & Co



Chairman's Foreword

Just over 5 years ago, Law Access was established by the Law Society of WA, with the ambitious objective of delivering a state-wide service to relieve the disadvantage suffered by those in our community who merit but are unable to get legal assistance. Its aim was to achieve that important objective by arranging for members of the WA legal profession to provide their services either pro bono, or at a reduced rate, or on a deferred fee basis.

In the following five years of its operation, Law Access has advanced the important cause of access to justice for those with insufficient means to obtain legal assistance and who do not meet the criteria of Legal Aid WA. In those 5 years, it has:

- responded to 3271 first enquiries, to provide helpful information;
- received and processed 2562 applications for pro bono assistance;
- made 895 referrals to lawyers to provide free, reduced or deferred fee legal assistance, as appropriate;
- explained to 1281 applicants why their matters were not suitable for referral for pro bono legal assistance;
- supervised and trained 120 law student volunteers and interns; and
- given Practical Legal Training to 5 volunteer graduates.

The past year was one of innovation and growth, as well as unforeseen and unforeseeable challenge for Law Access.

A new Law Access website was launched, enabling online applications to be made, and

featuring an online portal so that pro bono lawyers may express their interest in potential referrals. I have no doubt that this will result in increased efficiencies, and greater service to the public.

The first of what is planned to be a series of Law Access Impact Reports was launched by the Hon. Justice Jennifer Smith (a great supporter of Law Access since its inception) at a function generously hosted by MinterEllison on 1 December 2019. It is hoped that such Impact Reports will cause more people to appreciate the value which Law Access provides, and the vital role it plays in the pursuit of justice for all; and that this may in turn prompt private and institutional donors to fund, or continue to fund, Law Access, as well as encourage even more members of the legal profession to provide pro bono legal assistance.

In late May 2020 Law Access entered into an MOU with Community Legal Western Australia to help implement the new WA Pro Bono Model, with much appreciated funding support from the WA Government. Law Access and Community Legal WA will build on, and improve, the referral pathway from Community Legal Centres to law firms willing to provide pro bono assistance.

Those are some of the innovations of the year. The challenge, in the second half of the year, was how to address the unprecedented problems resulting from the COVID-19 pandemic. Law Access did so in a measured and responsible manner, providing its services by telephone and other electronic means, whilst observing "social distancing". An annual event, to raise funds, has been the Walk for Justice. Would the restrictions imposed by the pandemic mean its cancellation? No, Law Access instead delivered a virtual "Walk for Justice". Held on 19 May 2020, it turned out to be the most successful Walk for Justice so far. Participants

joined in, by electronic means, from locations as far afield as Port Hedland and Sydney. Almost \$100,000 was raised in donations.

Law Access farewelled, with gratitude for their service, a number of staff members this year: Principal Lawyer Michele Lord, Senior Family Lawyer Linda Cao, Project Officer Emiko Watanabe and Legal Secretary Richa Malaviya. It also welcomed new team members, including Tina Price and Lisa Jarvis, who jointly filled a new full-time Principal Lawyer role.

Those who work for Law Access, headed by its capable and devoted CEO, Dominique Hansen, are a special breed, strongly motivated by the creed of "justice for all", and able to cope with the daily pressures and stress that inevitably arise when dealing with people who firmly believe they have suffered injustice, and sometimes have to be told that no remedy is available to them.

I sincerely thank, on behalf of the Board, the dedicated staff, past and present of Law Access, and the volunteers and law firm secondees who assist them to co-ordinate the provision of pro bono legal assistance in Western Australia.

Nor could Law Access provide the essential service it does, but for the generosity of pro bono lawyers, donors (both in cash and in kind) supporters, stakeholders, sponsors and funders. To all of them, we and the community owe a debt of gratitude.

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

Statistics

2019/20



432

enquiries

responded to by
email or telephone



552

applications

means tested and
merit assessed



240*

applicants

were advised why
their matter had no merit



216

matters placed

applicants matched
with lawyers



\$2.19m**

estimated value

of pro bono legal services



7,049***

pro bono

legal hours provided

* In some cases the reason related to means testing but the great majority related to prospects of success.

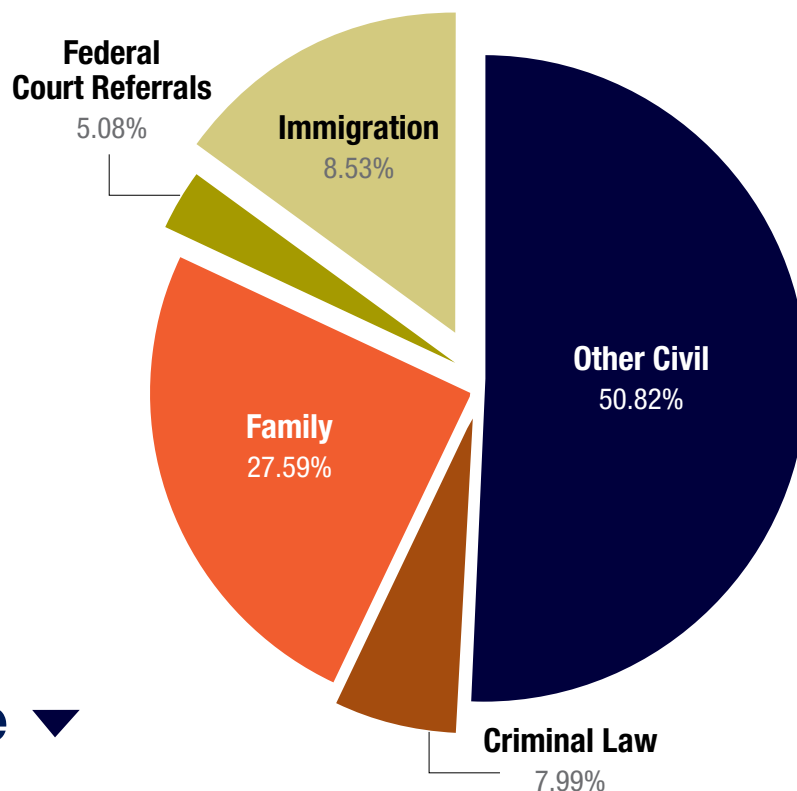
** This estimate is calculated by multiplying \$10,000 by the total number of pro bono lawyers who took referrals in last financial year. There were 219 lawyers which included some lawyers who took multiple referrals and some referrals made to multiple lawyers i.e lawyer and barrister.

*** This estimate is calculated by multiplying 25 hours per pro bono referral based on average pro bono hours reported by lawyers who completed our 2020 feed-back survey plus the total pro bono hours completed at Law Access by secondees and volunteer lawyers

Applications by Matter Type ▶

The pie chart opposite depicts applications received in FY 2019/20 by matter type:

- 64.4 % of applicants presented with a Civil Law matter (total includes Immigration and Federal Court Referrals).
- 27.6% of applicants presented with a Family Law matter.
- 8% of applicants presented with a Criminal Law matter.

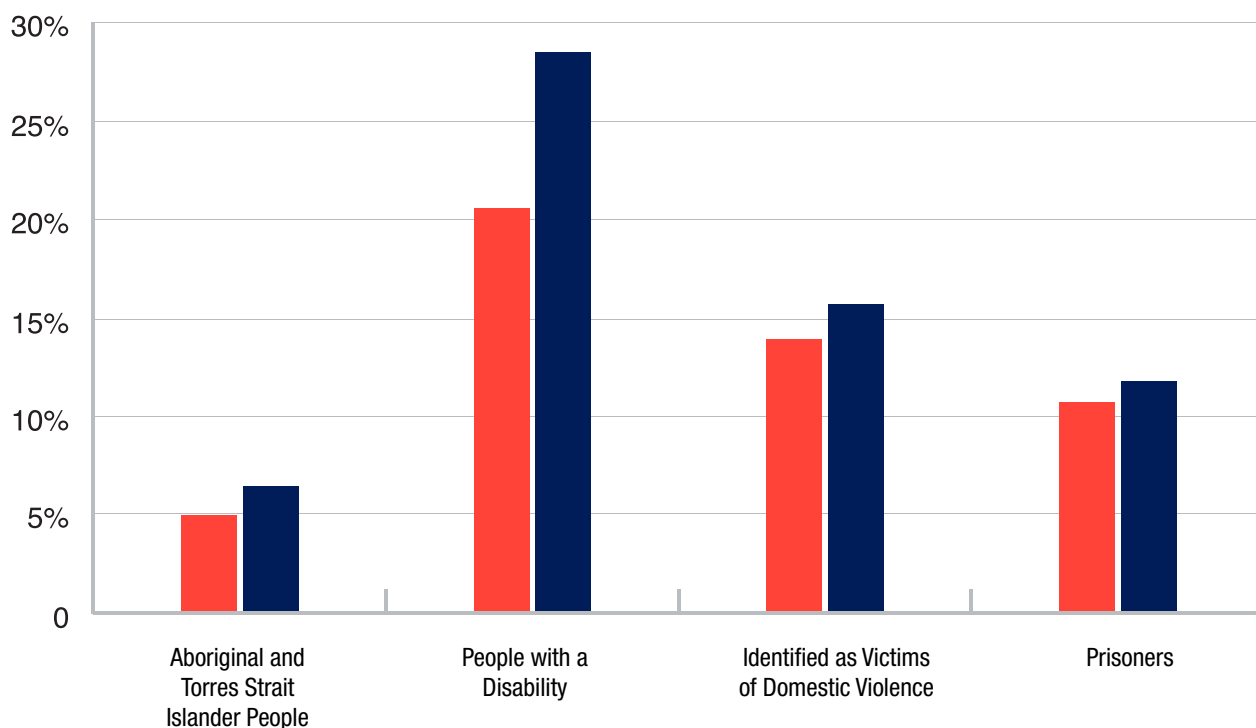


Comparison Applicant Profile ▼

Law Access collects data on applicant profiles. The table below shows the 4 applicant profiles which increased in 2019-20:

- Aboriginal and Torres Strait Islanders;
- People with a Disability;
- Applicants experiencing Family and Domestic Violence; and
- Prisoners.

■ FY 2018/19 ■ FY 2019/20



Please note: A number of applicants may identify as members of multiple applicant profiles eg FDV and Disability.

Applicant Feedback and Case Stories

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

Family Law

Lien* experienced family violence in her marriage and was unemployed. Following her divorce, she obtained Family Court Orders that her ex-husband pay her a small financial settlement. He was in significant arrears having paid only a tiny portion of what she was due. A Pro Bono Lawyer assisted Lien to enforce the Court Order, ensuring her ex husband paid her what he owed her. The small financial settlement made a big difference to her life.

Lien told us the best thing about having a pro bono lawyer was:

"[They gave] me trust that what I was doing was the right thing to do and [showed] my ex-husband that he can't get away with everything because he thought no one would help me... My ex-husband would have got away with ignoring court orders as there was no way I could afford further legal action".

Guardianship and Administration

John* has a disability and applied to Law Access for assistance with a guardianship matter. John described the help he received below:

"[My Pro bono Lawyer] collected all relevant reports and tests, explained legal processes clearly and fully, kept me informed all the way, acted in my best

interests. I would never have succeeded without a very competent, experienced lawyer familiar with Civil Law cases."

In his feedback survey John explained to Law Access that the pro bono referral had made a positive difference to his life by enabling him to move into "supported share accommodation in a nice modern house".

Positive feedback provided by a not-for-profit organisation to their pro bono lawyers

"On behalf of the [De-identified Organisation*] Board and staff, thank you so much for the last 12 months of support, legal advice and guidance as the organisation struggled to address its constitution and grievance complaint.

Your pro bono assistance was so valuable throughout this time and went well beyond the level of our initial request".

* Names have been changed to protect confidentiality



Left to Right: The Pro Bono Pipeline! Mallika de Toni, Lawyer and former Law Student Volunteer, Allison Warrior, Lawyer and former Law Student Volunteer, Professor Natalie Skead, Dean UWA Law School, Kylie Dahl, Law Student Volunteer, Andrea Gligorov, Law Student Volunteer.

Report from the Chief Executive Officer

Law Access underwent significant changes this year. We farewelled a number of members of our team during the course of the year but also created and filled three full-time positions, having always previously operated with part-time roles.

Key milestones achieved included:

- Launching our new website lawaccess.org.au and our first Impact Report on 1 December 2019;
- Transitioning to electronic only files in March 2020;
- Holding our first virtual Walk for Justice in May 2020;
- Concluding an MOU with Community Legal WA and a grant agreement with the Department of Justice to help implement the new WA pro Bono model from 1 July 2020; and
- Achieving the key actions set out in our first strategic plan and developing a new plan from 1 July 2020.

Enhancing Our Services

This year we received a record 552 applications for pro bono assistance and referred 216 matters to lawyers including 37 applicants who were had fallen through the gaps and were warm referred to funded legal assistance services such as Community Legal Centres and Legal Aid.

The launch of our new website in December 2019 made it easier for pro bono lawyers to express interest in our referrals and importantly made it easier for service providers such as Community Legal Centres to complete online “warm referrals” to Law Access.

The new website also includes an online application form for individuals and in the first quarter of 2020 the numbers of applications directly from individuals peaked, creating a backlog in processing for the service. We responded by maintaining “warm referrals” from service providers but suspending new applications from individuals for six weeks while we caught up with the backlog. We also made changes to our online form for individuals which ensured applications submitted were complete and which emphasized the service’s eligibility requirements, including assessment of means and prospects of success.

Working in partnership

Law Access is a team effort. This year Law Access worked with the following committees and groups:

The Law Access Stakeholder Advisory Committee met three times to help guide the work of Law Access.



“ Law Access raised policy and advocacy issues, including the age of criminal responsibility and lawyer access to prisoners and detainees, through the Law Society’s Access to Justice Committee.”

Sponsored by Allen’s, the Law Access Pro Bono Co-ordinators’ Committee, comprised of representatives from large and medium sized law firms, met four times this year.

Law Access participated in the Collaborative Services Planning Group created under the National Legal Assistance Partnership Agreement.

Law Access raised policy and advocacy issues, including the age of criminal responsibility and lawyer access to prisoners and detainees, through the Law Society’s Access to Justice Committee.

Our Senior Civil and Migration Lawyer 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.

Law Access promoted our pro bono referrals through the Law Society of Western Australia, the Family Law Practitioners’ Association of Western

Australia and the Criminal Lawyers’ Association of Western Australia.

Law Access participated in the Protection and Care Advocacy Network and joined the Alliance of Practitioners in Protection and Care.

Law Access staff delivered presentations at a variety of public fora to explain what we do and to promote pro bono work.

Building Organisational Capacity

This year we farewelled Principal Lawyer Michele Lord, Senior Family Lawyer Linda Cao, Project Officer Emiko Watanabe and our former Practical Legal Training volunteer and first Legal Secretary Richa Malaviya. I would like to take this opportunity to thank these hardworking team members for their contribution our success. Although the staff turnover we experienced was challenging, we were fortunate to welcome Tina Price and Lisa Jarvis in a full-time job-share Principal Lawyer role, while Jessica Bayley accepted a



Left to Right: Law Access Lawyers for Refugees Network Members Claire Faulkner, Matthew Crowley, Hamish Glenister, Daniel Estrin.

“ Law Access continued to receive extensive in-kind support from The University of Western Australia and The Law Society of Western Australia.”

full time Senior Civil and Migration Lawyer role. Claudia Hall joined the team as full-time legal secretary in Late February and former student volunteer Aleisha Sleight took up a part time project officer role focusing on communications in late May.

Law Access continued to receive extensive in-kind support from The University of Western Australia and The Law Society of Western Australia.

Filepro continued to donate their electronic file management software and support to Law Access. This enabled a smooth transition to remote working arrangements.

Law Access also continued to receive donated archival and storage services from Compu-Stor, a vital service which has provided in

kind support since our first year of operation.

We thank Corrs Chambers Westgarth for continuing to provide secondee legal assistants one day per week throughout the year. This has significantly enhanced our service effectiveness.

Law Access thanks Clayton Utz, Jackson McDonald, Johnson Winter & Slattery and MinterEllison for generously providing secondee lawyers to assist Law Access with triage, assessment and placement of applications. We are grateful to King & Wood Mallesons for continuing to second lawyers each fortnight to undertake Judicial Review work with our Senior Civil and Migration Lawyer.

We are also grateful for pro

bono lawyers Michael Cashman, Genevieve French, Lisa Jarvis and Hilary Kumbirai Kavumbura, who volunteered at Law Access to assist with triage and referrals.

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, Murdoch University and Curtin University.

Ensuring our sustainability

A focus on increasing our social media engagement was essential to the success of our virtual Law Access Walk for Justice. Our sponsors, Event Ambassadors and generous donors, including the McCusker Charitable Foundation, ensured this year's event reached the most supporters and raised the most funds to date.



Left to Right: Family Lawyers Lisa Jarvis and Sarah Jones



Richa Malaviya, Law Access and Piddington Justice Project Practical Legal Training Volunteer.

“ The funding we received from the Department of Justice combined with our triennial Public Purposes Trust grant provided much needed staffing at a time when service demand continued to increase.”

We were especially grateful to the members of the judiciary and the profession who took part in our inaugural podcast which event participants were able to enjoy together while walking in their own neighbourhoods.

Law Access also received generous donations from law firms Allen &

Overy and King & Wood Mallesons as well as vital one off and regular donations through our Give Now appeal through our website and through generous CPD presenter donations via the Law Society of Western Australia and the Society of Jewish Jurists and Lawyers.

The funding we received from the

Department of Justice combined with our triennial Public Purposes Trust grant, provided much needed staffing at a time when service demand continued to increase.

Our reward and recognition programme recognised the vital pro bono contributions of the profession. Our 2019 end of year drinks hosted by MinterEllison provided an opportunity to thank the pro bono lawyers and volunteers who are the backbone of our service. We were also delighted to see two Law firms who have been longstanding contributors to Law Access, Estrin Saul Lawyers and Corrs Chambers & Westgarth recognised as winners of the Attorney General's Community Law Awards in 2020.

Thank you to the wonderful members of my team, my board members, the incredible pro bono lawyers who take our referrals, our funders and generous donors and all of our stakeholders for your support this year. Together we have made important improvements to Law Access which allow us to better service the growing demand for pro bono legal assistance in Western Australia.

Dominique Hansen
Chief Executive Officer
Law Access



Left to Right: Pro Bono Lawyers Maria Fifield, Danielle Bechelet and Maryse Aranda

FINANCIAL REPORT

The Law Access financial statements were independently audited by Greg Ledger and approved by the Board of Law Access on 14 September 2020. No issues were raised by the auditor. A summary financial report is set out below. Our full audited financial statements can be provided on request.

Statement of Profit and Loss

For the year ended 30 June 2020

	2020 \$	2019 \$
Revenue	518,436	430,315
Employee expenses	(447,711)	(279,913)
Depreciation expenses	(3,057)	(2,778)
Fundraising expenses	(2,335)	(2,804)
Other expenses	(59,133)	(67,043)
Surplus for the year	6,200	77,777

Statement of Changes in Equity

For the year ended 30 June 2020

	Accumulated Surplus \$	Total equity \$
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
Surplus for the year	6,200	6,200
Balance as at 30 June 2020	191,180	191,180

Figure 1 below shows Law Access Revenue for 2019-20:

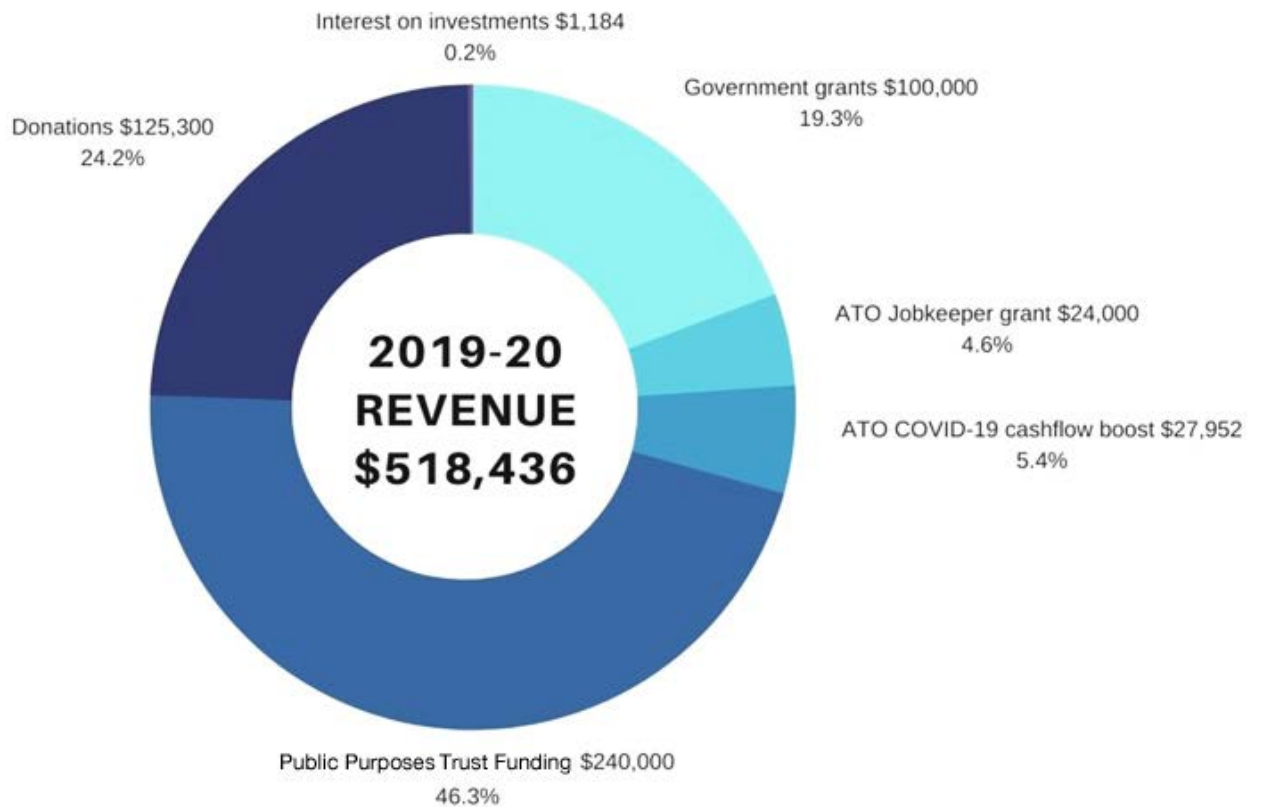
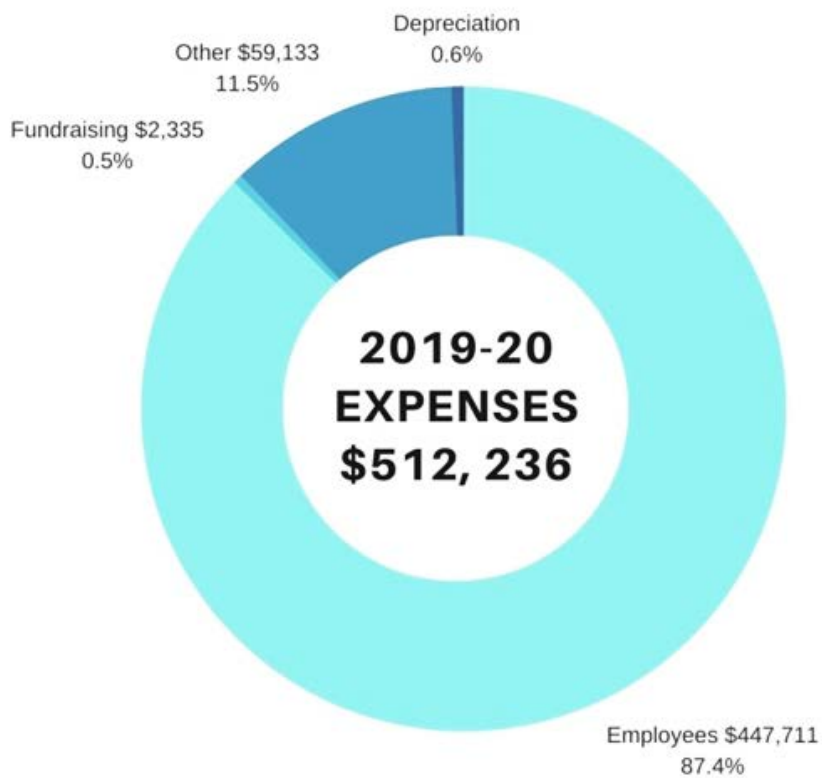


Figure 2 below shows Law Access Expenses for 2019-20:



Thank you

Pro Bono Lawyers		Law Student Volunteers Interns	Practical Legal Training Volunteer
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 for their support.		Ranya Al-Doori, Maddy Balinski, Andrea Gligorov, Jessica Hewlett, Naela Kakar, Patrick Mallows, Rachel Moody, Alvin Ngo, Tara Ott, Naeem Raja, Aleisha Sleight, Stacie Starceovich, Liam Takeda, Ellen Tydeman, Ella Williams, Anthony Worrall	Richa Malaviya
Law Firm Secondees		Volunteer Lawyers	
Corrs Chambers Westgarth: Sam Jackson, Sarah Bordley, Erin Newman, Andrea Kirk, Martine Olivier, Valerie Sidhom, Amy Redmond, Angela Hazell. Clayton Utz: Zoe Timms, Dan English, Scott Howieson, James Constantine, Sarah Thiruneelakandan, Sam Scaife. Jackson McDonald: Debbie Bradley, Ashleigh Weaver, Danny Fares.		King & Wood Mallesons: Emily Bell, Grace Bettridge, Sandra Entwistle, Tahnee Gibson, Sharon Ho, Danika Kuczerepa, Emily Lamberto, Stacie Starceovich, Allison Warrier, Jessica Zuiderwijk. MinterEllison: Eve Bramley, Jonathon Dewing, Nicole Rajoo. Johnson Winter & Slatery: Louise Dinnie	Michael Cashman, Genevieve French, Lisa Jarvis, Hilary Kumbirai Kavumbura,
Funders			
			
Principal Supporters			
			
Major Donors			
		 	
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		Thank You Drinks sponsors	
College of Law, Curtin University, Edith Cowan University, Murdoch University, the University of Notre Dame Australia, and The University of Western Australia.		MinterEllison	
In-kind supporters			
Compu-Stor, FilePro (donation of software and support)			
Stakeholder Advisory Committee Members		Pro Bono coordinator committee sponsor	
Thank you to the members of our Law Access Stakeholder Advisory Committee for guiding and supporting our work.		Allens	



Our Vision

Equal access to justice

Our Purpose

To relieve disadvantage through
pro bono legal assistance



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