



Hawkesbury Nepean Community Legal Centre

2/299 George St Windsor NSW 2756

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[www.hnclc.net.au](http://www.hnclc.net.au)

ABN: 89 254 354 767

# HAWKESBURY NEPEAN COMMUNITY LEGAL CENTRE

## ANNUAL REPORT

2015 - 2016



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The 2015/2016 calendar year was a challenging time for the Hawkesbury Nepean Community Legal Centre (HNCLC).

All Community Legal Centres are faced with serious funding cuts and with that knowledge the Management Committee (MC) needed to look at the options available. As always our focus and that of the staff was to ensure there continues to be an ethical, efficient and accessible service for the most vulnerable in the Hawkesbury and Nepean communities. Too often the Hawkesbury sees services leave the area with only an outreach to service the needs of the community. Too often services have tried to keep the outreach open but when a service leaves the area it becomes invisible in many ways and slowly the outreach that started as once a week becomes once a fortnight, then once a month and then it often drops off the radar with community members being forced to travel to Penrith or Parramatta for many services.

The HNCLC MC are all local community members who have seen this pattern all too often and we needed to address the issue of the funding cuts pragmatically but also with a view to do the best for the community with the options available. The best option for HNCLC was to be proactive in merging the service with the Macquarie Legal centre and Mt Druitt and Area Community Legal centre and to be ahead of the changes thus ensuring a fixed service would still be operating from the Windsor area.

This was not an easy decision as it meant redundancies and major changes to the structure of the service.

I would like to acknowledge the MC team whom I have been lucky to share this difficult time with; Kate Rafton, Sonya Parker, Catherine Murphy and Ross Bullot. Through all the difficult times we were always respectful, supportive and committed to each other and the tasks at hand.

I would like to acknowledge the past staff I have work with over my time on the MC. HNCLC has always maintained an excellent reputation by exceeding its support of the community it serves. The centre merges with a strong financial statement reflecting a service that was fiscally responsible with the public money held in its trust.

I would like to thank the previous Managing Principal Solicitor Samantha Frittmann for seeing the writing on the wall and advising the MC on the best way to work with the situation we found ourselves in. I would also like to acknowledge the many years of service Beth King gave the organisation. And I would like to thank Acting Principal Solicitor Teresa Rubio for doing an incredible job of moving us through the various challenges and hurdles during the transition from HNCLC to the amalgamated Western Sydney Community Legal Centre.

HNCLC was incorporated Nov 30<sup>th</sup> 1994 so it had survived nearly 22 years. A service still exists in Windsor due to the hard work and sacrifice of the MC and the staff but it will take the communities of the Hawkesbury Nepean regions to keep the pressure on the politicians to ensure the service stays as an office in the area and not an outreach.

Imelda Eames

Chair Hawkesbury Nepean Community Legal Centre (HNCLC)



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## REPORT OF OUTGOING ACTING MANAGING PRINCIPAL SOLICITOR TERESA RUBIO FOR 2015/16

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Firstly, I would like to acknowledge the strong development of the HNCLC legal service under the leadership of previous Managing Principal Solicitor (MPS) Samantha Frittmann. Samantha's steady, practical and client-focussed approach built the centre into a well-performing legal service by the time that she left us on 14 April 2016. I particularly remember her ongoing encouragement of and openness towards all staff members.

Secondly, I would like to thank Samantha and the HNCLC Management Committee members for having faith in my professional ability to step into/act up in Samantha's leadership position post 14 April 2016. This was a significant (and unexpected) personal and professional challenge and I am immensely grateful for the career development that I have gained as a result. Going from the role of solicitor to Acting MPS was a steep learning curve with new management skills to be learnt literally overnight, but I can honestly look back and reflect on the journey and say that I (along with my colleagues) survived! I would especially like to thank the HNCLC Management Committee members for their constant support behind the scenes.

Thirdly, I would like to mention the following HNCLC staff members who worked here in various capacities throughout 2015/16:

- Samantha Frittmann (MPS)
- Kim Berry (solicitor)
- Kyle Hawthorne (solicitor)
- Emma Zammit (solicitor)
- Sara Blazey (solicitor)
- Joanne Ravot (ALAP worker)
- Julie Fink (ALAP assistant)
- Kimberley Galvin (executive assistant)
- Nicole Robinson (LIRO)
- Beth King (finance officer)

I acknowledge that each and every one stepped up within his/her own role to keep the centre running smoothly with its usual client focus within the challenging and complex amalgamation, whereby HNCLC made the massive transition into the Windsor Branch Office of the Western Sydney CLC at the end of 2015/16.

In addition, I would like to express how sorry HNCLC staff members were to see the positions of our executive assistant and finance officer made redundant within the amalgamation. I sincerely wish Kimberley and Beth all the very best with their future personal and professional endeavours, and I particularly pay tribute to Beth's committed long service to the HNCLC.

Lastly, I would like to reflect on the significant front-line service offered to our Hawkesbury, Nepean and Hills catchment clients in 2015/16. As at the end date of HNCLC, staff members were satisfied to have seen more than 1000 clients accessing our service in 2015/16. Clients received both telephone and face-to-face information, referrals, advice and casework via HNCLC's various intake points:

- Drop-ins at our office
- Telephone line
- Outreaches at Blacktown and Penrith Family Relationship Centres
- Outreaches at Dillwynia and Emu Plains Correctional Centres
- Outreach at Riverstone Neighbourhood Centre
- Outreaches at Blacktown and Windsor Local Courts (in collaboration with the Women's Domestic Violence Court Advocacy Service) – a particularly important achievement given the community's spotlight on domestic violence in recent times
- Hawkesbury Homeless Hub

Our main areas of practice continued on as: family law, domestic violence and victims' compensation, care and protection law, debt recovery/civil litigation, consumer law, neighbourhood disputes, minor fines and minor traffic offences, and wills/estates/planning ahead law.

Please see the attached summary of HNCLC's statistics for 2015/16 as captured by Legal Aid NSW. This document provides an estimate only of the statistics as we are aware that our client database CLSIS may not have transmitted all relevant statistics.

It is particularly impressive to see that HNCLC staff members were able to fortify and remain committed to our front-line services despite the challenging and complex amalgamation that took the spotlight for the second half of 2015/16. This was obviously achieved with the committed approach of our administrative and legal teams.



Teresa Rubio  
Outgoing Acting Managing Principal Solicitor - HNCLC  
Current Supervising Solicitor – WSCLC/Windsor Branch Office

Tuesday, 8 November 2016

**CA11 OUTPUT - Full Breakdown**

Active Status: All, Funding Status: All  
 Active Status: All, Funding Status: All  
 Source Data: All, Activity Nature: All  
 Centre: 2753 Hawkesbury Nepean CLC  
 Funding Category: All  
 Catchment: Centre

Current Date: 28/07/2016

Version: v1.0

*Full 2015-16 financial  
 Year*

Period : 1/07/2015 to 30/06/2016

	Numbers	Target for FY 2015	% YTD
<b>Total No.of Clients</b>	1022		
New Clients	821		
Repeat Clients	162		
Existing Clients	39		
<b>Total No.of Information Activities</b>	302	500	60.4
<b>Total No.of Advice Activities</b>	1253	1410	88.87
Face to Face	275	600	45.83
Telephone	835	720	115.97
Mail	87	60	145
Email	56	30	186.67
TTY	0	0	0
Video Conference	0	0	0
Other	0		
<b>Total No.of Cases Open at Start of Period</b>	39		
<b>Total No.of Cases Open during Period</b>	101	80	126.25
<b>Total No.of Cases Closed during Period</b>	109	60	181.67
Minor Cases	76		
Medium Cases	29		
Major	4		
<b>Total No.of Ongoing Cases at End of Period</b>	31		
<b>Total No.of Closed Cases Involving Court Rep</b>	0		
<b>Total No.of Closed Cases involving PDR</b>	17		
<b>Total No.of Closed Test Cases</b>	0		
<b>Total No.of Closed with Public Interest Indicator</b>	0		
<b>Total No.of Closed CLE Projects at End of Period</b>	58	30	193.33
Minor CLE Projects	41		
Medium CLE Projects	15		
Major CLE Projects	2		
<b>Total No.of Closed LELP Projects at End of Period</b>	1	1	100
Minor LRLP Projects	0		
Medium LRLP Projects	0		
Major LRLP Projects	1		

Note: Total Projects open and completed includes non-CLSP projects (Other Projects)

### CA11 OUTPUT - Full Breakdown

**Active Status: All, Funding Status: All**  
**Active Status: All, Funding Status: All**  
**Source Data: All, Activity Nature: All**  
**Centre: 2753 Hawkesbury Nepean CLC**  
**Funding Category: All**  
**Catchment: Centre**

**Current Date: 28/07/2016**

**Version: v1.0**

*Last 6 months*

**Period : 1/01/2016 to 30/06/2016**

	Numbers	Target for FY 2016	% YTD
<b>Total No.of Clients</b>	366		
New Clients	268		
Repeat Clients	66		
Existing Clients	32		
<b>Total No.of Information Activities</b>	112	0	0
<b>Total No.of Advice Activities</b>	455	0	0
Face to Face	101	0	0
Telephone	267	0	0
Mail	51	0	0
Email	36	0	0
TTY	0	0	0
Video Conference	0	0	0
Other	0		
<b>Total No.of Cases Open at Start of Period</b>	32		
<b>Total No.of Cases Open during Period</b>	41	0	0
<b>Total No.of Cases Closed during Period</b>	42	0	0
Minor Cases	24		
Medium Cases	15		
Major	3		
<b>Total No.of Ongoing Cases at End of Period</b>	31		
<b>Total No.of Closed Cases Involving Court Rep</b>	0		
<b>Total No.of Closed Cases involving PDR</b>	9		
<b>Total No.of Closed Test Cases</b>	0		
<b>Total No.of Closed with Public Interest Indicator</b>	0		
<b>Total No.of Closed CLE Projects at End of Period</b>	24	0	0
Minor CLE Projects	18		
Medium CLE Projects	5		
Major CLE Projects	1		
<b>Total No.of Closed LELP Projects at End of Period</b>	0	0	0
Minor LRLP Projects	0		
Medium LRLP Projects	0		
Major LRLP Projects	0		

Note: Total Projects open and completed includes non-CLSP projects (Other Projects)





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## **CASE STUDIES HIGHLIGHTING THE VALUABLE LEGAL ASSISTANCE PROVIDED BY HNCLC IN 2015/16**

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### **CASE STUDY 1: Discrimination law**

The client experienced discrimination and harassment in the workplace over a period of 6 months. This increased from verbal harassment to physical harassment, culminating in the client resigning from work.

HNCLC agreed to provide advice to the client with regard to harassment and discrimination and to also assist the client in pursuing a claim of discrimination against her former employer.

HNCLC filed a discrimination complaint against the employer with the Anti-Discrimination Board of NSW in December 2015 on behalf of the client. The complaint was accepted by the Board for investigation and eventually was listed for a conciliation hearing in August 2016.

At the conciliation hearing the client attended and was represented by a HNCLC solicitor. A settlement agreement was reached by the parties including a financial settlement for the client and for the employer to participate in policy review and staff training, with the latter outcome ensuring that the workplace rights of future employees would be better protected following the client's legal action.

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### **CASE STUDY 2: Care and protection law**

- Our client- Dad -born overseas from Non-English speaking country, came to Australia in the 70's. Speaks English well. Can read and write well.
- Client group: Low- socio-economic group (severe substance abuse- drug issues/ mental health)
- Other party- FACS
- Two young children placed in same home with foster parents
- Client referred from EIU (Legal Aid)
- Current care and protection orders in place (Final Orders)
- The parties had been having visits monthly (supervised) at a CSC for 3 hrs.
- This matter had previously been through mediation and as part of that short-term agreement the parties had agreed to a further mediation at the end of the expiry of the short-term agreement.

- Therefore client wanted to request a further mediation in order to review the current Agreement that was signed approx. 6mths earlier.
- I agreed to assist client with resolving the contact dispute through legal Aid's care and protection mediation.
- Referrals: client is currently on methadone program. Referral for counselling for anger management was suggested through his G.P for a Mental Health plan as discussed at last mediation to assist with grief/loss of newborn child.

**Points for discussion at mediation in this matter:**

- Contact with children
- Safety concerns
- Report from psychologist

**Outcome:** Agreement was reached for contact to occur-face to face, this was a good outcome for the client. Minimum of 6 visits a year commencing 2016. The client was able to also secure some telephone contact.

**What was able to be achieved for client A through Legal Support at our Centre?** Client was able to make regular contact -face –face with the two children and this had a major impact on the client. What is important to understand with this type of mediation and the length of time it took to reach a resolution was the power imbalance issues for the client before he even walked into the mediation room- Facs had legal representation, along with their case workers, then there were Benevolent Society case workers, the Indep. Children's Legal Representative as well as two mediators, that included around seven- eight people that were present in a small room which was very intimidating for my client.

**CASE STUDY 3: Family law & family dispute resolution**

- Client group: transgender client,; Disability- Hearing loss in one ear and CALD: Born- overseas from Non-English speaking Country; arrived in Australia in the 90's.
- Aged – late 20's
- Client referred for from Legal Aid.

Background: Client B had been experiencing severe depression when the case was opened and referral for support was provided. This matter involved controversial; sensitive issues. **Support services I provided client with:**

20 ten-LGBTIQA (support group for people of diverse genders, sexes and sexualities It is a support group for both young people and adults-there are various locations around Sydney meetings- fortnightly or weekly, They also run a weekly Saturday group in Newton. Explained to our client that Riverstone Neighbourhood Centre advised me of that service that's why I was able to suggest this option for the client.

In terms of spend time arrangements for the young child, our client was realistic in contact i.e. wanting- short, frequent visits graduating to overnight stays, and was prepared for gradual increase in time ie. short term agreement as child was young , other party was not supporting our client's proposal.



Although our client did not get exactly what he had wanted, our client was happy at least that our Centre could assist with legal support in the mediation as the client just fell through the cracks for legal aid assistance and had experienced difficulty in locating legal assistance with his mediation.

**What was able to be achieved for client B through Legal Support?**

Some telephone contact/ facebook time twice a week.

Our client was able to get a chance to be heard; even though there were unresolved personal issues in this matter, the client at the end of the day had done very well to stay focussed /grounded and try to move forward towards a happier family and focus on the best interests of the child. In reality the other party was not supportive at all (or keen) to allow our client to spend time with the child and our client was aware that the other party (ex-partner) could not park those unresolved personal issues.



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## ALAP Report 2016

The objectives that govern the work and activities of the ALAP worker are:

- The ALAP worker engages with the Aboriginal community via, but not limited to community legal education programs on various aspects of the law including domestic and all family violence, credit and debt issues, family law, victims compensation, traffic matters, fines and other areas of law. Where assistance cannot be provided sound and appropriate warm referrals are made.
- The ALAP workers role is currently involved in interagency and independent activities within the community to encourage and assist Aboriginal people to report domestic and family violence and all other offences against them, an example of how this works well is the establishment of a partnership with representatives from the NSW Police service and the ALAP known as Local Area Command Aboriginal Consultative Committee (LACACC) This group meets bimonthly and is growing in attendance.
- Enabling better access to legal services for Aboriginal people
- Increasing the number of Aboriginal people receiving legal services
- Improving and enhancing the capacity of community legal centres to provide effective and culturally appropriate services to Aboriginal people
- Increasing awareness amongst Aboriginal people of their legal rights and the legal services available to them
- Encouraging Aboriginal people to report issues and access available services

A major achievement of ALAP continues to be an increase in the number of Aboriginal people accessing our service and other mainstream services. This is a direct result of the ALAP worker working with HNCLC solicitors (and other agencies) to refer, inform, educate, advise and represent Aboriginal people. The ALAP also aims to empower Aboriginal people and to encourage engagement within communities via participation in meetings, festivities and community events.



## ABORIGINAL LEGAL ACCESS PROGRAM

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Our ALAP worker provides outreach services at numerous locations throughout the Hawkesbury including Colo Heights Primary School, San Miguel Family Refuge, Riverstone Neighbourhood Centre and the Windsor Homeless Hub. These outreach programs bring together government and non-government agencies who are working with Aboriginal people. These services are accessible to the wider Aboriginal community by meeting in venues within the community.

Our ALAP worker has been working with Hawkesbury Local Area Command of Police to establish a LACACC that will negotiate, liaise and inform Police on working with Aboriginal people. Aboriginal members of the LACACC will be able to provide support to Aboriginal people in custody, being interviewed or in need of assistance through contact with the Police. Meetings are held quarterly with our ALAP worker's co-ordination between Police and the local Aboriginal community.

Our ALAP worker has integrated the LACACC and Wellamabami Aboriginal Youth Group to mend some bridges with local Aboriginal people. Once per school term, the Local Area Command of Police attends the youth group to interact and provide a BBQ. This allows for the police and the youth to have positive interactions, and it also allows the youth to raise any issues directly with the Police. As a result, the collaboration looks to find solutions to important live issues within a positive social interaction between Police, the youth and local Aboriginal people.

In conjunction with HNCLC solicitors, our ALAP worker has organised many workshops, including some with other services.

We have run ongoing presentations on discrimination to students of Years 10, 11 and 12 in local high schools at Windsor, Richmond and Riverstone. Collectively, over 1000 students and teachers have attended to date.

Most recently, we have been working with Mission Australia at Kingswood to prepare a full-day presentation on domestic violence covering the following topics: What is domestic violence? What mechanisms are available to maximise safety? How does Victims' Services NSW support victims of domestic violence? How do family law and domestic violence intersect? How do tenancy law and domestic violence intersect?

**Aboriginal Youth Group: "Wellamabami" (meaning "wherever you're from" in Darug language)**

In partnership with the Bligh Park Youth Centre, our ALAP worker runs Wellamabami Aboriginal Youth Group that meets weekly. The group's members range from 12 years to 25 years of age. Some of the children do not know their heritage and our ALAP worker is helping them to find their history and to be proud of who they are.

The program includes cultural, artistic, legal and educational components that the youth have specifically asked for. This program seeks the input of the youth that attend, along with input from Aboriginal Elders, legal services and other stakeholder

agencies such as TAFE, Uni, health and more. The youth have requested to have more events involving their culture, dance, didge playing and stories so they can learn more about and pass on their culture.

One of the group's great outcomes has been that the children's families have been staying for the group and getting involved so it has now become an all-ages community group.