



**Queensland Association of
Independent Legal Services Inc.**
Annual report 2014-15

www.qails.org.au



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Acknowledgements

This Annual Report covers the period 1 July 2014 – 30 June 2015 and was presented at the Queensland Association of Independent Legal Services Inc. (QAILS) Annual General Meeting on 22 October 2015.

QAILS acknowledges funding from the following sources in 2014-2015:

- Legal Practitioners Interest on Trust Account Fund, responsibility for which lies with the Queensland Department of Justice and Attorney-General and which is administered through Legal Aid Queensland;
- Federal Attorney-General's Department;
- Freehills Foundation;
- Department of Environment;
- City of Brisbane;
- Event sponsors including: Bank Mecu, McCullough Roberts Lawyers, DLA Piper, Clayton Utz and the Foundation for Rural & Regional Renewal.

QAILS affirms that the Aboriginal and Torres Strait Islander peoples are the Indigenous inhabitants of Australia and acknowledges their unique relationship with their ancestral country. In particular, we acknowledge the Turrbal and Jagera peoples, the traditional custodians of the land in and around Brisbane, and pay respect to their elders, past and present.

This annual report is also available online at www.qails.org.au.



Overview from the President and Director

This year QAILS has continued to develop as a peak body for the community legal centre sector in this state and nationally, particularly in supporting and leading community legal centres providing vital and valuable services. 2014-15 was the first year of a new strategic plan for QAILS, which focussed on six areas:

- Support and develop the organisational capacity of community legal centres;
- Support and develop community legal centre staff, including volunteers;
- Provide targeted information to members of the public so legal needs are responded to in a timely way;
- Mature QAILS's role as a peak body for Queensland's community legal centres;
- Be a respected and leading voice for community legal centres and social justice;
- Deliver clear and transparent governance and operational management.

This annual report discusses each of these actions; our achievements this year, and the work that we'll continue to focus on in the next few years. Key achievements this year include:

- Working with other legal assistance services and governments to develop a new National Partnership Agreement on Legal Assistance Services;
- Contributing to the Productivity Commission's inquiry into access to justice arrangements, which concluded that Governments must invest another \$200m in legal assistance services annually;
- Finalising the first cycle of accreditation for QAILS members; and
- Increasing our research and advocacy output across a range of policy areas.

The new National Partnership Agreement on Legal Assistance Services provides a policy and funding framework that will support legal assistance providers and to that extent has provided some certainty for the community legal sector. While funding cuts were scheduled to take effect from July 2015, these cuts have been deferred for two years, with governments again kicking the funding can down the road, which provides a short term reprieve but fails to ensure that people with legal problems have a safety net.

Over half of all Queenslanders had a legal problem this year; many didn't know where to turn for help. Less than one in six reached out to a lawyer, and community legal centres provide a safety net for many of the most disadvantaged people.

Despite providing valuable services to almost 50,000 people in Queensland last year, research from the National Association of Community Legal Centres shows that another 80,000 were turned away. These people with legal problems couldn't get legal help over the phone, or get an appointment to see a lawyer.



Janet Wight

President



James Farrell

Director



Community legal centres couldn't help **three** in **five** of the people who needed our help in 2014-15.

Community legal centres do the best that they can, but without the resources required our members are unable to meet the overwhelming need for legal services. A significant funding cut will only exacerbate the situation.

A focus for the coming year for QAILS will therefore be to continue actively working with its members and partners for sustainable, adequate policy and funding decisions to ensure that Queenslanders are able to get the legal help they need and ensure that access to justice is realised.

Summary of CLC statistics



How we're shaping the future

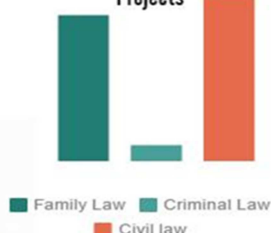
PROJECTS

Community legal education: 770
Law reform and legal policy: 34



Queensland Association of Independent Legal Services Inc

Community Legal Education Projects



Clinical legal education - Top 5

1. Family/Domestic Violence
2. Wills/Probate
3. Contact and residency
4. Consumer and complaints
5. Government/admin law

Law reform and legal policy - Top 5

1. Family/Domestic Violence
2. Government/admin law
3. Government Pensions and Benefit Allowances
4. Discrimination
5. Contact and residency



* Based on statistics from 2014-2015 CLSIS data and the NACLC National Census of CLCs 2014 Qld report



Enhancing organisational capacity of CLCs

Productivity Commission investigates 'access to justice'

The Productivity Commission is the Australian Government's independent research and advisory body on a range of economic, social and environmental issues affecting the welfare of Australians. In 2013, the Australian Government asked the Commission to undertake a 15-month inquiry into Australia's system of civil dispute resolution, with a focus on constraining costs and promoting access to justice and equality before the law.

QAILS contributed to the Commission's inquiry in a number of ways: providing submissions (generally in partnership with other community legal peaks), offering specific advice about access to justice in Queensland, attending national roundtables and giving evidence at a public inquiry.

The Commission's report was released in December 2014. Amongst its 83 recommendations to improve access to justice, the final report called for:

- Establishment of well-recognised entry points for legal assistance, based on the 'no wrong door' principle;
- Legal assistance and relevant non-legal service providers being encouraged to coordinate services;
- Awarding of costs, even where lawyers are acting pro bono;
- Continued funding for duty lawyers and self-representation services;
- Governments to fund strategic advocacy and law reform activities; and
- An additional \$200m funding for civil legal assistance services.

These findings recognise the importance of the work undertaken by community legal centres, the effectiveness of this work, and the importance of increased government investment to support our services.

Reversing federal funding cuts

On the night that the 2014-15 Federal Budget was delivered, 11 of Queensland's community legal centres were advised of funding cuts to their services. QAILS expressed its concern in a number of forums, including to a Senate inquiry investigating the impact of budget cuts, where we noted that these cuts would impact frontline legal services across Queensland.

QAILS worked with its members, other legal service peaks and stakeholders to argue for the cuts to be reversed. In March 2015, Attorney-General George Brandis announced that the proposed cuts would not proceed:

... The Government has listened and is acting in the interests of the most vulnerable in our community including Indigenous Australians.

... Since the 2013 election, the government has carefully examined legal assistance funding to ensure that funding is directed to front line services where the need is greatest – such as services providing help to those affected by domestic and family violence.

... This announcement provides certainty to the sector while the process of negotiating a new funding agreement continues. The new funding agreement is due to commence on 1 July 2015. Commonwealth Government funding will be sustainable and it will match funding to demonstrated need. It will be fair and efficient.

Legal aid funding assured to support the most vulnerable in our community
MEDIA RELEASE, 26 March 2015

2014-17 QAILS Strategic Plan

Support the professional standards of community legal centres, including accreditation and professional indemnity insurance aspects.

Encourage and support community legal centres to engage in innovative, collaborative practices to deliver effective, high-quality services.

Advocate for resources to address identified unmet legal need.

Facilitate information exchange across community legal centres and to QAILS.

New National Partnership Agreement on Legal Assistance Services

Throughout this year, the Commonwealth Government worked with state and territory governments and service providers to reform the policy and funding framework for legal assistance funding.

Throughout this year, the Commonwealth Government worked with state and territory governments and service providers to reform the policy and funding framework for legal assistance funding. QAILS and its partner legal services peaks contributed to the development of this policy, culminating in a new National Partnership Agreement on Legal Assistance Services. In May 2015, Queensland was the first jurisdiction to sign up to this new Agreement, which devolves significant decision making (especially around funding issues) from the Commonwealth to the Queensland government. The Agreement also restricts important aspects of our work, including a significant funding cut from July 2017, limiting the types of clients that can receive ongoing casework assistance and restricting us from systemic advocacy. An important improvement is the explicit consideration of community legal centres in the new Agreement, a commitment to collaborative service planning, identification of clear priorities, and a focus on providing services to victims and survivors of family violence.

Specialist domestic violence duty lawyers

QAILS's submission to the Special Taskforce on Domestic and Family Violence in Queensland, led by Dame Quentin Bryce, focused on the need for specialist duty lawyers to assist parties in domestic violence protection order applications. The lack of legal assistance available to people attending Queensland's domestic violence courts to apply for a domestic violence order, or respond to an application for an order, results in trauma, unjust outcomes, and increased system-wide costs both financial and social. A specialist domestic violence duty lawyer service will provide an effective response for the thousands of people who come into contact with the Courts in this jurisdiction, and ensure effective responses to domestic and family violence.



The taskforce's final report, *Not Now, Not Ever*, included a recommendation for the introduction of these specialist court-based services, and the recommendation was accepted by the Government. QAILS met with Minister for Communities and Women, Shannon Fentiman, to discuss the need for these services (see photo above), and in May 2015, the Queensland Government announced funding to roll out these services. Legal Aid Queensland is responsible for these services, which will be delivered partly by community legal centres in a majority of the courts from late 2015.

Employment law services

Since the fundamental changes introduced by the Fair Work Act 2009, Queensland's community legal centres have experienced a dramatic and unsustainable rise in the demand for employment law advice. Generalist community legal centres across the State are unable to keep up with both the volume of demand for employment law advice and the increased complexity of the laws makes it harder for lawyers to give advice in this area. This results in disadvantaged Queenslanders being turned away by community legal centres at alarming rates.

Our submission to the Productivity Commission's inquiry into the workplace relations framework called for the Commission to consider the assistance available to vulnerable workers as part of its inquiry; the Commission will release its final report in late 2015.

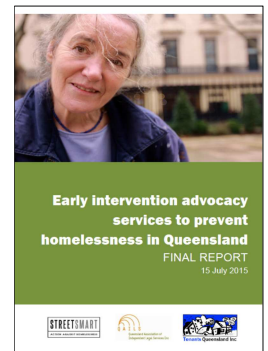
Communications

QAILS distributes a fortnightly(ish) e-bulletin to its members, the QAILS Digest. As well as regularly responding to ad hoc requests and communications from its members, QAILS main form of communication is the QAILS Quarterly, which is now distributed to over 2,000 stakeholders, the QAILS website and the QAILS social media sites.

Specialist legal help for tenants

Tenants Advice and Advocacy Services (TAAS) and their predecessors had existed in Queensland for around twenty-five years, but were completely de-funded from December 2013. Since then, fewer people have had access to specialist, early-intervention advice and assistance. With financial support from StreetSmart Australia and pro bono assistance from MurphySchmidt Lawyers and the UQ Pro Bono Centre, QAILS joined Tenants Queensland to complete a research report titled: 'Early intervention advocacy services to prevent homelessness in Queensland'. The report found that:

- 33% of all Queensland households are renters;
- 80% of surveyed community organisations made at least weekly referrals to TAAS when it was in existence;
- 80% of surveyed community organisations identified a significant increase in their workload in tenancy services once TAAS closed; and
- 60% of surveyed community organisations identified that their clients had not achieved appropriate outcomes since the withdrawal of TAAS.



The report received significant media attention, and was followed by confirmation that specialist tenant's advice services would be reinstated. QAILS and several of its members met with the Department of Housing and Public Works to discuss the development of the new program, and met with Minister for Housing Leanne Enoch to reinforce the importance of these specialist services.



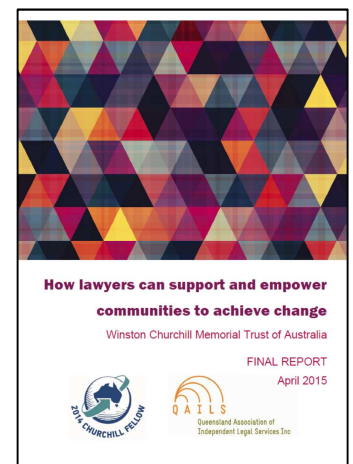
Use of technology in community legal centres

QAILS commissioned a literature review and a survey of community legal centres in Queensland in order to determine which information and electronic communications technologies (ICT) are most helpful when delivering services to vulnerable, rural and remote clients. The report, developed with pro bono help from Allens, examines both general principles derived from the literature and the specific needs of vulnerable communities. The report concludes that ICT, with modifications if appropriate, can help enhance service delivery to vulnerable groups and that a centralized and collaborative model of knowledge and resource sharing is also beneficial.

How lawyers can support and empower communities to achieve change

In 2014, our director James Farrell was awarded a prestigious Churchill Fellowship, to examine if community legal centres' work could be made more effective using community organising techniques. Formalised community organising is relatively new in Australia, but well established in other countries, particularly the USA. The project attempts to investigate how community organisers partner with legal advocates in countries with similar legal traditions but stronger community organising histories to achieve change.

The project contains 15 suggestions for community legal centres that may improve their work. The search was based on James' 50 plus interviews with a range of organisations across Canada, the USA and the UK.



Professional standards

All QAILS members are comprehensively audited and assessed before they can be certified as being compliant with national standards for legal service delivery. The standards cover all aspects of operations, including governance and management, all aspects of legal practice, financial accountability, risk minimisation, employment practices, physical safety, and accessibility.

If you see this sticker on a community legal centre's website, in their publications, or attached to their front door - you can be confident the organisation complies with rigorous quality standards. You can expect that they will be clear about how and when they can help you. You can expect that any help is provided in a professional manner; is useful, understandable and accurate.

QAILS members can also access NACLC's bulk professional indemnity insurance (PII) scheme and its associated Risk Management regime. This is a successful and cost-effective way for community legal centres to manage both their risk and their PII.

The Risk Management Guide, annual cross-checks and compulsory state PII meetings help individual centres understand and manage risk in their legal practice, identify possible new risks and act to minimise risks and prevent and/or mitigate claims being made against them.



Coordinating community legal education

Funders and policy makers sometimes express concern that there is unnecessary duplication of information and publications by legal assistance services. While QAILS doesn't believe that this is a big problem, there was a lack of evidence to challenge these assumptions.

With help from the UQ Pro Bono Centre, QAILS examined 422 separate publications produced by Queensland's legal assistance services in recent years, and uncovered very limited examples of duplication. We are confident that almost all of the publications produced in Queensland have been included in the project database.

On this basis, QAILS's preliminary view is that the incidence of duplication is vastly overstated and unsupported by evidence. That said, there are some structural improvements that could be made to further improve collaboration and information-sharing about legal information for Queenslanders. We've asked our members and partners to review the report and provide additional information, and the report will be finalised later in 2015.

Environmental Defenders Offices

While QAILS welcomed the reversal of funding cuts, this policy change didn't extend to Environmental Defenders Offices, which have not received government funding (state or federal) since 2013.

A change of government in Queensland in early 2015 also brought a commitment to reinstating funding for Environmental Defenders Officers; the State Budget included an appropriation to meet this commitment, which will provide some funding to two Queensland Environmental Defenders Offices to provide legal help to people with planning or environmental law problems.



QAILS conference

Justice McMurdo addressing the 2015 QAILS conference



QAILS ran the state conference from 25 to 27 May at the Park Regis Hotel, North Quay. In conjunction with the conference they ran a number of fringe events including drinks for new practitioners, breakfast for pro-bono lawyers, a masterclass for gaining media skills and a conference dinner. The number of people who participated across the four days was 232. The conference was sponsored by Bank Mecu, the Department of Justice and a number of corporate law firms provided catering and venues for QAILS to use.

The speakers from the conference included CLC lawyers, government representatives, NACLC staff and specialist in related fields. Some of the feedback QAILS received in relation to the conference was that:

Camielle Donaghey, Caxton Legal Centre at a QAILS Conference workshop

81% of participants at the pro-bono breakfast found the networking opportunities very useful or somewhat useful for their career development;

- 100% of participants rated the new practitioners drink event excellent, very good or good;
- 69% of people who attended the conference dinner said they were extremely likely or very likely to attend again;
- The most popular presentation on day one was 'Fundraising ideas for your CLC' and the least popular was 'Child Protection';
- The most popular presentation on day two was the 'Project Showcase' and the least popular was 'Monitoring and Evaluation';
- The most popular presentation on day three was the 'Guardian and Administration' and the least popular was 'Working with clients who experienced torture and trauma'.





Developing community legal centre staff and volunteers

QAILS delivered over twenty webinars to staff, volunteers and friends in 2014-15, across a variety of topics.

Presenters included QAILS employees and representatives from a wide range of organisations, including Legal Aid Queensland, the College of Law, member centres such as Caxton Legal Centre and the Women's Legal Service, and law firms such as K&L Gates and Norton Rose Fulbright. An average of 36 people registered for each of these webinars, and almost 600 people registered for at least one webinar, with many registrants attending multiples sessions.

Presentations included:

- Applying for grants of legal aid;
- Assisting people duped by door-to-door sales;
- Changes to Queensland's youth justice system;
- Child support;
- CLC 101;
- Debt recovery: from letter of demand to judgement;
- Defamation in CLC advocacy;
- Disability discrimination in employment;
- Employment disputes 101;
- Financial hardship;
- Fundraising;
- Insurance disputes;
- Social security fraud;
- Legal issues for farmers;
- Legal issues for grandparents;
- Lessons from 2014 legal discipline cases;
- Practical tips for referring clients to EDR schemes: maximum outcome, minimal involvement;
- Reviewing and developing staff performance;
- Safe at home, safe at work: changes to the Fair Work Act;
- 'Safe night out' laws;
- Sharing your knowledge with next generation lawyers;
- Social media 101 for CLCs.

Mental wellbeing in the legal profession

The Tristan Jepson Memorial Foundation works to decrease work related psychological ill-health in the legal community and to promote workplace psychological health and safety. The Foundation aims to raise awareness, improve education and build effective models of support which focus on mental health wellbeing within the legal education system and the legal profession. QAILS is a signatory to the TJMF Psychological Wellbeing: Best Practice Guidelines for the Legal Profession.

2014-17 QAILS Strategic Plan

Deliver and coordinate training;

Connect community legal centres staff to support each other's work through mentoring, networking, peer support and conferences.

Signatory 2014/2015

Psychological Wellbeing:
Best Practice Guidelines

www.tjmf.org.au



Responding to industry skills fund discussion paper

QAILS's response to the Department of Industry's Establishment of the Industry Skills Fund – Discussion Paper suggested improvements to the Industry Skills Fund to ensure that community services, including community legal services, understand the purpose of the fund and are able to ensure that community sector workers develop the skills and expertise to continue to provide excellent and effective services to the community.

Learning and development project

In 2014-15, QAILS successfully sought funding from the LPITAF Project fund to deliver a project to develop community legal centre staff training. The project will develop a clear model for the delivery of training and development initiatives that can be implemented within legal assistance services across Queensland to induct new staff delivering legal assistance services; and develop the skills and expertise of staff. The project report and resources will be delivered in December 2015.

Volunteering in community legal centres

Community legal centres offer opportunities for law and social work students, lawyers, social workers and others with skills that can help the community legal centre perform its functions, such as language and cross-cultural skills, social welfare work experience or training. They may also seek people from their community who have experience, knowledge or skills that will be useful to their board of management.

Volunteer students are often required to assist with administrative and reception work as well as initial client contact. Depending on areas of interest and experience, students might also be involved in:

- Conducting initial client interviews, and discussing factual scenarios with staff lawyers and volunteer lawyers;
- Responding to general inquiries about the community legal centre and its services;
- Referring clients to appropriate community and government agencies;
- Case management, maintaining client files and documentation assisting in advocacy work of staff lawyers (including attending courts and tribunals);
- Drafting letters and other legal documents; and
- Researching legal issues, administrative procedures and relevant policy areas.

Students who are not admitted to practice must defer to qualified volunteer and staff lawyers for the provision of actual legal advice and must inform clients that they are not qualified to give legal advice but will refer them to a lawyer or arrange for a lawyer to contact them.

Volunteer lawyers may be on a weekly, fortnightly or monthly roster to attend evening shifts in order to advise clients. Experienced volunteer lawyers may be involved in mentoring and guiding volunteer students and volunteer lawyers with less experience.

Non-legal volunteer staff, including volunteer students, may also be rostered and work with employed community legal centre staff to provide telephone referrals to the public, arrange bookings for legal advice nights, prepare interview, briefing or file notes, conduct follow-up tasks on client matters such as preparing draft letters and conduct administrative tasks.

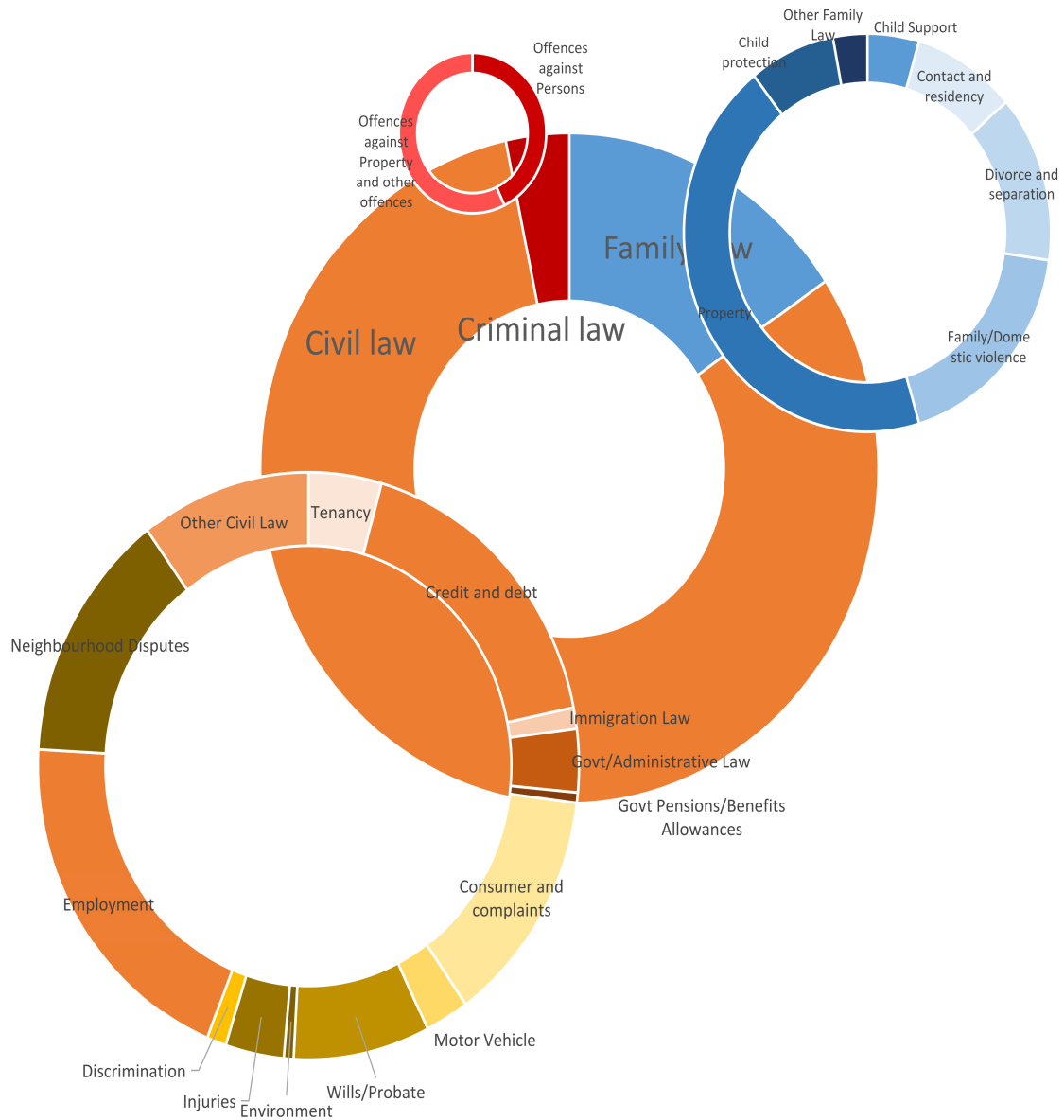
Visit www.clcvolunteers.net.au to find volunteering opportunities, or contact your local CLC



Information to the public

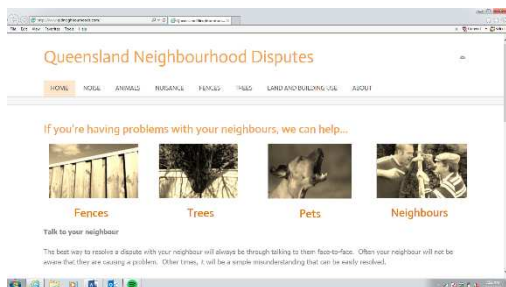
2014-17 QAILS Strategic Plan

Respond to enquiries about legal issues and provide appropriate referral and information



In 2014-15, QAILS provided information and referral services to over 400 individuals with legal problems.

New neighbourhood disputes website (www.qldneighbourhoods.com)



QAILS provides information and referrals to Queenslanders with legal problems. In 2012-13, 24% of the inquiries to QAILS were from people with disputes with their neighbours, including disputes over fences, overhanging trees, and anti-social behaviour. With financial support from the City of Brisbane and pro bono legal help from Holding Redlich, QAILS launched a website to provide people with information about their rights and responsibilities.

Increasing residents' access to timely, appropriate and accessible information assisted them to resolve neighbourhood disputes before they escalate. It also delivered clear benefits to local government authorities, law enforcement agencies and community organisations that support community members. The benefits of reducing disputes and conflicts in neighbourhoods increases community safety and social inclusion.

Storm damage

QAILS and its members assisted Queenslanders affected by natural disasters. In November 2014, severe hail storms affected the Brisbane area, and QAILS immediately undertook a community legal education project, issuing a press release about the insurance implications for car owners. The issue was picked up across mainstream media channels..



We also engaged with the responsible Minister and his department; while our response was out in the community within a day, it took almost a week for the government to begin its education campaign.

Voter identification

The 2015 Queensland election was the first time that voters needed to provide government-approved identification to vote. QAILS partnered with Caxton Legal Centre, Aboriginal and Torres Strait Legal Service and the Human Rights Law Centre to raise objections to the new laws, when they were introduced in 2014. Without a proper community education campaign, even more of our client communities were excluded from voting, so when an early election was called, QAILS developed a fact sheet for voters.

Reports from polling centres confirmed our fears that these new laws would disenfranchise voters. QAILS supported electoral law reforms that included scrapping the requirement for voter ID in 2015.

First peoples

QAILS recognises that community legal services can benefit from engaging with Aboriginal and Torres Strait Islander peoples at a community level and that this engagement will enhance the services provided to that community.

QAILS has developed this Reconciliation Action Plan (RAP) as a way to formalise its commitment to further developing the relationship between QAILS, its members and Aboriginal and Torres Strait Islander peoples.



ATSI high school students

This year, QAILS again participated in Brisbane NAIDOC week, with a stall at the Family Fun Day at Musgrave Park. QAILS also presented at the UQ 'InspireU' camp for Aboriginal and Torres Strait Islander high school students considering a career in the law and talked about 'social justice lawyering' careers and the type of work we do.



A peak organisation

QAILS embraced its role as the peak organisation for Queensland's community legal centres. Across all of the six action items listed in the strategic plan, QAILS worked to support and lead its members to create a fair and just Queensland.

2014-17 QAILS Strategic Plan

Increase knowledge within the wider community about QAILS, roles of community legal centres and issues faced by people they work with;

Establish and maintain effective and relevant relationships;

Identify and implement member inclusion initiatives.

Media and communications

Over the 2014-15 financial year QAILS issued 28 media releases which highlighting current projects undertaken by the Association, recent law reform and parliamentary debate, and news relating to the governance and activities of community legal centres throughout the state.



Almost half of the media releases were about the funding available to the community legal sector. This included QAILS' discussions with numerous politicians, the expected implications of both the Federal and State Budgets for community legal centres, and analysis of the Federal Government's proposed funding agreements.

The releases also showcased the work of QAILS' member centres. As a result, QAILS, CLCs or a relevant cause were mentioned in the media on 53 occasions, including five articles featuring direct quotes from QAILS Director James Farrell and approximately 30 mentions of QAILS' member centres. A large majority of media mentions involved a statement by a representative of QAILS or a CLC regarding an issue of social concern.

Meetings with members of parliament

In 2014-15, QAILS consciously increased its engagement with elected representatives, particularly Queensland members of parliament. Our messages focus on several key aspects of community legal centres work, including:

- The impact our work has on our clients and communities;
- The chronic under-resourcing of our services leading to significant numbers of people being unable to access our services;
- Law and policy changes can ensure people don't encounter as many legal problems; and
- MPs and their staff can refer residents to our services if they have legal problems.



Photos of CLC staff meeting with state and federal MPs



Working with our national peak body

The National Association of Community Legal Centres (NACLC) is the national peak, with eight members representing each state and territory.

This year, NACLC underwent some significant governance changes, moving from a representative model to an elected board. NACLC members now attend regular Advisory Council meetings to inform the board of sector issues and to provide feedback.

The NACLC conference was held in Alice Springs in July 2014, and Queensland community legal centres were strongly represented.

Working in partnership

- Queensland Legal Assistance Forum ('QLAF'):** QAILS director James Farrell chaired QLAF this year. QLAF fosters cooperation between service providers and clients to ensure that the legal needs of those clients are met with the best and most effective service available.
 QAILS's staff also regularly attends Community Legal Education Legal Assistance Forum meetings, to promote cooperation and collaboration between legal service providers who are delivering and initiating community legal education activities. QAILS is also represented on other specialist forums, including the Information and Referrals Forum and the Best Practice Forum.
- Queensland Law Society:** QAILS sits on the Society's Access to Justice and Pro Bono Committee, contributing to the Society's work in this area. Key achievements this year included the annual 'Access to Justice Scorecard' and supporting reforms to allow for the 'unbundling' of legal services.
- Futures Forum:** The Queensland Community Services Futures Forum is an independent coalition of over 50 state-wide human services, peak organisations, service providers and networks in Queensland. It serves as a vehicle to identify state-wide strategic issues of concern for the sector and to explore collaborative action to address these issues. QAILS regularly attends Futures Forum meetings.
- Workforce Council:** QAILS is a member of the Industry Reference Group (**IRG**) of the Health & Community Services Workforce Council. The IRG provides advice to the Workforce Council's Board on matters of policy and priority within the Health and Community Services Industry. In August 2014, QAILS staff attended a Workforce Council Industry Forum in Townsville, looking at how changing business models are driving workforce and skills changes for our industry. This was followed by an IRG meeting focussing on the workforce impacts and how we support and fund the skills development needs.
- National Rural Law and Justice Alliance:** The Alliance is Australia's first peak national non-government organisation for rural and remote law and justice. It works with existing institutions to strengthen the focus on rural law and justice issues, and to support and help coordinate their work with this intent.

QAILS also works closely with a number of other community organisations, statutory agencies and government departments.



A respected and leading voice

2014-17 QAILS Strategic Plan

Develop a framework to guide QAILS decision making and priorities in human rights and social justice advocacy;

Use the experience, knowledge and ideas of community legal centres and their clients to contribute to policy development and public discussions.

Restrictions on community legal centres' advocacy

Queensland's community legal centres helped almost 50,000 individuals last year, providing over 110,000 pieces of information and advice, and opening over 9,000 new cases. Where we see the law operating unfairly or with unintended consequences, community legal centres can contribute to addressing these difficulties. Historically, community legal centres have been instrumental in a number of important reforms to unfair systems and structures, including:

- Establishment of the Residential Tenancies Authority and Residential Tenancies Act;
- The introduction of the Domestic Violence (Family Protection) Act 1989;
- Changes to the Coroners Act, to allow Coroners to investigate systemic issues, including the requirement that any death in an institution be investigated;
- Successfully arguing that a person who had suffered from domestic violence at the hands of their partner should not be treated as part of a couple in relation to their social security payments; and
- Actively advocating for police to investigate various criminal acts going on in hostels, including suspicious deaths, theft, torture and people being forced to work and being used as sex slaves.

DON'T GAG COMMUNITY LEGAL CENTRES



From 1 July 2014, restrictions in community legal centres' funding agreements provided that neither Commonwealth nor State funding could be used to engage in this important work. Queensland was the only state that included this restriction on the use of its funding to community legal centres. A bill introduced into the Queensland parliament in November 2014 proposed to make legislative changes preventing LPITAF funding from being used for this important purpose.

Law reform as a frontline legal service

Advancing law reform is a cost effective way of delivering access to justice. The recent Productivity Commission Report on Access to Justice identifies that:

"legal assistance lawyers...are uniquely placed to identify systemic issues, particularly those affecting disadvantaged Australians."

The LPITAF Review identified the importance of ongoing delivery of legal advice and case work, and the Productivity Commission observes that there is not always sufficient funding to support individual representation for all cases that come before legal services. In this respect, advocacy and advancing law reform complements other forms of frontline service and 'stretches the funding dollar'. In addition to recommending an immediate injection of \$200m for legal assistance services, the Productivity Commission expressly recommended:

"The Australian, State and Territory Governments should provide funding for strategic advocacy and law reform activities that seek to identify and remedy systemic issues and so reduce demand for frontline services."

Governments need community organisations to be involved in law reform activity

Governments rely on community organisations with direct experience working with vulnerable clients to improve laws and policies. Preventing this work will result in less effective public policy development, with unforeseen impacts for the Queenslanders with whom our members work.

In October 2014, the Queensland Law Reform Commission invited QAILS to contribute to its review of the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011. In declining the Commission's invitation, QAILS noted the expertise of community legal centres in this area:

"In 2013-14, Queensland community legal centres provided 1,785 pieces of legal information and 1,605 instances of legal advice in relation to 'neighbourhood dispute' problems, and opened 89 new cases. Over a quarter of the calls to QAILS in 2012-2014 were in relation to neighbourhood disputes, and we developed the www.qldneighbourhoods.com website to provide online legal information to people with neighbourhood problems, with financial support from the Brisbane City Council and significant in-kind legal services from Holding Redlich. However, without the resources to develop a formal response to your review, QAILS is unable to provide further evidence that would assist the Commission in its deliberations."

QAILS made similar observations when declining the Department of Justice and Attorney-General's request to provide feedback in the statutory review of the Victims of Crimes Assistance Act. Allowing QAILS and its community legal centre members to actively participate in these discussions would assist government decision making and benefit Queenslanders. QAILS, and its members, could use resources from other sources to participate in this work, but given our reliance on government funding, the effect of these changes was to substantially chill the participation of community legal centres, and QAILS, in advocating for fairer policies and systems for our clients.

Changes allow community legal centres to continue this important work

In March 2015, the new Queensland Government notified community services that the prohibitions on their advocacy work had been reversed. This was welcome news, but the Commonwealth Government's restriction continues, with the new National Partnership Agreement on Legal Assistance Services



State election – call to parties

In the lead-up to the 2015 state election, QAILS released a call to parties called, **"A fair and just Queensland."** This document called on candidates to commit to meaningful change across four domains:

- Access to justice;
- Domestic and family violence;
- Vulnerable young people;
- People with mental health issues or intellectual disability.

QAILS received thoughtful responses from the Liberal National Party, the Australian Labor Party and the Australian Greens.

A Human Rights Act for Queensland

Following the election, the new ALP Government committed to investigating the need for a Bill of Rights in Queensland in order to secure the support of the independent member for Nicklin, Peter Wellington MP. QAILS convened a group of organisations that supports a Human Rights Act or Bill of Rights, and coordinated a letter to the Premier calling for quick action. The group continues to advocate for reforms, and will contribute to a parliamentary inquiry which will be held over the next year to consider this important issue.

Engagement with the United Nations (UN)

After two years of consideration by UN committees, QAILS received consultative status with the UN Economic and Social Council (**ECOSOC**), which allows us to participate in a number of human rights related meetings and forums, including making statements.



Torture and cruel
treatment in Australia
Joint NGO report to the
United Nations Committee
Against Torture
October 2014

This year, QAILS also joined with NACLC and the Anti-Discrimination Commission of Queensland to host a workshop for civil society organisations to participate in the Universal Periodic Review (**UPR**) of Australia. The UPR is a mechanism of the United Nations Human Rights Council that involves a review of the human rights records of all UN Member States. The review is intended to be a cooperative mechanism, based on interactive dialogue with the full involvement of the country concerned, together with other States, NGOs and national human rights institutions. Australia's first UPR occurred in 2011. Australia's second UPR is scheduled for November 2015. The UPR provides a significant opportunity for Australian NGOs to encourage and influence the Australian Government to improve the protection and promotion of human rights and to fulfil its international legal obligations.

QAILS also endorsed the joint Australian NGO report to the UN Committee Against Torture, Torture and cruel treatment in Australia.

Foreign fighters

In October 2014, QAILS joined with the Islamic Council, Council of Imams and over 800 individuals on a submission to the inquiry into the Counter-Terrorism Legislation Amendment (Foreign Fighters) Bill 2014. The submission encouraged the government to balance national security imperatives with laws that are proportionate, reasonable and justified by the evidence of the need for specific, stronger anti-terror laws.

Student research projects

Like many of our member community legal centres, QAILS has valuable relationships with universities, and particularly law schools. This year, students from Bond University completed research projects on pleading guilty online and the need for class actions to increase access to justice in Queensland. A team of students from the University of Queensland's Manning St Project also completed the first phase of a project examining community legal centre clients' experiences of alternative dispute resolution.

Environmental justice

Environmental laws are important to access to justice, because they can help to address social disadvantage and fairness in our legal system. Environmental problems can have a profound effect on a local community, or the wider public, as well as individuals. In appropriate cases, Environmental Defenders Offices (**EDOs**) may represent community groups or individuals seeking access to justice.

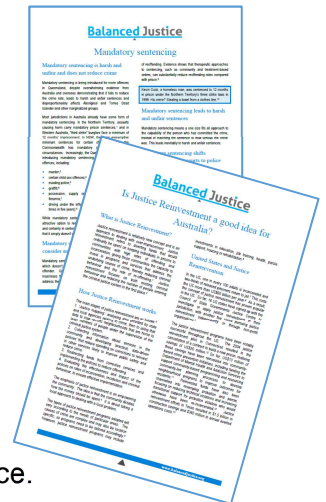
When the House of Representatives Standing Committee on the Environment was asked to inquire into the Register of Environmental Organisations, some commentators and MPs argued that tax concessions should be withdrawn from environmental organisations including EDOs. QAILS authored and coordinated a joint response from community law peaks, recommending that there is no change to the administration of the Register of Environmental Organisations because it is already transparent and effective.

Balanced Justice

QAILS is part of the Balanced Justice project, which seeks to enhance the safety of all Queenslanders by promoting understanding of criminal justice policies that are effective, evidence-based and human rights compliant. In short, Balanced Justice is about smart action for a safer community.

The Balanced Justice project is built on a joint commitment to:

- Healthy, diverse and inclusive communities;
- Respect for human rights and enforceable human rights protections;
- Enhanced support for victims of crime;
- Stopping violence;
- Greater focus on crime prevention and cost-effective crime prevention strategies;
- Greater resources to address the causes of crime and repeat offending;
- Sentencing options that address the causes of offending;
- A health-focused response to reduce alcohol abuse and related violence;
- Reducing the use of knives and other weapons;
- Policing that avoids unnecessary use of force and that builds community confidence.



You can access Balanced Justice factsheets at www.balancedjustice.org. Factsheets include:

- Crime statistics – the real picture;
- Preventing crime;
- Detention and bail for children;
- 'Naming and shaming' young offenders;
- Indigenous overrepresentation in prisons;
- Is justice reinvestment a good idea for Australia?
- Mandatory sentencing;
- Tougher sentences – what the community wants?
- Busting the myths – the facts about youth offending;
- Admissibility of findings of guilt.

This year, QAILS prepared submissions to two inquiries on behalf of Balanced Justice:

- **Queensland parliamentary inquiry into crime:** In May 2014, the Queensland government announced an inquiry on strategies to prevent and reduce criminal activity in Queensland. Balanced Justice provided copies of eleven of its factsheets to the inquiry, which discuss specific opportunities to improve Queensland's criminal justice system, and to make our communities safer.
- **Commonwealth parliamentary inquiry into access to justice:** In March 2015, the Federal Parliament asked the Finance and Public Administration References Committee to conduct an inquiry into Aboriginal and Torres Strait Islander peoples' experience of law enforcement and justice services. Balanced Justice provided copies of its factsheets to the inquiry, which discussed specific opportunities to improve the way that Aboriginal and Torres Strait Islander people access the criminal justice system. This included addressing their overrepresentation in all aspects of the criminal justice system.

On behalf of Balanced Justice, QAILS asked University of Queensland economists Associate Professor Jacqueline Robinson and Dr Alexandra Bratanova to undertake a pro bono economic analysis of potential Queensland budget savings. In summary, their report finds that redirecting funds from detention centres and other costly responses to criminal offending towards early intervention services could save the Queensland budget up to \$263m by 2030.



Governance and operations

2014-17 QAILS Strategic Plan

Review and update policies and procedures to meet minimum standards consistent with member community legal centres;

Review the QAILS Management Committee governance model and structure including composition, representation and decision making aspects.

New role: communications and information

The departure of our longstanding administration officer, Lyn Giles, in 2014 provided an opportunity to reimagine our staffing structure, and a new 'Communications and Information Officer' role was created. Catherine Baker was appointed to the role in September 2014, with a focus on increasing the profile and understanding of the work of QAILS and Queensland community legal centres.

Members' involvement in decision-making

As part of a project to review its internal policies and procedures, QAILS members considered their role in QAILS decision making. This will continue QAILS' move towards a governance model that empowers its management committee to be the key decision-making body, and involves its members in decisions that affect them.

Areas	Members will make decisions	Members will be consulted	Members will be informed
Strategy and planning		QAILS strategic plan Evaluation against SP performance	Progress reports
Policy development	Changes to membership policies	Changes to membership policies	
Funding positions/priorities		Funding positions	
Governance	Elect office bearers Changes to constitution		Decisions made by management committee
Law reform and advocacy	Changes to Human Rights and Social Justice Policy (HRSJ Policy)	Prioritising actions from HRSJ Policy Contributing to law reform work, esp. in areas of identified expertise	Actions being taken by QAILS, including submissions and other advocacy

Staff recognition

QAILS staff continue to be recognised for their outstanding contributions.

In 2014, regional accreditation coordinator Jude Clarkin received a Heart Place Scholarship to complete the Prosci Change Management intensive workshop in Sydney.

This year, director James Farrell received a Deakin University Alumni Community Service Award and a Churchill Fellowship (see page seven). James also received a scholarship from the Australian Institute of Management scholarship to complete a Project Management Fundamentals course.



QAILS people

Management committee

Thank you to our wonderful QAILS Management Committee. This committee is made up of highly committed individuals who are representative of the QAILS membership. The committee includes representatives from regional and metropolitan centres, generalist and specialist centres, and well-funded and poorly-funded centres. The committee comprises the President, Secretary, Treasurer, State Representative, and up to 8 general members.

The current membership of the Management Committee includes:

Janet Wight (Chair)
Michelle Emeleus
Felix Turnbull
Giselle Negri
Victoria Shiel
Aaron Finn
Sue Garlick
Miriam Barber

Volunteers

Anne Marie Chin
Caitlin Ritter
Charlotte Glab
Clare McDonald
Emily Beaty
Georgina Papworth
Jeremy Levien
Jordan Mathas-Carleton
Lyn Han
Madeline Condon
Therese Yu

James Farrell – Director - James Farrell joined QAILS in January 2013, where he leads a small team to provide support and leadership for Queensland's community legal centres. James has worked in paid, volunteer and governance roles at Victorian community legal centres since 2003, including the PILCH Homeless Persons' Legal Clinic, Geelong Community Legal Service, Villamanta Disability Rights Legal Service and Western Suburbs Legal Service. He has also been on the board of the Federation of Community Legal Centres, Council to Homeless Persons, and NACLC. He currently chairs the Queensland Legal Assistance Forum and is a director of NACLC.

Cristy Dieckmann – Policy Worker - Cristy returned to QAILS in 2014 as a policy worker, and was the QAILS Director from February 2012 to 2014. Cristy has worked in the community legal sector since 2001 and has been employed at the Youth Advocacy Centre, Caxton Legal Centre and QPILCH during that time. She has also been on the management committees of Prisoners' Legal Service and the Refugee and Immigration Legal Service. Cristy is currently on maternity leave.

Jude Clarkin - Regional Accreditation Coordinator - Jude Clarkin is the Regional Accreditation Coordinator, responsible for implementing the National Accreditation Scheme in Queensland. Prior to being appointed to this role, Jude was the Administration Coordinator at Women's Legal Service from 1994 to Nov 2011. During 2012 she was the locum finance worker at the Tenants Union of Queensland. Whilst working at WLS she served on the QAILS management committee for many years, variously holding the positions of ordinary member, Treasurer, and Co-Convenor.

Bill Kyle - Finance Officer - Bill Kyle works part time as the Finance Officer at QAILS. He has been with QAILS since 2011 but has been working as a finance worker for over thirty years. His position is broadly responsible for keeping tabs on the money side of things and providing financial planning support for the organisation. Bill's previous work history has been predominantly across various parts of the not-for-profit sector including the Arts, Disability, Cultural Development and the Community Legal areas. Bill also has experience in private practice and commercial environments however decided many years ago he wanted to work in areas that focused on social good.

Cathy Baker - Communication and Information Officer - Cathy works part time as the QAILS Communication and Information Officer. Her primary responsibility is to increase the profile and understanding of the work of QAILS and Queensland Community Legal centres. Cathy has worked in the communications field for close to twenty years, primarily with Not for Profit organisations specialising in child protection, health promotion and for the arts.



Finance report

Financial performance 2014-15

Income

Queensland Government funding	251,552
Conference income	26,841
Membership fees	22,249
Interest	5,999
Donations	2,000
Other income	9,882
Project funding	
LPITAF (Learning & Development)	100
DSEWPC (History)	700
Brisbane CC (Neighbourhoods)	6,000
StreetSmart (Tenancy Advice)	4,267
TOTAL INCOME	329,590

Expenses

Audit fees	3,000
Bank Charges	605
Catering	2,155
Cleaning	1,657
Computer Supplies	2,000
Conference/seminar costs	17,095
Consultant Fees	7,708
Depreciation	6,862
Electricity	1,782
Fees	799
Honorariums	(1,167)
Insurance	1,519
Meeting Expenses	102
Minor Equipment	2,319
Postage, Printing and stationary	1,689
Professional Development	5,776
Rent and rates	33,796
Repairs and maintenance	140
Resources	1,531
Security	360
Staff amenities	218
Sundry expenses	609
Superannuation	16,709
Supervision	267
Telephone	9,054
Travel Expense	9,652
Venue expenses	560
Wages and salaries	189,782
Workers compensation	740
TOTAL EXPENSES	317,319
NET SURPLUS	12,271

Financial position at 30 June 2015

Assets

Cash at bank	252,201
Trade debtors/prepayments	21,411
Deposits	8,000
TOTAL CURRENT ASSETS	281,612
Fixed Assets	11,224
TOTAL ASSETS	292,836

Liabilities

Provision (employee entitlements)	49,841
Creditors and accruals	34,454
Grants received and unexpended	36,859
CURRENT LIABILITIES	121,154

NET ASSETS

171,682

Members funds

Balance at 1 July 2014	159,411
Net surplus for year	12,271
TOTAL MEMBERS FUNDS	171,682

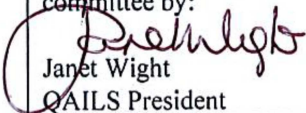
Declaration by QAILS Management Committee


The QAILS committee has determined that the Association is not a reporting entity and that a special purpose financial report should be prepared in accordance with the accounting policies.

In the opinion of the committee the financial report:

- Presents fairly the financial position of Queensland Association of Independent Legal Services Inc as at 30 June 2015 and its performance for the year ended of that date.
- At the date of this statement, there are reasonable grounds to believe that Queensland Association of Independent Legal Service Inc will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the committee by:


Janet Wight
QAILS President


Aaron Finn
QAILS Treasurer

Our full audited financial reports are available at www.qails.org.au.



QAILS members

- Aboriginal & Torres Strait Islander Women's Legal Service NQ;
- Aboriginal Family Legal Service Southern Queensland;
- Basic Rights Queensland Inc.
- Bayside Community Legal Service Inc.
- Cairns Community Legal Centre Inc.
- Caxton Legal Centre Inc.
- Central Queensland Community Legal Centre;
- Environmental Defenders Office (Qld) Inc.
- Environmental Defenders Office of Northern Queensland;
- Gold Coast Community Legal Centre & Advice Bureau Inc.
- Goondiwindi Community Legal Service;
- Junkuri Laka Community Legal Centre Aboriginal Corporation;
- Lesbian Gay Bisexual Trans Intersex Legal Service Inc.
- Mackay Regional Community Legal Centre;
- Moreton Bay Regional Community Legal Service Inc.
- North Queensland Women's Legal Service;
- Nundah Community Support Group Inc. Pine Rivers Community Legal Service;
- Prisoners' Legal Service Inc.
- Queensland Advocacy Incorporated;
- Queensland Indigenous Family Violence Legal Service;
- Queensland Public Interest Law Clearing House Inc.
- Refugee and Immigration Legal Service;
- Robina Community Legal Centre Inc.
- Roma Community Legal Service;
- South West Brisbane Community Legal Centre;
- Suncoast Community Legal Service;
- Taylor Street Community Legal Service;
- Tenants Queensland Inc.
- The Advocacy and Support Centre;
- Townsville Community Legal Service;
- Women's Legal Service;
- YFS Legal;
- Youth Advocacy Centre.



Queensland Association of Independent Legal Services Inc.

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