

ANNUAL REPORT
AND
ANNUAL FINANCIAL REPORT
YEAR END 30 JUNE 2019

WestSide Lawyers





PART 1
ANNUAL REPORT
2019





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PURPOSE AND HISTORY

In August 1974 a shopfront community centre called “Focus One” opened in The Parks area. It provided a legal advice service on Tuesdays from 6.00pm to 8.00pm, with four volunteer lawyers providing services on a rostered basis. In July 1978 the Council of the recently opened Parks Community Centre wrote to the Legal Services Commission indicating that they intended to make a funding submission to establish a permanent legal service within the Centre.

The Commission met at The Parks on 2 November 1978 to consider the submission and on 19 April 1979 a grant of \$8,020.00 was made to establish The Parks Legal Service; with the service commencing operation on 1 May 1979. On 19 July 1979 the Commission approved further funding of \$33,457.00 to expand the service. At the formal opening the then Attorney General said:

“The establishment of this Centre is a milestone in the development of legal services in South Australia because it is not only the first independent, community-based legal service to be funded by the Legal Services Commission, but is the first service of this kind in Australia.”

The legal service has always been managed by a volunteer Board of Management, comprised mostly of legal practitioners, committed to assisting those who are unable to afford private legal representation. We have been ably led through recent decades by active Chairmen: Mr Bob Harrap (now a Magistrate), the Honourable Chief Justice Mr Chris Kourakis QC (now Chief Justice of South Australia), Mr David Meyer (former President of the Law Society of South Australia) and presently the Honourable John Sulan QC (formerly a Judge of the Supreme Court of South Australia). Our capacity to truly assist our clients is largely a consequence of their shared vision that we should employ lawyers with a variety of skills, who in combination provide a complete and holistic service to clients, not just giving advice and sending them on their way.

In 2002 we expanded beyond Angle Park to encompass the greater western portion of Adelaide and changed our name to WestSide Lawyers. Within 18 months we were invited to run the Port Pirie legal centre during the calling of a new tender and we have been a vital part of providing access to legal justice in the region ever since.

In 2012 it was announced that The Parks would be redeveloped. Knowing that our offices would make way for new facilities, the Board decided to relocate permanently. In the 2012 Annual Report we reflected on the impending relocation and commented that *‘it will be with some regret that we leave the very pleasant surrounds of our current address, with its park-like setting, wonderful bird life and great Vietnamese cafes’*. Despite that tinge of regret, we were pleased to find extremely suitable premises, surrounded by park-like areas and very close by to some new Vietnamese cafes. In January 2014 WestSide Lawyers relocated to the ‘Old Post Office’ at Hindmarsh and in May 2014 our new office was officially opened by the Honourable Chief Justice Kourakis QC. The benefits of the new office are plentiful; our location on a major arterial road has significantly increased visibility, is only minutes from the CBD and is markedly closer to the Adelaide Courts, where our lawyers spend much of their time.

Since this time we have endured significant changes to the landscape of community legal services in South Australia. WestSide Lawyers continues to thrive and provide exceptional services to our clients in the metropolitan western suburbs and Port Pirie and the mid-north regions.



OBJECTIVES

WestSide Lawyers enhances access to legal justice for people experiencing financial, social or other disadvantage by:

- Providing legal services to individuals and to community and not-for-profit organisations;
- Making referrals to appropriate government and non-government agencies for non-legal issues;
- Involving individuals and community and not-for-profit organisations in recognition, understanding and solution of their own legal and related problems;
- Supporting and empowering clients to resolve their own legal problems where possible;
- Assisting in, encouraging and fostering unusual cases; and
- Co-operating and/or affiliating with organisations in Australia and elsewhere having similar objectives and/or common clients.

HOURS OF OPERATION

WestSide Lawyers provides legal assistance by appointment during the following hours:

- 9:00am to 5:00pm Monday to Friday; and
- 6:00pm to 8:00pm Thursdays (Hindmarsh Office only)

After-hours appointments for existing clients are available by arrangement with the solicitor responsible for the client's file.

STAFF 2018 – 2019

LAWYERS

David Bulloch
Pamela Badcock
Michael Bayne
Kate Bruce
Robert Crisci
Elizabeth Densley
Yen Du
Haneen Haddad
Alexander Jackson
Ashlee Provis
Alexandra Talbot

ADMINISTRATION

Leanne Dahlenburg
Laura Haddad
Emma Paynter
Caitlyn Zuchelt

MANAGEMENT BOARD 2018 – 2019

David Meyer, Lynch Meyer (Chairperson) – July 2018 to November 2018
John Sulan QC, Bar Chambers (Chairperson) – December 2018 to June 2019
David Bulloch, WestSide Lawyers (Managing Lawyer)
Jonathon Munn, Trinity College
Paul Boylan, Boylan Lawyers
Sebastian Hill, Boylan Lawyers
Thea Birss, NDA Lawyers
Amra Sabou, Stanley & Co Lawyers
Kate McGarry, AnglicareSA



SERVICES PROVIDED

1. Providing initial legal assessment, advice and referral

Every individual and community or not-for-profit organisation is entitled to a free legal advice interview on most areas of law. Areas most commonly advised on include:

- Criminal law and police matters;
- Family law matters including access to children and property settlement;
- Employment disputes;
- Neighbour disputes;
- Inheritance matters; and
- A wide range of other civil disputes heard in the Magistrates, District and Supreme Courts.

At the initial advice interview the primary aim is to add professional value to the client's own online or other investigation (e.g. a friend's direct experience). While online fact sheets about the law can be a useful starting point, an objective legal opinion about the specific application of the law to the particular set of facts is nearly always necessary. The initial advice session outlines the full extent of the client's legal obligations, rights and remedies, as well as their available choices and proposals for action. These considerations only follow a professional judgement made by the interviewing solicitor that the presenting issue is amenable to a legal solution.

If it becomes clear that the client's problem is not legal in nature, or is accompanied by a non-legal problem, suitable referrals are made. For example, many clients of the Hindmarsh office face financial difficulties, and are routinely referred to AnglicareSA financial counsellors (also located in the Hindmarsh area).

When required, WestSide Lawyers arranges an interpreter for clients through the Translating and Interpreting Service (TIS) operated by the Commonwealth Government, either on-site or by telephone conference.

2. Providing ongoing casework assistance

When a client presents with a legal dispute that is contested by the other parties involved, ongoing assistance is offered, provided the client satisfies the eligibility criteria. Eligible clients are those who are engaged in a legal dispute of some significance and assessed to be disadvantaged and vulnerable to further losses, in accordance with the priority client categorisations set by the Commonwealth government.

Casework assistance often includes representation in court if the dispute cannot be resolved without court proceedings. Consistent with the long-standing policy of WestSide Lawyers, all eligible clients are represented at all court attendances, as failure to act is highly likely to compound disadvantage if the client is unrepresented in an adversarial judicial setting. All proceedings are issued in the firm name and letters on behalf of clients are sent on the firm letterhead. WestSide Lawyers conducts complex litigation, including appeals to superior courts.



Sidelines assistance is offered to clients in jurisdictions where lawyers are barred from acting for clients; for example, disputes in the Minor Civil jurisdiction of the Magistrates Court where lawyers are excluded except in limited circumstances. Sidelines assistance includes the drafting of court documents and letters in the client's name and assisting with negotiations with the other parties to the dispute. WestSide Lawyers applies its professional skills and experience to assist and empower the client to conduct and manage his or her own dispute.



3. Providing Duty Solicitor services from Port Pirie

WestSide Lawyers' Port Pirie office conducts a duty solicitor service in the Port Pirie Magistrates Court, Kadina Magistrates Court and Peterborough Magistrates Court. The service ensures access to appropriate legal advice and representation for otherwise unrepresented defendants. Defendants receive free legal services from a lawyer in court during circuit weeks, or legal advice and representation in relation to bail applications at any time if the person is in custody and has been refused police bail.

Further information above the Duty Solicitor Service can be found later in this Report.

4. Providing community legal education

WestSide Lawyers has a long history of publishing high quality, lay language resources for groups of clients. The '***Motor Vehicle Accident Kit***', a self-help book for uninsured motorists who have been involved in a motor vehicle accident, has been updated and republished in collaboration with the Legal Services Commission.



CLIENT CONTRIBUTION SCHEME

If our client is impecunious and satisfies the current Commonwealth eligibility guidelines WestSide Lawyers provides assistance for no charge or at most a nominal fee. For those who do not qualify for such support, e.g. they are not wholly dependent on Centrelink payments or the required service is not characteristically provided by community centre lawyers, we offer representation provided that the client pays a percentage of their legal fees calculated on the Supreme Court of South Australia scale of costs.

WestSide Lawyers implemented the Client Contribution Scheme after becoming conscious of clients requesting assistance who could afford to make a modest contribution towards their legal expenses. The ability of clients to make a contribution to their legal fees should not be mistaken for an ability to afford private legal representation. When litigation is on foot, private representation quickly becomes costly, requiring the preparation of court documents, multiple court attendances and significant review of documentary evidence. The expense is particularly burdensome where the services of counsel are required. The knowledge that, if the litigant is successful, the other party will be required to pay (some of) their costs is of little assistance to a client who cannot afford to run the matter to trial in the first place.

A legal right is of no substance if the right cannot be enforced, and an individual's disadvantage is further exacerbated when litigating against a corporation or government department. It is not only impecunious and impoverished clients that are disadvantaged, but also clients who earn an income but still do not have the financial capacity to fund litigation. At first glance, a client with an average household income may not appear disadvantaged, but they are nevertheless likely to be precluded from seeking justice and enforcing their legal rights. In the absence of some form of legal assistance, they are in an analogous position to a person relying solely on Centrelink payments, in that it is practically impossible to enforce their legal entitlements.

Encouraging the early settlement of disputes is another critical element of the Client Contribution Scheme. When a client is receiving full legal representation for free, there is insufficient incentive to consider reasonable settlement offers. This is not an efficient use of limited public legal assistance funds or the resources of the court system. Clients who are aware that they will be required to make even a modest contribution to their legal expenses, are much more likely to understand the commercial aspects of settling litigious disputes before committing to trial.

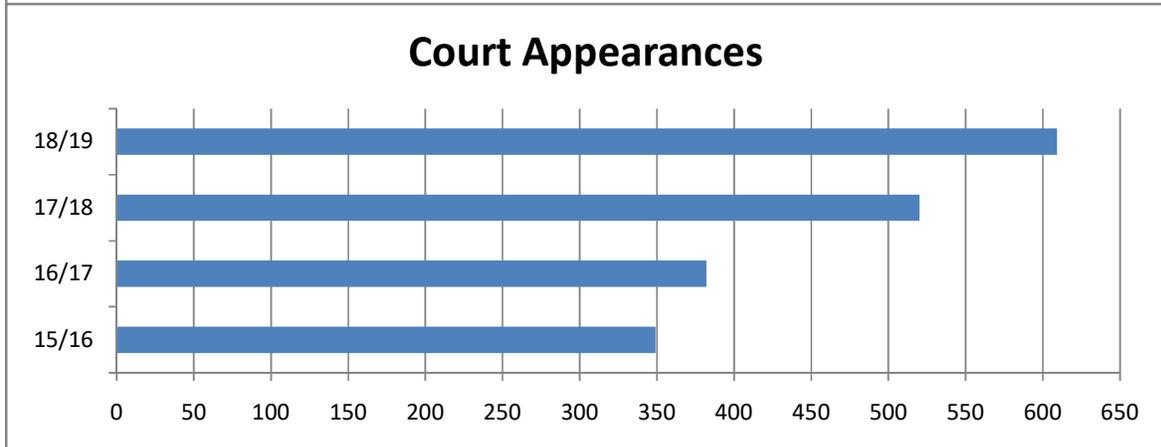
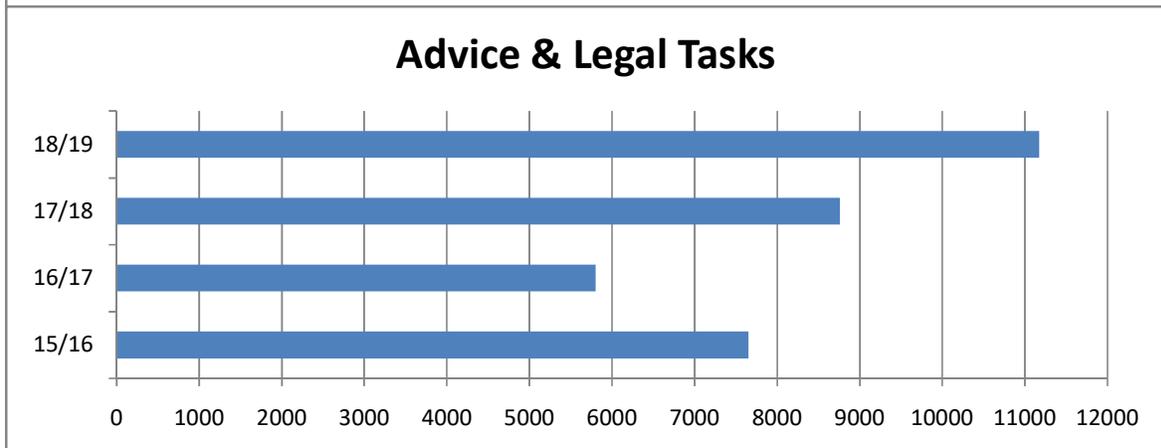
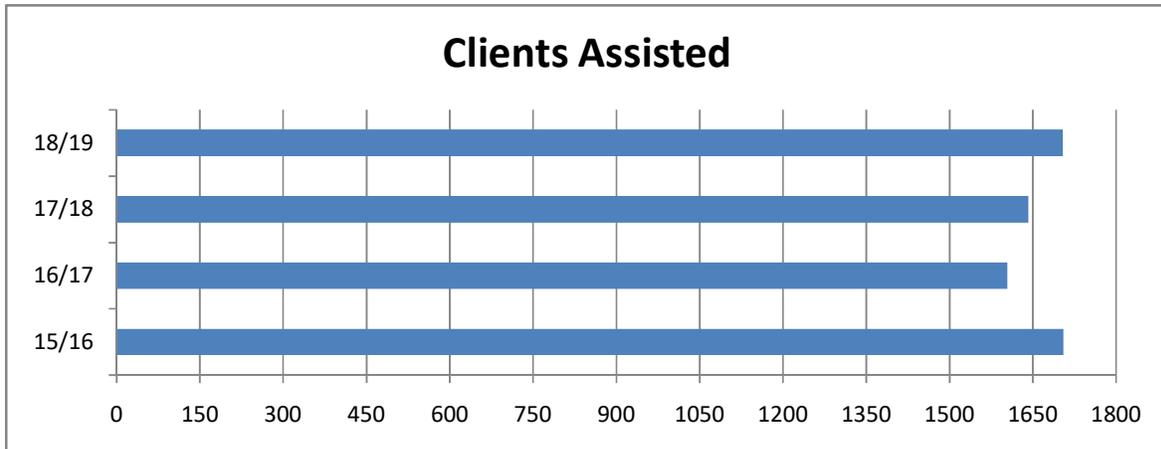
In order to assess a client's capacity to make a contribution towards their legal expenses, WestSide Lawyers collects information and estimates the total number of hours a lawyer will be required to devote to the matter. This combination of information determines the percentage of contribution to the fees charged. The contribution rates range from 10% to 50% of the items listed in the Supreme Court scale. We monitor each client's contribution and decrease if a matter continues for an extended period of time.





CLIENT SERVICES STATISTICS

	<u>18/19</u>	<u>17/18</u>	<u>16/17</u>	<u>15/16</u>
Number of clients assisted	1704	1642	1604	1705
Advice & Legal Task Activities	11,175	8758	5800	7654
Number of Court Appearances	609	520	382	349





GENERALIST PRACTICE

WestSide Lawyers receives funding from the South Australian government to provide services to clients across a broad range of legal disputes. The Generalist Practice funding grant allows WestSide Lawyers to provide advice and representation to clients across the criminal and civil (incorporating private disputes, employment disputes and administrative appeals) practice areas.

In the criminal jurisdiction, WestSide Lawyers routinely appears in the Adelaide, suburban and regional Magistrates Courts to assist clients with:

- Assault matters, and other charges of intending to cause injury;
- Theft, fraud and related offences;
- Road traffic and other motor vehicle offences;
- Drug and weapon related offences; and
- Property damage charges.

WestSide Lawyers' work for clients in the criminal jurisdiction is broad. So as not to encroach on the work done by the Legal Services Commission, WestSide Lawyers does not act for clients who are eligible for a grant of legal aid funding. As such, the majority of clients assisted by WestSide Lawyers are charged with less serious offences, where it is generally not likely that the client would be imprisoned on a finding of guilt. Where clients enter a guilty plea, WestSide Lawyers will make submissions on behalf of a client in mitigation of the penalty to be imposed. If it is clear that the evidence does not support the charges against the client, WestSide Lawyers endeavours to negotiate a withdrawal or downgrading of charges with prosecution. Where necessary, WestSide Lawyers will represent clients at trial.

In the civil jurisdiction, WestSide Lawyers typically assists clients in the following areas:

- Employment disputes, including unfair dismissal and underpayments;
- Tenancy disputes;
- Credit disputes, including assisting to negotiate arrangements for unpaid mortgages and credit cards, and assisting where a credit provider has made a repossession application;
- Motor vehicle accident matters on behalf of uninsured motorists in dispute with insurance companies or other uninsured motorists;
- General civil disputes between individuals and other individuals or corporations, include contract and debt matters; and
- Administrative matters, including Freedom of Information applications, government benefit disputes and appeals of government decisions.

WestSide Lawyers' working policy with respect to the civil jurisdiction is to continue to represent eligible clients and not abandon them when it is evident that a dispute cannot be resolved without going to court. To this end, WestSide Lawyers routinely conducts relatively complex litigation, where large commercial legal firms represent the other party, including representing clients in appeals to superior courts.

WestSide Lawyers utilises the services of in-house counsel by way of briefing the Managing Lawyer to appear as Counsel in all jurisdictions. WestSide Lawyers rarely retains members of the independent bar; this gives clients better value for their contribution and means that WestSide Lawyers does not need to convince a member of the bar to accept a 'pro-bono' or 'low-bono' brief.



FAMILY LAW & FAMILY VIOLENCE PRACTICE

In addition to the Generalist Practice, WestSide Lawyers is funded to provide specific services to clients involved in family law disputes as well as clients where family violence is a core feature in the matter.

In Family Law proceedings WestSide Lawyers provides assistance to clients in relation to issues arising from the breakdown of de facto or marital relationships. These issues include divorce, the division of property and care arrangements for children.

WestSide Lawyers assists clients to understand and apply the process for property division in accordance with the *Family Law Act 1975* (Cth). These claims can be complex or simple, depending on the individual circumstances of each client. Generally, WestSide Lawyers will assist clients by calculating the property pool available for distribution and advising the client on the likely outcome, taking into account any additional financial or non-financial contributions to the relationship and the parties' current and future financial needs. WestSide Lawyers assists clients to endeavour to reach a negotiated outcome with the other party to the relationship. Where those negotiations are unsuccessful, WestSide Lawyers will assist clients to file a claim in the Federal Circuit Court or Family Court of Australia and represent clients through those proceedings.

In matters relating to the care and custody of children, WestSide Lawyers advises clients in relation to their entitlements and responsibilities in accordance with the *Family Law Act 1975* (Cth) and assists clients to resolve children issues through negotiation with the other parent or through family dispute resolution services. For clients unable to reach an agreement as to the care arrangements for children through these means, WestSide Lawyers will prepare and file an application for orders from the Federal Circuit Court or Family Court as to the care arrangements. WestSide Lawyers will also represent clients through this process.

Family Violence related services are designed to assist clients to deal with issues arising from or connected with family violence. This is not simply a victim support service, but a service intended to assist clients to deal with a variety of legal issues across areas such as: family law, intervention orders, child protection matters, housing, credit and/or debt, social security, mental health and employment. By providing advice and representation to more than victims of family violence, WestSide Lawyers endeavours to reduce the emotional and mental stresses that accompany those people involved in legal disputes that are often a contributing factor in family violence.



DUTY SOLICITOR SERVICE (INCLUDING PETERBOROUGH AND KADINA OUTREACH)

WestSide Lawyers has long provided a Duty Solicitor service to the people of the Upper Spencer Gulf region, particularly at the Port Pirie, Kadina and Peterborough Magistrates Courts. The Legal Services Commission does not have a presence in Port Pirie or its surrounds. This places people before these regional courts at a disadvantage to their metropolitan and regional counter-parts who are able to obtain legal advice from duty solicitors employed by the Legal Services Commission located at the Adelaide, suburban and country Magistrates Courts.

In the 2018/19 year WestSide Lawyers received funding from the Law Foundation of South Australia to provide this service. Commencing July 2018 WestSide Lawyers expanded its Duty Solicitor service to encompass the regional courts located in Port Lincoln and Ceduna.

The following pages contain a reproduction of WestSide Lawyers' report to the Law Foundation of South Australia on the services provided by the Duty Solicitor program:





WestSide Lawyers – Law Foundation Duty Solicitor Report

This report addresses the two primary objectives of the Duty Solicitor role:

- “Objective 1”: To provide legal advice and representation to members of the Upper Spencer Gulf, the Clare Valley and Barossa in criminal law and civil law matters and thus enhance access to justice for disadvantaged, vulnerable and regional clients.
- “Objective 2”: To provide improved coordination between services to ensure clients get access to the service they need when they need it.

This report follows earlier reports and is divided into 3 parts consisting of:

- Part 1: Duty Solicitor Overview and New Developments;
- Part 2: Reporting on Objective 1 Outcomes; and
- Part 3: Reporting on Objective 2 Outcomes.

PART 1: Duty Solicitor New Developments

A Presence on the Eyre Peninsula: Port Lincoln and Ceduna?

The duty solicitors provide advice and/or representation to unrepresented defendants facing Court for criminal charges, including guilty pleas and sentencing submissions. For matters involving likely imprisonment on a finding of guilt, the duty solicitor service provides initial advice to clients about the nature of the charges and an appropriate referral to an appropriate legal service, generally Legal Aid, the Aboriginal Legal Rights Movement (ALRM) or a private law firm. The service extends to advice and representation for defendants in police custody seeking bail. From May 2019 onwards a duty solicitor has been present at the Port Lincoln and Ceduna Magistrates Court circuits to test the demand for and efficacy for duty solicitor services.

Our solicitor has made 9 visits to the Eyre Peninsula in recent months – 5 to Port Lincoln and 4 to Ceduna. Here is his first hand description:

Port Lincoln

“The Port Lincoln circuit Court consists of Magistrates who visit from the Adelaide Magistrates Court. Mr Mark Semmens, recently appointed as a Magistrate, previously had about 80% of the criminal law work. Often there is a dinner for lawyers, prosecutors, court staff and the Magistrate which usually occurs on Wednesday night of the circuit. Bail hearings during non-Court weeks operate via the Adelaide Magistrates Court. The Legal Services Commission has started handling Port Lincoln matters via their Whyalla office.

The daily lists for Port Lincoln circuits are smaller than Port Pirie. For example, in Port Lincoln from Monday to Wednesday approximately 25-30 matters are being listed per day. The Court Registry told me that prior to April/May 2019 the number of matters listed was typically much higher. Similarly, one sheriff told me that these are the lowest listing numbers he had seen in 5 years of working at the Court. The Registry said the lower number of charges being listed is apparently due to understaffing at the Port Lincoln police. By contrast, in Port Pirie, approximately 40-50 matters are listed each day from Monday to Wednesday during Court circuits. per day. First return dates are likely to be the best way to access duty solicitor clients, as they are less likely to be represented and therefore required assistance.



A Special Justice rather than a Magistrate usually hears the general list for first return dates. This occurs on a designated day outside the Court circuit week and the only other designated first return date during circuit weeks is for youth matters (up to 15 allocated). The other days comprise of general matters (i.e. not first return dates), warrant matters, Family Violence matters, Pre-Trial Conference matters, Aboriginal Sentencing matters and trials.

Ceduna

The Ceduna Court also operates as a circuit Court, with visiting Magistrates from Elizabeth. The number of matters listed between Monday and Wednesday of the circuit is higher than Port Lincoln and largely resembles the number of matters listed during the same days for Port Pirie circuit Court sittings. Every second Ceduna Court circuit involves a one-day visit to Yalata, usually on the Tuesday.

The legal services available and the demand for them differ to those at Port Lincoln. The vast majority (approximately 80%) of criminal matters before the Ceduna Court involve Indigenous defendants. As a result, the main legal assistance available is the ALRM. Mark Semmens previously attended the Ceduna Court circuits for Legal Aid matters until he was appointed as a Magistrate.

Other than the ALRM there is no local law firm which typically acts in Legal Aid matters, although Justin Slater from Coates Lawyers at Port Lincoln occasionally visits the Court circuit when his ongoing matters justify the travel. The Legal Services Commission has occasionally sent one of its Adelaide-based solicitors to Ceduna Court circuits for matters in which they are instructed, although their visits appear to be infrequent, with only 2 visits during 2019 as at August 2019.

Therefore, for any non-Indigenous clients, and in circumstances where the ALRM has a conflict of interest, there appears to be a demand for duty solicitor legal assistance. To date WestSide Lawyers' duty solicitor has been able to assist in both circumstances. The ALRM lawyers who attend the circuit have also commented that they are grateful for our presence there in a duty solicitor capacity to assist with efficiently resolving matters before the Court.

There is also usually at least one dinner during the Court circuit attended by the Magistrate, Court staff, sheriffs, and defence lawyers during each Court circuit."

PART 2: Reporting on Objective 1 Outcomes

- Legal advice and representation on all bail applications for unrepresented defendants in custody in Port Pirie who have had police bail refused;
- Duty solicitor services to defendants at Port Pirie during Court circuits and at Peterborough and Clare during Court circuits;
- Duty solicitor services to defendants remanded in custody who appear before the Kadina Magistrates Court;
- Duty solicitor services to defendants at Kadina during Court circuits;
- Duty solicitor services at Maitland *from February 2019* during Court circuits;



- Duty solicitor services at Port Lincoln *from May 2019* during Court circuits;
- Duty solicitor services at Ceduna *from May 2019* during court Circuits;
- Demand monitored of required outreach services to enhance the choice of access for our clients; and
- Client need identified so as to tailor services with particular reference to people of culturally and linguistically diverse backgrounds.

Reporting Period: 29/9/18 to 19/3/19

- The duty solicitor service assisted 100 clients including Court attendances during Court sitting weeks and bail applications for overnight custody matters.
- About 94% of clients were from the Mid-North and outback region comprising of the Flinders Ranges, Upper Spencer Gulf, the Clare Valley, the Barossa, the Yorke Peninsula, the Eyre Peninsula, and SA Arid Lands.
- About 90% of those clients were from areas broadly south of Port Augusta, the remaining 10% comprised of clients from the Eyre Peninsula region including Coober Pedy, Port Lincoln, Streaky Bay and Whyalla.

Reporting Period: 20/3/19 to 20/8/19

- The duty solicitor service assisted 162 clients in this period. This included court attendances during Court circuits and bail applications for overnight custody matters.
- About 86% of clients were from the Mid-North and outback region comprising of the Flinders Ranges, Upper Spencer Gulf, the Clare Valley, the Barossa, the Yorke Peninsula, the Eyre Peninsula, and SA Arid Lands.
- About 83% of those clients were from areas broadly south of Port Augusta, the remaining 17% comprised of clients from the Eyre Peninsula region including Ceduna, Coober Pedy, Port Lincoln, Roxby Downs, Streaky Bay, Whyalla and Tumby Bay.

Observed Variations between the Reporting Periods

- Total duty solicitor clients consulted increased from 100 to 162.
- Total number of clients based in the Eyre Peninsula and outback regions (i.e. regions broadly north and north-west of Port Lincoln) consulted by the Port Pirie office are up by 7% from the 2nd reporting period.

Disadvantaged and Regional Clients

WestSide Lawyers has, during the Reporting Period, provided legal advice and representation to our priority client base i.e. disadvantaged and vulnerable people who reside outside Adelaide:



- Some 90% had an income of less than \$52,000.00 gross p.a;
- Approximately 30% of clients reported a disability or mental illness;
- About 10% of clients were aged 65 or over; and
- About 10% of clients reported being Aboriginal and/or Torres Strait Islander.

Case Study: Disadvantaged Regional Client Assistance

Ms G is an Indigenous youth currently under the Guardianship of the Minister. Despite being a minor, Ms G presented with a criminal history. Ms G was summonsed to Court for failing to attend a drug diversion program and she attended Court with a carer seeking legal advice. WestSide Lawyers' duty solicitor was present at the Court and advised her about the importance of attending any drug diversion program meetings. After a detailed discussion about the circumstances as to why Ms G did not attend the drug diversion meeting, the duty solicitor made considered submissions to the Court. The result was that the Court ordered a new opportunity to attend a drug diversion meeting. Ms G is also a former client, having previously consulted WestSide Lawyers about an unrelated matter.

PART 3: Reporting on Objective 2 Outcomes

WestSide Lawyers' effectiveness in achieving Objective 2 is reflected in the statistics below.

Throughout the Reporting Period, WestSide Lawyers provided referred clients to:

- 43% Legal Services Commission;
- 27% private law firms; and
- 5% Family Relationships Centre.

The balance of referrals consisted of a broad mix of various other agencies including government departments or agencies, financial counsellors, Consumer Affairs, the Ombudsman, the Aboriginal Legal Rights Movement, health and mental health services, community support services, other community legal centres, local government, and the police.

Throughout the reporting period the most significant percentage of referral sources were:

- Approximately 40% from a friend, neighbour or relative;
- Approximately 15% from the Legal Services Commission;
- About 15% from a Court or Tribunal; and
- About 10% from advertising

The balance of referrals from other sources included those from private law firms, the Ombudsman, community support centres, local government, government departments and agencies, Consumer Affairs and the Family Relationships Centre.



Evident from the significant cross-referral statistics is that WestSide Lawyers has continued to foster a sound relationship with the Legal services Commission (“LSC”); illustratively WestSide Lawyers forwards the details of overnight custody clients who are charged with serious offences and who are either refused Court bail or cannot provide a suitable address for Home Detention bail. Because LSC priority processes these applications clients gain legal assistance more quickly than otherwise. They additionally have the benefit of initial advice at an early stage of their matter well before a Legal Aid solicitor is assigned.

Also evident from the above referral statistics is the range of other entities to whom referrals are given and received. WestSide Lawyers ensures that clients are provided with legal assistance they require from our office, or by a more suitable service provider. Similarly, we are able to help clients identify which matters are not legal issues and what they may do other than Court proceedings.

Duty Solicitor Referrals

WestSide Lawyers’ duty solicitor role acts as an effective triage by equipping clients with the applicable representation or referral tailored to individual clients’ needs for criminal charges. We advise clients about potential defences, and likely penalties in the event of a guilty plea or a finding of guilty by the Court at trial.

When imprisonment is unlikely and the accused person concedes the facts that underlie the charges WestSide Lawyers makes sentencing submissions on behalf of clients which additionally increases the Court’s case flow management by minimising the number of clients seeking an adjournment. When Legal Aid is refused, typically because a client has low income by exceeds the LSC’s assets test, WestSide Lawyers is able to provide follow-up assistance to the client to reduce the number of unrepresented defendants appearing before the Courts.

Co-Locating the Duty Solicitor in a Generalist Community Centre

Co-locating the duty solicitor role within WestSide Lawyers’ generalist community legal centre program has helped clients to actively seek the assistance they require in other legal matters. Continuing to have a significant proportion of repeat clients suggests that our assistance is appropriate and valued.





ADELAIDE OUTREACH ACTIVITIES/VOLUNTEER WORK

WestSide Lawyers After-Hours Legal Advice Clinic

WestSide Lawyers continues to run its successful After-Hours Legal Advice Clinic every Thursday evening for those people who are not able to attend during business hours.

The After-Hours Legal Advice Clinic provides appointments for new clients in a range of areas, including criminal, civil, employment, administrative and estate law. WestSide Lawyers has long had the benefit of excellent relationships with practitioners from a broad cross-section of the private profession. This has resulted in many solicitors regularly volunteering their time to attend the After-Hours Legal Advice Clinic and conduct appointments with members of the public. At each appointment, volunteer solicitors take initial instructions, provide advice, assess clients for ongoing representation, and provide referrals where clients are not eligible for assistance.

In 2018/2019 the After-Hours Legal Advice service assisted 258 new clients with advice on their legal issues. In total, WestSide Lawyers' After-Hours Legal Advice Clinic volunteers contributed 158 hours of pro-bono legal work to the community during the 2018/2019 year

The After-Hours Legal Advice Clinic would not be possible without the private practitioners who generously volunteer their time and expertise. Each year has seen the addition of a number of new solicitors to the service, and the continuing aid of a number of solicitors who have been involved for several years.

WestSide Lawyers thanks the following solicitors for their assistance in 2018/2019:

Aaron Almeida
Christian Cifuentes
Oliver Cole
Paul Crawford
Simone Cureton
Latha Elenkovan
Jack Hetzel-Bone
Emma Lindblom
Oliver Morris
Katherine Portelli
Eugene Reinboth
Cassandra Schumacher
James Watson
Andrew Wright





COLLABORATION WITH OTHER SERVICE PROVIDERS

WestSide Lawyers is well placed to assist clients with their non-legal needs as a result of an established and comprehensive network of support services that we regularly collaborate with. WestSide Lawyers regularly receives referrals from, and refers clients to, the following organisations:

- **AnglicareSA** – for relationship, parenting and financial counselling, emergency assistance, housing and community programs, mental illness and disability support;
- **Housing SA** – for assistance with public housing;
- **Uniting Care Wesley Bowden/Brompton** – for financial counselling services. A financial counsellor from the Bowden/Brompton office is co-located fortnightly at WestSide Lawyers' Hindmarsh office to provide financial counselling services;
- **Centacare** – for services where clients need additional support, including counselling for a range of reasons;
- **Relationships Australia** – for family support services and counselling, including families going through separation;
- **Family Relationships Centre (run by Centacare, Port Pirie Dioceses)** – referrals largely in relation to Family Dispute Resolution;
- **Disability Rights Advocacy Service Inc** – support for people with a disability, including protecting their rights, and their carers;
- **Vietnamese Community in Australia, South Australian Chapter** – support services for people (including non-Vietnamese) with a focus on non-English speaking backgrounds and new arrival communities;
- **Legal Services Commission** - for legal aid applications and many referrals received for family law property disputes, intervention order matters and civil law disputes;
- **SAPOL Port Pirie (including Police prosecution)** – referrals to WestSide Lawyers for legal advice and assistance for victims of family and domestic violence;
- **Private lawyers in Adelaide and the western suburbs** – referrals from these organisations where clients are experiencing financial difficulties;
- **Local members of the South Australian Parliament;** and
- **Local members of the Commonwealth Parliament.**



PRACTICAL LEGAL TRAINING AND STUDENT PLACEMENTS

In contrast to the broad theoretical knowledge gained at University, Practical Legal Training placements at WestSide Lawyers provide instruction in a wide range of tasks and procedures including:

- Legal research;
- Fact and legal analysis;
- Problem solving;
- Legal writing and drafting; and
- Drafting advice to clients.

Whilst this year WestSide Lawyers did not formally host any Practical Legal Training students, several current university students assisted WestSide Lawyers' solicitors by volunteering their time to perform law clerk duties. Very similar to those undertaking their Practical Legal Training placement, the volunteer students conducted research and drafted advice to clients in a range of criminal, civil and family matters.

The practical experience gained by drafting relevant and practical advice, liaising with clients and running a file is invaluable in the transition from law student to lawyer and this time will serve these students well upon their graduation.

WestSide Lawyers thanks the following students for their contribution in 2018/2019:

Nina Ash-Clarke
Brittany Farinola





CASE STUDIES

Mr A

Mr A was charged with assault and property damage following an altercation at a used car sales lot. Mr A had previously purchased a vehicle from the used car sales business, however it turned out to be defective. Mr A had attended the premises to arrange for a return of his vehicle and a refund of the purchase price. Mr A was met with significant hostility from the proprietor and staff, who demanded that Mr A leave. Mr A refused to leave until his issue was dealt with. It was alleged that Mr A lashed out at the proprietor, striking him in the face, and then damaged a glass table in the ensuing altercation. It was further alleged that Mr A damaged a number of vehicles upon leaving by scratching those vehicles with his keys. Mr A denied the allegations, stating that he was set upon by three staff members and had, himself been assaulted, which led to the glass table being broken; he further denied scratching any cars. WestSide Lawyers defended Mr A in the Magistrates Court and, after significant negotiations with Police, achieved an outcome favourable to Mr A – charges were withdrawn on the condition that Mr A confirm an Intervention Order preventing him from returning to the used car sales lot.

Ms B

Ms B married Mr B in 1988 and lived together with their two children until 2017. Mr B made greater financial contributions throughout the relationship as he maintained full-time employment. However, Ms B performed majority of the parenting and homemaker duties. Ms B was also a full-time carer for their disabled son and continues to do so post-separation. Upon their separation in 2017 the parties informally agreed to a division of non-superannuation property on a 50/50 basis. Mr B offered to split the superannuation on a 60/40 basis in his favour, given his greater financial contributions and continuous employment throughout the marriage. Ms B approached WestSide Lawyers for assistance and, given the substantial non-monetary contributions made by Ms B over a period of 29 years (specifically her on-going care for their disabled son) WestSide Lawyers advised Ms B that she could seek that the superannuation be split 50/50. WestSide Lawyers were successful in negotiating a settlement with Mr B's solicitors and the matter was resolved by way of consent orders on a 50/50 basis.

Ms C

Ms C resided in a housing trust property along with her sister, who was suffering from cancer. Ms C had been charged with property damage and making unlawful threats. It was alleged that Ms C had broken a back window at her next-door neighbour's house and had subsequently threatened harm against the residents of that house with a metal pipe when she was confronted. Ms C denied the allegations; her version of events were that she had taken her sister to a medical appointment and returned home to hearing loud yelling coming from next door's property. Ms C reported hearing a sound like glass breaking, followed by more yelling. Ms C reported that she went to the front and saw two men at the front of her property yelling in Ms C's direction, being verbally abusive. Ms C saw one of these men holding a metal pipe. Ms C went back inside. Shortly afterwards, Police attended at Ms C's address, the metal pipe had been found inside Ms C's front fence. Ms C was arrested on the charges of property damage and making threats against the two men standing at the front of her address. Ms C was unsure of her rights and attended at court on a number of occasions without legal representation. The Magistrate was frustrated at the lack of action by Ms C in obtaining legal representation, and Ms C was referred to WestSide Lawyers. WestSide Lawyers represented Ms C and persuaded Police that her version of events were more likely to be correct. All charges were dropped.

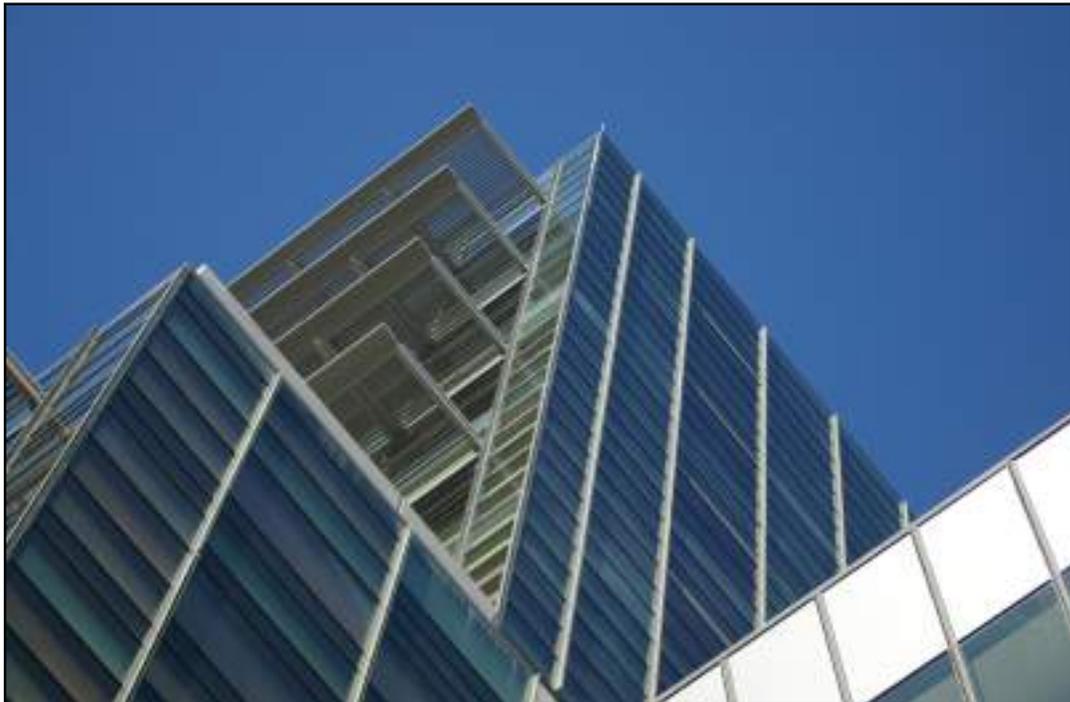


Ms D

Ms D and her ex-partner commenced a relationship in 2012 and separated shortly after their child was born in 2014. The parties had an informal parenting agreement whereby the child would live with Ms D and spend time with the father every alternate weekend and each Tuesday night for a couple of hours. Ms D told the father that she wished to relocate interstate with the child to be with her new partner whom she had met online. The father commenced proceedings in the Federal Circuit Court seeking orders to prevent Ms D from relocating the child interstate and also sought a 50/50 shared care arrangement for the child on a week about basis. Ms D approached WestSide Lawyers for assistance. WestSide Lawyers advised Ms D that her relocation argument was unlikely to be successful and sought to reach an agreement with the father's solicitors to formalise the previous informal parenting agreement. Ms D accepted this advice and these negotiations were successful. The matter was resolved on the next occasion by way of consent orders reflecting the informal agreement.

Mr E

Mr E was employed as a security guard working overnight shifts at a mental health facility. Part of Mr E's position was supervising patients who were deemed to be a security risk along with general security tasks. Mr E was dismissed from his employment following allegations that he had breached company policy by using his personal mobile phone during a shift and by falling asleep whilst on duty. Mr E admitted to the mobile phone use, although explained that his mother had been attempting to contact him about what she perceived was an urgent situation. Mr E denied falling asleep on duty. Mr E's employer, nevertheless, terminated Mr E for serious and wilful misconduct. WestSide Lawyers assisted Mr E in an unfair dismissal application, and represented Mr E at a conciliation conference. WestSide Lawyers were able to successfully negotiate for Mr E to receive a payment of compensation along with a statement of service.





Mr F

Mr F and has three children with his ex-partner. The parties had an informal parenting agreement whereby the children lived with the mother and spent time with Mr F. The youngest child started to experience anxiety whilst sleeping at Mr F's house overnight and asked the mother to pick her up. This caused Mr F to believe that the mother was telling the children that they were unsafe in Mr F's presence. Consequently Mr F and the mother had a heated argument in the presence of the children. Following this argument, the mother withheld the children and alleged that Mr F was unsafe and feared for her children's safety. Mr F then only spent very little time with the children at the mother's discretion and under her supervision. The mother requested that the parties attend a Family Dispute Resolution conference to resolve the matter. Mr F approached WestSide Lawyers for assistance. WestSide Lawyers attended the FDR conference with Mr F and an agreement was reach between the parties that reinstated Mr F's unsupervised time with the children on alternate weekends.

Ms G

Ms G had been charged on separate Summons' with multiple counts of dishonestly declaring her income to Centrelink, and of stealing a friends identity documents and later dishonestly applying for credit at furniture stores under that stolen identity. Ms G had one relevant prior conviction, of dishonestly declaring her income to Centrelink some 4 years prior to the more recent Centrelink dishonesty charges. For that offending, Ms G received a suspended sentence. WestSide Lawyers assisted Ms G with presenting submissions in mitigation of the penalty for the current offending. Based on the nature of the offending, and Ms G's prior convictions, it was likely that Ms G would again be sentenced to a term of imprisonment. The only consideration for argument would be whether that term of imprisonment would be suspended or would Ms G have to spend some time in gaol.

The offending came during a period where Ms G was the victim of domestic violence, with her then partner demanding that Ms G provide more money to support himself and his son. Ms G felt that her only option was to tell Centrelink that she had earned less money than was in fact; therefore increasing the amount of Newstart Allowance she received on top of her income from employment. Ms G was able to break free from the relationship, and her fraudulent declarations to Centrelink ceased. The identity fraud offending occurred around the same time and for the same reasons - Ms G's abusive, then-partner demanded that she source furniture for a relocation to a new rental address. Due to Ms G's poor credit history, she knew she would not be able to obtain the items demanded by her partner. Ms G stole the identity details of her friend and made applications for credit at various furniture and electronics/whitegoods stores. Ms G's offending was soon after discovered when there was an issue with the application and investigations discovered that Ms G was using someone else's documents.

The State and Commonwealth charges were dealt with together in the Magistrates Court. Following lengthy submissions by WestSide Lawyers, the Magistrate imposed a single sentence for all State and Commonwealth charges - a sentence of imprisonment for a period of 9 months, wholly suspended upon Ms G entering into a good behaviour bond. A significant aspect of the leniency was WestSide Lawyers' ability to convince both State and Commonwealth prosecutors not to object to a suspended sentence of imprisonment, and to make submissions to the Magistrate that Ms G had changed her life completely following the end of the abusive relationship, that she had begun to make reparations on the outstanding debt to Centrelink, and that Ms G's current circumstances lent to the prospect that a custodial sentence would cause significant detriment to Ms G's health and that of her unborn child.



Ms H

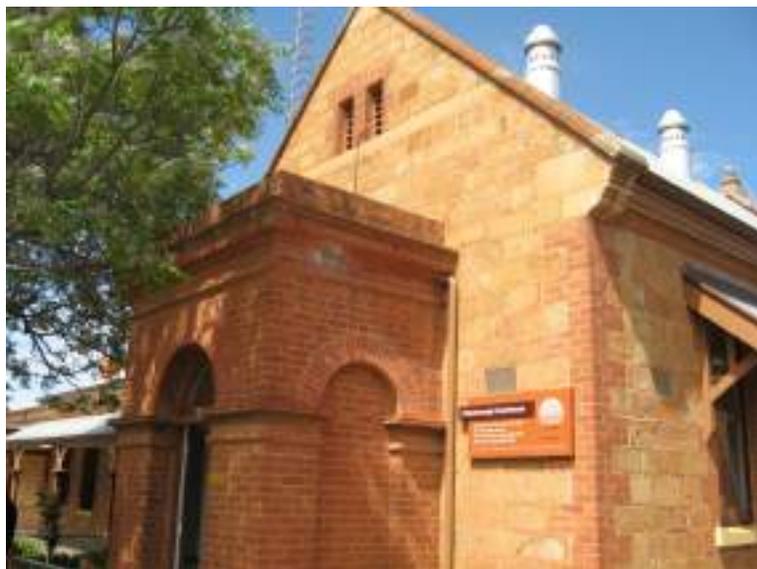
Ms H approached WestSide Lawyers for assistance in dealing with a judgment debt that had been issued against her. Ms H signed responsibility for payments of her mother's nursing home account. Ms H fell behind on payments and, in the months prior to her mother's death, fell into arrears of approximately \$40,000.00. Only after her mother's death did the nursing home agency inform Ms H that the debt existed and that it would need to be paid. Ms H understood only limited English and did not fully comprehend what she was being told. Further, Ms H was financially unable to make payments towards the debt, as she only received a Centrelink pension for her income. The nursing home agency filed a claim in the Magistrates Court seeking to recover the debt. Unfortunately, Ms H did not respond to the claim and the nursing home agency obtained default judgment against Ms H. By the time WestSide Lawyers became involved, too much time had passed, and an application to set aside the default judgment was not successful. WestSide Lawyers continued to assist Ms H by negotiating with the nursing home agency a repayment plan on the debt. This avoided Ms H having to sell her house in order to pay the judgment, interest and costs.

Mr I

Mr I married Ms I in 2000; the two lived together until their separation in 2016. A divorce order was obtained in 2017. The parties have two children and they reside with Mr I. Although Mr I maintained full-time employment throughout the marriage, he performed the majority of the parenting and homemaker duties. Mr I is also the primary carer of the parties' two minor children. At separation the mother offered to split the matrimonial property pool on a 50/50 basis, however no agreement was reached. The limitation date was approaching and so Mr I took it upon himself to file Court documents to commence proceedings. Mr I approached WestSide Lawyers to represent him in these proceedings. WestSide Lawyers advised Mr I that given his greater non-monetary contributions through the relationship and his on-going responsibility for the two children as their primary carer, he could seek a property split greater than 50/50. The matter resolved after the first hearing by way of consent orders on a favourable basis to Mr I.

Mr J

Mr J is a young woman who made a few bad lifestyle choices that began to compound against him. He became addicted to drugs and became reliant on one particular drug dealer. This led to Mr J being the subject of demands by the dealer in order to ensure continued supply and also to ensure that no physical harm befell Mr J. On one such occasion, Mr J was ordered to drive to a particular location in the western suburbs; once he arrived, a number of garbage





bags were loaded into his car. Mr J was then instructed to drive back to his unit, where the bags were unloaded into his living area. MR J was also handed a round of ammunition, which he interpreted as a warning against saying anything about the bags. A few days later Police attended Mr J's home to conduct a search of the property. Mr J informed Police about the bags, and welcomed Police to take the contents contained therein away. Mr J did not want anything to do with the bags, but felt compelled to abide by his drug dealer's instructions. Subsequently, Police charged Mr J with unlawful possession of the items in the bags (which had been stolen) and with possession of firearm ammunition without a license.

Mr J approached WestSide Lawyers for assistance. WestSide Lawyers negotiated with Police and were able to have the unlawful possession charge withdrawn prior to reaching the Pre-Trial Conference stage. Mr J pleaded guilty to the possession of the round of ammunition, was sentenced without a conviction being recorded and was ordered to pay a small fine, along with the mandated costs and levies.

Ms K

Ms K was at her local pub celebrating the AFL Grand Final with some friends. As the night wore on, a few altercations broke out amongst other patrons. Ms K attempted to assist the bar staff with these minor issues, assistance that we accepted as Ms K was well known to staff. Police were called to deal with one particular abusive customer, but prior to their arriving, Ms K had left the pub to head home. Ms K was waiting at a bus stop close to the pub when Police pulled up to speak with Ms K. Due to a description provided of the trouble-maker, Police believed Ms K may have been the person they were called about. Due to Ms K's inebriated state, she was unable to properly understand what Police were asking of her. During the interaction, Ms K became offended by the Police officer's suggestion that she had caused an incident at the pub. Ms K kicked out at the Police car door, closing it on the officer's leg. Ms K was subsequently arrested for disorderly conduct and for resisting Police during the arrest.

WestSide Lawyers assisted Ms K in relation to these charges. WestSide Lawyers viewed body-worn camera footage provided by Police and successfully negotiated for the charge of resist Police to be withdrawn on the basis that the heavy-handed tactics used by the Police officers during the arrest caused the apparently resistive behaviour by Ms K. WestSide Lawyers made submissions on behalf of Ms K on the plea to the charge of disorderly behaviour. Ms K was sentenced without conviction to a small fine, along with the usual fees and levies.





PART 2
ANNUAL FINANCIAL REPORT
YEAR ENDED 30 JUNE 2019





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**WESTSIDE COMMUNITY LAWYERS INC
STATEMENT OF COMPREHENSIVE INCOME
YEAR ENDED 30 JUNE 2019
CONSOLIDATED**

	<i>Notes</i>	2019 \$	2018 \$
<u>Grant Income</u>			
CW Grant		454,375	447,984
State Grant		145,440	151,830
Family Law/Family Violence Grant		<u>307,031</u>	<u>271,914</u>
Total Grant Income		<u>906,846</u>	<u>871,728</u>
<u>Other Income</u>			
Client Contributions & Retainer Fee		114,019	114,867
Bank Interest	9	698	657
Costs Recovered and Retained		118	2,852
Disbursements Recovered		5,330	2,112
Law Foundation Grant		83,916	21,190
Hindmarsh Fitout Provision	10	9,630	9,630
Sundry		<u>0</u>	<u>1,888</u>
Total Other Income		<u>213,711</u>	<u>153,096</u>
TOTAL INCOME		<u>1,120,557</u>	<u>1,024,924</u>
<u>EXPENSES</u>			
Salaries & On Costs	2	782,433	655,588
Superannuation		69,653	57,983
Rent and Repairs	8	134,227	106,956
Staff Training		5,629	3,941
Staff Recruitment		2,268	1,760
Communications		16,701	11,494
Office Overheads		15,358	16,342
Insurances		9,225	9,563
Finance, Audit & Accounting Fees		7,909	7,747
Library, Resources & Subscriptions		48,007	52,104
Travel	3	21,740	26,302
Programming & Planning		2,743	8,399
Client Disbursements		6,457	1,414
Minor Equipment		2,327	3,722
Depreciation		18,525	17,752
Bad Debts		5,411	12,682
Other		<u>110</u>	<u>0</u>
TOTAL EXPENSES		<u>1,148,723</u>	<u>993,750</u>
Surplus for current year		<u>-28,116</u>	<u>31,074</u>
Total Changes in Equity		<u>-28,116</u>	<u>31,074</u>

To be read in conjunction with the accompanying notes

**WESTSIDE COMMUNITY LAWYERS INC
STATEMENT OF COMPREHENSIVE INCOME
YEAR ENDED 30 JUNE 2019
ADELAIDE WEST**



	<i>Notes</i>	2019	2018
		\$	\$
<u>Grant Income</u>			
CW Grant		187,005	184,377
State Grant		59,859	62,487
Family Law/Family Violence Grant		182,097	162,073
Total Grant Income		<u>428,961</u>	<u>408,937</u>
<u>Other Income</u>			
Client Contributions & Retainer Fee		97,367	99,086
Bank Interest		698	657
Costs Recovered and Retained		118	2,752
Disbursements Recovered		4,696	1,662
Sundry		0	1,888
Hindmarsh Fitout Provision		9,630	9,630
Total Other Income		<u>112,509</u>	<u>115,674</u>
TOTAL INCOME		<u>541,470</u>	<u>524,611</u>
<u>EXPENSES</u>			
Salaries & On Costs		273,311	333,632
Superannuation		34,103	29,207
Rent and Repairs		83,210	78,831
Staff Training		2,399	2,614
Staff Recruitment		895	1,430
Communications		9,421	8,045
Office Overheads		7,173	12,022
Insurances		4,629	3,956
Finance, Audit & Accounting Fees		4,144	4,054
Library, Resources & Subscriptions		23,261	25,922
Travel		11,553	11,339
Programming & Planning		1,804	1,597
Client Disbursements		2,986	1,254
Minor Equipment		1,073	1,538
Depreciation		18,525	17,752
Bad Debts		4,754	8,596
Other		6	0
TOTAL EXPENSES		<u>582,247</u>	<u>624,051</u>
Surplus for current year		<u>-40,777</u>	<u>-64,522</u>
Total Changes in Equity		<u>-40,777</u>	<u>-64,522</u>



**WESTSIDE COMMUNITY LAWYERS INC
STATEMENT OF COMPREHENSIVE INCOME
YEAR ENDED 30 JUNE 2019
MID NORTH AND OUTBACK**

	<i>Notes</i>	2019	2018
		\$	\$
<u>Grant Income</u>			
CW Grant		267,370	263,607
State Grant		85,581	89,343
Family Law/Family Violence Grant		<u>124,934</u>	<u>109,841</u>
Total Grant Income		<u>477,885</u>	<u>462,791</u>
<u>Other Income</u>			
Client Contributions & Retainer Fee		16,652	15,781
Disbursements Recovered		634	450
Law Foundation Grant		<u>83,916</u>	<u>21,190</u>
Total Other Income		<u>101,202</u>	<u>37,421</u>
TOTAL INCOME		<u>579,087</u>	<u>500,213</u>
<u>EXPENSES</u>			
Salaries & On Costs		410,122	321,955
Superannuation		35,550	28,777
Rent and Repairs		51,017	28,125
Staff Training		3,230	1,327
Staff Recruitment		1,373	330
Communications		7,280	3,449
Office Overheads		8,185	4,320
Insurances		4,596	5,607
Finance, Audit & Accounting Fees		3,765	3,693
Library, Resources & Subscriptions		24,746	26,182
Travel		10,187	14,963
Programming & Planning		939	6,802
Client Disbursements		3,471	160
Minor Equipment		1,254	2,184
Depreciation		0	0
Bad Debts		657	4,086
Other		<u>104</u>	<u>0</u>
TOTAL EXPENSES		<u>566,476</u>	<u>451,960</u>
Surplus for current year		<u>12,611</u>	<u>48,253</u>
Total Changes in Equity		<u>12,611</u>	<u>48,253</u>

WESTSIDE COMMUNITY LAWYERS INC
BALANCE SHEET
YEAR ENDED 30 JUNE 2019



	<i>Notes</i>	2019	2018
		\$	\$
ASSETS			
Current Assets			
Bank Account & Cash on Hand	6	261,748	455,931
Term Deposit	6	12,000	12,000
Prepayments		14,308	8,086
Trade Debtors		140,183	13,358
Accrued Interest		282	294
Total Current Assets		<u>428,521</u>	<u>489,669</u>
Non-Current Assets			
Adelaide Assets			
Hindmarsh Office Fitout	4	171,106	189,084
Motor Vehicle –Corolla Hybrid		22,452	0
Total Adelaide Assets		<u>193,558</u>	<u>189,084</u>
Total Non-Current Assets		<u>193,556</u>	<u>189,084</u>
Total Assets		<u>622,079</u>	<u>678,753</u>
LIABILITIES			
Current Liabilities			
Trade Creditors		11,503	0
GST Liability		22,358	27,383
Fringe Benefits Payable		1,326	0
Superannuation Payable		18,686	0
Employee Salary Sacrifice		7,000	0
PAYG Tax Payable		12,812	11,628
Provision for Annual Leave		45,899	46,453
Provision for Long Service Leave		59,922	52,167
Deferred Grant Income	10	83,133	92,418
Total Current Liabilities		<u>262,639</u>	<u>230,050</u>
Non-Current Liabilities			
Deferred Grant Income (Future Financial Years)	10	<u>82,660</u>	<u>143,757</u>
Total Liabilities		<u>345,299</u>	<u>373,807</u>
NET ASSETS		<u>276,780</u>	<u>304,946</u>
MEMBERS' FUNDS			
Opening Balance		304,946	273,871
Current Year Surplus (Deficit)		-28,116	31,075
Total Surplus		<u>276,780</u>	<u>304,946</u>
TOTAL MEMBER FUNDS		<u>276,780</u>	<u>304,946</u>

To be read in conjunction with the accompanying notes



**WESTSIDE COMMUNITY LAWYERS INC
BALANCE SHEET
YEAR ENDED 30 JUNE 2019**

	<i>Notes</i>	2019	2018
		\$	\$
MEMBERS' FUNDS			
Surpluses			
Opening Balance		304,946	273,871
Current Year Surplus (Deficit)		<u>(28,116)</u>	<u>31,075</u>
Total Surplus		276,780	304,946
TOTAL MEMBERS' FUNDS		<u>276,780</u>	<u>304,946</u>

**WESTSIDE COMMUNITY LAWYERS INC
STATEMENT OF CASH FLOWS
YEAR ENDED 30 JUNE 2019**



	<i>Notes</i>	2019	2018
		\$	\$
CASH FLOW FROM OPERATING ACTIVITIES			
Grants Received		805,910	1,027,180
Payments to Suppliers, Employees & ATO		(1,094,545)	(952,914)
Client Receipts		111,294	124,893
Sundry Receipts		5,449	5,818
NET CASE GENERATED/(USED) BY OPERATING ACTIVITIES	7	<u>(171,892)</u>	<u>204,977</u>
CASH FLOW FROM INVESTING ACTIVITIES			
Bank Interest Received		710	639
Purchase of Property, Plant and Equipment		(23,000)	0
Profit/Loss on Sale of Assets		0	0
NET CASH GENERATED/(USED) IN INVESTING ACTIVITIES		<u>(22,290)</u>	<u>639</u>
NET INCREASE/(DECREASE) IN CASH HELD		<u>(194,182)</u>	<u>205,617</u>
Cash at Beginning of Year	6	<u>467,931</u>	<u>262,314</u>
CASH AT END OF YEAR	6	<u>273,749</u>	<u>467,931</u>

To be read in conjunction with the accompanying notes



WESTSIDE COMMUNITY LAWYERS INC NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED 30 JUNE 2019

NOTE 1: STATEMENT OF SIGNIFICANT ACCOUNTING POLICIES

Basis of Financial Statements

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Act (SA) 1985, section 60.40 of the Australian Charities and Not-for-profits Commission Regulation 2013, the Attorney General's Department and the association's constitution. The Board has determined that the association is not a reporting entity and therefore there is no requirement to apply Accounting Standards and other mandatory professional reporting requirements in the preparation and presentation of this report, other than those disclosed below.

AASB 101 Presentation of Financial Statements
AASB 107 Statement of Cashflows
AASB 108 Accounting Policies, Changes in Accounting Estimates and Errors
AASB 1031 Materiality
AASB 1048 Interpretation of Accounting Standards
AASB 1054 Australian Additional Disclosures

The financial report has been prepared on an accrual basis and is based on historical costs, and does not take into account changing money values or, except where stated, current valuations of non current assets.

The accounting policies have been consistently applied, unless otherwise stated. The following is a summary of the significant accounting policies adopted by the organisation in the preparation of the financial report.

1.1 Investments

Investments are brought to account at cost or valuation and interest is brought to account on an accruals basis.

1.2 Income

Donations and Legacies

Monies received from donations and legacies are recognised as income when received. It is not practical to establish accounting controls over receipts as they pertain to donations and bequests. All other income, including client contribution fees, are recognised on an accrual basis.

Commonwealth and State Grant Revenue

External government funding is recognised as income when received. Unexpended portions of external funding is accounted for as a deferred provision due to the association's liability to refund any such unexpended portion (refer note 10). Where external funding is over expended that portion is accounted for as a prepayment against future year's funding to be received from the Commonwealth funding body, subject to the funding continuing.

1.3 Income Tax

WestSide Community Lawyers Incorporated is exempt from income tax, in accordance with Item 1.1 under Subdivision 50-5 of the Income Tax Assessment Act 1997 as a Charitable Institution. It is also endorsed as a deductible gift recipient under subdivision 30-B of the same act, item 4.1.1 public benevolent institution.



1.4 Employee Entitlements

Provision is made for the association's liability for employee entitlements arising from services rendered by employees to balance date. Employee entitlements have been measured at their nominal amounts, using remuneration rates current as at the reporting date.

Contributions are made by the association to an employee superannuation fund and are charged as expenses when incurred.

1.5 Goods and Services Tax (GST)

Income, expenses and assets are recognised net of the amount of GST, except where the GST incurred is not recoverable from the Australian Taxation Office.

In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. Receivables and payables in the Balance Sheet are shown inclusive of GST (if applicable).

Cash flows are included in the Statement of Cash Flows on a gross basis. The GST component of cash flows arising from investing and financing activities which is recoverable from, or payable to, the Australian Taxation Office is classified as an operating cash flow.

1.6 Leases

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which the expenditure is incurred.

1.7 Economic Dependence

WestSide Community Lawyers Inc relies primarily on Commonwealth grants to continue its operations. Whilst the funding is expected to continue, the financial reports have been prepared on a going concern basis.



**WESTSIDE COMMUNITY LAWYERS INC
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED 30 JUNE 2019**

	2019	2018
	\$	\$
NOTE 2: SALARIES & ON COSTS		
Amenities	4,437	3,763
Fringe Benefits	96,617	78,790
Provision for Long Service Leave	7,754	13,616
Salaries	667,254	556,898
WorkCover	<u>6,371</u>	<u>2,521</u>
	<u>782,433</u>	<u>655,588</u>

NOTE 3: TRAVEL

Fuel & Oil	5,083	5,514
Insurance	2,819	1,121
FBT	37	5,552
Service, Registration & Repairs	6,016	4,963
Travel and Parking	5,233	3,897
Port Pirie – Meals and Accommodation	<u>2,552</u>	<u>5,255</u>
	<u>21,740</u>	<u>26,302</u>

**WESTSIDE COMMUNITY LAWYERS INC
 NOTES TO THE FINANCIAL STATEMENTS
 YEAR ENDED 30 JUNE 2019**



	2019	2018
	\$	\$
NOTE 4: NON-CURRENT ASSETS		
<u>Adelaide Assets</u>		
Hindmarsh Fitout		
At cost/revalued amount	265,237	265,237
Less: Accumulated Depreciation	<u>-94,131</u>	<u>-76,153</u>
	<u>171,106</u>	<u>189,084</u>
Motor Vehicle - Equipe		
At cost/revalued amount	28,441	28,441
Less: Accumulated Depreciation	<u>-28,441</u>	<u>-28,441</u>
	<u>0</u>	<u>0</u>
Motor Vehicle – Corolla Hybrid		
At cost/revalued amount	23,000	0
Less: Accumulated Depreciation	<u>-548</u>	<u>0</u>
	<u>22,452</u>	<u>0</u>
Total Adelaide Assets	<u>193,558</u>	<u>189,084</u>
<u>Mid North and Outback Assets</u>		
Motor Vehicle - Cruise		
At cost/revalued amount	20,084	20,084
Less: Accumulated Depreciation	<u>-20,084</u>	<u>-20,084</u>
	<u>0</u>	<u>0</u>
Total MNO Assets	<u>0</u>	<u>0</u>



WESTSIDE COMMUNITY LAWYERS INC NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED 30 JUNE 2019

NOTE 5: RELATED PARTIES

Persons who have acted as members of the Management Board of the association during the year have been as follows:

David Meyer (Chairperson) (to November 2018)
John Sulan (Chairperson) (from November 2018)
David Bulloch (Managing Lawyer)
Paul Boylan
Sebastian Hill
Jonathon Munn
Thea Birss
Kate McGarry
Amra Sabou
Greg Hayes

The members of the Management Board act in an honorary capacity.

David Bulloch is an employee of WestSide Community Lawyers Inc and received remuneration in his capacity as employee.

**WESTSIDE COMMUNITY LAWYERS INC
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED 30 JUNE 2019**



NOTE 6: RECONCILIATION OF CASH

For the purpose of the Statement of Cash Flows, Cash includes Cash on Hand, and in At Call Deposits with Banks or Financial Institutions, net of Bank Overdrafts.

	2019	2018
	\$	\$
Cash Management Account	261,748	455,931
Bank SA Term Deposits	<u>12,000</u>	<u>12,000</u>
	<u>273,748</u>	<u>467,931</u>

NOTE 7: RECONCILIATION OF CASH FLOW OPERATIONS WITH NET SURPLUS/DEFICIT

	2019	2018
	\$	\$
Net Surplus/(Deficit)	-28,166	31,074
Non-Operating Cash Flows in Net Surplus		
Depreciation	18,525	17,752
Interest Income is Non-Operation	-698	-657
Changes in Assets and Liabilities		
Increase/(Decrease) in Receivables	-133,047	9,332
Increase/(Decrease) in Unexpended Grants	-70,381	124,632
Increase/(Decrease) in Creditors	34,675	10,573
Employee Leave Provisions	7,200	13,010
CASH FLOWS PROVIDED/(USED) BY OPERATIONS	<u>-171,892</u>	<u>204,977</u>



WESTSIDE COMMUNITY LAWYERS INC NOTES TO THE FINANCIAL STATEMENTS YEAR ENDED 30 JUNE 2019

NOTE 8: LEASING COMMITMENTS

WestSide's leasing commitments for the 2018-2019 financial year were as follows:

8(a) HINDMARSH

The Adelaide office is situated at 212 Port Road, Hindmarsh. A commercial lease of five years commenced on 1 October 2013, and was renewed for a further five year period expiring on 30 September 2023. One additional option period for a further term of five years is available under the terms of the lease. WestSide Lawyers expects to remain at the premises until at least 30 September 2028.

Annual rent is \$47,000 per annum plus GST and outgoings, with CPI increases only. In the initial year of the lease, a 50% discount on rent was applied as part of the leasing negotiations ending 31 October 2014.

From 1 December 2018, WestSide Lawyers Hindmarsh office leased additional office space at 212A Port Road, Hindmarsh. The initial term is for four years and ten months, expiring on 30 September 2023. One additional option period for a further term of five years is available under the terms of the lease.

Annual rent is \$17,000 per annum plus GST and outgoings, with CPI increases only. In the initial year of the lease, WestSide Lawyers was relieved of the obligation of paying rent for the first two months of the lease, as part of the leasing negotiations.

8(b) PORT PIRIE

In December 2007, WestSide moved into its new premises within the Flinders Arcade. The current 5 year lease was extended on 24 August 2016 and the rent for the commencement of the extension is \$22,286.28 per annum plus GST. It is also adjusted by CPI.

**WESTSIDE COMMUNITY LAWYERS INC
NOTES TO THE FINANCIAL STATEMENTS
YEAR ENDED 30 JUNE 2019**



NOTE 9: BANK INTERESST

WestSide Lawyers derives an income from interest paid on both term deposit accounts and the ordinary cash management account.

NOTE 10: DEFERRED GRANT INCOME

On 26 March 2014 the Management Board agreed that additional funding received for the purpose of relocating the Adelaide office would be held in a provision account. These amounts make up the deferred grant income for 2015-2016.

(1) The Board agreed that every month a portion of the provision would be brought into the Hindmarsh Fitout Allocation income account in Adelaide Metro as income to offset the depreciation expense for the Hindmarsh Fitout asset. The income provision is proportionate to the depreciation rate of 7% per annum.

The deferred grant income provisions account is comprised of the following amounts:

	2019 \$	2018 \$	2017 \$	2016 \$	2015 \$	2014 \$
Opening balance	236,175	111,543	146,647	130,803	140,433	60,000
Deferred Grant Income						
(2) Commonwealth additional funding						60,000
(3) State additional funding (2017/2018)		712,885				
(3) State additional funding (2018/2019)	538,217					
Law Foundation Grant (September 2013)						17,272
Law Foundation Grant (March 2014)						7,173
Law Foundation Grant (September 2015)				25,474		
(4) Law Foundation Grant (January 2018)		42,381				
(4) Law Foundation Grant (September 2018)	42,381					
(4) Law Foundation Grant (June 2019)	42,381					
Total Deferred Grant Income	622,979	755,266	0	25,474	0	84,445
Income Recognised						
(1) Hindmarsh Fitout Allocation (2013/2014)						-4,012
(1) Hindmarsh Fitout Allocation (2014/2015)					-9,630	
(1) Hindmarsh Fitout Allocation (2015/2016)				-9,630		
(1) Hindmarsh Fitout Allocation (2016/2017)			-9,630			
(1) Hindmarsh Fitout Allocation (2017/2018)		-9,630				
(1) Hindmarsh Fitout Allocation (2018/2019)	-9,630					
(3) State additional funding (2017/2018)		-599,814				
(3) State additional funding (2018/2019)	-599,845					
Law Foundation Grant (2016/2017)			-25,474			
(4) Law Foundation Grant (2017/2018)		-21,190				
(4) Law Foundation Grant (2017/2018)	-83,916					
Total Income Recognised	-693,361	-630,634	-35,104	-9,630	-9,630	-4,102
Closing balance	165,793	236,175	111,543	146,647	130,803	140,433
Presented on the Balance Sheet as:						
(5) Not later than 12 months (current)	83,133	92,418	9,630	35,104	9,630	9,630
(5) Later than 12 months (non-current)	82,660	143,757	101,913	111,543	121,173	130,803
	165,793	236,175	111,543	146,647	130,803	140,433



- (5) The total deferred grant income less allocation has been split in the balance sheet as a current liability for the provision to be recognised within 12 months, with provisions due 12 months or more in the future recognised as a non-current liability. The remaining \$51,466 of the SA funding received in advance will be brought into the 2018/2019 financial year, as well as the remaining \$22,037 of the Law Foundation of SA grant and \$9,630 of the Hindmarsh relocation grant.
- (2) The Commonwealth additional funding was received in instalments in the 2013-2014 financial year but not included as income in the ordinary accounts as it was transferred to the provision account as above. For the purpose of the Special Purpose Income and Expenditure Reports and the Attorney-General's Department, the sum is to be recorded as income in the financial year ended 30 June 2015. This has resulted in a further variance between the accounts and the Special Purpose Reports for the year ending 30 June 2015.
- (3) WestSide Lawyers signed a 3-year funding agreement with the SA Attorney-General's Department for the financial year from 2017/2018 to 2019/2020. As a term of that 3-year contract, WestSide Lawyers was entitled to invoice the SA Attorney-General's Department 10% of the total contract value in the first month of the contract. This was not recorded as income in the ordinary accounts as it was transferred to the provision account as above, and partially recognised as income in the 2018/2019 year, with the remaining provision to be recognised as income in the 2019/2020 year.
- (4) WestSide Lawyers received a grant from the Law Foundation of South Australia. This grant was invoiced in five equal instalments throughout the grant period. This grant income was not recorded as income in the ordinary accounts as it was transferred to the provision account as above, and recognised as income in accordance with a budget submitted in the grant application process that changed in value across the financial years of the program's duration.



WESTSIDE COMMUNITY LAWYERS INC.

STATEMENT BY MEMBERS OF THE MANAGEMENT BOARD

The Board has determined that the organisation is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

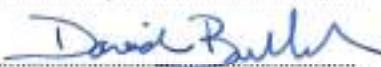
The statement is made in accordance with Section 35(2) of the *Associations Incorporation Act 1985*, for the year ended 30 June 2019.

1. In the opinion of the Board, the 2018/2019 financial report presents fairly the financial position of Westside Community Lawyers Inc. as at 30 June 2019 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Westside Community Lawyers Inc. will be able to pay its debts as and when they fall due.
3. The financial statements and notes satisfy the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*.

This statement is made in accordance with a resolution of the Board and in accordance with subsection 60.15(2) of the *Australian Charities and Not-for-profit Commission Regulation 2013*. Signed for and on behalf of the Board by:

John Sulan QC
Chairperson

David Bulloch
Managing Lawyer


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DATED the 8th day of November 2019



**WESTSIDE COMMUNITY LAWYERS INC.
REPORT OF THE MANAGEMENT BOARD**

The report of the Management Board of Westside Community Lawyers Incorporated, in accordance with Section 35(5) of the *Associations Incorporation Act 1985*, for the year ended 30 June 2019.

1. No officer of the association or firm of which an officer is a member, or a body corporate in which the officer has a substantial financial interest, has received or become entitled to receive a benefit as a result of a contract between the officer, firm or body corporate and the association except to the extent of those disclosed under Note 5 to the Financial Statements (Related Parties).
2. No officer of the association has received directly or indirectly from the association any payment or other benefit of a pecuniary value, except to the extent of those disclosed under Note 5 to the Financial Statements (Related Parties).

This report is made in accordance with a resolution of the Management Board and is signed for and on behalf of the Board by:

John Sulan QC
Chairperson

David Bulloch
Managing Lawyer


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DATED the ^{November} 18th day of ~~October~~ 2019 



WESTSIDE COMMUNITY LAWYERS INC.

ABN 53 010 430 612

AUDITOR'S INDEPENDENCE DECLARATION

We declare that, to the best of our knowledge and belief, there have been no contraventions of any applicable code of professional conduct in relation to the audit of the financial report of Westside Community Lawyers Inc. for the year ended 30 June 2019.

HLB Mann Judd
HLB Mann Judd Audit (SA) Pty Ltd
Chartered Accountants


Jon Colquhoun
Director

Adelaide, South Australia
18 November 2019

hlb.com.au

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Independent Auditor's Report to the Members of Westside Community Lawyers Inc.

Qualified Opinion

We have audited the financial report of Westside Community Lawyers Inc ("the Association"), which comprises the balance sheet as at 30 June 2019, the statement of comprehensive income, the statement of changes in equity, the statement of statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the Board of Management's statement.

In our opinion, except for the effects of the matter described in the Basis for Qualified Opinion paragraph, the accompanying financial report of the Association is in accordance with Division 60.40 of the *Australian Charities and Not-for-profits Commission Act 2012* and the *Associations Incorporation Act 1985 (SA)*, including:

- a) giving a true and fair view of the Association's financial position as at 30 June 2019 and of its financial performance and cash flows for the year then ended; and
- b) complying with Australian Accounting Standards to the extent described in Note 1 and Division 60.40 of the *Australian Charities and Not-for-profits Commission Regulation 2013* to the extent described in Note 1.

Basis for Qualified Opinion

The Association's balance sheet includes current and non-current liabilities of \$9,630 and \$82,654 respectively for deferred income which relates to government funding received for the purpose of relocating the Adelaide office. These items do not meet the definition of a liability. Had the government funding been recognised as income when received as required by Australian Accounting Standards, the loss for the year ended 30 June 2019 would have been increased by \$9,630 to a loss of \$37,645 and the members' funds (accumulated surplus) would be increased by \$92,284 to \$369,065

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the auditor independence requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* ("the Code") that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our qualified opinion.

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the financial reporting responsibilities under the *Australian Charities and Not-for-profits Commission Act 2012* and the *Associations Incorporation Act 1985 (SA)*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.

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Responsibilities of Management and Board Members for the Financial Report

Management is responsible for the preparation of the special purpose financial report that gives a true and fair view in accordance with the relevant Australian Accounting Standards in accordance with the *Australian Charities and Not-for Profits Commission Regulations 2013* and the *Australian Charities and Not-for-profits Commission Act 2012* and the *Associations Incorporation Act 1985 (SA)* and for such internal control as management determines is necessary to enable the preparation of the financial report that is free from material misstatement, whether due to fraud or error.

In preparing the special purpose financial report, management is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intend to liquidate the Association or to cease operations, or have no realistic alternative but to do so.

Board Members are responsible for overseeing the Association's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of the management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Association's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Association to cease to continue as a going concern.

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- Evaluate the overall presentation, structure and content of the financial report, including the disclosures, and whether the financial report represents the underlying transactions and events in a manner that achieves fair presentation.

We communicate with Board Members ¹regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide the Board Members with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

HLB Mann Judd

HLB Mann Judd Audit (SA) Pty Ltd
Chartered Accountants

Adelaide, South Australia
18 November 2019

Jon Colquhoun
Director

¹ "the directors"

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**WESTSIDE COMMUNITY LAWYERS INC
SPECIAL PURPOSE INCOME AND EXPENDITURE REPORT
YEAR ENDED 30 JUNE 2019
ADELAIDE WEST**



1. Income and Expenditure	Notes	2019	2018
NET SURPLUS FROM PREVIOUS YEAR		\$	\$
Surplus from previous year		-4,068	4,988
Approved Expenditure from Surplus		0	0
Net Surplus from previous year		-4,068	4,988
<u>CLSP INCOME</u>			
Commonwealth Grant	A, B	187,005	184,377
State Grant	B	241,956	224,560
Service Generated Income	C	98,126	97,449
Total CLSP Income		<u>527,087</u>	<u>506,386</u>
CLSP General Purpose Income (Total CLSP Income + Net Surplus from Previous Year)		<u>523,019</u>	<u>511,374</u>
<u>CLSP EXPENSES</u>			
Salaries		362,404	323,443
Superannuation		34,103	29,207
On Costs		9,906	8,050
Rent		56,356	60,899
Repairs and Maintenance		26,854	17,932
Other Premises Costs		0	0
Staff Training		2,399	2,614
Staff Recruitment		895	1,430
Communications		9,421	8,045
Office Overheads		7,174	14,161
Insurances		4,629	3,956
Finance, Audit & Accounting Fees		4,144	4,054
Library, Resources & Subscriptions		23,261	25,922
Travel		11,553	11,339
Programming & Planning		1,803	1,597
Client Disbursements		2,985	1,254
Leases		0	0
Minor Equipment		1,073	1,538
Depreciation		0	0
Other	C	5	0
Salary and Related Expenses		<u>406,413</u>	<u>360,700</u>
Total Operating Expenses		<u>152,552</u>	<u>154,743</u>
Total CLSP Expenses		<u>558,965</u>	<u>515,442</u>
Surplus/(Deficit) for current year		<u>-31,878</u>	<u>-9,056</u>
OTHER INCOME			
Less Actual Capital Expenditure in Current Year		0	0
Surplus (Deficit) for Next Year		<u>-35,946</u>	<u>-4,068</u>



Note A

In 2013/2014, the Commonwealth Attorney-General's Department provided one-off funding to assist with the cost of the forced relocation of the Adelaide office in the amount of \$60,000. For the purpose of the ordinary accounts, this was recorded as Deferred Grant Income and placed in the Hindmarsh Fitout provision account. However, for the purpose of the Special Purpose Income and Expenditure Reports and the Attorney-General's Department, that sum was to be recorded as income in the financial year ended 30 June 2014. This resulted in a further variance between the ordinary accounts and the Special Purpose Reports. Refer to Note 10 in relation to the provisions account.

Note B

In 2018/19 the State Attorney General's Department and Commonwealth Attorney General's Department provided additional annual funding to the Adelaide Office to share the costs of the Equal Remuneration Order made by Fair Work Australia that applies to employers throughout Australia in the Social, Community and Disability Services Industry (the SACS industry). The effect of the ERO on WestSide Lawyers is to increase pay rates for employees classified under the SACS Modern Award. WestSide Lawyers has committed to use the supplementation funding offered for the sole purpose of paying increased wages as a result of the ERO.

The amount of SACS funding provided to the Adelaide Office in the 2018/2019 financial year is as follows:

Commonwealth AG Funding	\$30,186
State AG Funding	\$9,760

Note C

Service Generated Income includes Client Contributions which for the purposes of the ordinary accounts is recorded by reference to the invoices which have been generated and thus does not record actual cash received during the relevant period. For the purposes of this Special Purpose Report Client Contributions have been recorded by reference to actual cash received which explains the variance from the ordinary accounts. Similarly Bad Debts within the ordinary accounts to the extent that they reflect invoiced amounts which have been "written off" are not included within Other Expenses within the Special Purpose Report.

**WESTSIDE COMMUNITY LAWYERS INC
SPECIAL PURPOSE INCOME AND EXPENDITURE REPORT
YEAR ENDED 30 JUNE 2019
MID NORTH AND OUTBACK**



1. Income and Expenditure	Notes	2019	2018
NET SURPLUS FROM PREVIOUS YEAR		\$	\$
Surplus from previous year		53,389	5,136
Approved Expenditure from Surplus		0	0
Net Surplus from previous year		53,389	5,136
<u>CLSP INCOME</u>			
Commonwealth Grant	D	267,370	263,607
State Grant		210,515	199,184
Service Generated Income		<u>100,545</u>	<u>33,335</u>
Total CLSP Income		<u>578,430</u>	<u>496,126</u>
CLSP General Purpose Income (Total CLSP Income + Net Surplus from Previous Year)		<u>631,819</u>	<u>501,262</u>
<u>CLSP EXPENSES</u>			
Salaries		401,466	312,245
Superannuation		35,550	28,777
On Costs		8,657	8,086
Rent		30,068	22,632
Repairs and Maintenance		20,948	5,492
Other Premises Costs		0	0
Staff Training		3,230	1,327
Staff Recruitment		1,373	330
Communications		7,280	3,449
Office Overheads		8,185	5,944
Insurances		4,596	5,607
Finance, Audit & Accounting Fees		3,765	3,693
Library, Resources & Subscriptions		24,746	26,182
Travel		10,187	14,963
Programming & Planning		939	6,801
Client Disbursements		3,471	160
Leases		0	0
Minor Equipment		1,254	2,184
Depreciation		0	0
Other		104	0
Salary and Related Expenses		<u>445,673</u>	<u>349,108</u>
Total Operating Expenses		<u>120,146</u>	<u>98,766</u>
Total CLSP Expenses		<u>565,819</u>	<u>447,874</u>
Surplus/(Deficit) for current year		<u>12,611</u>	<u>48,253</u>
OTHER INCOME			
Less Actual Capital Expenditure in Current Year		<u>23,000</u>	<u>0</u>
Surplus (Deficit) for Next Year		<u>43,000</u>	<u>53,389</u>



Note D

In 2018/19 the State Attorney General's Department and Commonwealth Attorney General's Department provided additional annual funding to the Mid North and Outback Office to share the costs of the Equal Remuneration Order made by Fair Work Australia that applies to employers throughout Australia in the Social, Community and Disability Services Industry (the SACS industry). The effect of the ERO on WestSide Lawyers is to increase pay rates for employees classified under the SACS Modern Award. WestSide Lawyers has committed to use the supplementation funding offered for the sole purpose of paying increased wages as a result of the ERO.

The amount of SACS funding provided to the Mid North and Outback Office in the 2018/2019 financial year is as follows:

Commonwealth AG Funding	\$43,159
State AG Funding	\$13,954



Auditor's Certification

Name of Organisation: Westside Community Lawyers Inc

Financial Year Period: 01 / 07 / 2018 to 30 / 06 / 2019

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 Balance Sheet, a Statement of Comprehensive Income 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 The Honourable John Rau, Attorney General for the state of South Australia and Westside Community Lawyers Inc. for 1 July 2018 – 30 June 2019 a copy of which has been made available to me, in relation to the provision of community legal services.
- c. The fourth quarter 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 Agreement referred to in b.ii. above for all Funding Categories.

This is a qualified 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: Jon Colquhoun

Name of Company: HLB Mann Judd Audit (SA) Pty Ltd

ACN or ABN Number: 32 166 337 097

Registered Auditor: Yes No **Registration No.:** 475951

Signature: 

Date: 18 November 2019

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