











ANNUAL REPORT 2020/21

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.

Cover Photos

L – R: Ambassadors, Law Access Walk for Justice 2021; Law student volunteers Isabella Bynevelt and Eve Newton-Johnson; Top Fundraisers, Law Access Walk for Justice 2021; The Hon. Peter Quinlan, Chief Justice of Western Australia, cutting starting ribbon Law Access Walk for Justice 2021; Law student volunteer Rachel Moody and Law Access Principal Lawyer Georgia Pickering, UWA Blackstone Society's 2021 Beyond Commercial Law Careers Fair.



nts

About Law Access	2
Chairman's Foreword	4
Law Access Statistics	5
Case Studies	7
Report from the Chief Executive Officer	10
Enhancing Our Services	10
Working in Partnership	10
Building Organisational Capacity	10
Ensuring Our Sustainability	11
Financial Statements	12
Statement of Profit and Loss	12
Statement of Changes in Equity	12
Revenue and Expenses	13
Thank You	14

2020/21 Board Members

The Hon Malcolm McCusker AC CVO QC

Chairman and Director

Matthew Howard SC, Director Barrister, Francis Burt Chambers

Greg McIntyre SC, Director Barrister, John Toohey Chambers Marshall McKenna, Director Partner, Gilbert + Tobin

Judy McLean, Director Principal Solicitor & Coordinator, Fremantle Community Legal Centre

Cav. Maria Saraceni (retired May 2021) Barrister, Francis Burt Chambers

Professor Natalie Skead FAAL PFHEA, Director Dean and Head of School,

Shayla Strapps (retired February 2021)

UWA Law School

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

Paula Wilkinson, Director Director, Kim Wilson & Co



Chairman's Foreword

This is our sixth annual report. Law Access started delivering a state-wide service to relieve disadvantage through pro bono legal assistance on 1 July 2015.

In its first six years of operation Law Access has strongly progressed its vision of Equal access to justice by:

- Responding to 3702 first enquiries
- Receiving 3277 applications for probono assistance
- Making 1134 referrals to lawyers to provide free, reduced or deferred fee assistance as appropriate
- Providing 1499 unsuitable applicants with information about why their matters were not suitable for referral.

I thank my colleagues on the Board for their assistance in leading Law Access through a year of significant change which involved managing emerging risks and welcoming new opportunities. This year we experienced a 30% increase in applications for pro bono assistance as we helped to implement the Western Australian government's new Pro Bono Model which commenced on 1 July 2020.

We applied the funding we received from the Department of Justice to strength referral pathways via consultations with community legal centres and resulting projects with legal assistance providers to strengthen referral pathways and maximise "warm referrals" in areas of unmet need. Our work with community legal centres included pro bono assistance in response to two natural disasters as well as work to maximise pro bono assistance in criminal injuries compensation matters and in wills and deceased estate matters.

Although we focused on maximizing warm referrals the majority of

applications we received in FY2021 still came directly from individuals

Our 2021 impact report data on strengthening referral pathways shows that matters warm referred by a legal assistance provider are more than twice as likely to convert to a placement compared to applications received directly from individuals which means that we will continue to prioritise our work strengthening referral pathways in order to maximise our effectiveness.

Our service strives to improve our accessibility. We experienced growth in applicants from the following key vulnerable groups for the third consecutive year:

- Aboriginal and Torres Strait Islanders
- People Experiencing Family and Domestic Violence (FDV) and
- People with a disability.

We experienced significant staff turnover during the year recruiting Georgia
Pickering to replace our joint Principal
Lawyers Tina Price and Lisa Jarvis in
October 2020. We also farewelled our
long-serving Senior Civil and Migration
Lawyer Jessica Bayley in April 2021. We
employed four additional part-time and full
time Senior Lawyers during the year to
help manage the demand and help
implement the WA Pro bono model: Garth
Tinsley, Ashley Truscott, Amanda Goodier
and Zoe O' Neill.

We were fortunate that Tina Price remained with us in the capacity of a part-time Senior Lawyer to complete our Pro Bono Family Law Review Next Steps Report which was published in June 2021. The report's recommendations are the result of extensive consultations with Family Law stakeholders in WA and are designed to maximise the impact of valuable pro bono legal resources in

this high area of unmet legal need. This year we continued to nurture pro bono culture within the Western Australian legal profession. I am delighted to report that 97% of pro bono lawyers who took a referral from Law Access and were surveyed for our 2021 impact report said:

- they would be willing to take another referral.
- they would recommend other lawyers take on pro bono work or volunteer through Law Access.

I am also pleased to report that 85% of individual applicants surveyed for our 2021 Impact Report were "satisfied" or "very satisfied" with the legal assistance they received.

Our annual Walk for Justice was biggest ever and involved applicants joining us in the CBD and across the state. The monies raised helped to fund staffing, pro bono lawyer disbursements, vital upgrades to our computer systems and the implementation of a new CRM system to better manage our extensive valuable contacts including more than 1200 pro bono lawyers as well as all of our volunteers, donors and supporters.

On behalf of the Board I thank the generous pro bono lawyers and donors, in kind supporters stakeholders, sponsors and funders who shared our vision and purpose.

I also thank our small team of dedicated staff and our large team of volunteers and law firm secondees who coordinated the delivery of pro bono legal assistance throughout Western Australia.

Malcolm McCusker AC CVO QC
Chairman and Director, Law Access

Statistics

2020/21



431

enquiries

responded to by email or telephone



715

applications

means tested and merit assessed



242

matters placed

applicants matched with lawyers



217*

applicants

were advised why their matter had no merit



\$2.07m**
estimated value

of pro bono legal services



6550***

pro bono

legal hours provided

^{*} In some cases the reason related to means testing but the great majority related to matters not meeting our referral guidelines.

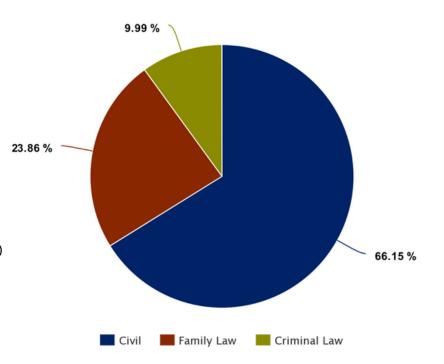
^{**} This estimate is calculated by multiplying the average value of pro bono work reported in pro bono lawyer survey feedback over the last 3 years by the total number of pro bono lawyers who took referrals in last financial year. There were 239 lawyers which included some lawyers who took multiple referrals and some referrals made to multiple lawyers i.e. lawyer and barrister.

^{***} This estimate is calculated by multiplying each pro bono referral by the average pro bono hours completed per referral reported in pro bono lawyer survey feedback over the last 3 years (20 hours multiplied by 239 which comes to 4780 hours) plus the total amount of pro bono hours provided to Law Access by secondee lawyers and volunteer lawyers for the relevant period (1770 hours). We understand that our counterparts in other jurisdictions also count volunteer law student hours as part of the total, but we do not.

Applications by Matter Type

The pie chart below depicts applications received in FY 2020/21 by matter type:

- 66.15% of applicants presented with a Civil Law matter (total includes Immigration and Federal Court Referrals)
- 23.86% of applicants presented with a Family Law matter
- 9.99% of applicants presented with a Criminal Law matter



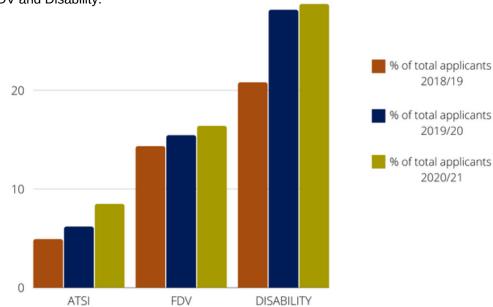
Growth in applications from priority vulnerable groups (percentage of total applications)

Law Access collects data on applicant profiles to better understand who is seeking our help and the accessibility of our service i.e. to what extent our service is reaching vulnerable people. The data could also potentially indicate population profiles with growing unmet legal need.

The three applicant profiles which increased in 20-21 were:

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

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.

NDIS Appeal

Emily* (not her real name) is a young woman with several disabilities who applied to Law Access for assistance to review an NDIS decision in the Administrative Appeals Tribunal.

Law Access was able to connect obtained a very successful outcome Emily's legal guardian Sarah* (not her real name) with a pro bono lawyer who and funding the support workers she gave her advice about the upcoming appeal. was asking for. Emily's legal guardian told Law Access that her

The pro bono lawyer helped explain what could be achieved through the appeal process and what evidence would best support Emily's case. With pro bono legal advice about the case, Emily's legal guardian obtained a very successful outcome at the AAT with the NDIS conceding and funding the support workers she was asking for. Emily's legal guardian told Law Access that her pro bono lawyer was very helpful.

When asked what they enjoyed most about working on this matter, the pro bono law firm who assisted Emily said:

"We enjoy assisting people with disabilities to have their NDIS plans appropriately funded to empower them to participate in the communities with their families fully."

Family Law

Alice* (not her real name) was married for 20 years and required advice as to her property entitlements and assistance to amend her court documents and relist her property application out of time.

Law Access was able to place Alice with a pro bono lawyer who enabled the conciliation process with both parties to be successful, meaning Alice could settle her financial matters even though they were out of time. Alice told Law Access:

"Without this support, I as a single mum with 5 children would not have come out with anything. I can now move forward with my life as I have my name off the title and loan of the home my ex husband was living in, and I have access to superannuation in case of hardship in the future."

Tenancy

Louise* (not her real name) invested her life savings in an investment and property scheme. The scheme represented that it would generate income to pay rent to the owners of a property that was also part of the scheme, and which Louise lived in. After the collapse of the scheme, the owners of the property commenced court proceedings against Louise to

evict her from her house and obtain unpaid rent. Louise, who is elderly and vulnerable, contacted Law Access for legal advice and representation. Law Access was able to find pro bono legal assistance for Louise, who told us that having a lawyer meant that she obtained a much fairer outcome.

When asked what the best thing about

having a lawyer assist with her legal matter was, Louise said:

"I didn't have to say anything in court. At my age being in front of the magistrate I would not have found the words. My legal team were absolutely amazing. I'm most humbled for their time and help more than I can ever express. Thank You".

Midlas

In late 2020, Midlas contacted Law Access regarding their growing need for legal assistance on upcoming community projects, including Plenty Project Lockers – which would provide lockers as a safe place for street-present people in Midland to leave their belongings free of charge, allowing them a greater opportunity to find employment, see a doctor or attend mainstream services – and Mobile Midlas – which is a fully mobile office that offers legal services, disability advocacy and mental health support to people who struggle to attend appointments or are experiencing homelessness.

Law Access was able to introduce George Croft (Partner) and Louise Dinnie (Lawyer) from Johnson Winter & Slattery (JWS) to Midlas, after JWS had expressed an interest in collaborating, and building a partnership, with a local community legal centre.

Following the initial assistance provided on the Plenty Project Lockers, Law Access was delighted to hear that an ongoing pro-bono partnership between Johnson Winter & Slattery and Midlas has been formed. Principal solicitor of Midlas told us:

"We are so grateful to Law Access for the introduction and to JWS for the assistance that you have offered us – you can see from the varied and wonderful stories what kind of tangible differences you will be making to our client's lives. For this, we honestly can't thank you enough, and we are honoured that you have chosen Midlas to enter into a pro-bono partnership with."

Pilot Pro Bono Protection and Care Project with Women's Legal Service of WA and law firm, Ashurst

Law Access has been a member of the Protection and Care Advocacy Network since 2018. We have worked with others in the group to try to leverage additional legal assistance in this area of unmet legal need.

In 2020, Law Access participated in a National Pro Bono Coordinators Committee Chaired by the law firm Ashurst. Law Access spoke to participants about existing high unmet legal need in Protection and Care in WA which was further exacerbated due to Covid-19.

Ashurst, who were chairing the committee, agreed to meet with Law Access and a number of WA legal assistance providers in the Protection and Care sphere including the Women's Legal Service WA to discuss the potential for a probono project.

At this subsequent meeting Anna Farrant, Senior Lawyer at Women's Legal Service WA suggested a remote secondment partnership with Ashurst, where members of Ashurt's Sydney based pro bono team could undertake pro bono legal work under Anna's supervision. Ashurst agreed to undertake this as a pilot project.

At the Law Access Pro Bono Coordinators Committee on 30 August 2021, Anna Farrant attended as guest speaker to provide an update on the Ashurst/WLSWA pilot project which is ongoing and which has been very successful so far. The pilot particularly focuses on women experiencing extra disadvantage, that is, more than one barrier to obtaining legal assistance. The Ashurst lawyers were able to assist with drafting affidavits for women (mothers and grandmothers) involved in matters in the Children's Court where the children were in the care of the Department of Child Protection. These affidavits were used to bring the women's stories into evidence where the Department had brought proceedings.

Whilst affidavits are time consuming, and Protection and Care was not an area of expertise or experience for Ashurst, WLSWA provided appropriate training and supervision. Anna described the benefit of having a first draft of affidavit completed by the Ashurst lawyers, with the result being increased capacity for WLSWA and assistance to the women in need. The flexible nature of the program and the low level of resources required also added to the success of the program.

One of the key takeaways described by Anna at the most recent Pro Bono Coordinators Committee meeting was to be brave about undertaking pro bono work in new areas of law. Protection and Care seems to be a daunting area of law, but with the proper training and supervision it is possible to get across it quite quickly and to make an important impact.



Pilot Wills Clinic Project

Private, community and public sector lawyers joined forces to deliver free wills in the West Kimberley in the week commencing 8 November 2021. The collaborative pilot project was co-ordinated by Law Access and Aboriginal Family Legal Services in conjunction with locally based not-for-profit Broome CIRCLE. The clinics took place in the Djarindjin and Beagle Bay Communities on the Dampier Peninsula and were a big success.

Jackson McDonald law firm partners Jim O'Donnell and Sally Bruce, HHG Legal Group Special Counsel Janene Bon, Principal Lawyer of the Aboriginal Family Legal Services Daniel Gibbard and Arna Plaisted from Legal Aid Western Australia prepared wills, enduring powers of attorney and enduring powers of guardianship. The lawyers received cultural training and a welcome to country from Vincent McKenzie and Brendan Chaquebor in Djarindjin and Corinna Sebastian in Beagle Bay prior to commencing their clinic work in each community. Veronica Johnson and Tania McKenzie from Broome CIRCLE and Martina Badal from the Aboriginal Interpreting Service accompanied and supported the lawyers delivering the free clinics. Broome CIRCLE staff provided wrap around financial counselling and consumer rights support for issues identified as part of the clinic including a person who was paying for four funeral plans.

Law Access identified this project as a priority under the new WA Pro Bono Model and first approached law firm Jackson McDonald for assistance in December 2020. The firm worked closely with Aboriginal Family Legal Services (AFLS) and Law Access, providing advice on project design as well as seconding two lawyers to AFLS to assist in project development. Jackson McDonald partners Jim O'Donnell and Sally Bruce also developed new templates and resources and recruited their colleague Janene Bon from HHG Legal Group to help deliver the clinics. The team hopes to build on the pilot's success and to use the resources and templates developed in the project to deliver more clinics soon.

Report from the Chief Executive Officer

Law Access experienced significant changes and reached some key milestones this year including:

- . Implementing the WA Pro Bono model
- Completing an extensive review of family law and pro bono
- · Responding to two natural disasters
- Purchasing a new CRM to better manage our valuable contacts.
- Holding our biggest ever Law Access Walk for Justice in May 2021.
- Participating in the development of a new Legal Assistance Strategy for Western Australia

Enhancing Our Services

This year we received a record 715 applications for pro bono assistance and referred 242 matters to lawyers including 37 applicants who had fallen through the gaps and were warm referred to funded legal assistance services such as Community Legal Centres and Legal Aid.

We worked closed with the State Solicitor's Office, firms on the Government Panel Contract, Community Legal Centres and other legal assistance providers to implement the WA Pro Bono Model.

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 which met three times to help guide the work of Law Access.

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 also took part in the Project Reference Group advising the Department of Justice on the development of a new Legal Assistance Strategy for Western Australia.

Law Access raised policy and advocacy issues through the Law Society's Access to Justice Committee.

Our lawyers made referrals to our dedicated Law Access Lawyers for Refugees Network.



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 the Alliance of Legal Practitioners in Protection and Care (ALPaCa).

Law Access staff delivered presentations at a variety of public forums to explain what we do and to promote pro bono work. Law Access also held an information stall and photo booth at the Supreme Court Open Day in April 2021.

Building Organisational Capacity

This year we welcomed a new full-time Principal lawyer, Georgia Pickering and new Senior Lawyers Garth Tinsley and Zoe O'Neill.

We farewelled Principal Lawyer and Senior Family Lawyers Tina Price and Lisa Jarvis as well as our Senior Civil and Migration Lawyer Jessica Bayley. We also temporarily engaged Steven Offerman to assist with family law and Amanda Goodier and Ashley Truscott for parental leave cover for the Senior Civil and Migration Lawyer role.

I would like to take this opportunity to thank the team members who departed for their hard work and contribution our success.

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

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

We also received a donated printer/copier from Estrin Saul Lawyers.



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

We are also grateful for pro bono assistance provided by lawyer Michael Cashman who volunteered at Law Access to assist with triage and referrals and Angie Hazell who provided legal assistance services.

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 biggest ever 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.

We also delivered our second podcast with pro bono lawyers Eliza Fitzgerald and Hamish Glenister and with

Mr Robert French, Chancellor of UWA and former Chief Justice of the High Court of Australia.

Law Access is grateful for the generous donations received from law firm Allen & Overy as well as vital one off and regular donations through our website's Give Now appeal and through generous CPD presenter donations via the Law Society of Western Australia and the Society of Jewish Jurists and Lawyers.

We gratefully acknowledge the essential support received from our funders. The \$250,000 in funding we received from the Department of Justice combined with our \$270,000 Public Purposes Trust grant as well as Job Keeper and the NFP cashflow boost allowed us to engage much needed staff.

Our ongoing reward and recognition programme once again highlighted the vital pro bono contributions of the profession. Our 2020 end of year drinks sponsored by Gilbert + Tobin provided an opportunity to thank the pro bono lawyers and volunteers who are the backbone of our service. We can't thank you enough for all that you do.

Thank you also to the wonderful members of my Board, my team 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

FINANCIAL REPORT

The Law Access financial statements were independently audited by Greg Ledger and approved by the Board of Law Access on 8 September 2021. 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 ending 30 June 2021

		2021	2020
	Notes	\$	\$
Revenue	3	786,742	518,436
Employee expenses		(653,022)	(447,711)
Depreciation expenses		(3,996)	(3,057)
Fundraising expenses		(4,097)	(2,335)
Other expenses		(71,221)	(59,133)
Surplus for the year		54,406	6,200

Statement of Changes in Equity

For the year ending 30 June 2021

	Accumulated	Total equity
	Surplus \$	\$
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
Surplus for the year	54,406	54,406
Balance as at 30 June 2021	245,586	245,586

Figure 1 below shows Law Access Revenue for 2020-21:

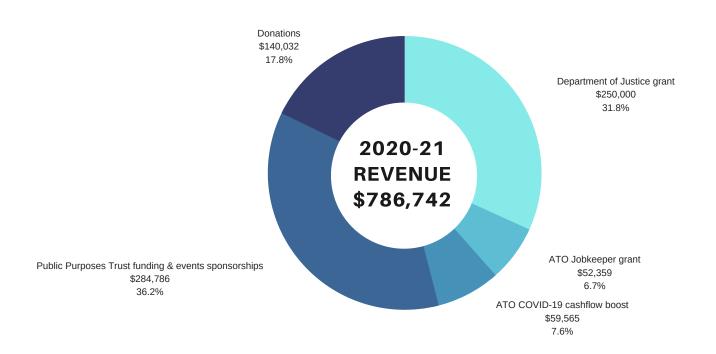


Figure 2 below shows Law Access Expenses for 2020-21:



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

Law Student Volunteers Interns

Kane Becker, Cara Burley, Isabella Bynevelt, Alison Churchill, Louise Coci, Daniel Coventry, Ruby Hasler, Isabel Johnston, Rachel Moody, Douglas Nelson, Eve Newton-Johnson, Leigh Oldfield, Simrin Panag.

Volunteers

Michael Cashman (lawyer) Angie Hazell (legal assistance)

Law Firm Secondees

Corrs Chamber Westgarth:

Sarah Bordley, Jackie Eade, Sam Jackson.

Johnson Winter & Slattery:

Louise Dinnie, Lalita Kirilak, Heather Urry.

Jackson McDonald:

Debbie Bradley, Ashley Fan, Rachael Richardson, Justin Riley, Ashleigh Weaver.

King & Wood Mallesons:

Emily Bell, Grace Bettridge, Ellie Brennan, Sandra Entwistle, Tahnee Gibson, Emily Lamberto, Stacie Starcevich, Allison Warrier, Jessica Zuiderwikj.

Clayton Utz:

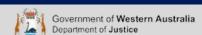
William Colreavy, Caitlyn Cooke, Luke Crofts, Christa Queern, Sam Scaife, Sarah Thiruneelakandan, Clinton Wang.

MinterEllison:

James Case, Jade Chow, Jonathan Dewing, Laura Hamblin, Amarah Ingrilli.

Funders





Principal Supporters





Major Donors

McCusker Charitable Foundation

ALLEN & OVERY

We also thank our regular donors who remain anonymous. Their regular donations help to ensure our sustainability.

Donors

We thank all those who donated to the Law Access Walk for Justice, the individuals who donated 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 and other generous CPD donors who donated to Law Access.

Law Access Walk For Justice sponsors

Thank You Drinks sponsors

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

Gilbert + Tobin

In-kind supporters

Compu-Stor, Vicky Dodds Consulting (fundraising advice), FilePro (donation of software and support), Estrin Saul Lawyers (donation of printer/copier) and Aaron Thomas of Modern Epic (pro bono production of our 2021 Walk For Justice podcast).

Stakeholder Advisory Committee Members

Thank you to the members of our Law Access Stakeholder Advisory Committee for guiding and supporting our work.



Our Vision Equal access to justice

Our Purpose

To relieve disadvantage through pro bono legal assistance









Law Access Ltd ACN 602 771 068

Postal address

PO Box Z5345, Perth WA 6831

Email: lawaccess@lawaccess.org.au Website: www.lawaccess.org.au