

Annual Report 2013



Serving the community in the heart of
Western Sydney



Macquarie Legal Centre (MLC)

Level 3 Suite 302
107 Phillip Street
Parramatta NSW 2150

PO Box 23
Parramatta NSW 2124

www.macquarielegal.org.au
macquarie_nsw@clc.net.au

T: (02) 8833 0911
F: (02) 8833 0900

Funding bodies

Commonwealth

Attorney-General's Department
Department of Families, Housing, Community Services & Indigenous Affairs (FaHCSIA)

New South Wales

Attorney-General's Department
Department of Human Services
Legal Aid Commission of NSW
NSW Fair Trading

Non Government

UnitingCare Unifam Counselling & Mediation
Macquarie University
University of Western Sydney

Designed and edited by
Katy Jenkins and Elizabeth Wulff.
Final edit Maria Girdler

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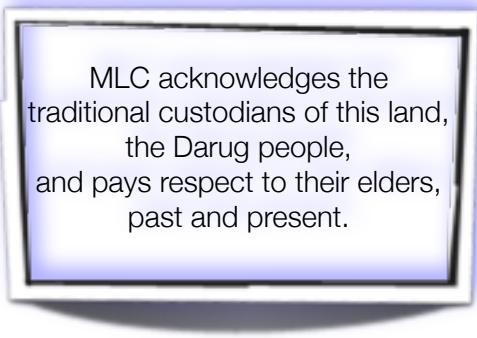
Macquarie Legal Centre

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Contents

MACQUARIE LEGAL CENTRE <i>Overview</i>	1
STAFF & VOLUNTEERS	2
CHAIRPERSON'S REPORT	3
MANAGER'S REPORT	5
LEGAL PRACTICE	7
LEGAL INFORMATION AND REFERRAL	9
COORDINATED FAMILY DISPUTE RESOLUTION (CFDR)	11
FAMILY RELATIONSHIP CENTRE (FRC) Legal Services	13
HOME BUILDING ADVOCACY SERVICE (HoBAS)	15
PARRAMATTA COMMUNITY JUSTICE CLINIC (PCJC)	17
STUDENT LEGAL SERVICES (SLS) UNIVERSITY of WESTERN SYDNEY (UWS)	19
WESTERN SYDNEY TENANTS' SERVICE (WESTS)	20
CHILDREN'S COURT ASSISTANCE SCHEME (CCAS)	22
CENTRAL WEST CONTACT SERVICE (CWCS)	24
MACQUARIE WOMEN'S DOMESTIC VIOLENCE COURT ADVOCACY SERVICE (WDVCAS)	26
YOUTH EDUCATION PROJECT (YEP)	28
CLIENT & STUDENT FEEDBACK	30
YEAR'S ROUND UP	31
FINANCIAL STATEMENTS	32

Macquarie Legal Centre



MLC acknowledges the
traditional custodians of this land,
the Darug people,
and pays respect to their elders,
past and present.

Macquarie Legal Centre Inc., (MLC) is an independent, non-profit, community organisation.

MLC is located in Parramatta which has a diverse industry base and the largest justice precinct in Australia outside of the Sydney and Melbourne CBDs. The precinct includes judicial, police, custodial and justice administration functions as well as professional services.

MLC provides free legal advice, information, referrals, casework, minor assistance and community legal education to disadvantaged people across 132 suburbs in 14 local government areas (LGAs) of greater Western and Northern Sydney.

MLC's clients include people on low incomes, people with health & ability issues, Indigenous Australians, people from Culturally and Linguistically Diverse (CALD) backgrounds, single parents and victims of domestic violence.

Current national and state statistics* indicate that MLC's service delivery area includes some of the most disadvantaged LGAs in the nation; for example, Auburn, Bankstown and Fairfield. Others register high for disadvantage and legal need; for example, Blacktown, Fairfield and Bankstown.

Of equal importance, MLC's service delivery area includes the highest population of ethnic diversity in New South Wales; for example, Auburn, Fairfield, Strathfield, Parramatta, Holroyd, Bankstown, Ryde and Blacktown.

MLC's data represents client matters for the financial year 2012-2013. For this period, there were 2901 client matters. A matter includes all client activities but does not indicate the actual number of advices and/or casework undertaken to complete a matter. For this period MLC provided clients with 4058 advices and 919 clients with casework: a total of 4977 client activities across 2901 matters. A further 1364 clients received information and referral.

The continuation of growth in the region and the dynamic changing populace present MLC with many challenges and opportunities to assist the community of greater Western and Northern Sydney.

* The *National Legal Needs Report* prepared for the National Association of Community Legal Centres (NACLC) by Judith Stubbs & Associates (2012) and the Law & Justice Foundation of NSW's Legal Australia-wide Survey: Legal Needs in NSW (2012).

MLC Staff



Jessica Abi Khattar
Justin Abi-Daher
Vanita Assani
Samiha Alameddine
Shelley Alvarez
Amira Ambikairajah
Vanita Assani
Sabna Balakrishnan
Sarah Boustani
Lita Chiv
Ben Chung
Vikram Craig
Leah Cruickshank
Gwen Davies
Alexander Dovan
Patricia Drum
Elfet Eid
Michelle Ericoli
Giehan Gergis
Maria Girdler
Carrol Hakim
Sarah Hart
Tracey Hollywood
Lesley Humphries
Charizma Jarque
Katy Jenkins
Bridget Kennedy
Nigel Khiwe
Nina Lau



Deneka Lay
Clare Mangiokas
Jamal Maroon
Liam Meagher
Ozra Meshkat
Ann-Marie Najjarin
Beatriz Patino
Tanja Podinic
Sarala Porter
John Rafferty
Jayd Raffoul
Carolina Saez
Sadia Khan Sheikh
Stan Small
Christine Smith
Esther Song
Helen Taranto
Sue Underwood
Lachelle Uzcateguigaymon
Shivji Verkaria
Vicki Vucetic
Kristen Vuleta
Jasmine Wang
Nawal Wehbe
Charmaigne Weldon
David Willis
Elva Wright
Elizabeth Wulff



Volunteer Students

Justin Abi-Daher
Amira Ambikairajah
Ali Amini
Savreena Bual
Daniel Chun
Ben Chung
Susannah Coles
Jade Cross
Alex Culas
Katie Davern
Alexander Dovan
Aaron Edmonds
Jason Feng
Jimmy Huang
Carla Ianni
Anchal Kapur
Trishna Kashyap

Saad Khan
Rose Khattar
Nigel Khine
Maria Koevska
Rebecca Kok
Courtney Lor
Emily Macloud
Hamish Mishra
Patricia Montecinos
Bilal Nasri
Mary-anne Pham
Maryanne Pollifrone
Esther Song
Monica Stanley
Michael Themis
Jasmine Wang
Janelle Yong
Veronica Yoo

Volunteer Solicitors

Cathy Anne Grew
Chris Baker
Fatima Benel
Anna D'Addona
Keiran Elliot
Ray Finch
Angie Godden
Sandra Hanna
Mark MacDiarmid
Carolyn Munk
Jaclyn Nelson
Helen Perrottet
Chris Trieu
Nick Wendon
Ken Wong

Chairperson's Report

Debra Ronan

The 2012/2013 financial year has been a successful year for Macquarie Legal Centre, and a busy one for the Management Committee, management and staff. The challenges of the previous year have been met, and whilst this year has brought new challenges, this report is predominantly positive.

We welcomed Julia Murray to the management committee in 2013. Julia, along with John Hargrave and Sylvia Sant, have contributed significantly to the work of the committee bringing a wealth of valuable experience and knowledge to the position. I would like to acknowledge the hard work of these colleagues in giving up their time to deal with day-to-day Committee matters; undertaking tasks such as policy review; sitting on selection committees and attending strategic planning sessions.

2013 saw the implementation of the new Social Community, Homecare and Disability Services Award 2010 (SCHCADS). Preparation for the new award commenced in 2011, the culmination of which means that all staff are now classified under the new Award.

There has been mixed news during 2012/2013 in respect to funding and accreditation. On the down side, Children's Court Assistance Scheme (CCAS) was cut 10% from the State Public Purpose Fund as part of the general cuts across that sector by the government. The Australian Government Attorney General's Department discontinued funding for the Coordinated Family Dispute Resolution (CFDR) pilot project. This was disappointing news as the CFDR program was an exciting project for MLC to be involved in and important links were developed with UnitingCare Unifam and South-West Sydney Legal Centre.

On a more positive note, we have obtained accreditation from the National Association of Community Legal Centres for the next three years under the National Accreditation Scheme. We also received one-off funding for Central West Contact Service (CWCS) from the Department of the Attorney General to assist in reducing the waiting list.

Our programs continue to provide service excellence. There has been an increase in casework and referrals in the Court Advocacy Services: Women's Domestic Violence Court Advocacy Service (WDVCAS) and CCAS; the Generalist Practice; Family Law Practice, CWCS and Home Building Advocacy Service (HoBAS).

The tenancy service, WESTS, has increased its outreach work with a focus on providing tenancy advice to people in their community language. WESTS continues to respond to the changing legislative framework of tenancy and provide services advocating for the rights of tenants. One particular area has been in boarder's rights which has allowed WESTS to provide assistance to a group of tenants which had previously been overlooked.

The three short films '*Think Before You Act*' launched last year by the Youth Education Project were nominated for a ZEST Award at the Western Sydney Community Forum's annual celebration of the Community Sector and its workers. The DVD has been widely distributed through Legal Aid NSW and non-profit organisations.

Parramatta Community Justice Clinic (PCJC) continued to service clients at the Parramatta Local Court and increased the profile of the service for an article in the Parramatta Sun Magazine and various outreach events.

One exciting new development for MLC was the establishment of the University of Western Sydney (UWS) Student Legal Services program, with funding for 3 years proposed by UWS. SLS provides students with legal advice, support and education.

I would like to conclude by thanking all of those who have contributed to the growth and prosperity of MLC.

Maria Girdler has shown true leadership and vision at the helm of the organisation. Maria was also nominated for a ZEST Award in the Hall of Fame category for her on-going commitment to social justice in Western Sydney. Maria, along with Elizabeth Wulff, John Rafferty and Giehan Gergis, has given invaluable continued support to the Committee, and developed the growth and strength of MLC and its services.

To all of the program coordinators and staff, administration staff and volunteers, thank you for your commitment to MLC and for contributing to the thriving and dynamic organisation that it is today.

I wish you all the best for 2014.

Debra Ronan

Management Committee Membership 2012-2013

John Moratelli, Chairperson 2012

Attendance: 7 out of 10 (resigned Dec 2012)

Debra Ronan, Deputy Chair 2012, Chairperson 2013

Attendance: 9 out of 10

John Hargrave, Treasurer (3 months) 2012, 2013, Secretary 2013

Attendance: 9 out of 10

Chantel Cotterell, Secretary 2012, Treasurer (3 months) 2012

6 out of 7 (resigned Dec 2012)

Sylvia Sant, Committee Member 2012, Deputy Chair 2013

Attendance: 8 out of 10

Julia Murray, Secretary 2013, Treasurer 2013

Attendance: 4 out of 4 (joined Dec 2012)

Manager's Report

Maria Girdler

Looking back on the year, I am very satisfied with all that we have achieved.

With great skill and professionalism, staff have provided high quality services to the diverse, vulnerable and disadvantaged members of our community. I see the emails, cards and small gifts that clients have sent to thank us and tell us how much we have assisted them.

Our Management Committee has worked consistently all year providing their expertise in many practical ways - examining financial reports and having input into policies – their work has helped us be a better and more accountable organisation. Along with staff, the Committee participated in an annual reviewing of the work on the organisation and set goals for the future. I thank the members of the Management Committee for their commitment to MLC.

Funding losses and gains

During the year we lost funding for one pilot program and had a reduction in funding in another long-standing program. Both losses are unfortunate and have reduced our capacity to assist clients.

End of Coordinated Family Dispute Resolution Pilot

In March 2013 we received the disappointing news that the Federal Government was not prepared to either extend or roll-out the Coordinated Family Dispute Resolution pilot project. This decision was made despite the Australian Institute of Family Studies (AIFS) evaluation, which found the project produced many positive outcomes for clients. We were given one month to end the pilot and end services to our clients.

The project was a very successful collaboration between Macquarie Legal Centre, South West Sydney Legal Centre and UnitingCare Unifam, Counselling and Mediation. Staff from the 3 agencies offered men and women in high-conflict families, who were separating, with access to legal advice, support and mediation. Many families resolved their disputes and completed parenting plans. While the project was resource intensive, I believe that has to be weighed against the alternatives, which often would be costly court cases.

Children's Court Assistance Scheme cut by 10%.

As a result of reduced revenues, the NSW Public Purpose Fund cut funding to all Children's Court Assistance Schemes (CCAS) by 10%. Unfortunately there appears to be no long-term solution to the situation of adequately funding this program. No other government department or agency sees this area of work as being their responsibility. We will continue to lobby for continuation of CCAS because we know the great outcomes we have achieved for our clients.

New Student Legal Services

In February 2013, the University of Western Sydney (UWS) offered us new funding to provide legal services to UWS students. We were very pleased to have this new partnership and three years funding to develop a range of services for students. As well as providing legal advice services, SLS plans to offer on-campus legal information sessions. SLS is co-located with PCJC at Parramatta Local Court and the MLC office.

Successful National Accreditation

Our excellence in service delivery has now been recognised through a formal accreditation process.

In March 2013, we received official Accreditation and Certification from the National Association of Community Legal Centres (NACLC). In order to attain accreditation, we had to satisfy a consultant that we met service standards and had the policies and procedures in place to offer professional services.

MLC was one of the first Community Legal Centres to receive the three years accreditation. As part of the process we will continue to monitor procedures and implement changes to meet on-going accreditation standards.

Accreditation is an assurance to both our funders and clients that we can deliver high quality services.



Investing in our Staff

Through out the year, we have invested in our staff.

Diploma of Management

In March 2013, Elizabeth Wulff graduated with a Diploma of Management. The course was conducted by Martin Business School in conjunction with NSW Legal Aid. We were very pleased to have been given the opportunity for one of our staff to complete the Diploma at no cost to the organisation.

As part of her diploma course, Elizabeth conducted a legal needs analysis. While there are still areas for improvement, I was pleased that the data indicated that we are meeting reported legal need in our service delivery area. For her project, Elizabeth also compared our data with other legal needs studies, including the 2012 study by Judith Stubbs & Associates and the Law and Justice Foundation of NSW's study. The project provided MLC with valuable insight into actual provision of services against reported legal need.

Vocational Diploma of Family Dispute Resolution

In May 2013, Leah Cruickshank, commenced a Vocational Diploma of Family Dispute Resolution, which will be completed by the end of the year. We are grateful that Leah was granted one of a small number of scholarships offered by Family Relationship Service Australia to Aboriginal and Torres Strait Islanders.

Other staff training

We picked a number of challenging areas as priority areas for training this year, including:

- Child Protection Mandatory Reporting training
- Mental Health Awareness and Suicide Prevention
- Grievance Handling and Prevention for supervisors, and
- EEO, Bullying and Harrassment Prevention

Staff Appraisal training was offered to all staff (both for supervisors who were to conduct appraisals and for appraisees). We also made conflict resolution, and negotiating skills a priority area.

Thank yous

Given all that we have achieved I am very grateful for the dedicated staff, the Management Committee members and volunteers who have contributed to Macquarie Legal Centre throughout the year.

Maria Girdler

Legal Practice

John Rafferty (Principal Solicitor), Clare Mangiokas,
Jamal Maroon (Solicitors), Nina Lau (Paralegal)

Macquarie Legal Centre's legal practice provides legal advice, minor case assistance and casework for economically disadvantaged clients in criminal and civil law matters. The areas of law serviced by the legal practice include:

- Family law,
- Traffic offences,
- Motor vehicle accidents,
- Credit and debt,
- Neighbourhood disputes,
- Elder law, and
- Consumer complaints.

There has been an increase in the number of family law advices provided by the practice. Common legal matters in this area of law include child contacts, divorce and separation. Our solicitors provide advice, legal information, prepare documentation and correspond with other parties in relation to family law matters. In addition, John Rafferty attended numerous local forums speaking on issues pertaining to Elder Law and Family Law Fundamentals. MLC also organised and conducted a workshop for Year 11 TAFE students. This workshop provided an overview of the legal system. MLC staff also participated in Law Week at Parramatta Church Street Mall where much interest was evident and staff answered numerous queries and distributed legal information brochures.

In relation to law reform, John Rafferty has been an active member of the NSW Civil and Administrative Tribunal (NCAT) reference group in the Consumer and Commercial Division and the Home Building Advisory Council. NCAT will be introduced in early 2014 amalgamating in excess of twenty existing tribunals, comprising of five separate divisions. As a member of the reference group, John Rafferty provided advice in regards to NCAT's proposed handling of disputes relating to consumers, tenants, landlords, owners and builders.

The Home Building Advisory Council provides advice and consultation to the Minister for Fair Trading in relation to the *Home Building Act 1989*. John Rafferty attended meetings of the Council throughout the year which focused on issues of financial literacy and post-disaster home building work.

Student Programs

In the past year, MLC has again conducted clinical programs in partnership with Macquarie University and the University of Western Sydney.

With Macquarie University, MLC conducted two sessions in the generalist clinical program each spanning a semester. This program exposes students to different legal areas and offers experience working with clients in a community context. The feedback from students was consistently very positive with some students subsequently applying as volunteers at MLC when their program is finished.

Case Studies

Motor Vehicle Accidents

The client was being harassed by a debt collection company to pay for damage they claimed she caused to a bus that was the property of the State Transit Authority. When the client contacted MLC

for advice she was clearly anxious and distressed. The client instructed us that she was not involved in any collision as alleged and that she had no idea why they were pursuing her. The client had engaged in extensive correspondence and had denied involvement in any collision. The debt collection company never responded to the requests for further information and continued to demand payment and threaten court action.

MLC's solicitor contacted the debt collection agency requesting they provide further documentary evidence such as the driver's incident report, repair quote and photographs of the damage. The debt recovery agency immediately withdrew the matter and advised that they closed their file.

Family Law

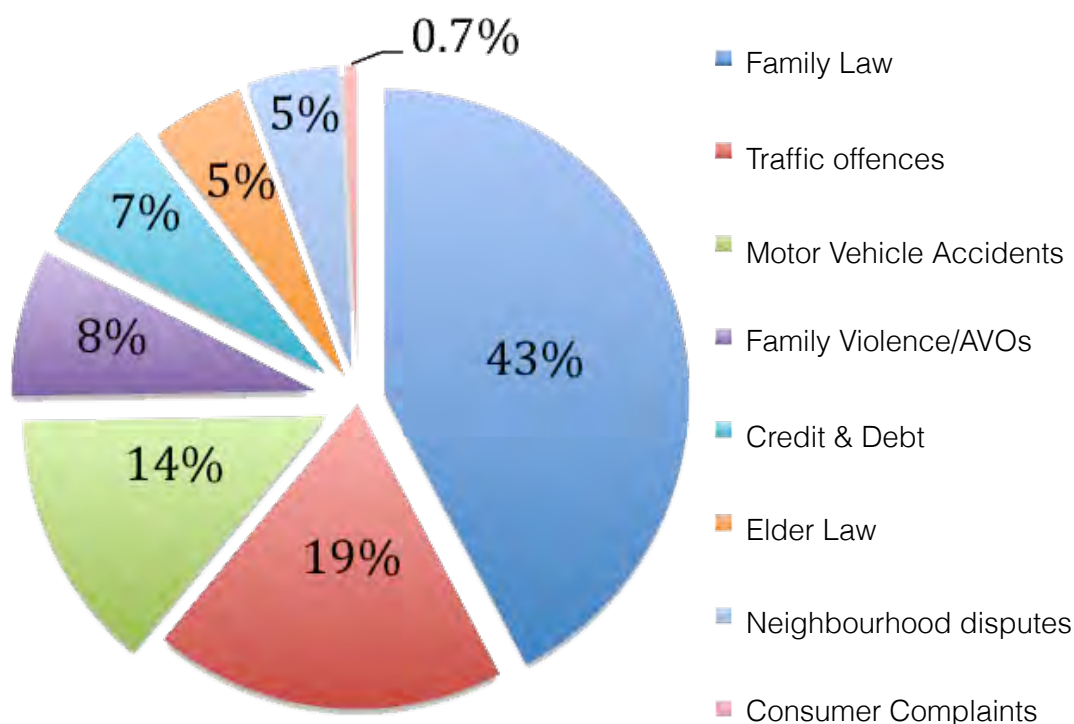
An MLC solicitor acted for a woman in relation to a divorce. The parties had married overseas but the wife no longer had the marriage certificate in her possession. The client was a victim of domestic violence during the marriage and after a few years of living with the husband interstate, she relocated to Sydney and had commenced divorce proceedings in the Federal Magistrates Court. The matter was adjourned because she had not been able to file all the relevant documents.

The MLC solicitor prepared documents relating to the service of the divorce application that the client had not been able to complete including an Affidavit in lieu of the marriage certificate. The client subsequently filed these documents at Court and the divorce was granted on the second return date.

Total Clients
663

Total Advices
873

Total Cases
81



Matter Types

Tenancy
27%

Family/Domestic
Violence
20%

Family Law
19%

Building/property
11%

Motor Vehicle,
Roads & Traffic
12%

Credit & Debt
3%

Govt, Discrim,
Victims Comp &
Misc
1%

Neighbourhood
Disputes
2%

Criminal Matters
2%

Probate
1%

Civil Issues
1%

Consumer
1%

Legal Information & Referral

Charizma Jarque and Ben Chung (Legal Information & Referral Officers), Justin Abi-Daher, Ann-Marie Najjarin, Esther Song & Jasmine Wang (casual relief)

The Legal Information and Referral Officers (LIRO's) (affectionately referred to as 'front desk') provide the first point of contact for clients requiring legal assistance. Their role is to determine if the client falls within the eligibility criteria. Eligibility is based on income, geographical location and legal problem type. Front desk staff refer eligible clients to the MLC program that can best assist them.

During the last financial year, many clients that contacted Macquarie Legal Centre (MLC) have been through a "referral roundabout." By the time they find us, these clients have contacted various services seeking assistance unsuccessfully. Where the client does not meet MLC's eligibility criteria, front desk staff ensure they are provided with appropriate legal information and a referral to a suitable agency or service that can assist them with their matter. Front desk staff always attempt to find the best possible solution for every client. In most cases, they are successful.

As the first point of contact with clients, the collection of client information is essential to MLC's understanding of who we assist and how. The collection of other statistical information relating to client country of birth and ethnic background, age, family status, health status and sex provides MLC with valuable insight and an understanding of the community which we assist.

Front desk staff continue to exercise patience in information gathering in order to assist distressed clients with complex matters. Front desk staff set an example for MLC volunteer students so they can gain the necessary skills and experience required to deal with difficult matters.

Volunteer students assist front desk staff to manage incoming clients.

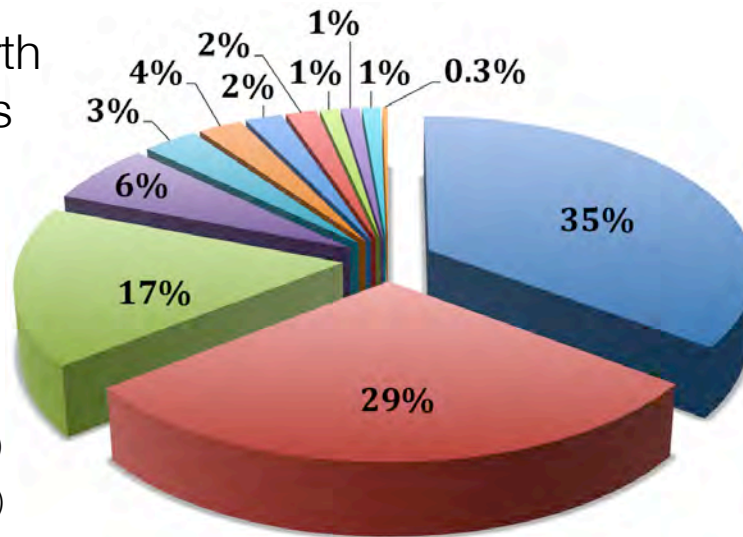
The highlight for this year has been the help from volunteer students, most of whom are studying law at various Universities, for example, Macquarie University, the University of Western Sydney, the University of Sydney and the University of NSW.

Currently, front desk has 16 students on the weekly roster, with a new intake each semester. The volunteer student presence is essential to the efficient functioning of front desk at MLC. To maintain the smooth and consistent management of front desk, supervisors provide on-the-job training, as well as conducting group training sessions.

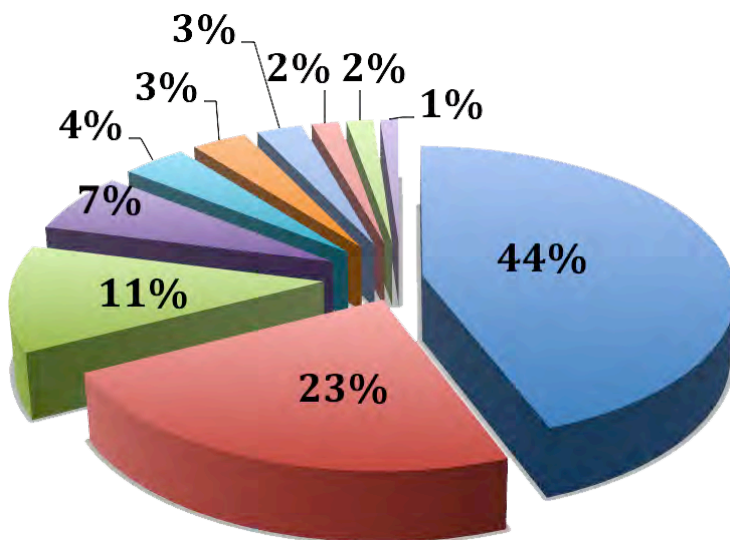
Volunteer students provide MLC with a valuable service and, in turn, receive valuable experience that provides a stepping-stone to their careers.

Country of Birth & Indigenous Status

- Australia (1083)
- Not stated (779)
- Asia (444)
- Middle East (164)
- South Pacific (80)
- Europe (67)



- Africa (59)
- United Kingdom (47)
- Aboriginal/Torres Strait Is. (23)
- South America (21)
- North America (18)
- Eastern Europe (7)



Health Status

- Physical (80)
- Psychological (42)
- Intellectual (21)
- Not stated (12)
- Dual (7)
- Chronic Ill Health (6)
- Hearing impaired (5)
- Injury/Acquired (3)
- Sight impaired (3)
- Speech Impaired (2)

Client Location

(Local Government Areas)

Central Western Sydney
37%

Central Northern Sydney
16%

NSW & Sydney (HoBAS clients & Conflict of Interest Referrals)
15%

Blacktown
11%

Lower Northern Sydney
10%

Inner Western Sydney
4%

Outer Western Sydney
4%

Fairfield-Liverpool
2%

Canterbury-Bankstown
1%

Coordinated Family Dispute Resolution (CFDR)

John Rafferty, Samiha Alameddine, Nina Lau (Solicitors)
and Katy Jenkins (Consultant)

The Coordinated Family Dispute Resolution (CFDR) pilot program was developed to provide a supported model of mediation for families where family violence was, or had been, a factor. The Program aimed to achieve safe and sustainable post separation outcomes for children. The program was funded by the Commonwealth Attorney General's Department and was a partnership between UnitingCare Unifam (Unifam), located in Parramatta, South-West Sydney Legal Centre (SWSLC) and Macquarie Legal Centre (MLC). Despite a positive evaluation report from the Australian Institute of Family Studies, the Pilot was not re-funded and ceased in April 2013.

CFDR applied a coordinated approach to family dispute resolution where professionals worked together. The professionals included: consultants for both the mother and the father, family dispute resolution practitioners and solicitors. The women's consultant undertook specialised risk and safety assessments and participated in case management meetings. The men's consultant undertook a risk assessment and encouraged the client to accept some responsibility for his behaviour. The solicitor provided legal advice and represented the client in mediation. Case management meetings provided an opportunity for the professionals involved to discuss and assess the needs and safety of the client on an ongoing basis.

CFDR was successful in working with many families. CFDR assisted with and implemented sustainable parenting arrangements. While not all participant families reached the final stages of CFDR they were provided with ongoing support and referrals to enable them to seek other family law pathways.

CFDR staff would like to thank everyone who worked as part of the CFDR program across all the partnerships including Unifam, SWSLC and MLC. CFDR would like to especially thank Tara Houseman, CFDR Manager from Unifam for all her hard work and dedication in coordinating the program.

Case study (names changed)

Jack and Jane were in a de facto relationship for six years and they have two children. Throughout the relationship, and particularly in the last few years before they separated, Jack was verbally abusive towards Jane. Jack denigrated Jane as a mother, constantly put her down, and threatened to take the children.

After Jack and Jane separated, Jack began to call and text Jane constantly leaving abusive messages and threats. Jane took out an Apprehended Violence Order (AVO) against Jack to try and stop the harassment. Arrangements for the children were 'ad hoc' and Jane felt constantly fearful that Jack would not return the children.

Jane approached Unifam for advice and assistance to develop certainty around parenting arrangements for the children. Jane was worried about the costs of going to court and wanted to explore other pathways. Due to the history of domestic violence, Jane and Jack's case was assessed as appropriate for CFDR.

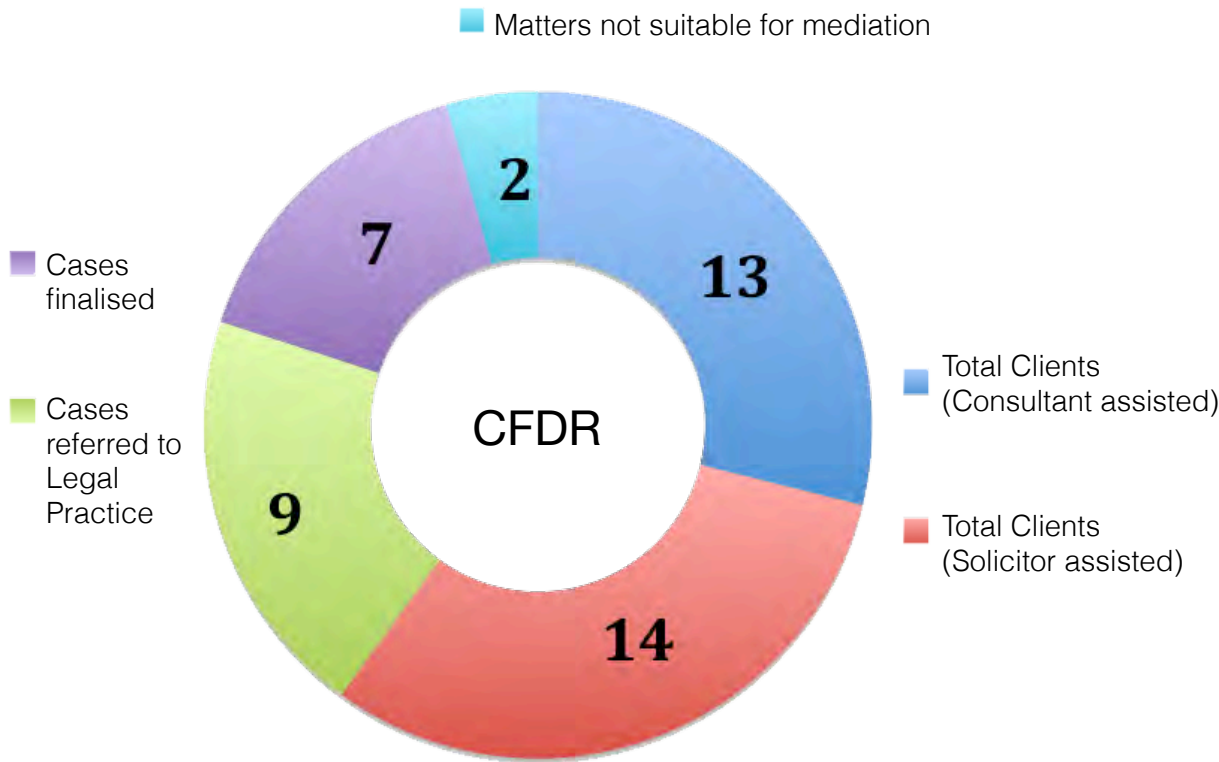
Jane met with the women's consultant and explained her concerns. Jane felt silenced and belittled by Jack because of the constant verbal abuse. Jane wasn't sure she would be able to express herself in a mediation session. The women's consultant talked with Jane about what arrangements she felt would work for the children. She referred Jane to a specialist Domestic Violence (DV) counsellor for support. Over several weeks of meeting with the women's consultant and attending DV counselling, Jane began to feel more empowered.

Jane met with a solicitor from MLC to obtain family law advice. The family law solicitor explained the current law in relation to the children and the process of developing parenting plans to be lodged with the court.

Unifam contacted Jack and an arrangement was made for him to meet with the men's consultant. Jack was reluctant to acknowledge that his behavior towards his ex-partner was a problem. However, when Jack heard from the child consultant that the children felt distressed by his treatment of their mother, he began to realise he needed to change.

The parents took part in several shuttle mediation sessions. During the mediation, Jack and Jane were able to come to an agreement about how to communicate more respectfully. Arrangements for when the children would spend time with the father were also discussed. The agreements reached in these sessions were recorded as consent orders and lodged with the court.

The women's consultant made a follow up call after the mediation. Jane said both parties were following the arrangements for the children and that she felt reassured by the CFDR process.



Family Relationship Centre (FRC)

Sarah Hart, Helen Taranto, Katy Jenkins & Nina Lau
(Solicitors)

The Family Relationship Centre (FRC) program offers legal advice, information, lawyer-assisted mediations and assistance to separated families going through the mediation process at North Ryde and Parramatta FRC's. The FRC solicitors work together with Family Dispute Resolution Practitioners to assist parents to reach agreements that will suit the best interests of their children.

Legal advice at the mediation stage is a crucial element in parents reaching an agreement. Having legal advice prior to mediation enables parents to be informed about family law and what the likely outcome could be if they went to Court. This means that parents enter mediation with a focus on the best interests of their children and can reach agreements that reduce conflict between parents.

Parents often present at mediation with a wide range of complex problems including domestic violence, mental health issues, drug and alcohol dependency, as well as unrealistic expectations about parenting arrangements.

The FRC solicitors assist clients in mediations at other Family Relationship Centre's in conjunction with other Legal Centres.

Macquarie University Family Law program

Three times a year the FRC solicitors run a family law program in conjunction with Macquarie University where eight students attend MLC for an intensive two weeks to learn about family law and the dispute resolution process. The students attend North Ryde Family Relationship Centre, the Federal Circuit and Family Law Court, the Local Court and Children's Contact Centre. The students sit in on face-to-face and telephone legal advice. They also participate in practical exercises including a moot case where they can experience advocacy first hand.

Community Legal Education

Three times a month the FRC solicitor presents family law information sessions to clients going through the mediation process at Parramatta FRC. These sessions are delivered in conjunction with the FRC's *Children in Focus* sessions, and often lead to clients making appointments for legal advice.

In February 2013, our FRC solicitor attended a CLE run by Legal Wise Seminars in relation to the Hague Convention matters and Interim Hearings.

Case study 1

The FRC solicitor assisted a client with three children, aged 13, aged 10 and aged 8 years old. Since separation, the older child had been living with her father and spending very little time with her mother. She had not stayed overnight with her mother for the past two months. The two younger children were spending the week with their mother and almost every weekend with their father.

The client was very upset with the current arrangements because she wanted regular time (including overnight time) with the older child. The mother also wanted some quality weekend time with all the children together - this was time when she was not working and they could relax.

At the lawyer-assisted-mediation, both parties agreed to consider what was in the best interests of the children. Both parents agreed that the older child would spend regular time with her mother each week from Sunday to Wednesday morning. Both parents also agreed that the younger children would spend Sunday to Tuesday nights with their mother and Wednesday and Thursday nights with their father, and then alternate weekends with each parent. This arrangement allowed the three children to spend regular time with each parent during the week and at the weekend.

Case Study 2

The FRC solicitor assisted a female client in mediation at Legal Aid Sydney. The client had not had any contact with her three children as their father would not allow it. The father took the children to live with him one-by-one over the course of a few years. The children's ages are 7, 11 and 12.

The client was previously a heroin addict and was stable on the methadone program for over a year. The father had also tried to turn the children against the client and told the client that the children hated her.

Through the mediation, the FRC solicitor was able to negotiate for the client to spend some time with the children again. This was a fantastic result. The client called the solicitor after a few months and advised that she now had regular time with the children and was "extremely happy for our assistance and advice".



Sarah Hart & Helen Taranto

Parramatta FRC

Total Clients
179

Total Advices
215

Total Cases
39

Lawyer-
assisted
mediations
8

North Ryde FRC

Total Clients
209

Total Advices
212

Total Cases
34

Lawyer-
assisted
mediations
18

Home Building Advocacy Service (HoBAS)

Elfet Eid, Michelle Ericoli, Tanja Podinic, Jessica Abi Khattar & Nina Lau (Solicitors),
Kristen Vuleta (Paralegal)

Home Building Advocacy Service (HoBAS) is a state wide service providing legal advice to consumers in disputes with home building contractors and other stakeholders such as insurance companies. HoBAS's main role is to empower consumers with the knowledge to settle their legal matters. HoBAS assists with preparation for Court to protect the legal rights of the clients, and represents disadvantaged clients at Tribunal Hearings and other Courts.

HoBAS provides advice around the following:

- consumer rights,
- consumer responsibilities,
- contract advice,
- dispute resolution,
- preparation of evidence and information about Tribunal and Court processes.

Some of the common issues HoBAS provides legal advice on include:

- defective and incomplete works,
- delays in building work,
- terminating a building contract,
- progress payments,
- variations made to the building contract,
- transferring matters from the Local Court to the Tribunal.

Law Reform

Law Reform has remained a key activity for HoBAS. In 2012, HoBAS was invited by NSW Fair Trading to prepare submissions on the proposed amendments of the laws governing the home building industry. Some of our recommendations were considered and implemented in the new legislation.

Case Studies

- A painter was contracted to paint the inside and outside of our client's home. The painter did not complete the work and the work that was completed was defective. The painter brought an action against our client in the Local Court for \$15,290.00 for unpaid invoices. HoBAS assisted the client to transfer proceedings from the Local Court to the Consumer, Trader and Tenancy Tribunal (CTTT) for the home building matter to be heard in full, and on its merits. The CTTT found that our client did not owe the painter any money as the work was not of an acceptable standard. The CTTT ordered that our client did not have to pay the painter.
- HoBAS assisted a client in a contractual matter relating to progress payments and variations. HoBAS guided the client through legal advice and the client successfully represented herself at the CTTT. The client appreciated HoBAS's assistance and sent a thank you card.

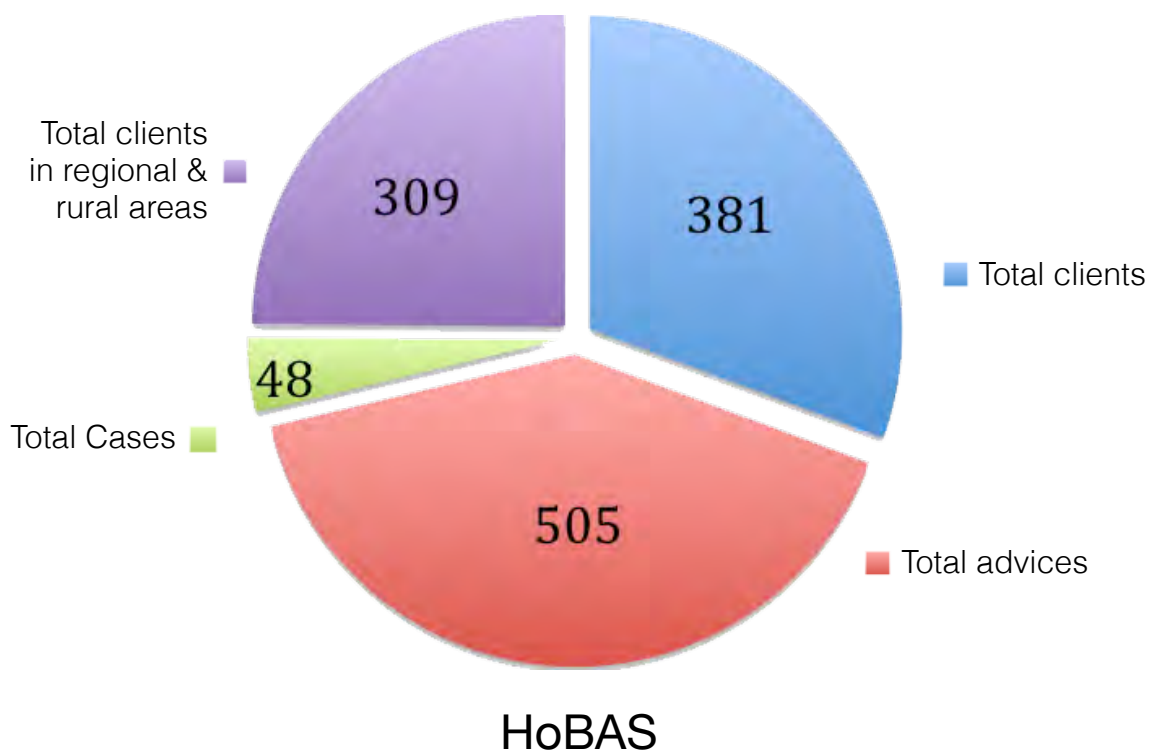
- The client, a homeowner, purchased a property from an owner-builder. Shortly after moving into the home, the roof started leaking severely. Our client attempted to contact the owner builder on numerous occasions to address the defects, but the owner builder failed to respond. As time passed, the leaky roof became worse and resulted in further damage to the home.

The client sought assistance from HoBAS who advised the client about her rights as a homeowner who had purchased a home with defects. HoBAS advised the client that she was entitled to protection under the statutory warranties implied by the law in contractual residential building works. HoBAS assisted the client to commence action in the CTTT against the owner-builder, and assisted the client with the preparation of evidence for the CTTT hearing.

The client had a culturally and linguistically diverse background, so extra care was taken to ensure the client understood HoBAS's advice, as well the progress of the matter at all times. Due to the client's background, HoBAS acted on behalf of the client and dealt with in all correspondence with the owner-builder, the CTTT, the Home Warranty Insurance Company, expert builders and all other relevant parties.

HoBAS represented this client at the final CTTT hearing. The owner-builder failed to appear and participate in the CTTT proceedings. The CTTT Member ruled in favour of our client and awarded the sum of \$87,517.00.

The owner-builder has continued to evade his responsibilities by failing to comply with the CTTT Order. The next step for the client is to enforce the CTTT Order in the Local Court, or to commence bankruptcy proceedings against the owner-builder in order to make a claim through the Home Warranty Insurance Company.



Parramatta Court Justice Clinic (PCJC)

Jamal Maroon, Solicitor

The Parramatta Community Justice Clinic (PCJC) is a social justice initiative established by the University of Western Sydney (UWS) in partnership with Macquarie Legal Centre (MLC). It was established to deliver a high quality practical legal education program for UWS students, while also complementing existing legal services by offering free legal advice to eligible people of Greater Western Sydney. PCJC is based at the Parramatta Local Court. For many UWS students, PCJC provides the first opportunity to work in a professional legal environment with practicing solicitors.

The most common matter types are:

- Road traffic and motor vehicle regulatory offences
- Motor vehicle accidents
- Debt recovery matters
- Neighbourhood disputes
- Apprehended personal and domestic violence orders

Community involvement

PCJC organised several Community Legal Information Sessions in Parramatta:

- The Elder Law Community Legal Information Session
- Law Week Expo in Parramatta

Community awareness of PCJC was further enhanced when Jamal Maroon was interviewed about her involvement with PCJC for an article published in the Parramatta Sun Magazine.

UWS law students

A total of 90 UWS students completed the Clinical Legal Placement (CLP) unit for academic credit at PCJC. Volunteer UWS law students attended PCJC on a rotating weekly roster. Professor Michael Adams, Dean of the UWS School of Law, was the academic directing the PCJC project. The UWS CLP Unit Coordinators were Allan O'Connor, Michaela Byers and Masudul Haque.

In January 2013, Jamal Maroon was appointed as an Adjunct Fellow with the UWS School of Law in recognition of her work at the PCJC.

During the placement of UWS students at PCJC, core student supervision was provided by a solicitor so that UWS students can acquire knowledge of practical legal skills such as client interview techniques, legal research and administration, referral processes, as well as court procedures and protocols. UWS law students were able to work on advice, casework and policy/project work whilst in turn enhancing their understanding of legal ethics and professional responsibility. Students were also encouraged to critically analyse issues of access to the legal system.

At the conclusion of a student's placement, students were required to record and reflect on their experiences at PCJC, as well as deliver an oral presentation and prepare a brochure on an area of law which interests them and which PCJC provides assistance and advice.

Case studies

- A client had been issued with a penalty notice for driving with a mid-range prescribed concentration level of alcohol. With the assistance of PCJC, the client received a good behaviour bond of two years with no recorded conviction, no disqualification and no fine.
- A client had been charged with five counts of fraud and was facing a maximum penalty of imprisonment for each count of fraud. PCJC assisted the client by preparing submissions for the Court. The client received a good behaviour bond for 12 months and no conviction was recorded.
- A client was accused of breaching a clause in the Hire Agreement in relation to a motorhome. The client was involved in an accident in a hired motorhome in country NSW which was not the clients' fault. PCJC argued that the client was covered by insurance purchased at the time of hire and could not be held liable for the damage. The Hire Company withdrew the matter.

Total clients
427

Total advices
690

Total Cases
75



MY Parramatta

Jamal Maroon
Parramatta Community Justice Clinic

Parramatta Community Justice Clinic solicitor Jamal Maroon gives free legal advice to people who can't afford a solicitor.

When and why was the Parramatta Community Justice Clinic established?
The clinic is a social justice initiative which was established by the University of Western Sydney in partnership with Macquarie Legal Centre. The PCJC first opened in November 2009. It was established to complement existing legal service providers by offering a free legal service to eligible people in greater western Sydney. The PCJC was also established to provide a high quality practical legal education program for UWS law students. In a five-day placement at the PCJC, they are able to acquire knowledge of practical legal skills.

Why is it important that people who cannot afford a solicitor have access to legal advice?
The legal system can be complex, intimidating and difficult to navigate particularly for a person who cannot afford a solicitor. The PCJC's free legal services aim to equip people who cannot afford a solicitor, with the knowledge to allow them to protect and enforce their legal rights and have a voice in the legal system. Through the provision of free legal advice, information and education, PCJC clients are provided with direction to ensure that the most appropriate pathway through the justice system is pursued for the efficient resolution of their legal matter.

How long have you worked at the clinic and what is your role?
I have been working as the solicitor at the PCJC since October 2011. I am employed in this position through Macquarie Legal Centre, which operates the PCJC in partnership with the University of Western Sydney. In my current employment as the solicitor at PCJC, I am responsible for providing legal advice and assistance to eligible clients (through telephone and face-to-face appointments) in relation to a diverse range of legal matters such as neighbourhood disputes, family law, debt recovery, traffic offences and motor vehicle accidents.

What is the best part of your job?
There are many rewarding aspects of my employment. Firstly, in relation to my clients at the PCJC, through the provision of free legal advice and assistance, I empower disadvantaged and often marginalised people to be their own advocates and develop their own capabilities and independence in their legal matters. Secondly, for many UWS law students who undertake a placement at the PCJC, this is often their first exposure to an interactive legal service environment. In this regard, I feel honoured to be contributing to their early professional development as future lawyers and cultivating their enthusiasm and passion for the law.

Student Legal Services (SLS)

Tanja Podinic, Solicitor

Student Legal Services (SLS) was established in February 2013 and is based at the Parramatta Local Court. SLS is a legal advice and referral service for students of the University of Western Sydney (UWS). It is a joint venture between Macquarie Legal Centre and UWS and funded by a portion of the Student Services Administrative Fees of currently enrolled UWS Students.

SLS predominantly advises students on tenancy, debt/credit issues, minor crimes, consumer rights, motor vehicle accidents, traffic offences and employment law. In addition to legal advice and court representation, SLS proposes to provide all of the UWS Campuses (Parramatta, Hawkesbury, Penrith, Blacktown, Nepean) with free onsite legal education seminars in the future.

SLS has assisted 76 students since it was established. From those 76 clients, 12 cases were opened and one student was granted full legal representation.

Case Study

Sadly, UWS lost one of its students in a horrific car accident. A drunk driver caused the accident and the student was killed instantly. SLS assisted the student's family (his wife and four children) in every way possible. For instance, the victim's wife wanted to keep her husband's body in their state of residence, while the victim's father wanted the body returned overseas. SLS advised the wife that legally she is the next of kin and that it is ultimately her decision where the body is buried. She was much more confident after speaking to us as she realised that she had legal rights in Australia. After discussions and negotiations between the family members, the student was buried in their place of residence close to his immediate family.

SLS also assisted the wife access her husband's superannuation and life insurance policy for her and the family. SLS also assisted the wife apply for Motor Vehicle Accident Compensation.



University of Western Sydney
Bringing knowledge to life

UWS Student Legal Services (SLS)

DO YOU NEED LEGAL ADVICE WITH:

- TENANCY
- DEBT / CREDIT ISSUES
- EMPLOYMENT LAW
- CONSUMER RIGHTS
- MOTOR VEHICLE ACCIDENTS
- TRAFFIC OFFENCES

UWS Student Legal Services (SLS) is a joint venture between Macquarie Legal Centre and UWS. The service will be co-located at the UWS Parramatta Community Justice Clinic at Parramatta Local Court. In the future the service will visit campuses.

If you are a UWS student seeking legal guidance you can contact SLS from Monday to Friday, 2pm to 5pm on studentlegalservices@uws.edu.au or 02 8688 7875.

Messages left outside of these hours will be returned as soon as possible.

This service is provided to UWS students through SSAF funds.

www.uws.edu.au/studentlegalservices

Western Sydney Tenants' Service (WESTS)

Jessica Abi Khattar (Coordinator); Shelley Alvarez; Sarah Boustani; Ben Chung;
Bridget Kennedy; Liam Meagher; Jayd Raffoul; Esther Song & Kristen Vuleta
(Tenant's Advocates)

WESTS provides tenancy advice to tenants in the Western Sydney area. In addition to telephone advice, WESTS provides casework assistance to tenants to advocate for their rights under the *Residential Tenancy Act*. Where necessary, WESTS prepare and run cases in the Consumer Trade and Tenancy Tribunal (CTTT).

WESTS' commitment to Community Legal Education has remained strong following attendances at sixteen education and outreach sessions at various forums. Every month since March 2013, an advocate from WESTS has been involved in outreach at Anglicare Mt Druitt's One Stop Shop. The scheme encourages tenants who need tenancy advice to drop by the centre and obtain on-the-spot advice from an advocate. Together with having face-to-face contact with our client base, the opportunity has allowed us to liaise with several community service providers such as Legal Aid and the NSW Land and Housing Corporation (HNSW). Having formed a strong inter-agency tie with Anglicare, we aim to continue advising clients referred by the organisation, and in turn refer our clients to the array of services provided by Anglicare including their Low Interest Loan and Rent Matching Schemes.

WESTS has also strengthened inter-agency ties with the Red Cross in both the Parramatta and Sydney offices. In total, WESTS have conducted four sessions directed at both caseworkers and migrants in the Western Sydney area. These sessions have been run with the help of multi-lingual interpreters and have been conducted in Tamil, Farsi, Arabic, Persian and Rohingya. Since these education sessions, we have experienced a steady stream of email and telephone referrals from Red Cross caseworkers with positive feedback.

We have now built a strong relationship with the Red Cross and hope to continue providing tenancy information to clients of all backgrounds, in particular migrants who are highly vulnerable in the private rental market.

WESTS advocates welcomed the introduction of the *Boarding Houses Act 2012 (NSW)* in 2013. This was a very important development as boarders often do not have the same level of control over the premises as a tenant does. The *Act* applies to boarding houses whether or not they are registered, and provides for occupancy agreements between proprietors and residents. The *Act* has also given power to the CTTT to deal with some boarding house disputes. This development has meant a higher level of protection for boarder's rights in NSW, and WESTS looks forward to assisting more boarders in the future.

Ground breaking cases/Developments in tenancy

The 2013 NSW Supreme Court decision, *Navazi v New South Wales Land and Housing Corporation* determined that, of itself, property ownership does not disqualify a tenant from eligibility for a rent rebate. The Court found that without an investigation into the tenant's weekly income, the decision to cancel their rent rebate was invalid. This decision has been extremely useful for WESTS advocates assisting HNSW tenants that have had their rent subsidies cancelled.

Total clients
976

Total advices
976

Total cases
81

Referrals
264

Community
Legal
Education
Seminars
11

In early 2013, HNSW had an amnesty for their tenants to declare any unauthorised occupants without incurring a rent subsidy cancellation or a termination. WESTS advocates supported the amnesty, and advised many clients to take advantage of the opportunity to remedy any breaches of their tenancy agreement. WESTS advocates have seen an increase in rent subsidy cancellations where the subsidy cancellation was backdated. In these cases, WESTS' advocates have successfully assisted clients appeal these decisions through the HNSW's internal appeals process, and through the Housing Appeals Committee.

Case study 1

In May 2013, WESTS assisted a single mother of four children to obtain a rent reduction and repairs order at the CTTT. The tenant was renting in the private market and was receiving assistance from HNSW. The tenant had been without a properly functioning toilet for several weeks and her landlord was refusing to make the repair. In addition, there were numerous other repair issues at the property. These included windows not opening and closing properly, as well as growing cracks in the floors, walls and ceiling of the home. A WESTS advocate assisted the tenant by compiling her evidence and attending a conciliation and hearing at the CTTT. The CTTT awarded the tenant with a rent reduction of \$60 per week for 12 weeks (\$720), and also ordered the landlord make all necessary repairs to the property as outlined in the tenant's submissions. The tenant was very pleased with this outcome and thanked WESTS for their assistance. The tenant also stated that she would refer friends and family to WESTS if they were in need of tenancy advice.

Case study 2

In July 2012, WESTS assisted a couple with a child living in a granny flat that was not council approved. The tenant contacted WESTS for assistance in repairing a mould problem and reclaiming utility payments that he was not obligated to pay. The tenant was receiving assistance from a support agency because his wife was heavily pregnant and he was restricted from other services due to his visa status. A WESTS tenant advocate negotiated on the tenant's behalf with the landlord's agent to obtain a rent reduction and compensation. The failed attempts resulted in the tenant applying to the CTTT. Upon receiving notice of the hearing, the landlord offered the tenant a payment of \$5000, and repayment of the electricity charges.



Children's Court Assistance Scheme (CCAS)

Leah Cruickshank (Coordinator & Aboriginal Specialist Worker), Stan Small, Sue Underwood, Vikram Craig, David Willis, Deneka Lay, Alex Dovan, Carolina Saez
(Court Support Workers)

The Children's Court Assistance Scheme (CCAS) provides support to young people at Parramatta and Bidura Children's Courts. The CCAS service operates at Bidura Children's Court two days each week, and Parramatta Children's Court five days each week. CCAS clients range in age from 10 to 17 years. By the time CCAS meet the young people at the Children's Court many have experienced homelessness, family violence, drug and alcohol abuse and educational disadvantage.

The CCAS team of youth workers continue to ensure that young people appearing at court receive legal advice and representation from Legal Aid NSW and the Aboriginal Legal Service. CCAS also assists in referrals and assistance with welfare related issues such as drug and alcohol use, accommodation, finances, and education and training. If necessary, CCAS workers can also provide informal mediation between young people and their families, and arrange emergency food hampers and clothing vouchers.

CCAS staff work closely with the Aboriginal Legal Service, Legal Aid and NSW Police. They also work closely with court staff and the registrar. Outside of the court, the CCAS staff have built productive and supportive relationships with many services such as Centrelink Reconnect, Anglicare Youth Service, Marist, Bankstown Multicultural Youth Service, Relationships Australia, Eagleraps and many Police Citizens Youth Centres.

The Coordinator collaborated with Marrickville Legal Centre staff and Legal Aid NSW to assist in making appropriate referrals to an outreach solicitor from Marrickville Legal Centre based at Parramatta Children's Court one day a week. This collaborative relationship resulted in many referrals assisting young people to deal with their minor civil issues such as fines.

The Coordinator was also actively engaged with the CCAS advisory group in an attempt to secure further funding for the program. Like many programs, CCAS received a 10% cut for the period of July 2013 – June 2014. This resulted in Parramatta having only one staff member available to deal with matters over three days, and two staff members to deal with matters on the two busiest days of the week. Bidura continues to be covered by only one staff member on both list days.

Case Study (names changed)

Jane came before the Court on domestic violence charges and shoplifting. Jane was young, very shy and withdrawn. The CCAS worker spent long periods of time talking to her and gaining her trust. Eventually Jane broke down in tears and told the CCAS worker "I can't do this anymore". Jane disclosed to the CCAS worker that she was being abused at home and said "whenever I go to the police they don't believe me". Jane showed the CCAS worker the bruises on her arms and legs.

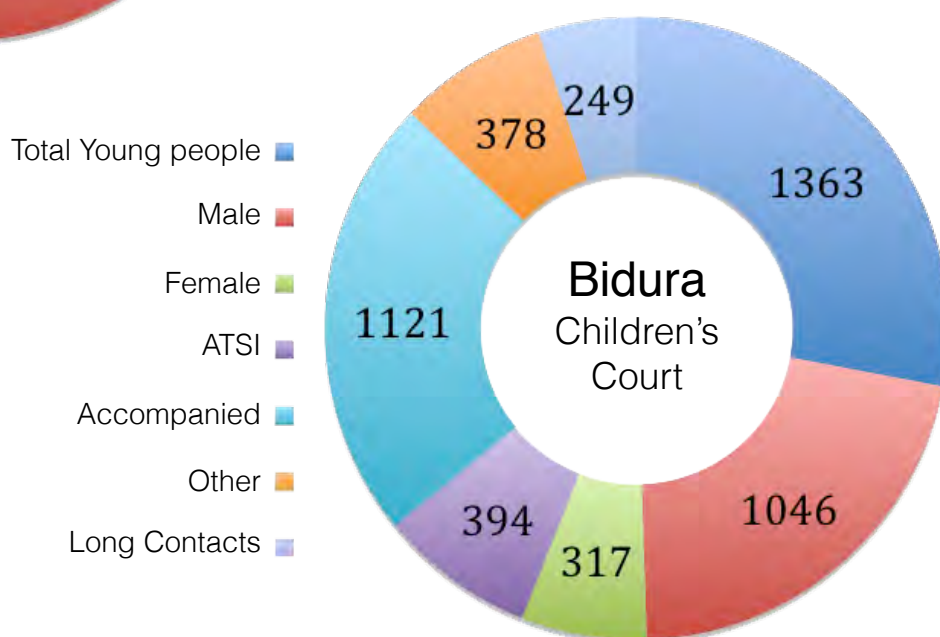
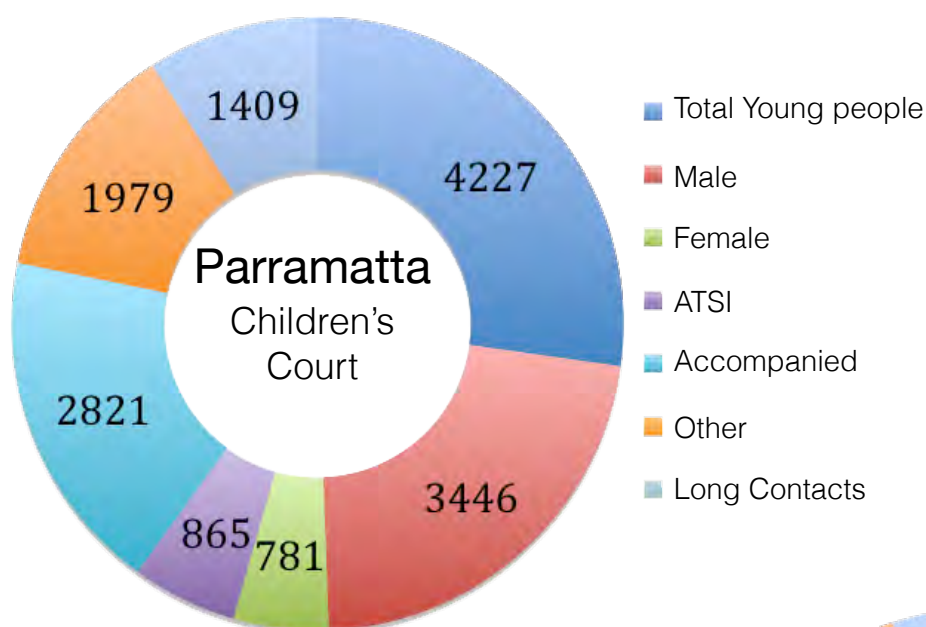
The CCAS worker obtained permission from Jane to speak to the lawyer who had been representing her. Following this, the lawyer was able to seek an adjournment of the proceedings given the new information that had come to light. The CCAS worker was able to assist Jane manage her personal issues more effectively and negotiated with a youth refuge to secure her safe accommodation. In addition, one of the workers at the youth refuge took Jane to Centrelink to organise payments.

Jane was unable to return to her family home to obtain her personal possessions safely, so the CCAS worker organised a clothing voucher until such time as Centrelink could assist with an emergency payment.

The CCAS worker also assisted Jane make further contact with the police, and was able to advocate on her behalf. Jane's attendance at the Police Station resulted in the police applying for an AVO against her mother. To further protect her, Jane's new address at the refuge was suppressed on the AVO to prevent her mother knowing where she was now living.

The next time the matter came before the Court, the CCAS worker was able to update the solicitor. Given the circumstances and steps that had to be taken to protect Jane, the Magistrate dealt with her matters by way of a caution and wished her all the best in the future.

Jane contacted the CCAS Coordinator about a month later to thank them for all the help they had given her. Jane also informed the CCAS Coordinator that she was now in the process of obtaining long term accommodation.



Central West Contact Service (CWCS)

Lesley Humphries (Coordinator), Gwen Davies (Senior Supervisor), Ozra Meshkat, Lachelle Uzcateguigaymon, Nawal Wehbe & Beatriz Patino (Supervisors), Vicki Vucetic & Sabna Balakrishnan (Administrative Assistants)

Central West Contact Service (CWCS) continues to provide a child-focused service, committed to ensuring a physically and emotionally safe environment for children who are spending time with a parent, or changing from the care of one parent to another. CWCS supervises and monitors contact visits and changeovers for children and parents, and assists parents by providing appropriate referrals to other community agencies. Many parents using the service do so because of an Order by the Family Court and/or the Children's Court.

CWCS provides a facility where parents can spend quality time with their children in a stress free, safe and homely environment, or where children can be delivered from one parent to another without incident.

The service's trained staff are present at all times and work to ensure that contact and changeovers are smooth, safe and conflict free. CWCS currently has supervisors who are fluent in many languages including Arabic, Bengali, Hindi, Farsi and Spanish. Where necessary, CWCS arranges for interpreters to attend for contact visits.

The service is located at Harris Park in a cottage with a backyard, an outside play space and a small garden. It is close to both Parramatta and Harris Park stations. The cottage is well equipped with books, toys, board games, craft and other activities, making it a relaxed and comfortable space for families to visit with their children.

Clients attend CWCS from across New South Wales, interstate and one from New Zealand. Many of CWCS's clients have experienced domestic violence, mental health problems, intractable conflict around parenting arrangements, drug and alcohol abuse or a lack of contact with their child.

Referrals are an important part of CWCS's work. After an initial client assessment, CWCS can make referrals to programs that assist parents develop their parenting skills, manage anger, better understand their child's needs, as well as referrals that assist parents with accommodation and other family support services.

A fee is charged for all services with both subsidised and full fee options available. Both parents are required to contribute to the fees unless there is a Court Order or written agreement stipulating that one party meet all the costs.

Case Study

A family presented at CWCS with Court Orders for supervised contact to occur between a 'spend time with parent' and his three children. A history of domestic violence, property damage and stalking were alleged by the 'live with parent'.

When contact was allocated, the 'live with parent' frequently withheld the children and visits did not occur. The 'live with parent' had grave reservations for her own and the children's safety. Staff worked

Total Clients
seen
1433

Supervised/
Monitored
Contact
Sessions
1005

Changeover
Client
Sessions
1234

Client intake
interviews
145

CALD
Clients
94

ATSI Clients
5

Client
Support
80

very hard to engage with her, reinforcing that the children would be safe and supervised at all times. The 'live with parent' would initially deliver the children to the back gate of CWCS as required, refusing to enter the building. The 'live with parent' advised staff she was suffering from post-traumatic stress due to the domestic violence experienced during the relationship.

Staff ensured that both the 'live with parent' and the children left the premises and returned to the car safely, while the 'spend time with parent' remained on CWCS premises for the required ten minutes after their departure.

With the continued support of CWCS staff, contact between the 'spend time with parent' and his children became increasingly positive. Staff highlighted the responsibility that each parent faced in making contact feasible. Over a period of time, the children gradually developed a trusting and flourishing relationship with their father.

The 'spend time with parent' was very reserved initially, but became more open to accepting referrals to anger management and parenting programs with Relationships Australia, and attended Dad's in Distress for support. It became evident that his new found focus was proving successful, with happier children eager to see their father at each contact visit.

The 'live with parent' eventually accepted referrals for domestic violence counselling, a Post Separation Parenting Program, and a children's support service. With CWCS's support, this family has moved from supervised contact sessions to changeover with newly found skills and confidence. The children appear happy to go with their father. This has been a very positive outcome for the children.



Macquarie Women's Domestic Violence Court Advocacy Service (WDVCAS)

Elizabeth Wulff & Leah Cruickshank (Acting Coordinators),
Sadiah Khan Sheikh (Coordinator), Christine Smith (Assistant Co-ordinator),
Samiha Alameddine (CALD Specialist Worker), Elva Wright (Aboriginal Specialist Worker),
Katy Jenkins (Court Support Worker), Tracey Hollywood (Administrative Assistant) &
Esther Song (Casual Administration Assistant)

Macquarie Women's Domestic Violence Court Advocacy Service (WDVCAS) supports women and their children experiencing domestic violence. WDVCAS assists women at Parramatta and Ryde Local Courts, as well as Parramatta Children's Court. The team help address the legal and social needs of women and their children experiencing domestic violence by:

- Assisting women and their children obtain legal protection in the form of an Apprehended Domestic Violence Order (ADVO);
- Making appropriate referrals for the individual and/or family needs; and
- Working with local community NGOs (e.g. refuges, housing organisations, family support organisations)

WDVCAS has a memorandum of understanding with the NSW Police Force to participate in the Yellow Card Program. This program facilitates contact from the service to the client prior to attendance at Court. At this point, the worker is able to recognise any immediate needs of the client and offer appropriate information and referrals.

WDVCAS works closely with a number of local organisations including: Domestic Violence Liaison Officers (DVLOs) from Parramatta, Castle Hill, Granville, Eastwood and Gladesville, Cumberland Women's Health Centre, DV Line, Parramatta/ Holroyd Family Support, Erin's Place Refuge, and Ryde Family Support.

WDVCAS provides a safe room at Parramatta and Ryde Local Courts. At the safe room WDVCAS provides information about the ADVO and the court process and provides liaison with police and other court staff to achieve the best result for the client. WDVCAS works with the Domestic Violence Practitioner Scheme (DVPS) at Parramatta Court. DVPS Solicitors provide WDVCAS clients with free legal advice.

Community Events

WDVCAS participated in a number of community events this year. These included: International Women's Day; Staying Home Leaving Violence (SHLV) training; Refugee Week; NAIDOC Week; and 16 days of Activism.

Review of WDVCAS

Macquarie WDVCAS has been very active in networking events and training for staff. Team members attended the following networking events: Legal Aid DV Forums, Legal Aid Networking Conference, Ryde DV Committee, Parramatta DV Committee, DVPASS meetings, Staying Home Leaving Violence Advisory Committee, Interrelate Family Law Amendments Conference and the National Community Legal Centres Conference.

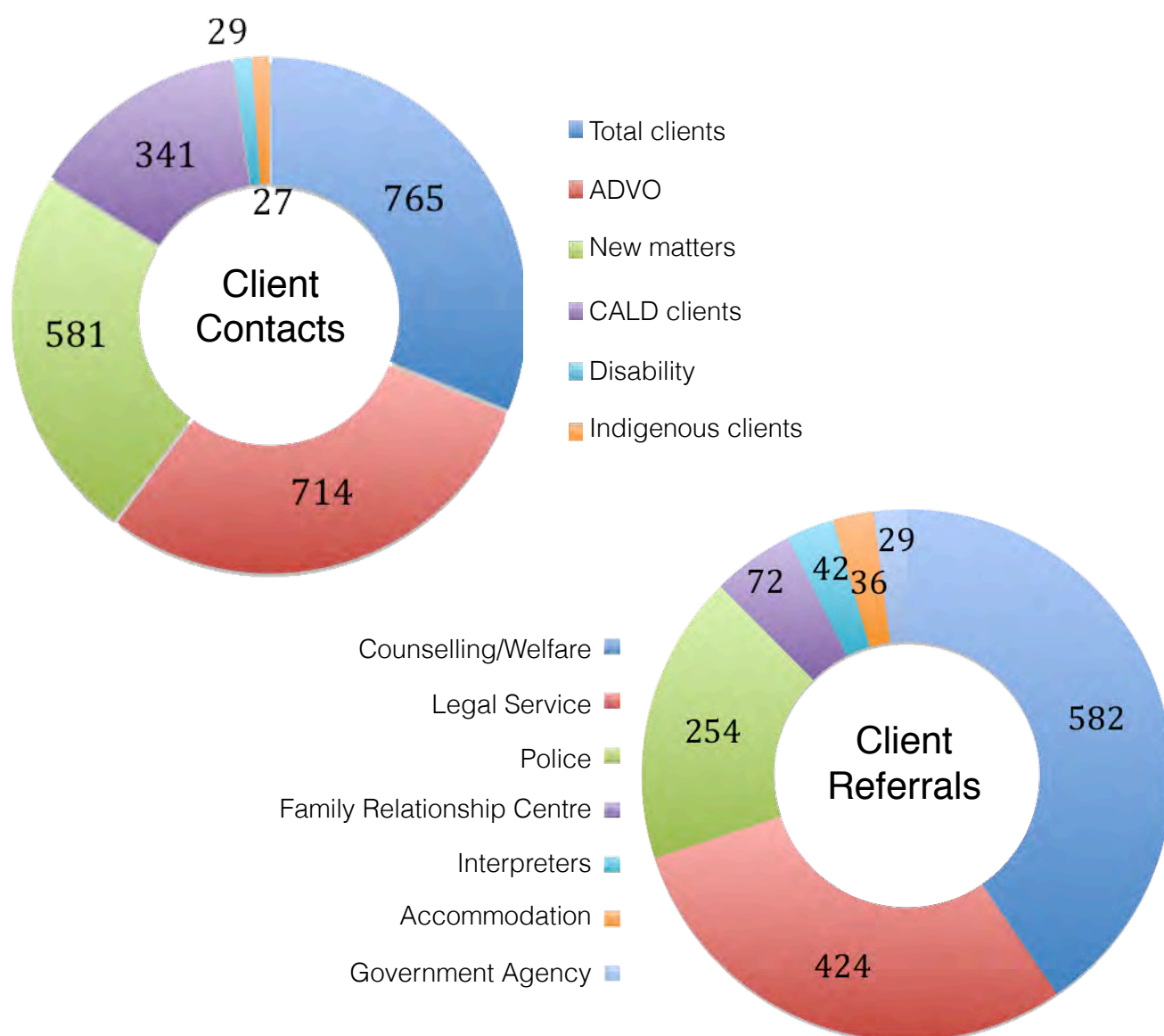
WDVCAS participated in training on Victims Compensation, Mandatory Reporting, Children's Court, Anti-Discrimination, Legal Aid WDVCA Core and Refresher training, Suicide Prevention and Intellectual Disabilities.

Case Study

Macquarie WDVCAS assisted a client at court for the first time. The violence was extremely severe and in addition to applying for an ADVO, the Police charged her husband with grievous bodily harm.

The client had a number of concerns including pressures from her husband to drop the matter and not cooperate with police. The client was also under pressure from family to reconcile with her husband to protect the family's reputation. The client was worried about the effect on her son, her immigration status, and lack of money.

WDVCAS assessed the situation and worked with the client to obtain the best outcome. The client had endured emotional, financial and physical abuse for fifteen years and did not want to reconcile with her husband. The client was afraid she would not survive further violence. The team referred the client to NSW Legal Aid for immigration advice. WDVCAS made a referral for counselling, as well as a referral to a children's counselling program for the client's son. WDVCAS arranged for a DVPS solicitor to advise the client on her legal rights in relation to property and family law issues. The client successfully obtained her AVO and secure visa status. The client's husband has now left the country.



Youth Education Project (YEP)

Carolina Saez (Youth Legal Educator) & Alex Dovan (Administrative Assistant)

The Youth Education Project (YEP) provides legal education, training and resources to young people and those who work with young people. YEP aims to educate young people about the law and legal issues that affect them through interactive training sessions and workshops.

In this reporting year, Youth Education Project (YEP) has been involved in a film launch, provided CLE workshops for young people, participated in community events, and YEP was nominated for a Western Sydney Community Forum (WSCF) Zest Award. The YEP Educator also attended network meetings, and the National CLC Conference in Adelaide.

In November 2012, YEP and Information Cultural Exchange (ICE) hosted an official launch of the '*Think Before You Act*' short films. The local member for Parramatta, Dr Geoff Lee MP officially launched the films on DVD. Dorothy Hoddinott AO, Principal of Holroyd High School also spoke about the value of the films for educating young people. The films will be used in the '*Think Before You Act*' workshops for young people.

NSW Legal Aid ordered 1000 copies on DVD to distribute to their own offices in both regional and urban areas. There has also been much interest in this new resource from not-for-profit organisations.

In February 2013, YEP attended the Western Sydney Community Forum ZEST Awards. YEP was entered as a joint nomination with ICE in the category of Exceptional Community Partnership in a LGA in relation to the '*Think Before You Act*' short films project.

Community Legal Education

YEP conducted four CLE workshops involving 101 young people from the Auburn, Parramatta and Holroyd LGAs. One particular workshop for Migrant Youth Access students held at Granville TAFE was very well received. The students also enjoyed the opportunity to meet a NSW Police Officer up close!

YEP participated in the Anti-Poverty Week community event and the Community Services Expo in Parramatta.

The Youth Legal Educator attended the National CLC Conference in Adelaide. It was a great opportunity to meet and network with other youth specific workers from CLCs across the country about youth projects.

Throughout the year, YEP also attended:

- The Cumberland Combined Services Network meetings. These meetings are held for services funded by the NSW Department of Families and Community Services.
- Youth Justice Coalition meetings. These are held bi-monthly for youth-specific services to discuss issues affecting young people and the ways in which services can advocate for young people; and
- The Holroyd Migrant Network meetings which are a local network of services who focus on migrant issues.

The '*Real Deal Youth Justice Playing Cards*' project was evaluated by consultant Paul Bullen. The *Real Deal* cards provide legal information to young people as well as a playing deck of cards.

The evaluation report found that the cards were a good tool to engage young people in community legal education workshops. The cards helped increase young peoples awareness and knowledge of the legal issues affecting them. The executive summary of the evaluation is available on the Law and Justice Foundation website (www.lawfoundation.net.au).

Think Before You Act Film launch



Carolina Saez
(Youth Educator)



Maria Girdler,
MLC Manager



Dr Geoff Lee MP,
Member for Parramatta



Client & Student Feedback

CWCS - "We have been trying to resolve this problem for several years, spending time and large amounts of money. Sad to say, we were unable to prove the real situation to the Court. However finally with the help of CWCS, we were able to resolve the problem completely".

"Really appreciated all the helpful info on some parenting techniques, plus the encouragement I received when I was doing the right thing re: parenting. A deeply appreciated service, that helps to keep the kids in contact with their parents".

"No matter windy or rainy, you're the one there for us with warmth and safety every week in the past one and half years. Thanks for all your help"

FRC student feedback - "It was a great experience, the solicitors were amazing and helped us understand the issues of Family Law. They were always encouraging us to participate in the discussion and explained things really clearly, thank you." "The MLC staff have such a depth of knowledge and experience. It was extremely valuable to learn from their stories and cases." "It was useful to gain an insight into the practical workings of the legal profession." "Thank you for providing such a wonderful program, I learnt a lot and had a lot of fun doing so. Please thank the mediation staff at the FRC who presented to us during the program, they were great."

HoBAS - "I've been meaning to send you a massive thank you. It went just as you said. I was ordered NOT to pay [the contractor] \$15,290.00. This due and just outcome could not have been possible had it not been for your due diligence, professionalism, expertise and patience. How you managed my claim over the phone, and juggle the montage of demands at the same time in your office, is truly remarkable. Thank you a thousand fold Tanja. Not only for a successful outcome, but your ever increasing experience to help those who don't know the rules. Your future is assured."

"I will remain forever grateful to you for informing me of the Home Building Act 1989, identifying the requirements of a contract. I am so grateful that at no expense, I was able to be the recipient of your expertise and passion for good...you exist to guide the vulnerable and uninformed with new wisdom and gratitude 2 move on."

PCJC - "I want to thank you for the amazing work and the phenomenal support you gave us with each step that we took. You are an absolute treasure of a lawyer, organised, efficient and highly intelligent. We wish you all the best and cannot speak highly enough of you."

"I'd like to thank you so much for your help preparing me for court and the detail you put into my submissions ... I'm very grateful for all your help, your service is fantastic, and I don't believe I could of got this result without your help."

SLS - "I received a letter in the mail today stating that my fine got cancelled. So, thank you very much for sending that letter to the Police and contacting them. I can't believe I still have my licence. You have saved me."

WESTS - "I just wanted to say thanks again to you for making today's outcome at the Tribunal possible. I honestly couldn't have done it without you. You guys were awesome, thanks for helping me out. I'm so happy it's all over. Thanks for everything." "This complemented the theoretical knowledge that I have gained from my university studies. I would highly recommend this program to any Macquarie University law student!"

Year's Round-up

Acknowledgements

MLC would like to thank the following individuals & organisations for their generous support throughout the year

Ben Rose & Vana Seung,
Information & Cultural Exchange (ICE)
Clive Price, Manager,
UnitingCare Unifam Counselling & Mediation
Deborah Maher, Legal Aid NSW
Judge Johnstone, President of the NSW Children's Court
James Hogan, Registrar of the Parramatta Children's Court
Senior Constable Alan Clapham
Senior Constable Lachlan McCabe
Sergeant John Allen
Tara Houseman, CFDR Coordinator,
UnitingCare Unifam Counselling & Mediation
Cumberland Women's Health Centre
Erin's Place
Domestic Violence Line
North Ryde Family Relationships Centre
NSW Law and Justice Foundation
Parramatta Family Relationships Centre
Parramatta/ Holroyd Family Support Service
Ryde Family Support Service
Tenant's Union NSW
WDVCAP Legal Aid

Pro Bono Law Firms

Ashurst
Gilbert & Tobin
Henry Davis York

Community Events & Networking

Parramatta Region Family Law Interagency
Information panel at NSW Legal Aid WDVCAP
Conference
Outreach at Mt Druitt's One Stop Shop
International Women's Day
Staying Home Leaving Violence Training
Refugee Week
NAIDOC Week
16 Days of Activism
Hague Convention Matters & Interim Hearings
Community legal Information
Immigration Law Community Legal Information
Session
Elder Law Community Information Session
Law Week Expo, Parramatta
Community education on family law in conjunction
with the Care and Protection Service (CAPS) in
Auburn & Blacktown

Financial Statements

Macquarie Legal Centre Inc

FINANCIAL STATEMENTS

For the Year Ended
30 June 2013

Contents

Statement by Management Committee

Auditor Report

Consolidated Profit & Loss Statement and Balance Sheet

Individual Grant Profit & Loss Statements

MLC	<i>Macquarie Legal Centre</i>
DVCAS	<i>Macquarie Women's Domestic Violence Court Advocacy Services</i>
YEP	<i>Youth Education Project</i>
CWCS	<i>Central West Contact Service</i>
CCAS	<i>Children's Court Assistance Scheme</i>
HoBas	<i>Home Building Advocacy Service</i>
TAAP	<i>Tenants Advice Advocacy Program</i>
FRC	<i>Family Relationship</i>
PCJC	<i>Parramatta Community Justice Clinic</i>
Maq Family	<i>Macquarie University Family Law Clinic</i>
CFDR	<i>Coordinated Family Dispute Resolution</i>
PSFRS	<i>Post Separation</i>
SLS	<i>UWS Student Legal Service</i>
CCSC	<i>Service Capacity Children</i>

**STATEMENT BY THE MANAGEMENT COMMITTEE
OF
MACQUARIE LEGAL CENTRE INC**

In the opinion of the members of the Management Committee

- (a) The accompanying Income & Expenditure Statements of:

MLC	Macquarie Legal Centre
DVCAS	Macquarie Women's Domestic Violence Court Advocacy Services
YEP	Youth Education Project
CWCS	Central West Contact Service
CCAS	Children's Court Assistance Scheme
HoBas	Home Building Advocacy Service
TAAP	Tenants Advice Advocacy Program
FRC	Family Relationship
PCJC	Parramatta Community Justice Clinic
Maq Family	Macquarie University Family Law Clinic
CFDR	Coordinated Family Dispute Resolution
PSFRS	Post Separation
SLS	UWS Student Legal Service
CCSC	Service Capacity Children

are drawn up so as to give a fair and true view of the results of the financial year ended June 30, 2013 and the state of affairs as of that date.

- (b) The accompanying balance sheet is drawn up so as to give a true and fair view of the state of affairs of the Centre as at June 30, 2013
- (c) At the date of this statement there are reasonable grounds to believe that the organisation will be able to pay its debts as and when they fall due.

The Centre has, during the financial year:

- i) Kept such accounting records as correctly explain the transactions and financial position of the Centre;
- ii) Kept its accounting records in such a manner as would enable true and fair accounts of the organisation to be prepared from time to time: and

- iii) Kept its records in such a manner as would enable the accounts of the Centre to be conveniently and properly audited in accordance with Australian Auditing Standards;

The Accounts for the Centre have been properly prepared by a competent person.

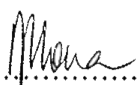
Signed in accordance with a resolution of the committee.
Place: Parramatta, NSW

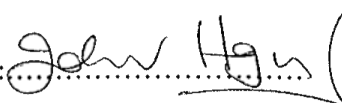
Date: 14 October 2013

Date: 14 October 2013

Member: DEBRA RONAN

Member: JOHN HARGRAVE

Signature: 

Signature: 

Committee Position: CHAIR

Committee Position: SECRETARY

31 October 2013

Ms Bronwyn McCutcheon
Manager
CLC Funding Program
Legal Aid NSW
PO Box K847
HAYMARKET NSW 1238



PITCHER PARTNERS

ACCOUNTANTS AUDITORS & ADVISORS

Level 22 MLC Centre
19 Martin Place
Sydney NSW 2000
Australia

Postal Address:
GPO Box 1615
Sydney NSW 2001
Australia

Tel: +61 2 9221 2099
Fax: +61 2 9223 1762

www.pitcher.com.au
partners@pitcher-nsw.com.au

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Dear Ms McCutcheon

**MACQUARIE LEGAL CENTRE INC.
COMMUNITY LEGAL CENTRE FUNDING PROGRAM**

We have audited the attached Statement of Income and Expenditure ("Statement") for the year ended 30 June 2013 in respect of the Community Legal Centre Funding Program.

The Administrator of Macquarie Legal Centre Inc. is responsible for the preparation of the Statement.

As part of our audit of Macquarie Legal Centre Inc. we conducted a procedural audit of the accounting and recording procedures. Our procedures included examination, on a test basis of evidence supporting the amounts and other disclosures in the statement. Further we note that certain items of overhead expenditure have been allocated to the grant on the basis of estimated usage which we have reviewed for reasonableness.

In our opinion, the statement of income and expenditure for the year ended 30 June 2013 is in accordance with the books and records of Macquarie Legal Centre Inc.

Yours sincerely
PITCHER PARTNERS



MARK GODLEWSKI
Partner

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ACCOUNTANTS AUDITORS & ADVISOR!

Level 22 MLC Centre
19 Martin Place
Sydney NSW 2000
Australia

Postal Address:
GPO Box 1615
Sydney NSW 2001
Australia

Tel: +61 2 9221 2099
Fax: +61 2 9223 1762

www.pitcher.com.au
partners@pitcher-nsw.com.au

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Auditor's Certification

Name of Organisation:

Macquarie Legal Centre Inc.

Financial Year Period:

01/07/2012 to 30/06/2013

I hereby certify that:

- a. I am not a principal, member, shareholder, officer, employee or accountant of the Organisation or of a related body corporate as defined in section 9 of the Corporations Act 2001
- b. In my opinion, the attached financial statements which comprise a Statement of Financial Position, a Statement of Comprehensive Income (previously known as a Statement of Financial Performance) and Notes to the Financial Statements of the above-mentioned Organisation ('the Organisation'), and, if general purpose reports are provided, a Statement of Cash Flows, for the stated Financial Year Period are:
 - i. based on proper accounts and present a true and fair view of the Organisation's financial position and financial performance in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia, and
 - ii. in accordance with the terms and conditions of the Agreement between Commonwealth of Australia and Legal Aid Commission of NSW and Macquarie Legal Centre Inc, for the period 1 July 2012 to 30 June 2013, a copy of which has been made available to me, in relation to the provision of community legal services.
- c. The 12 month CLSIS Funds Report, containing details of the Organisations transactions for the financial year, including audit adjustments, and the Organisation's grant position at the beginning and end of the financial year is provided in respect of funds provided in accordance with the Terms and Conditions of the Agreement referred to in b.ii. above for all Funding Categories.

This is a unqualified audit report

Unless written under separate cover, I hereby further certify that, in my opinion, there is no conflict of interest between myself and the Organisation or its Management Committee.

AUDITOR DETAILS

Full Name:

Mark Godlewski

Name of Company (if applicable):

Pitcher Partners

ACN or ABN Number:

35 415 759 892

Registered Auditor:

☒ Yes

☐ No

If Yes:

Registration No.:172348.....

Signature:

Mark Godlewski

Date:

31/10/2013

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INTERNATIONAL

Macquarie Legal Centre Inc.
P O Box 23
Parramatta NSW 2124

Profit & Loss Statement

July 2012 through June 2013

INCOME

Operating Grants	
LAC State Grant	\$281,788.20
FLLAD Commonwealth Grant	\$161,750.56
Family Relationship	\$115,250.73
Home Building Advocacy Service	\$236,010.10
DOCS Grant	\$44,416.85
Post Separation Family Relatio	\$19,589.00
Macquarie CLE Family Law	\$52,656.71
Service Capacity of Children's	\$8,773.33
UWS Student Legal Services	\$25,000.00
Tenancy Advocacy Program	\$327,295.34
Coordinated Family Dispute	\$80,000.00
LAC DV Grant	\$284,982.95
Legal Income	\$472.73
FAHCSIA Grant	\$304,501.65
Parramatta PCJC	\$72,449.92
LAC / CCAS	\$226,281.64
Macquarie University	\$20,000.00
Total Operating Grants	<u>\$2,261,219.71</u>
Bank Interest	\$18,573.67
Donations Received	\$500.00
Membership Fees Rec'd	\$355.00
Conference/W'shop/talk	\$4,845.00
Sale of Equipment	\$197.73
Sale of Publications	\$2,038.79
Postage Received	\$15.00
Worker's Compensation Received	\$34,583.62
Miscellaneous Income	\$5,320.66
CWCS Income	
Subpoenas	\$4,310.00
Admin fees	\$904.39
Service fees	\$83,808.76
Total CWCS Income	<u>\$89,023.15</u>
Total INCOME	<u>\$2,416,672.33</u>

EXPENDITURE

Wages and Oncosts	
Direct Salaries	\$1,553,284.32
Casuals	\$127,957.33
Relief Staff	\$59,950.68
Superannuation	\$154,462.45
Leave Loading	\$23,025.50
Workers Comp Insurance	\$9,622.72
Training	\$15,665.92
Travel	\$7,827.81
Conferences	\$16,413.74
Provisions - Long Service	\$35,777.15
Total Wages and Oncosts	<u>\$2,003,987.62</u>
Parenting Leave Expense	\$4,107.26
Operating Costs	
Consultancy - supervision	\$16,049.73
Evaluation	\$4,900.00
Macquarie University	\$16,500.00
Advertising/Promotions	\$7,928.40
Annual Report/Service Eval'n	\$1,204.10
Bank Charges	\$2,577.00

Macquarie Legal Centre Inc.

Profit & Loss Statement

July 2012 through June 2013

Consumables	\$8,831.63
Electricity/Gas	\$9,160.45
Insurance	\$7,677.12
Library & Resources	\$1,649.17
Management Committee	\$552.36
Memberships/Subscriptions	\$10,688.09
P'copier/ computer maintenance	\$14,131.29
Planning Day	\$1,225.00
Postage/Couriers	\$4,293.35
Rent and rates	\$116,968.24
Cleaning Services	\$25,537.52
Repairs & Maintenance	\$4,136.03
Security/ Alarm System	\$920.50
Stationary & Printing	\$17,468.00
Telephone/fax/internet	\$29,443.81
Total Operating Costs	<u>\$301,841.79</u>
Other Costs	
Evening Advice Expenses	\$2,232.61
Audit Fees	\$14,450.00
Depreciation	\$42,443.21
Furniture and Equipment	\$13,846.77
Disbursements	\$983.92
Practising Certificates	\$6,658.18
Workshop Expenses	\$3,230.69
Translations - Interpreters	\$1,167.50
Miscellaneous Expenses	\$1,523.41
Total Other Costs	<u>\$86,536.29</u>
Total EXPENDITURE	<u>\$2,396,472.96</u>
Operating Profit	<u>\$20,199.37</u>
OTHER INCOME	
Net Profit/(Loss)	<u><u>\$20,199.37</u></u>

Macquarie Legal Centre Inc.
P O Box 23
Parramatta NSW 2124

Balance Sheet

As of June 2013

ASSETS	
Current Assets	
Cash At Bank	
Cheque Account	\$133,110.38
Business Payments Card	\$366.84
EFTPOS CWCS	\$2,800.94
Total Cash At Bank	\$136,278.16
Cash On Hand	
Petty Cash Float	\$200.00
Petty Cash - CWCS	\$200.00
Cash Drawer	\$1,042.59
Petty Cash CCAS	\$40.00
Total Cash On Hand	\$1,482.59
Investment Accounts	
Colonial First State Inv MLC	\$572,473.20
National Term Deposit 4877	\$25,192.22
Bank Guarantee Kuei-Jung Hsieh	\$9,255.38
Bank Guarantee NASUS GROUP697	\$22,669.92
Total Investment Accounts	\$629,590.72
Debtors & Receivables	
Prepaid Expenses	\$8,317.26
Total Debtors & Receivables	\$8,317.26
Total Current Assets	\$775,668.73
Fixed Assets	
Office Fitting	\$17,493.34
Furniture, Plant & equipment	\$50,940.59
Computer Equipment	\$16,128.17
Total Fixed Assets	\$84,562.10
Total ASSETS	\$860,230.83
LIABILITIES	
Current Liabilities	
Current Receivables	
Accounts Payable	\$13,907.31
GST collected	\$80,452.11
GST Paid	-\$9,079.25
Accrued Expenses	\$37,268.64
Total Current Receivables	\$122,548.81
Accrued Leave Expenses	
Sick Leave Accruals	\$20,500.00
Annual Leave Accrual	\$152,726.14
Long Service Leave Accrual	\$84,583.30
Provisions for Redundancy	\$6,117.48
Parenting Leave Provision	\$13,694.10
Grants In Advance	
PCJC-UWS	\$12,408.41
Service Capacity of Children's	\$70,186.67
Tenancy Advocacy Services	\$162,564.61
UWS Student Legal Services	\$75,000.00
Total Grants In Advance	\$320,159.69
Deductions	
Fringe Benefits Payable	\$217.64
Group Tax Payable	\$33,392.40
Superannuation Payable	-\$165.55
Total Deductions	\$33,444.49
Provisions	
Audit Fees Provision	\$9,729.39

Macquarie Legal Centre Inc.

Balance Sheet

As of June 2013

Computer replacement	\$4,228.18	
Telephone system	\$3,367.45	
Provision for wages	\$693.31	
Total Provisions	<u>\$18,018.33</u>	
Total Current Liabilities		<u>\$771,792.34</u>
Total LIABILITIES		\$771,792.34
Net Assets		<u><u>\$88,438.49</u></u>
EQUITY		
Current Year Surplus	\$20,199.37	
Prior Surplus	\$68,239.12	
Total EQUITY	<u>\$88,438.49</u>	<u><u>\$88,438.49</u></u>

