



SPRINGVALE MONASH
LEGAL SERVICE Inc.

ANNUAL REPORT 2016

Promote
human rights

VISION

To lead in the
creation of a fair
and just society

VALUES

Uphold the
dignity of
service users

Respond to every client
in a holistic manner

Respect for
diversity

Ensure practice
is informed by
consultation

Promote active and
full participation
for community
members

STATEMENT OF PURPOSE

- SMLS aims to empower and support members of our community to use the law and legal system to protect and advance their rights and broaden their awareness of their responsibilities.
- SMLS seeks to redress imbalances in access to justice through the provision of legal assistance and information, community legal education and law reform.
- SMLS also aims to develop the confidence, skills and ethics of law students through clinical legal education in a community environment.

MISSION

- To make the legal system accessible to disadvantaged members of the community.
- To challenge systemic disadvantage within the community.
- To advocate for and assist service users to advance their rights and broaden their awareness of their responsibilities.
- To develop the confidence, skills and ethical conduct of Monash law students through participation in the clinical legal education program.

CONTENTS

Board of Directors	2
Staff	3
Volunteers	4
Clinical Education Program	6
Clinical Externship Program	7
Chairperson's Report	8
Executive Director	9
Academic Director	11
Civil Litigation	12
SMLS/SECASA Joint Legal Clinic	13
Family Violence Program	14
Family Law & Child Support	15
Volunteer Program	16
Administration	17
Community Development & Law Reform	18
Outreach Services	19
Student's Perspectives	20
Photos	22
Lawyers Practice Manual	24
Statistics	25
Acknowledgements	29
Audited Financial Statements	30
Notes to the Financial Statements	35
Independent Audit Report to the Members	43
Strategic Goals	45



BOARD OF DIRECTORS

Chair

David Starvaggi

Vice Chair

Dona Tantirimudalige

Treasurer

Jared Heath

Secretary

Jamie McGhie

Monash Faculty of Law Members

Renata Alexander

Nina Boughey

Vanessa Johnston

Gillian North

Directors

Anna Hall

Sonia Parisi

Andrew Simmons

Sarah Williams

SMLS Executive Director (non-voting)

Kristen Wallwork

SMLS Staff Representative (non-voting)

Daniel Bean

Consultant

Adrian Evans



STAFF

Executive Director

Kristen Wallwork

Academic Director (Monash University)

Kate Seear

Professional Practice Supervisors

Janine Hill-Buxton

Jamie Walvisch

Jackie Weinberg

Korina Leoncio**

Executive Assistant

Phyllis Toparlanis

Civil Litigation Solicitor

Daniel Bean

Family Law & Child Support Solicitors

Andrea Videion

David Easteal*

Family Violence Solicitor

Janine Hill-Buxton

Community Lawyer

Sandy Kaur

Community Development Workers

Kei Judd

Claire Kendall

Joint Sexual Assault Clinic Coordinator

Meghan Butterfield

Volunteer Program Coordinator

Trang Nguyen

Administration Officers

Diane Roberts

Cheryline O'Brien

Trang Nguyen

Sabrina Lim

IT Contractors

Ruben Ramdhony

Ritesh Foolchang

Finance Contractor

Annette Antolino

* Vacated

** Maternity Leave



VOLUNTEERS

Family Law and Child Support Volunteer for 2016

Carl Buhariwala

Administration Volunteer

Natalie Simpkin

SMLS/SECASA Joint Legal Clinic Volunteers

Laura Chipp

Simon Acott

Clara Teo

Caitlyn Burgu

Fiona Martin

Dilsha Jayasekara

Amanda Phua

Holly Tan

Jess Malin

Jonothan Peck

Kate Malone

Laura Jean

Philippa Briglia

Keryn Midwood

Verena Pichler

Louisa Wang

Sarah Jane Bennett

Anastasia Testen

Ruth Alur

Saira Griffin

Dan Ngyuen

Ruth Alur

Tegan McWilliam

Zainab Mahmood

Romaine Abraham

Sebastian O'Meara

Dan Niles

SMLS EVENING VOLUNTEERS

Aakshi Kapoor

Bianca Jovica*

Elizabeth Ho (S) *

James McKercher

Adele Ta

Biao Chen

Elle Kulesza

James Thompson

Alex Bevacqua

Bradley White

Ellen Hogan

Jamil Diu

Alexa Sakkal

Bryan Lim*

Emily Fischer*

Janerose Okello*

Alexandra (Ally) McAlpine*

Carl Buhariwala

Evonne Bethavas

Jasminder Kaur

Alexandra Bolkas

Cathy (Mai Thy) Dang

Fedja Budimir

Jessica Foster

Alisha Shamim*

Charles Khuu

Frankey Chung (DS)

Jessica Jane*

Alissa Lee

Charlie Morshead (DS)

Gabriella Mazzone*

Jessica Nguyen*

Amela Grebovic*

Chat Thomas

Gary Chau*

Jing (Jane) Ku

Amir Fahmi

Cheryl Lim*

Geerthana Narendren

Joanne Pak

Amy Sheggerud-Woods (S)

Chris Twidale (S)

Georgia Ellis*

Jodie Hall

Andrew Baker*

Christina Villano

Haley Chien Yen Ee

John Longo (S)

Angelo Mazzone*

Cyndi Tomlinson

Haley Ee Chien Yen

Judith Aldor

Angie Wong*

Damir Kulas

Hannah Tran Nguyen

Justin Bellino*

Annie Nguyen

Daphne Foong (DS)

Harriet Geddes

Karena Leung*

Aphroditi Bakopanos (DS)

Deike Kemper*

Hoda Javidi

Kathryn Henderson

Ashley Taylor*

Deike Schulz

Ilika Vashishtha

Kavir Kalian*

Bavati Rameswaralingam

Dineth Swaris

Irena Przulj*

Kelvin Ng

Belinda Shen (S)

Eleni Angeletos

Jade Tam*

Khaled El-katateny

Beverly Goh*

Eliza Lockhart *

James Adams

Kiralee Middleton



Kylie Chan	Merys Williams (S)	Ridda Fatima	Steven Richards
Lakmini Mahipala*	Michael Fewings	Rita Scammell	Tamina Sarwari
Laura Brookes	Michael Quach*	Rohan Ajzensztat	Teresa Fae (S)
Laura Evans-McKendry (S)	Michael Stafford*	Rosie Cole*	Thomas (Tom) Egan
Liberty Gadd	Mike Cooper	Ruvini Leitan	Tiffany Bao Thy Nguyen
Lisa Graham	Mohammad Sharif Haidari	Samantha Amjadali	Tim Peyton
Louisa Wang*	Mokshi Wickramaarachchi*	Samantha Tyrrell*	Trish Le (S)
Lucia Santangelo	Myra Khan	Samuel Fung	Uditha Bernard
Lucinda Chau	Natalia Chilkievicz	Samuel Mason-Smith (DS)	Vanessa Shambrook
Madison Sutton	Natalie Scollo*	Sarah Mansfield (S)	Vedrana Kovacevic
Maria Kostas (S)	Natasha Griffiths	Sean Bricknell	Virag Kovacs
Marianna Stylianou	Nicholas Kong	Shaima Igbal	Vyomika Singh
Martyn Gray	Nick Lionakis (S)	Shane Khong	Wen Xian Hong*
Maryann Robins	Niko Kordos*	Shirin Motamedi	Winnie Lu
Matthew Muir	Nina Vasiljevic	Shiyi (Lucy) Lu	Winnie Tsang (DS)
Matthew Persico*	Olivia Puchalski	Simon Fuller (S)	Yunbin Lin*
Melinda Shiell*	Paul Zaharias (S)	Sofia Cabral	
Melissa Bull*	Randy Palihakkara	Stefan Saponja	
Melissa Chuong	Renae Petulla*	Stephanie Garnham	(S) Supervisor
Melissa Morgan	Reshma Varghese	Stephanie Kemp	(DS) Deputy Supervisor
Mervyn Low (DS)	Rhys Collas	Stephanie Mu	* Vacated

CLINICAL EDUCATION PROGRAM

PROFESSIONAL PRACTICE STUDENTS

Clinical Period 3 2015

Fatima Haider
Edward Hamley
Eugene Lam
Susan Hodgman
Emily Moreton
Dane Robinson
James McKercher
Paloma Kemelman
Thomas Egan
Adam McNeill
Liberty Gadd
Angus Pither
Georgia Zomer
Aphroditi Bakopanos
Adele Ta
Katherine Moore
Joshua Goldsmith
Jessica Baikie
Amira Enayatzada
Caitlin Murphy
Monireh Taban Shabkhiz
Natalie Scollo
Eliza Panckridge
Sahara Wilson
Gabrielle Joffe

Clinical Period 1 2015-2016

Paula Mucha
Mark Andrew Gilbert
Nina Vasiljevic
Alice Dowling
Hima Faiz
Judith Aldor
Samantha Kate McClelland
Boris Trakilovic
James Adams
Charisse Ongoco
Jenny Wong
Anita Ganesan
Thornton Teow
Michael Osrin
Alisdair Reeves
Amelia Jane Jones
Jessica Clothier
Maria Maanasa
Melissa Morgan
Choon Sam Tan
Frank Ziang Li
Emily Rose Austin
Mushda Huda
Alexandra Hewitt
Deborah Anne Herrington
Ming Wei Lim
Alisha Shamim

Clinical Period 2 2016

Samantha Cahn
Adrian Ziccone
Jasminde Kaur
Sinthuja Sivakumaran
Sarah Christie
Henry Paul Joyce Chesterman
Emily Myra Clarke
Mathew James Foskey
Melissa Ng
Kaiqi Ding
Jennifer Worthing
Emma Wu
Alexander James Sibree
Elise Marie Hamblin
Maria Ximena Ilich
Oscar Jack Ruane
Ryan William Ward
James Scott Belotti
Shelly Gladwyn Burns-Williamson
Lucinda Ellen Mullins
Cassandra Louise Nolan
Davina Brenda Wijesinghe
Rebecca Ellen Irving
Libby Maya Jedwab
Gitika Sweta Manna
Ellie Savion

CLINICAL EXTERNSHIP PROGRAM

CLINICAL EXTERNSHIP STUDENTS*

Family Violence Students

Ainsley Atkins

Thomas Yore

Thea Chea

Michele Miholavic

SMLS/SECASA Joint Legal Clinic

Holly Tan

Laura Jean

Gemma Hallett

Zainab Mahmood

Rebecca Beagley

Beverly Goh

Lisa Ward

Ryan Ward

Yan Kok

Edwina Arms

Mietta McDonald

* Formerly known as Advanced Professional Practice Students

CHAIRPERSON'S REPORT



DAVID STARVAGGI

This year Springvale Monash Legal Service has been operational for 43 years. Over those years it has been a consistent challenge to operate in a dynamic and transient environment imbued with many difficulties. Operating as a 'not-for-profit' organisation has meant that a range of issues that present themselves, either on an annual basis, or in an ad hoc context, to the legal service continues to present many difficulties which the staff, students and volunteers need to navigate.

The primary challenge that has never abated has been the infinite number of requests for assistance, notwithstanding the finite resources of SMLS. Amazingly though, through the enormous commitment, dedication and efforts of the staff, students and volunteers. SMLS aims to balance available resources against requests for assistance.

Funding continues to be the eternal challenge for services such as SMLS. In order for SMLS to continue to operate, we rely on many generous funders and benefactors who provide contributions to SMLS. Yet even in the most challenging of economic circumstances, the strength of the service and contribution to the wider community provided by SMLS continues to flourish, demonstrating the indefatigable effort of those who operate SMLS. A clear sign of strength succeeding over adversity.

We will continue to strive for sustainability to enable us to provide the invaluable and requisite assistance that is so frequently sought by our clients. In a time when

resource management is of paramount importance, the long term sustainability of SMLS reminds us to be vigilant in the management of our resources. Resource management should reflect our community's needs.

Commitment and dedication is what enables the sustainability of the great legal service and they are often inherent in the outcomes SMLS achieves for clients and key stakeholders. To each of the staff and volunteers that work so assiduously each year to strive to deliver the very best that we can offer to our clients, I once again commend your effort and extend a heartfelt thank you to each and every one of you.

To the board, I also thank you and acknowledge the time and dedication that each of you commits, and so very generously dedicates to SMLS. I thank our Patron, the Honourable Shane Marshall, for his continued support to SMLS and look forward to his ongoing service to the legal service.

As 2016 comes to a conclusion, it is a time to pause and reflect on the achievements for the service. Achieving justice and equality for our clients is what drives the effort and commitment of those that operate SMLS. Through that passion and dedication, the sustainability of SMLS will be guaranteed.

We look forward to 2017 with renewed commitment and passion to ensure another successful year.

EXECUTIVE DIRECTOR



KRISTEN WALLWORK

It is often the case that when pausing each year we tend to look outward at what we have achieved. In a year of political parties taking centre stage it made me think about teamwork.

'Alone we can do so little; together we can do so much'
(Helen Keller)

There are lots of cogs in the wheel, that support what we do, however I wish to look inwards this year; in response to our AGM theme *Strength, Adversity, Sustainability; finding strength in the face of adversity to ensure sustainability*. The pursuits of the service, in facing challenges, achieving goals and ensuring sustainability are only as surmountable as the team that gives its commitment and energy to the organisation.

This year SMLS ensured a targeted and informed program of professional development for all staff across the organisation. Staff chose to either build on the professional skills they have, diversify their competencies or build confidences for instance, in public speaking. The service developed a new annual operational plan that made it easier to inject outcomes into redeveloped annual individual work plans. This provided clear goals both for the individual but also the organisation as a whole.

The organisation experienced some flux in staffing levels which has meant that during times of change or adjustment, individuals may have been stepping up and contributing extra so as to ensure all programs ran

smoothly. I am not only hugely appreciative for the efforts that the SMLS team put in this year, but also for the reminder to reflect inwards.

A successful team will have many, if not all, of the following characteristics:

- Clear vision, Responsibility, Cooperation, Work ethic, Communication, Recognition, Support, Team goals, Conflict resolution

This year has been a defining time in my leadership of SMLS, in recognising the depth and the opportunities that we have in the cohort of long term staff. There was opportunity to diversify skills in preparation of staff being able to step into different roles or more senior roles. The organisation was able to recognise capacity to bring previously outsourced roles into the organisation. There was opportunity to recognise that current contribution of some staff was actually at higher level than they had previously been classified. There was opportunity to recognise the commitment and contribution of long term volunteers. There was also opportunity to reflect on our team environment and the types of attributes we would like to see new staff bring to the organisation.

The SMLS team has the characteristics (as listed above) of a successful team. We are highly skilled; provide exceptional standard of professional services; actively participate in law reform through submissions; have been able to build some specialist services through successful grant applications; there is laughter in the workplace and,



we ensure a strong and meaningful reputation externally. With funding cuts imminent, changing fabric of policy and funding environment, this team is strong in the face of adversity and this will ensure our sustainability.

It is my intention to continue to ensure that the maintenance and wellbeing of this fantastic team remains a core focus area for SMLS.

I would like to thank the ongoing support of the Federal Attorney General, the State Attorney General and Victoria Legal Aid Commission. I make a notable thank you to our ongoing partnership with Monash University Law Faculty. Dean Bryan Horrigan and faculty staff continue to support and acknowledge the incredible value that the clinical program has on developing minds of prospective lawyers, and their exposure to social justice frameworks.

This year we have successfully sought the following grants:

- Legal Service Board
- Department of Justice Community Legal Assistance Fund
- Department of Justice Community Legal Centre Duty Lawyer Fund
- Department of Social Services Volunteer Grant
- Taxi Victoria CLC Funding

SMLS is excited about the capacity building opportunities these grants will provide our service and ultimately the support we can provide our community.

SMLS has also contributed the following submissions to public discussions in areas of law or the practice law:

- Royal Commission into Family Violence
- Productivity Commission Inquiry into Access to Justice
- VCAT Fee Regulations
- Victorian Inquiry into the Labour Hire Industry and Insecure Work

Our submissions are informed by the experiences of our clients and the ethos of our organisation.

This year we commenced a number of new services, including new partnerships:

- Workplace Advice Clinic: a partnership with the Fair Work Commission and JobWatch providing duty lawyer services at the Commission
- Health Justice Service: partnership with Monash Health to provide outreach legal services at a community health hub in Dandenong
- Specialist Family Violence duty service: additional legal service support to the Dandenong Magistrates Court for clients impacted by family violence and, family law and/or children protection concerns
- SERLAN: South Eastern Regional Legal Assistance Network: formalised a working network between CLCs and VLA offices in the south eastern corridor

Finally, I note the SMLS Board, as always a dedicated team, with good humour, who provide support and good counsel.

The way a team plays as a whole determines its success. You may have the greatest bunch of individual stars in the world, but if they don't play together, the club won't be worth a dime." (Babe Ruth)

This club is worth a 'million' in my mind.

ACADEMIC DIRECTOR



KATE SEEAR

Over the last year, human rights has come into sharp focus, both across Victoria and within SMLS. The major catalyst for this was a review of Victoria's Charter of Human Rights and Responsibilities, overseen by the former CEO of the Law Institute of Victoria, Michael Brett Young. The review of the Charter was a legislative requirement; a compulsory step to be undertaken after 8 years of the Charter's operation. During 2015, Michael Brett Young toured the state, seeking advice and feedback on the operation of the Charter to date, how the effectiveness of the Charter could be improved, and how Victoria could build a stronger culture of human rights, among other things. We decided to get involved early, meeting first with Mr Brett Young and representatives of Monash's prestigious and world-renowned Castan Centre on Human Rights, before attending public consultation sessions and preparing a submission to the review. In a sense, the process of getting involved in the Review was enlightening: it made us reflect more closely on activities happening within the Castan Centre, and with recent academic research on Victoria's culture of human rights. This also got us thinking about our own engagement with human rights, particularly through the clinical program. We wondered: had we been doing enough to promote awareness of the Charter amongst SMLS staff and students? How were we utilising the Charter to advocate for our clients? How effective was this work, and could we be doing more? How was our own culture of human rights?

The Charter review became an opportunity for

reflection. We decided that we could do more to actively embed the Charter within the clinical curriculum, and to promote human rights principles to our students. To this end, we developed a new seminar, delivered three times a year, as part of the clinical program, on the use of the Charter in the clinic. We also had guest speakers come to discuss human rights with us, and worked on building a better working knowledge of

the Charter for use in our work. We have become more conscious, through this process, of what the Charter might mean for our client base. As we know, many of our clients come from disadvantaged backgrounds, or are marginalised, stigmatised or vulnerable in some way. Many come into contact with public authorities – including police departments, hospitals and local government – in circumstances where those authorities have important obligations under the Charter. Our clients' rights might sometimes be infringed by public authorities, and the Charter offers opportunities to advocate for them.

As Academic Director, I have spent some time away from the clinic this year, including in Canada, undertaking research for a major new international project I am undertaking. This work has taken me to Canada, where I have been learning more about the operation of their Charter of Rights and Freedoms, and how Canadian lawyers have been using that Charter to advocate for basic rights, including access to vital health care services. We are working hard to combine these insights: from my own research, from work undertaken through the Castan Centre, and the findings of Mr Brett Young's Charter review, to build human rights knowledge and capacity at SMLS. We know there is still a lot more to be done, but we are heading in the right direction. We have also been able to utilise our unique position – as a clinic that serves local community, while also educating the next generation of law students – to try and promote and embed a culture of human rights. This is important work that we aim to continue in the years to come.



LITIGATION

DANIEL BEAN

When our clients lack an understanding of civil law processes they are often confronted with a myriad of legal issues arising out of a single incident. Frequently it can take a pivotal juncture to prompt a person to seek legal advice in relation to an issue rather than seeking that advice at the first instance. This means our first point of contact with a client varies at different stages of the litigation process. Sometimes before the client has sought any advice, orders have been made in default and enforcement of those orders are being attempted by the other party.

This year one such matter involved a motor vehicle accident in which orders in default of defence had been made in an amount in excess of \$20,000.00 plus costs. The client whilst cash poor was on title in a property that he and his extended family resided in. The matter had progressed to the stage of bankruptcy proceedings and the other party was eyeing our client's property as a means of settling the debt.

The client had a meritorious defence to his matter, also importantly the vehicle he was driving at the time of the collision was a work delivery truck and the collision had occurred during the course of his work. The client was of the understanding that his former employer and their insurance company were taking care of the matter for him. He did not realise that orders had been made against him for not filing a defence. The service of a bankruptcy notice on him prompted him to seek advice eventually leading him to our service.

Once he instructed us we had to work quickly to prevent the client from becoming bankrupt. We made an urgent application to the Federal Court to adjourn the bankruptcy proceedings pending the outcome of our re-hearing application at the Magistrates' Court. We were successful in having the Magistrates' Court orders set aside, we then filed a defence for the client and the matter was listed for a re-hearing.

We also added our client's former employers as a third

party in the hope that if our client lost at a hearing the former employer would still indemnify our client as his then employer.

The hearing was a closely contested battle but unfortunately the Magistrate found in favour of the other party on the day. Importantly for our client though, the Magistrate ordered that our client's former employer wholly indemnify him for the amount sought, as well as pay the plaintiff's and our costs.

This was a fantastic outcome for our client. The order was promptly paid by his former employer. Our client did not end up going bankrupt and his family home was prevented from being sold.

The case highlighted a number of issues regularly faced by our clients and our organisation. Firstly, it showed when a client has no understanding of the civil court process the effect of not seeking legal advice early means that issues can snowball very quickly.

Secondly, it showed that there will always be a gap for an organisation such as ours to fill when it comes to access to justice. The client was cash poor with one asset. The client was stuck in the "gap" in the sense that he was ineligible for legal aid and could not afford a private lawyer.

Had our organisation not been able to assist when we did, which was a crucial point in time, there is no doubt that the client would have become bankrupt most likely meaning the family home would have been forcibly sold.

Finally, the case highlights a common occurrence we see in civil matters here and that is the trust clients, particularly migrants, put in employers "taking care" of civil matters on their behalf. Often nothing is done by the employer despite promises that they are handling the situation and everything is under control. It is the individual clients at the end of the day that get orders against them in their names, and more often than not come to us to untangle the mess and hopefully, like in this instance, achieve a fair and just outcome for the client.

SMLS/SOUTH EASTERN CENTRE AGAINST SEXUAL ASSAULT JOINT LEGAL CLINIC

MEGHAN BUTTERFIELD

Regrettably, the clinic is going strong. I say regrettably as I fantasise that one day we may live in a world where there is no sexual abuse of children but, given the stream of referrals I continue to receive, we certainly don't live in that world yet.

We presently have 162 files and 26 staff members. Most matters continue to involve applications under the Victims of Crime Assistance legislation. However, we have recently brought a few successful cases under section 85B of the Sentencing Act ("SA applications"). These SA applications allow compensation to be paid by a convicted sex offender to his victim. We have commenced and successfully settled SA applications for 3 survivors of childhood sexual assault and we have a couple of other applications in the pipeline. In the cases we have settled for children, the funds have been paid into the Supreme Court Masters Fund and will accumulate interest until the child applicant attains the age of 18 years.

We also help clients with ancillary matters that arise in intra-familial abuse cases. For example, we recently did a simple divorce for a client who was married to her abuser. We often assist clients with family violence matters and team up with Janine Hill-Buxton in SMLS' domestic violence clinic.

I continue to feel very grateful to my volunteers for their tireless work in an area which can be emotionally taxing. Even though it is heartbreaking at times, it is also an extremely rewarding field of practice.



FAMILY VIOLENCE PROGRAM

JANINE HILL-BUXTON

The Royal Commission into Family Violence has drawn much needed attention to the issue of family violence and relevant practicalities like the court layout. The Dandenong Magistrate Court will undergo alterations. It is envisaged that when the building does commence, there will be a separate area for Affected Family Members and Respondents and possibly separate entrances. Although we have been extremely lucky with very few altercations in our waiting area, it is certainly not ideal to have Affected Family Members and Respondents possibly sitting or standing in very close proximity.

As reported last year we now have a full time Applicant Worker, however we have not had a Respondent Worker at the court. This has been detrimental to the overall dealing with Respondents as we can recommend that they attend a Men's Behaviour Change Program but with no on-site worker the Respondents have no front line counselling available.

The Department of Health and Human Services have also placed a worker on police days at the court. Having this worker at the court has made many decisions involving children much more efficient. There can now be negotiation on the day with the Police, DHHS, Legal Aid and the clients. Many of the hearings that would have not been able to proceed as Victoria Police were often waiting for a DHHS worker to call them back can now go ahead.

Our students for 2015-2016 were Ainsley Atkins, Thomas Yore, Thea Chea and Michele Miholavic. Ainsley, Thomas and Thea had all been in the crime group in Professional Practice and Michele was Juris Doctor Student. Michele was our first Juris Doctor student. The amount of clients we have seen on a weekly basis has grown significantly this year. One week we interviewed 21 clients on a Thursday. This has meant that the students have been doing more and more negotiation and client interviews. We have also been involved in a number of criminal hearings, which has followed the Intervention Order. This has broadened the student's education in Family Violence and given them a wider perception of family violence and how it is intertwined with many other areas of law.

We would like to thank all of the stakeholders involved at the court. Magistrates Court Alan Wilkinson Family Violence Registrar, Czenia Mangubat Applicant Worker, Victoria Police Sergeant Steven Ashley, Sergeant Cassandra Stone and Alex Mow Victoria Police Public Advocate. Samantha Davies Department of Health and Human Services. Mandy Kearns, Asha Prasad and Ian Rogers from Victoria Legal Aid. We are a team on Thursdays at Dandenong Magistrates Court, we all have our positions but the safety and wellbeing of our clients is paramount to all the stakeholders.

FAMILY LAW & CHILD SUPPORT



ANDREA VIDEION

This year we have made incredible growth in the complexity of matters we assist with and we continue to dedicate our focus on ensuring we maximise our resources to address our client's legal needs.

Unfortunately victims of family violence continue to suffer particularly devastating consequences of perpetrators' violence. For example, we assisted a client mother with limited English who had signed what she thought was only divorce papers before she came to us. The mother only realised the consequences of the signed documents when the police obtained an intervention order (IVO) listing her and the children as protected persons against the respondent father which excluded him from the home. The father produced sealed parenting consent orders from the Family Court giving him sole parental responsibility for the children who would live only with him and spend supervised time with the mother. The mother alleges she was "tricked" into signing the application for consent orders without the content being accurately interpreted to her. Subsequently the father took the children to live with him, despite the fact they were protected by an IVO and he did not permit the mother to see them.

The mother had very little English and was the children's primary carer. She had been subjected to verbal, emotional, financial and psychological abuse throughout the marriage. The father repeatedly refused the mother's requests to see the children. We filed an application in the Federal Circuit Court on behalf of the mother. This ultimately 'undid' the orders after the court heard

evidence from a family consultant that the father was emotionally harming the children by denying them a relationship with their mother. The judge noted the power imbalance between the mother (with limited English) and the father who spoke English well, worked full time and could afford to pay for a private lawyer. The judge also considered there were 'discrepancies' in how the parenting orders were made "in haste".

The mother's court documents told an (unfortunately) familiar story about family violence continuing after separation by one parent controlling the other. For example, the father and his family attempted to persuade the mother to "drop" the family violence allegations. The mother was "tricked" into signing consent for the father's family to take the children to another country and enrol them in school in another country. When the father left the country for a period of time and refused to tell the mother where the children were, the father answered her repeated calls with a 'cross application' IVO against her. Consequently, her mental health declined.

These types of matters continue to throw up challenges that our family law system faces in addressing the insidious characteristics of family violence. It causes us to reflect on possible avenues of either change or implementation of systems that may assist with early detection where family violence is an influencing factor.

VOLUNTEER PROGRAM



TRANG NGUYEN

Again, we are truly grateful for the depth of the SMLS volunteer program delivery model. We celebrate another year of volunteers contributing to the service and making a difference to the community. Night service continues to be an important part of SMLS' extended legal service to contribute to the support of members of our community who are less advantaged. On average the night service saw eight clients per session. In total, we saw 1404 clients in 2015-2016.

Apart from assisting clients, the program has given countless law students and legal practitioners the opportunity to employ the law in practice. Almost all who come through the program find the experience so worthwhile that they stay much longer than the minimum requirement of one year.

I would like to tell a story about Trish who allowed me to use her story for the annual report. Trish's experience as an SMLS volunteer has been valuable to her. Trish joined the night service in December 2014. She moved through various volunteer positions including receptionist, caseworker and now deputy supervisor. What Trish enjoys about volunteering at the service apart from getting the practical experience is a sense of gratification in contributing to the community, giving clients the legal tools to help themselves, showing them where to start in the absence of information. Volunteers often feel a sense of satisfaction in interacting with fellow volunteers who care about the community and are keen to learn.

We are excited by a major review of the volunteer program that we are undertaking. We hope to ensure that we find the right mix to achieve client outcomes while maximising the volunteer experience. As a result of the review, hopefully we will be able to improve the volunteer program which will continue to serve its purposes and produce better outcomes for clients and volunteers.

On behalf of SMLS I would like to thank each and every volunteer for your time and commitment to the night service as well as the community. May the night service continue to be a place where you come to for personal and professional satisfaction!

ADMINISTRATION

DI ROBERTS

The 'Admin' department is a dynamic and vital part of SMLS. As our workplace and work practices must continually evolve to meet the ever changing needs of our legal service, and the broader not-for-profit sector, we too must adapt. This year all Admin staff members have undertaken targeted training and development which, has both enhanced our capacity to perform our individual roles and been of benefit to the organisation as a whole.

In response to her increased finance responsibilities and to augment her existing skills and experience (Cheryline has an undergraduate degree in accounting from the University of the Philippines), Cheryline O'Brien commenced a Certificate IV in Bookkeeping and Accounting. In addition to her regular bookkeeping tasks this qualification will enable Cheryline to become more involved with aspects of SMLS' budgeting process and business planning. Cheryline also renewed her First Aid Certificate and continues to act as the day service designated First Aid Officer.

Di Roberts undertook Wordpress training to assist with updating and maintaining the SMLS website, CLSIS training to help with generating reports and researching for grants and submissions. Di also completed a course – Know Your Tender – to improve her understanding of the changing grants environment in the not-for-profit sector and SMLS' place within that.

Sabrina Lim is tireless in her one on one dealings with SMLS students and staff. Nothing is ever too much trouble and her patience and good humour are well known to all who come to her for advice and assistance. This year, Sabrina participated in a Public Speaking course. This has been very helpful for Sabrina as she continues to increase her involvement with more structured training for the Professional Practice students as a group. Admin conducts initial training at the beginning of each clinical period as well as running refresher training session's mid-period.

SMLS hosts and arranges many different functions and events throughout each year. Some are on a relatively large scale, requiring detailed planning, while there are also many smaller meetings which must be organised and executed quickly and efficiently. SMLS is now well served in any and all such eventualities by Trang Nguyen who has undertaken an Event Management course. Trang, who is also our Volunteer Program Coordinator, was particularly keen on completing this training to better equip her to arrange Volunteer Appreciation events and volunteer training.

It has been a busy year for Admin, as it has been for the service. We have appreciated the opportunity to pursue a diverse range of training. We look forward to applying our new skills for the benefit of the legal service and most importantly our clients.

COMMUNITY DEVELOPMENT & LAW REFORM

KEI JUDD

In 2015, SMLS received a grant to develop “Wreck Check” – a resource to assist people who have been in motor vehicle accidents. Wreck Check is a wallet size card that allows a driver to record crucial information following a car accident, and a checklist of initial actions to take eg. photos of damage. Wreck Check was produced in English, Arabic and Dari to reflect some of the languages spoken by newly arrived members of our local community and shared with them during workshops on Australian driving laws. The resource was developed as one of the most frequently requested legal education topic is driving laws and car accidents, and also because we assist a large number of individuals to resolve issues related to car accidents.

The City of Greater Dandenong and the City of Casey have the two highest rates of car accidents in the metropolitan area outside of Melbourne. Car accidents can be stressful, and people find it difficult to think clearly when anxiety levels are high. While many drivers know the basics of what they need to do if they have a car accident, we frequently find that a large number of our clients seek advice without adequate details about the other party or the accident. In some instances, we were not able to assist them without some of these details. Through legal education workshops and with Wreck Check, our community will have a better understanding of their legal rights and responsibilities when they are on the road.

Over a three month period, we delivered legal education workshops to more than 120 people living in the City of Casey. We also presented Wreck Check at our Law Week event at the Dandenong Markets. We hope that the resource will assist people to protect their rights and seek legal advice so that we can assist them to resolve issues related to the accident, whether it is against the other party who is refusing to compensate for damages, to assisting them to resolve issues with their or the other parties insurance claims. We received a huge amount of positive feedback from the community about using Wreck Check, with one person sharing their story about how easy it was to follow the prompts and make an insurance claim straight away. We are currently seeking resources to expand the reach of Wreck Check across Victoria in additional languages.



OUTREACH SERVICES



YOUTH SUPPORT AND ADVOCACY SERVICE (YSAS)

SMLS collaborates with YSAS in Dandenong to provide outreach services to young people in Dandenong catchment. This is also an opportunity for students from our professional practice program to engage with allied community services and their clients in the broader community.

DANDENONG HOSPITAL PSYCHIATRIC UNIT

SMLS lawyers and law students have been attending the youth unit, Unit 2 weekly. On the spot advice and assistance has been offered and in some situations detailed case work support provided on a range of legal issues at their Dandenong hub.

MONASH HEALTH

Monash Health is the largest public health service in Melbourne Victoria providing services to almost a quarter of the city's population. Monash Health operates in over 40 sites across Melbourne's south east. SMLS and Monash Health formed a legal alliance to provide access to justice to Monash Health clients across a range of legal matters.

WORKPLACE ADVICE CLINIC

This duty lawyer clinic aim is to provide clients who are issuing proceedings at the Fair Work Commission with specialist legal advice. SMLS lawyers provide outreach legal services to clients referred from the Fair Work Commission at the time of lodgement or once lodged for general protection and unfair dismissals claims

YOUTHLINKS

SMLS works in partnership with SECL YouthLinks (formerly SCAAB) to deliver legal guidance and support to young people aged 25 and under. Monash Law students visit Youthlinks in Noble Park each week to assist young people with legal problems, provide information about the law and legal process and get involved in activities with the young people to enable a better understanding of issues affecting young people.

FAMILY VIOLENCE, FAMILY LAW AND CHILD SUPPORT – MAGISTRATES COURT

SMLS expanded its existing duty lawyer services provided at the Dandenong Magistrate's Court, to address a clear gap in service delivery for applicants in family violence matters where family law and/or child protection issues are also a consideration.

PROFESSIONAL PRACTICE

STUDENT



BORIS TRAKILOVIC

Participation in the Monash Law Professional Practice Program at SMLS provided a unique opportunity for professional and personal development. I decided to enrol in the program after consultation with students who had previously completed the unit and because of the prospect of being exposed to real legal problems, applying theory to practice and learning via alternative methods to the traditional lecture room and tutorial format.

My journey at SMLS was like no other academic experience at Monash University. The program seminars did provide insight into the work and activities students were required to undertake. However, once I was allocated client files and independently started interviewing clients I quickly found that I lacked the practical skills for effective management and resolution of their legal problems. Besides being exposed to copious amounts of new information and learning to write letters and prepare specific legal documents, communication with clients during drop in sessions was the most stimulating experience. Having clients confide information about their life and expecting a solution for all their problems provided perspective on the challenges they faced in surviving and seeking justice. Unfiltered conversation with clients was emotionally challenging but a fundamental component to my learning. Development of my verbal communication techniques allowed me to have greater control of discussion and simultaneously manage client expectation and emotion.

During my summer clinical period I also had the opportunity to participate in the student appearance program and represent clients at the Melbourne Magistrates' Court. This experience was the highlight of my involvement with SMLS. The Court hearings I attended provided insight into the formalities and procedures which take place during, before and after mention hearings. The lead up to my first appearance generated unprecedented levels of excitement, focus and concern. My client failed to show up at the required time and venue while the Court Clerk informed me that several additional infringement matters were also being heard. Successfully overcoming these obstacles, remaining composed and explaining to the Court the circumstances of my client's misbehaviour served as a reminder that while it is ok to be nervous, if you take a measured approach this will assist in the matter progressing. Participation in Court dialogue also allowed me to observe the impact of client communication with the Magistrate and how sincerity and demeanour can influence the outcome. Unfortunately on my inaugural appearance my client asserted a care free attitude and his response resulted in the Magistrate not being convinced that he had changed his behaviour. As a result the Court decided to place him on an adjourned undertaking requiring him to be of good behaviour and to continue seeking help from youth support services. Further incentive to participate in the student appearance program is the opportunity to network and seek feedback from a supervising barrister. I had the

privilege of having coffee at the Barristers' Bar while my supervising barrister provided further insight on Court room advocacy and information on the Victorian Bar application process.

The Monash Law Professional Practice Program linked theory and application and provided a fantastic foundation for future professional development. The special relationships formed with my supervisor and staff at SMLS contributed to an environment which facilitated learning but also required strong work ethic, diligence and accountability for actions. The challenges which I

have faced and overcome have reiterated the notion that boundaries are endless. In light of my experiences I believe that regardless of whether a student plans on practicing as a barrister, solicitor or pursuing some other career path the opportunity to partake in the Student Placement Program at SMLS should not be overlooked. It is an invaluable opportunity to assist disadvantaged members of our community and gain real exposure to work and tasks solicitors and barristers perform on a daily basis.



DANE ROBINSON

I would not be the first student to declare that Professional Practice was an invaluable experience, which has had an indelible effect on my approach to the law.

Professional Practice prompted me to consider legal issues in a wider social context, which is something that I did not think is similarly achievable in a lecture theatre. My clients had real legal issues which were almost always accompanied by other personal, financial or medical concerns. I learnt that useful legal advice is tailored to a client's particular needs or circumstances. This was a marked difference to my general approach at university, where fictional legal problems could be dealt with on paper, within a fairly narrow legal vacuum.

On a more personal level, Professional Practice helped me to develop a range of skills, which will be carried into my volunteer work and paid employment.

Firstly, my communication skills were often tested and consistently improved throughout my time at SMLS. The challenge of providing nuanced legal advice over the phone or in person, through an interpreter, was a stimulating experience which required a great deal of patience and use of plain English. This contrasted to the approach when drafting a sternly worded letter to an opposing party insurer, debt collector or lawyer, which encapsulates the breadth of experience on offer during Professional Practice.

Secondly, I had the opportunity to perform student appearances at the Dandenong and Moorabbin Magistrates' Courts, which was an exhilarating

opportunity to improve my public speaking skills. By the time of my third and final student appearance, I found that I had the confidence and flexibility to engage with the presiding Magistrate and the courtroom setting, and thereby more effectively advocate on behalf of my client. This opportunity could not be replicated at university, and provided a great insight into working as a legal advocate.

I found the working environment at SMLS to be supportive and collaborative. I enjoyed frequent discussions with my supervisor in order to strategise the progression of my clients' files. Throughout the duration of my clinical period, there was a shifting balance between supervision and autonomy with respect to my file management, and by the end of my time at SMLS, I really appreciated the degree of responsibility that I had over my clients' files.

To quote a popular breakfast cereal: *you get out what you put in*. I was spurred to develop a range of practical skills in addition to a grounded understanding of the community legal sector due to the challenges and experience of Professional Practice. This is not always on offer at law school. I would encourage Monash law students to take part in this engaging and exciting opportunity.

Kris and Phyllis having too much fun



Our dedicated Civil Litigation Solicitor, Daniel assisting Professional Practice student, Kiefer



Long time Board Members, Jared and Adrian



Janine is always on top of everything



SMLS' Vice Chair, Dona, preparing for our Board meeting



SECASA Supervisor Meg with Felix, SMLS' unofficial mascot



Andrea hard at work



Administration team posing for a photo

Our dedicated Board Members, Renata and Jared



Our doors are always open



Kristen and Phyllis hard at work



Our st



Sandy, always smiling



Academic Director,
Kate Seear



Board Members Dona and SMLS' Chair David



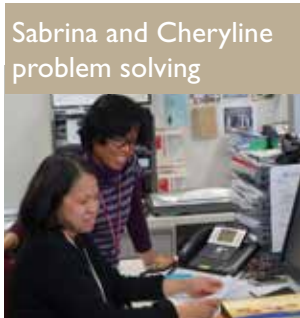
Clinical Supervisor,
Jackie



Di, Cheryline and Trang having a break



Sabrina and Di enjoying the sunshine



Sabrina and Cheryline
problem solving



Our students with Sabrina getting some fresh air

Cheryline, Di and Trang having a
team building session



Students are always hard at work



Boris Trakilovic



Dane Robinson

LAWYERS PRACTICE MANUAL

The LPM comprises 65 new or updated chapters being written by volunteer contributors and commentators. Thanks again to all those who contribute, the editorial committee, the writers and the commentators and our Coordinating Editors Sandra McCullough and Belinda Shen who provide diligent and invaluable coordination and production.

CHAPTERS UPDATED/INSERTED

July 2015

- Ch B "Practice management" updated
- Ch 4.1 "Residential tenancies and other housing arrangements" updated
- Ch 11.3 "Using the Privacy Act (Cth)" updated
- Ch 14.1 "Immigration law" updated

August 2015

- Ch 4.6 "Neighbour disputes" updated
- Ch 17.1 "Employment law" inserted

September 2015

- Ch 2.4 "Child support" updated
- Ch 3.8 "Claims under the Transport Accident Act" updated
- Ch 13.1 "Drafting a Will" updated

November 2015

- Ch 4.3 "Conveyancing" updated
- Ch 5.1 "Consumer strategies" updated
- Ch 6.1 "Criminal prosecutions of children" updated

December 2015

- Ch 1.2 "Bail applications" updated
- Ch 1.7 "Acting for the accused charged with drug offences" updated
- Ch 3.5 "Claims under WorkCover" updated
- Ch 4.6 "Neighbour disputes" updated
- Ch 8.1 "Mental health" updated
- Ch 13.2 "Applications for grants of representation for probate and letters of administration" updated

February 2016

- Ch 15.3 "Proceedings under federal discrimination legislation" inserted

April 2016

- Ch 1.3 "Preparation and conduct of criminal matters in the Magistrates' Court" updated
- Ch 1.5 "Social security prosecutions" updated
- Ch 1.9 "Challenging Magistrates' Court convictions" updated
- Ch 11.5 "Using the Health Records Act (Vic)" updated

June 2016

- Ch C "Professional ethics and the duty to communicate" updated
- Ch 2.1 "Application for divorce" updated
- Ch 3.3 "Motor vehicle property damage claims in the Magistrates' Court" updated
- Ch 6.2 "Protection proceedings in the Children's Court" updated
- Ch 9.1 "Incorporation of community groups" updated
- Ch 11.1 "Using the Freedom of Information Act (Cth)" updated
- Ch 11.2 "Using the Freedom of Information Act (Vic)" updated
- Ch 11.4 "Using the Privacy and Data Protection Act (Vic)" updated

In addition, while not yet published, new chapters 10.1 "Legal services in Victoria" and 17.1 "Employment law" were developed during this year.

STATISTICS

SMLS STATISTICS 2015-2016

4776 (2517 new, 831 repeat, 1428 existing)

TOTAL NUMBER OF CLIENTS

3525

TOTAL NUMBER OF LEGAL ADVICES PROVIDED

3037

TOTAL CASES OPEN DURING THE PERIOD (OPEN & NEW)

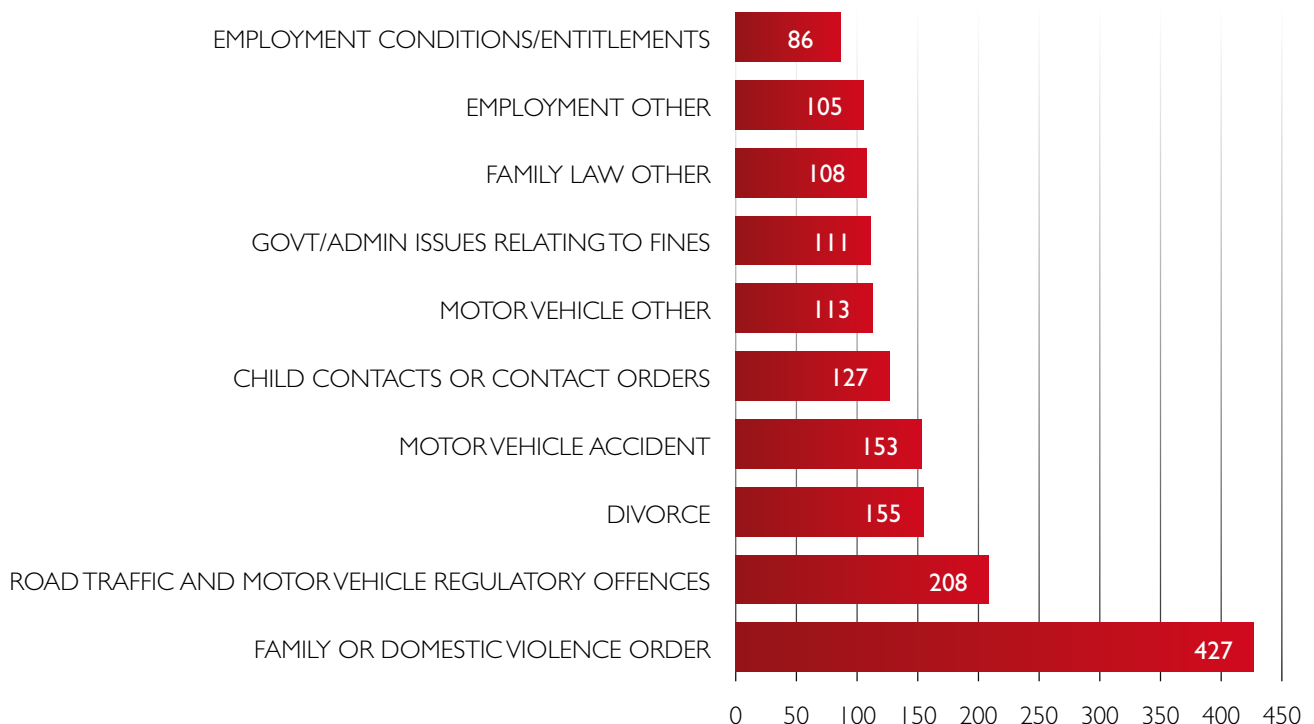
1561

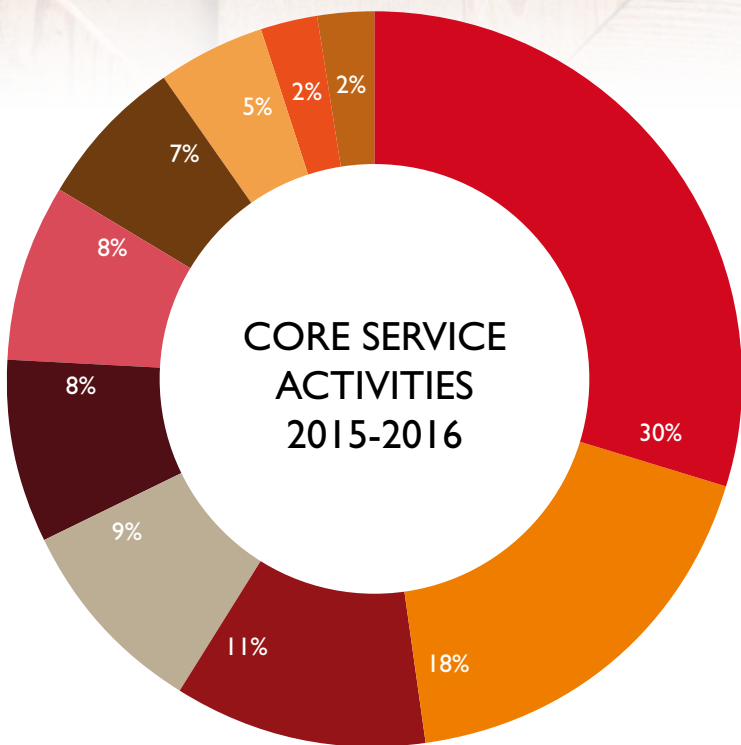
TOTAL CASES CLOSED DURING THE PERIOD

65

COMMUNITY LEGAL EDUCATION (PROJECTS COMPLETED)

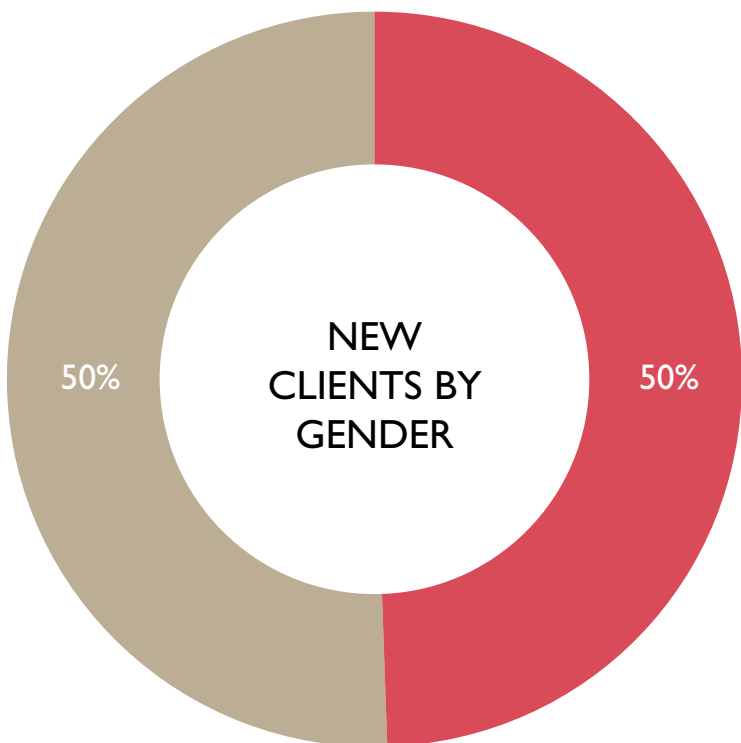
FREQUENT LEGAL MATTERS BY PROBLEM TYPE 2015-2016





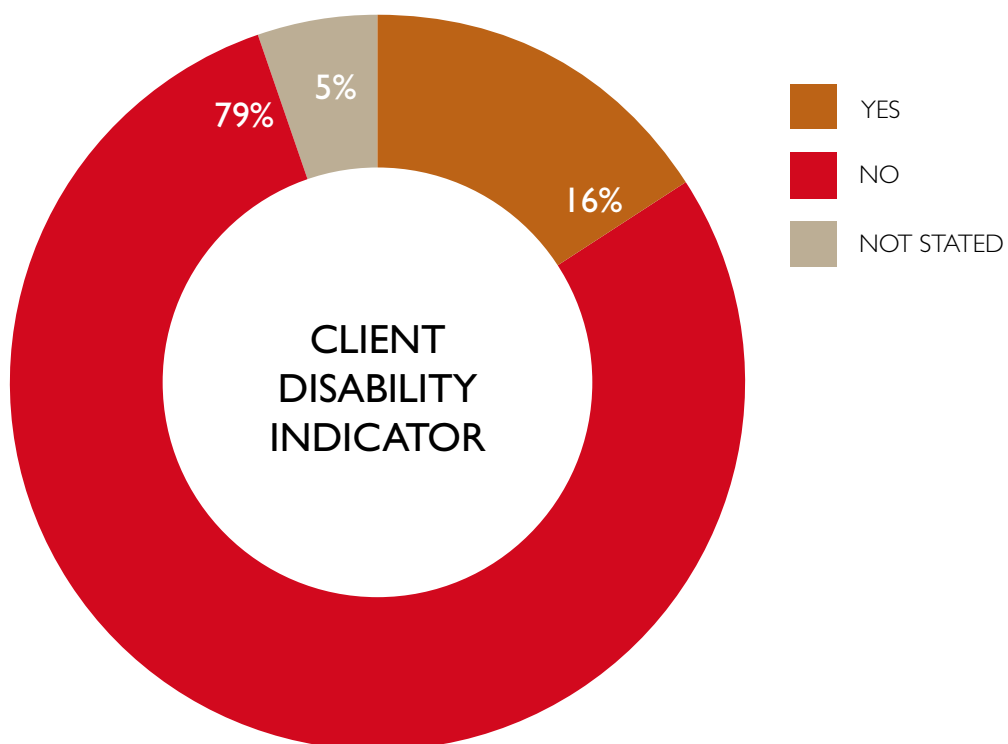
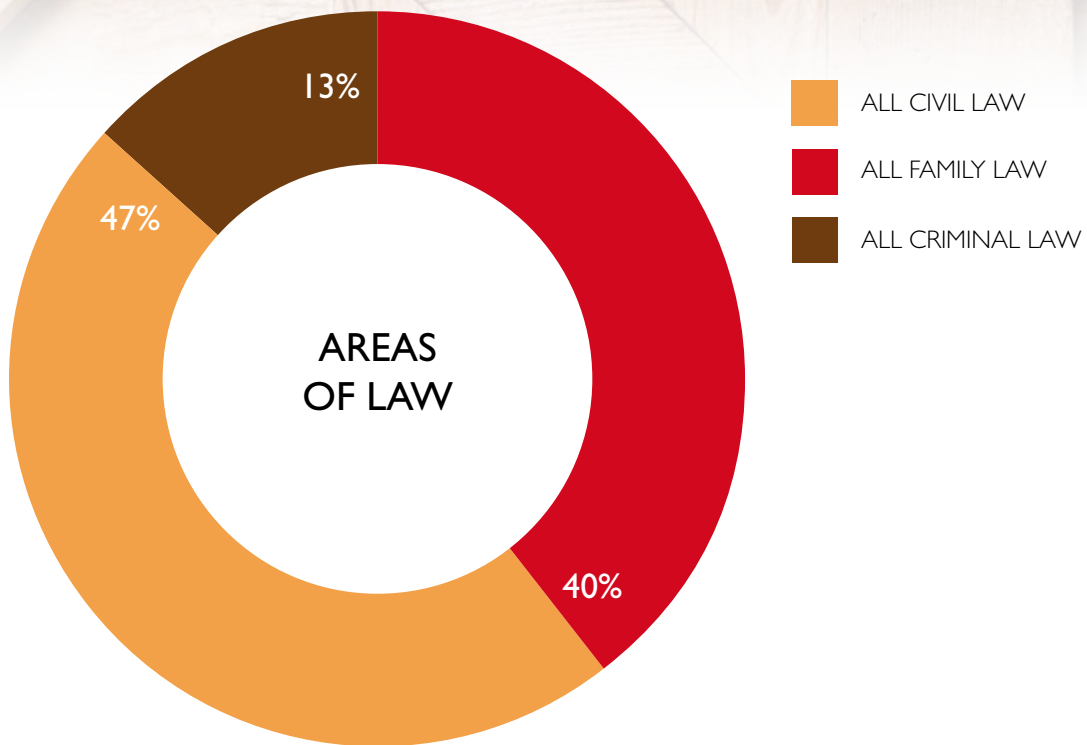
INDICATION OF REFERRALS FROM

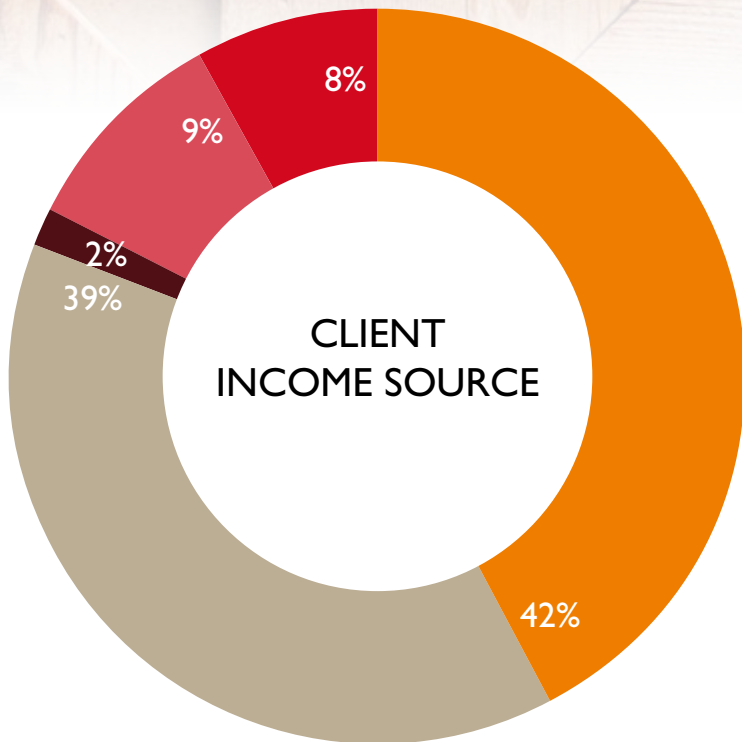
- STATE/TERRITORY COURTS
- SELF/FRIEND/RELATIVE/NEIGHBOUR
- OTHER
- LEGAL AID COMMISSION
- COMMUNITY LEGAL SERVICE OTHER
- NOT STATED
- COMMUNITY SUPPORT OTHER
- POLICE
- HEALTH/COMMUNITY SERVICES DEPT
- MEDIATOR/MEDIATION CENTRE



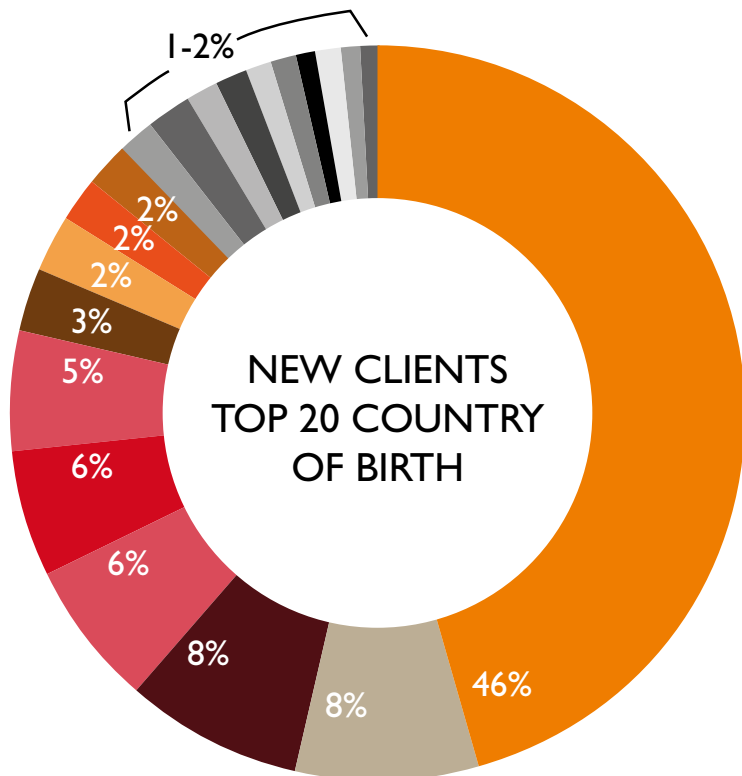
INDICATION OF REFERRALS FROM

- FEMALE
- MALE





- EARNED
- GOV'T PENSION
- INCOME SOURCE OTHER
- NO INCOME
- NOT STATED



- AUSTRALIA
- VIET NAM
- INDIA
- CHINA (excl. SARs and Taiwan Province)
- AFGHANISTAN
- SRI LANKA
- CAMBODIA
- NEW ZEALAND
- SUDAN
- BURMA (Myanmar)
- IRAN
- ENGLAND
- PHILIPPINES
- MALAYSIA
- PAKISTAN
- GREECE
- MAURITIUS
- ETHIOPIA
- FJI
- HONG KONG (SAR of China)

ACKNOWLEDGEMENTS

The Dean and staff of Faculty of Law Monash University for ongoing commitment to Clinical Programs which assist marginalised members of the community.

Magistrates of Dandenong Magistrates' Court, Senior Registrar Mark McCutchan and staff for their assistance in running advocacy workshops for students each clinical period and facilitating the student appearance program.

Staff and Committees of Management of our partner organisations at 5 Osborne Avenue, Springvale; South East Community Links (SECL); Springvale Neighbourhood House (SNH); and Springvale Learning and Activities Centre (SLAC).

Management and staff of the City of Greater Dandenong for their support, advice and service in attending to SMLS's requests.

Magistrate Peter Power; Practice Seminar program.

The Victorian legal fraternity who provide ongoing support through supervision of law students in their student appearances. The valuable part of our clinical program could not operate without this support.

Victorian Bar for the pro bono Counsel assistance.

All SMLS volunteers for their endless enthusiasm and energy assisting with the Volunteer Program and casework.

Samantha Davies from Department of Health and Human Services

Southern Migrant Refugee Centre

The following Barristers:

- Mary Baczynski
- Cam Truong
- Matthew Minucci
- Victoria Campbell
- Val Stoilkovska
- David Starvaggi

Kate Purcell – Fair Work Commission

Legal Practice Manual Committee

Southern Ethnic Advisory and Advocacy Council

Monash City Council

All the staff at Federation Community Legal Centres for their support and assistance

Fair Work Commission

Monash Health

Fitzroy Legal Service

Windana Drug & Alcohol Recovery Inc.

Victoria Legal Aid for funding assistance, advice and referrals

Berwick Family Relationships Centre

Dandenong Legal Aid duty lawyers Ian Rogers, Asha Prasad and Mandy Kearns

WAYSS Pty

FUNDING SUPPORT

SPRINGVALE MONASH LEGAL SERVICE INC. GRATEFULLY ACKNOWLEDGES THE FOLLOWING ORGANISATIONS FOR THEIR FUNDING SUPPORT DURING 2015-2016	
Commonwealth Government	
Generalist	477,956
State Government	
Family Violence	49,732
Generalist	243,556
Monash University Law Faculty	
Clinical Legal Education Program	434,924
Additional In Kind Financial Support	84,666
Law School Foundation (funding for capital purchases)	18,000
Department of Justice & Regulation	
Family Violence Duty Lawyer	52,174
Community Legal Centre Assistance	45,000
City of Greater Dandenong	
Community Grants (Provided premises, including maintenance and security)	940
SECL	
Settlement Immigration Grant Program	5,000
City of Casey	
Wreck Check Community Grant	2,970

AUDITED FINANCIAL STATEMENTS

FOR THE YEAR ENDED 30 JUNE 2016

SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D

BOARD'S REPORT FOR THE YEAR ENDED 30 JUNE 2016

Your Board members submit the financial report of Springvale Monash Legal Services Inc for the financial year ended 30 June 2016.

Board Members

The names of Board members at the date of this report are:

David Starvaggi
Sarah Williams
Andrew Simmons
Sonia Parisi
James McGhie
Vanessa Johnston
Kristen Wallwork

Jared Heath
Anna Hall
Renata Alexander
Dona Tantirimudalige
Nina Boughey
Gillian North
Daniel Bean

Principal Activities

The principal activities of the association during the financial year were to provide free legal advice and casework to the general public, whilst maintaining a strong community development focus.

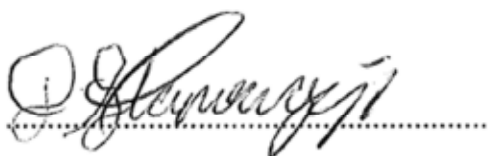
Significant Changes

No significant change in the nature of these activities occurred during the year.

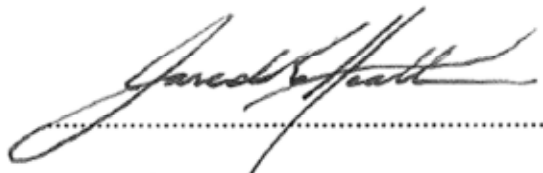
Operating Result

The operating profit after providing for income tax amounted to \$18,299 (2015: \$51,816 loss).

Signed in accordance with a resolution of the members of the Board



Board Member



Board Member

Dated this 7th day of September 2016

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME
FOR THE YEAR ENDED 30 JUNE 2016**

	NOTE	2016 \$	2015 \$
CONTINUING OPERATIONS			
INCOME			
Grant Funding	2	1,238,650	1,153,015
Other Income	3	126,795	102,386
		1,365,445	1,255,401
EXPENSES			
Depreciation Expense		8,907	11,125
Employment Expenses		1,146,315	1,052,970
Occupancy Expenses		45,266	52,897
Office & Administrative Expenses		106,091	118,561
Resources Expenses		38,158	68,847
Travel		2,409	2,817
		1,347,146	1,307,217
NET PROFIT / (LOSS)		18,299	(51,816)
Other Comprehensive Income			
- Items that may be reclassified subsequently to profit or loss when specific conditions are met		-	-
- Items that will not be reclassified subsequently to profit or loss		-	-
TOTAL COMPREHENSIVE INCOME		18,299	(51,816)

The Accompanying Notes Form Part of These Financial Statements

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2016**

	NOTE	2016 \$	2015 \$
CURRENT ASSETS			
Cash at Bank and on Hand	4	98,192	400,118
Term Deposits		1,000,000	500,000
Receivables		1,800	1,234
TOTAL CURRENT ASSETS		<u>1,099,992</u>	<u>901,352</u>
NON-CURRENT ASSETS			
Fixed Assets	5	16,347	25,254
TOTAL NON-CURRENT ASSETS		<u>16,347</u>	<u>25,254</u>
TOTAL ASSETS		<u>1,116,339</u>	<u>926,606</u>
CURRENT LIABILITIES			
Trade and Other Payables	6	27,925	37,657
Payroll Liabilities	7	53,579	46,438
Grants in Advance	8	64,314	-
Employee Provisions	9	271,952	177,916
TOTAL CURRENT LIABILITIES		<u>417,770</u>	<u>262,011</u>
NON-CURRENT LIABILITIES			
Employee Provisions	9	70,682	55,007
TOTAL NON-CURRENT LIABILITIES		<u>70,682</u>	<u>55,007</u>
TOTAL LIABILITIES		<u>488,452</u>	<u>317,018</u>
NET ASSETS		<u>627,887</u>	<u>609,588</u>
EQUITY			
Retained Earnings		627,887	609,588
TOTAL EQUITY		<u>627,887</u>	<u>609,588</u>

The Accompanying Notes Form Part of These Financial Statements

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2016**

	NOTE	2016 \$	2015 \$
RETAINED EARNINGS			
Opening Balance		609,588	661,404
Profit / (Loss) in the current year		18,299	(51,816)
Other Comprehensive Income		-	-
CLOSING BALANCE OF RETAINED EARNINGS		<u>627,887</u>	<u>609,588</u>
TOTAL EQUITY		<u>627,887</u>	<u>609,588</u>



The Accompanying Notes Form Part of These Financial Statements

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2016**

	NOTE	2016 \$	2015 \$
CASH FLOWS FROM OPERATING ACTIVITIES			
Receipts from Grants & Other Income		1,462,700	1,241,509
Payments to Suppliers and Employees		(1,283,483)	(1,279,799)
Interest Received		<u>18,857</u>	<u>26,552</u>
Net cash provided by / (used in) Operating	11b	<u>198,074</u>	<u>(11,738)</u>
 CASH FLOWS FROM INVESTING ACTIVITIES			
Payment for fixed assets		-	(9,129)
Investment in Term Deposits		<u>(500,000)</u>	<u>-</u>
Net cash used in Investing Activities		<u>(500,000)</u>	<u>(9,129)</u>
 CASH FLOWS FROM FINANCIAL ACTIVITIES			
Proceeds from Borrowing		-	-
Repayment of borrowings		<u>-</u>	<u>-</u>
Net cash provided by / (used in) Financing Activities		<u>-</u>	<u>-</u>
Net Increase in Cash Held		(301,926)	(20,867)
Cash at the beginning of the year		<u>400,118</u>	<u>420,985</u>
Cash at the end of the year	11a	<u>98,192</u>	<u>400,118</u>

The Accompanying Notes Form Part of These Financial Statements

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

NOTE 1 - SUMMARY OF SIGNIFICANT OF ACCOUNTING POLICIES

This financial report is a special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Reform Act 2012 (Victoria), the Australian Charities and Not-for-profits Commission Act 2012 and the Victorian Legal Aid Commission. The Board has determined that the Association is not a reporting entity.

The following accounting standards have been applied in the preparation of the financial report:

AASB 101	Presentation of Financial Statements
AASB 107	Statement of Cash Flows
AASB 108	Accounting Policies, Changes in Accounting Estimates and Errors
AASB 116	Property, Plant and Equipment
AASB 118	Revenue
AASB 136	Impairment of Assets
AASB 1031	Materiality
AASB 1048	Interpretation and Application of Standards
AASB 1054	Australian Additional Disclosures.

The financial report has been prepared on the basis of historical costs and does not take into account changing money values or, except where stated, current valuations of non-current assets. Cost is based on the fair values of the consideration given in exchange for assets.

The following significant accounting policies, which are consistent with the previous period unless otherwise stated, have been adopted in the preparation of the financial report.

a) Property, Plant and Equipment (PPE)

Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all PPE is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

Rates of depreciation and amortisation vary between 10% and 40%.

b) Impairment of Assets

At the end of each reporting period, the Board reviews the carrying amounts of its tangible and intangible assets to determine whether there is any indication that those assets have been impaired. If such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount. Any excess of the asset's carrying amount over its recoverable amount is recognised in the income and expenditure statement.

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

NOTE 1 - SUMMARY OF SIGNIFICANT OF ACCOUNTING POLICIES (CONTINUED)

c) Employee Entitlements

Provision is made for the liability for employee entitlements arising from services rendered by employees to balance date. These are in the form of Annual Leave and Personal Leave for all employees, Long Service Leave accrued for all employees but not entitled until ten years of services (pro-rata after seven years of service) and Maternity leave in line with management's estimates that individuals will take the leave allowed in line with the awards.

Contributions are made to employee superannuation funds and are charged as expenses when incurred.

d) Cash

Cash on hand includes cash on hand, deposits held at call with banks, and other short-term highly liquid investments with original maturities of three months or less.

e) Accounts Receivable and Other Debtors

Accounts receivable and other debtors include amounts due from members as well as amounts receivable from donors. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

f) Revenue and Other Income

Grant and donation income is recognised when the entity obtains control over the funds, which is generally at the time of receipt, unless otherwise stated. Where the entity has a specific obligation to expend the funding on a project, that money is held as 'income in advance' until the program obligations have been achieved.

All revenue is stated net of the amount of goods and services tax (GST).

g) Goods and Services Tax (GST)

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

Receivables and payables are stated inclusive of the amount of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the statement of financial position.

Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities, which are recoverable from or payable to the ATO, are presented as operating cash flows included in receipts from customers or payments to suppliers.

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

NOTE 1 - SUMMARY OF SIGNIFICANT OF ACCOUNTING POLICIES (CONTINUED)

h) Income Tax

The association a not for profit organisation and as such is exempt from income tax under section 50-B of the Income Tax Assessment Act 1997. Consequently, no provision is made in the accounts for income tax.

i) Trade and Other Payables

Trade and other payables represent the liability outstanding at the end of the reporting period for goods and services received by the Association during the reporting period which remain unpaid. The balance is recognised as a current liability with the amounts normally paid within 30 days of recognition of the liability.

j) Provisions

Provisions are recognised when the entity has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions recognised represent the best estimate of the amounts required to settle the obligation at the end of the reporting period.

k) Comparative Figures Changes

Where required by Accounting Standards, comparative figures have been adjusted to conform with changes in presentation for the current financial year.

l) Financial Assets

Investments in financial assets are initially recognised at cost, which includes transaction costs, and are subsequently measured at fair value, which is equivalent to their market bid price at the end of the reporting period. Movements in fair value are recognised through an equity reserve.



**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

	2016	2015
	\$	\$
NOTE 2 - STATE, COMMONWEALTH AND OTHER FUNDING		
Commonwealth Grants	448,044	422,620
State Grants	240,432	243,300
MBA/ERO Grant	66,896	44,716
Other Grants	48,354	31,135
Monash University Grant	434,924	411,244
Total Grant Funding	1,238,650	1,153,015

NOTE 3 - OTHER INCOME

Disbursements Reimbursed	66,168	39,867
Fundraising/Donations	-	100
Interest	18,857	26,552
LPM Royalties	41,770	35,867
	126,795	102,386

NOTE 4 - CASH

Cash at Bank	97,798	399,569
Petty Cash	394	549
	98,192	400,118

NOTE 5 - FIXED ASSETS

Office Furniture & Fixtures at Cost	97,947	97,947
Provision for Depreciation (Office F&F)	(81,600)	(72,693)
Total Fixed Assets	16,347	25,254

Reconciliation of the Movement in Carrying Amounts

	Office Furniture & Fixtures	Total
	\$	\$
Balance at the 1 July 2014	27,800	27,800
Additions at cost	9,129	9,129
Disposals	(550)	(550)
Depreciation expense	(11,125)	(11,125)
Carrying amount at 30 June 2015	25,254	25,254
Additions at cost	-	-
Disposals	-	-
Depreciation expense	(8,907)	(8,907)
Carrying amount at 30 June 2016	16,347	16,347

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

	2016	2015
	\$	\$
NOTE 6 - TRADE & OTHER PAYABLES		
Trade Payables	6,276	21,912
GST Payable	17,767	15,110
Other Payables	3,882	635
	27,925	37,657

NOTE 7 - PAYROLL LIABILITIES

Superannuation Payable	7,047	6,506
PAYG Payable	22,981	16,403
Other Payroll Liabilities	23,551	23,529
	53,579	46,438

NOTE 8 - GRANTS IN ADVANCE

	2016	2015
	\$	\$
Department of Justice - Family Violence	i) 59,314	-
Department of Social Services - Volunteer Grant	ii) 5,000	-
	64,314	-

i) Department of Justice - Family Violence

In the 2015/16 year, funding of \$97,174 was received from the Department of Justice, to be expended on the specific programs. These programs are for the provision of paying for a lawyer.

The program funding is to be used exclusively for the purposes outlined in the funding agreement. As at 30 June 2016, approximately \$37,860 had been utilised on the project, and accordingly, \$59,314 has been carried forward to be utilised in the subsequent financial year. As a result, \$37,860 has been recognised in income in the 2015/16 year, and \$59,314 has been recorded as a liability in the Statement of Financial Position for unused project funds.

ii) Department of Social Services - Volunteer Grant

In the 2015/16 year, funding of \$5,000 was received from the Department of Social Services for the specific purpose of contributing to the reimbursement of volunteers' training costs.

As at 30 June 2016, none of this funding had been utilised on the project, and accordingly, \$5,000 has been carried forward to be utilised in the subsequent financial year.

SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

NOTE 9 - PROVISIONS	2016	2015
<i>Current</i>	\$	\$
Annual Leave	60,850	56,625
Personal Leave	101,272	74,531
Maternity Leave	82,427	41,668
Long Service Leave	27,403	5,092
	<u>271,952</u>	<u>177,916</u>
<i>Non-Current</i>		
Long Service Leave	<u>70,682</u>	<u>55,007</u>

NOTE 10 - TRUST ACCOUNT

Money Held in Trust	28,447	19,134
Amounts owed to clients	<u>(28,447)</u>	<u>(19,134)</u>
	<u>-</u>	<u>-</u>

The Association maintains a Trust account regulated by the Legal Services Board of Victoria. This trust account is reconciled at the end of each month and the total amounts within the trust account agree to the liability of various account holders.

NOTE 11 - CASH FLOW

(a) RECONCILIATION OF CASH

Cash on Hand	<u>98,192</u>	<u>400,118</u>
	<u>98,192</u>	<u>400,118</u>

**(b) RECONCILIATION OF CASH FLOW FROM OPERATIONS
WITH NET SURPLUS(DEFICIT)**

Operating Surplus / (Loss)	18,299	(51,816)
<i>Add/deduct non-cash items:</i>		
Depreciation	8,907	11,125
Net loss on the disposal of plant and equipment	-	550
<i>Changes in assets and liabilities</i>		
(Increase)/Decrease in Debtors	(566)	494
Increase/(Decrease) in Trade Creditors & Accruals	61,723	1,450
Increase/(Decrease) in Provisions	109,711	26,459
Cash Flow From Operations	<u>198,074</u>	<u>(11,738)</u>

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

**NOTES TO AND FORMING PART OF THE ACCOUNTS
FOR THE YEAR ENDED 30 JUNE 2016**

NOTE 12 - PRIOR PERIOD ADJUSTMENTS

During the 2015/16 year, it was determined that there were three material errors identified in preparing the prior year financial statements. Accordingly, these errors have been retrospectively corrected and the comparative financial statements differ from the 2015 reports.

The following is a summary of these errors:

- \$86,919 of general provisions were reversed in 2015. These amounts never met the definition of a provision and should not have been recorded. Accordingly, this income has been reversed against retained earnings.

- \$80,000 of a general employee provision was created in 2015. Accounting Standards do not allow a general provision and accordingly, this amount was reversed.

- \$49,531 of personal leave provisions was not recorded in line with the accounting policies of the organisation in 2015. Accordingly, the provision has been increased by this amount.

The net decrease in income compared to the prior year reported figures is \$56,450.

NOTE 13 - EVENTS SUBSEQUENT TO BALANCE DATE

There have been no significant events occurring after balance date which may affect the operations of the Association, not otherwise disclosed in this report.

NOTE 14 - ECONOMIC DEPENDENCE

The Association's ability to continue to carry out its current activities remains dependent upon future funding by the State and Commonwealth governments.

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

STATEMENT BY MEMBERS OF THE BOARD

The Board have determined that the Association is not a reporting entity.

The Board have determined that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the accounts.

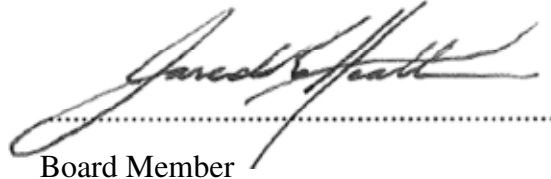
In the opinion of the Board the financial statements

1. Present a true and fairly view of the financial position of Springvale Monash Legal Service Inc as at 30 June 2016 and its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements and the requirements of the Associations Incorporation Reform Act 2012 (Victoria), the Australian Charities and Not-for-profits Commission Act 2012 and the Victorian Legal Aid Commission; and
2. At the date of this statement, there are reasonable grounds to believe that Springvale Monash 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 Board and is signed for and on behalf of the Board by:



Board Member



Board Member

Dated this 7th day of September 2016



Shepard Webster & O'Neill Audit Pty Ltd
Certified Practising Accountant, Authorised Audit Company
ABN: 89 154 680 190

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

INDEPENDENT AUDIT REPORT TO THE MEMBERS

We have audited the accompanying financial report, being a special purpose financial report, of the Springvale Monash Legal Services Inc (the association), which comprises the Statement of Financial Position as at 30 June 2016, the Statement of Profit or Loss and Other Comprehensive Income, Statement of Changes in Equity and Statement of Cash Flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the statement by members of the Board. .

Board's Responsibility for the Financial Report

The Board of the Springvale Monash Legal Services Inc are responsible for the preparation of the financial report, and have determined that the basis of preparation described in Note 1, is appropriate to meet the requirements of the Associations Incorporation Reform Act 2012 (Victoria) and the Australian Charities and Not-for-profits Commission Act 2012 and is appropriate to meet the needs of the members. The Board's responsibility also includes such internal control as the Board determine is necessary to enable the preparation of a financial report that is free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We have conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the association's preparation of the financial report that gives a true and fair view, 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. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the Board, as well as evaluating the overall presentation of the financial report.

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



Level 1 / 434 Nepean Highway, Frankston Victoria 3199
P.O. Box 309, Frankston Victoria 3199
T: (03) 9781 2633 F: (03) 9781 3073
E: szefalusy@shepard.com.au W: www.shepard.com.au

Liability limited by a
scheme approved
under Professional
Standards Legislation

**SPRINGVALE MONASH LEGAL SERVICE INC.
REGISTERED NO: A0013997D**

INDEPENDENT AUDIT REPORT TO THE MEMBERS (CONTINUED)

Auditor's Opinion

In our opinion, the financial report presents fairly, in all material respects, the financial position of the Springvale Monash Legal Services Inc as at 30 June 2016 and its financial performance and its cash flows for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements, and the Associations Incorporation Reform Act 2012 (Victoria) and the Australian Charities and Not-for-profits Commission Act 2012.

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist the Springvale Monash Legal Services Inc to meet the requirements of the Associations Incorporation Reform Act 2015 (Victoria) and the Australian Charities and Not-for-profits Commission Act 2012. As a result, the financial report may not be suitable for another purpose.

Other Matters

The financial report of Springvale Monash Legal Services Inc for the year ended 30 June 2015 was audited by another auditor who expressed an unmodified opinion on that financial report on 6 October 2015.

Dated at Frankston on 8th day of September 2016



SHEPARD WEBSTER & O'NEILL AUDIT PTY LTD


Certified Practising Accountant

Authorised Audit Company No 415478

434 Nepean Highway Frankston 3199, PO Box 309 Frankston Victoria 3199

Telephone (03) 9781 2633 – Fax (03) 9781 3073

Email – szepfalusy@shepard.com.au



DAVID A SZEPFALUSY
Director

STRATEGIC GOALS



IN ORDER TO MAINTAIN SECTOR-LEADING SERVICE TO THE COMMUNITY AND PROVIDE VALUE TO PARTNERS, SMLS WILL:

- Nurture diverse, mutually-beneficial and sustainable partnerships with key organisations
- Invest in the partnership with Monash University and the clinical program and endeavour to maintain best practice clinical education for law students
- Value the capacity for larger projects, increased viability and resource availability afforded by its key partnerships
- Explore new partnerships, building on and leveraging from existing, long-term and effective partnerships to address community legal needs



IN ORDER TO CONTRIBUTE TO AND SUPPORT THE CAPACITY OF COMMUNITIES TO RESPOND TO LEGAL NEEDS, SMLS WILL:

- Promote the capacity of its clients and the wider community to contribute to a fair and just society
- Commit to genuine empowerment of both clients and members of the wider community
- Recognise the importance of providing accessible legal education for its community and hence invest in preventative and early intervention strategies
- Provide staff and volunteer training and development to ensure client service and community engagement is effective and empowering



IN ORDER TO LEAD IN FOSTERING A STRONG LEGAL FRAMEWORK AND CULTURE, SMLS WILL:

- Position itself as a sector leader by maintaining strong community ties, positive standing within the sector and the provision of best practice legal services to its clients
- Capitalise on its capacity to ensure the service is sustainable and remains relevant to both its community and the broader sector
- Acknowledge and promote its uniqueness and strengths within the sector
- Contribute to effective and community-centred advocacy, policy development and law reform



SPRINGVALE MONASH LEGAL SERVICE Inc.

Reg: A0013997D

ABN 96 206 448 228

5 Osborne Avenue
Springvale VIC 3171

Mailing Address:
PO Box 312 Springvale VIC 3171

Telephone: (03) 9545 7400

Facsimile: (03) 9562 4534

Email: info@smls.org.au

WWW.SMLS.ORG.AU

HOURS OF OPERATION

9:00 am – 5:00 pm (Monday to Friday)

6:00 pm – 8:30 pm (Monday to Thursday)

EMPLOYMENT INTAKE SESSION (by appointment only)

9:30 am – 12:30 pm (Wednesday)

DROP IN SESSIONS

9:30 am – 12:30 pm (Monday, Tuesday & Friday)

6:00 pm – 7:30 pm (Monday)

7:00 pm – 8:30 pm (Tuesday, Wednesday & Thursday)