

2020



annual
report

SPRINGVALE MONASH LEGAL SERVICE

A BIG SHOUT-OUT to all the amazing SMLS team members for putting in the effort and sending their photos for this year's annual report. Due to COVID, we could not organise a professional photographer but everyone stepped up to be their own 'art directors' and made it possible. I really appreciate the time and effort everyone put into it. Thank you!

– **Tariq Khan** (Brand Designer & Illustrator)

Theme:
Facing Forward

F
O

R



We rip out so much of ourselves to be cured of things faster than we should that we go bankrupt by the age of thirty and have less to offer each time we start with someone new. But to feel nothing so as not to feel anything - what a waste!

- Andre Aciman

W

P.06
ABOUT US /

P.12
OUR WORK /

P.40
COMMUNITY BASED PROGRAMS /

P.55
ACKNOWLEDGMENTS /

D

R

A

Through our future focused approach, SMLS laid the groundwork that gave us the courage and commitment to step out into the abyss of unknown when COVID struck.

- **Kristen Wallwork** (Executive Director)

01. ABOUT US



CHAIR AND EXECUTIVE DIRECTOR

SMLS HAS ALSO SPENT THE LAST 3 YEARS EMBEDDING A MONITORING AND EVALUATION PRACTICE IN ALL OUR NEW PROGRAMS. THIS HAS STRENGTHENED OUR ABILITY TO ARTICULATE EVIDENCED-BASED FUNDING PROPOSALS, AS WELL AS, PROVIDE THE STRUCTURE TO REPORT COMPREHENSIVELY ON THE IMPACT OF OUR PROGRAMS.

SMLS' 3-year strategic plan and accompanying 3-year operational plan came to its conclusion in June 2020. The decision to develop a 3-year operational plan was not without its risks but there were some major achievements that made the journey an impressive one. The plan provided the tools to stay focused on longer-term goals and be courageous and confident in the supporting standout attributes of our organisation. Sporting Change has been our hugely successful flagship community development program which we have been working towards a sustainable future so that it outlives the funding grants that supported

the initial incarnations. To develop the footing for a program's sustainability there needs to be a level of commitment and the 3-year operational plan provided that platform.

Another achievement in this cycle was SMLS' focus on our digital future. This has manifested in a number of ways including the shift to cloud-based "engine room" which meant that when COVID hit we were fully connected internally despite the remote work context. We have established a social media presence and have launched a new website that provides the connectivity between all our platforms so that we continue to grow

On reflection sometime in early March it felt like the world had become a kids merry-go-round rapidly increasing speed. I could see all the well packed structures we had in place slowly unravelling but critically (and thankfully), I began to see how we could pivot the whole game plan. Once the dust storm of the first month of COVID settled it was apparent we would step up to what was required. We could continue to offer services to our community. We would become even more innovative with our approach to community development and advocacy and, we were in a position to shift the student program online.

- Kristen Wallwork (Executive Director)

MONASH COUNSELLORS

our strong voice in public discourse and remain accessible to all our community.

SMLS has also spent the last 3 years embedding a monitoring and evaluation practice in all our new programs. This has strengthened our ability to articulate evidenced-based funding proposals, as well as, provide the structure to report comprehensively on the impact of our programs.

SMLS is continuing to lead in our commitment to integrated service models. In addition to the co-located financial counsellor from Good Shepherd at our office in Narre Warren, we now host social work students from various universities. This has added incredible depth to the service delivery we can provide our clients who regularly present with complex personal circumstances. Their legal outcomes and progress towards less challenging futures are better enhanced with wrap around service support.

As always SMLS has continued to proudly support the Monash University Law students through the professional practice unit and our family violence and sexual assault unit. We are particularly proud to be able to host a new and in-

novative remote program. The program continues to capture a depth of client experience and engagement in broader consideration of social justice issues. We acknowledge the ongoing trust and support of Monash Law Faculty to provide this real-life experience to law students as part of their degree.

It is without a doubt, a year that threw everything at the whole community. We are so proud of the capacity and courage with which our staff stepped up to the challenge. SMLS enjoys a strong, committed and connected team. This has buoyed the organisation through the im-

mediate move offsite and the intervening period of settling into a rhythm that has carried the organisation through this incredible time. As Chair and Executive Director, we wish to acknowledge as part of this year's report the huge gratitude and admiration to all the staff for what they brought to the situation and achieved.

SMLS has proven through this 3-year cycle, to have courage, commitment and vision can mean sustainable and impactful outcomes, and that an organisation will be as prepared as it can be when life takes an unexpected left-hand turn.

SMLS is facing forward. We have im-

M

MONASH COUNSELLORS

plemented a lot of changes during this COVID time that will form new frameworks as we take this opportunity to look backward, reflect, review, change, refine and move forward.

THIS YEAR as part of our theme of being future-focused SMLS wanted to provide some insight into the direction ahead. As previously noted, our 3-year Strategic Plan has come to its conclusion, but for COVID we had hoped to implement a new plan in July 2020. This will now be completed in early 2021. SMLS is a leader in integrated service delivery, exemplified through Sporting Change, and our shift to diversifying the services we deliver internally with new partners, including financial counselling and social supports. SMLS is working closely with stakeholders across our region to ensure that this more inclusive model of service

delivery is a priority. Clients always present with complex stories. By shifting away from addressing problems in isolation (or working in silos), there is greater capacity to achieve a longer-term beneficial impact for clients. SMLS is a goldmine of data and valuable insight. We are shifting to have a greater focus on these attributes to inform a growing body of policy work and better utilise this data for research we intend to undertake. We are fully committed to embracing our capacity to engage across different digital platforms and opportunities.

**FUTURE PLANS
AND GOALS**



"Life can only be understood backwards; but it must be lived forwards."
- Soren Kierkegaard

02. OUR WORK

SMLS PROVIDES SUBSTANTIAL SUPPORT ACROSS DIVERSE PRACTICE AREAS. OUR CLINICAL PROGRAM ASSISTS CLIENTS IN SUCH MATTERS AS DEBT, MOTOR VEHICLE ACCIDENTS, WILLS, DIVORCE, MINOR CRIME TO NAME A FEW. SMLS ALSO HAS SPECIALIST PRACTICE AREAS THAT SUPPORT CLIENTS FROM INITIAL QUERIES TO COMPLETION OF LITIGATION. THESE AREAS INCLUDE VOCAT, FAMILY LAW, FAMILY VIOLENCE, EMPLOYMENT LAW AND CIVIL LITIGATION MORE GENERALLY. WE ARE ALWAYS ALIVE TO THE TRENDS AND DEMANDS OF OUR CLIENTS AND WILL SHAPE THE SERVICE AREAS ACCORDINGLY. FOR EXAMPLE, OVER THE LAST FEW YEARS WE HAVE GROWN AND EMBEDDED A BREADTH OF SPECIALIST EMPLOYMENT LAW CAPACITY.

THESE ARE THE REFLECTIONS OVER THE LAST 12 MONTHS ACROSS SOME OF OUR PRACTICE AREAS.

EMPLOYMENT LAW

TOGETHER WITH OUR EMPLOYMENT-BASED OUT-REACH SERVICES, THE GENERALIST LAWYERS AIDED IN A LARGE AMOUNT OF UNDERPAYMENT MATTERS. WE HAVE BEEN SUCCESSFUL IN A HIGH PROPORTION OF MATTERS SECURING GREAT OUTCOMES FOR CLIENTS.

With high profile “wage theft” matters making headlines in the news, it was no surprise that publicity had an upward effect on underpayment matters coming to SMLS.

The publicity helped ensure vulnerable members of the community were aware of their rights, and the avenues to claw back money that they rightfully earned.

Together with our employment-based outreach services, the generalist lawyers assisted in a large amount of underpayment matters. We have been successful in a high proportion of matters securing great outcomes for clients.

Our service continued its focus on sexual harassment, bullying and dis-

crimination in the workplace. We have litigated across multiple jurisdictions in these matters including VCAT at a State level and, the Australian Human Rights Commission, Fair Work Commission and Federal Circuit Court at the Commonwealth level.

We take a comprehensive approach to our employment matters therefore it was common to have employment files that dealt with underpayment, bullying and unfair dismissal.

COVID also seemingly provided some companies with an opportunity to try to falsely make many employees redundant. We saw a large spike in unfair dismissal false redundancy claims before the Job Keeper scheme being introduced, and

then an increase in JobKeeper disputes following its introduction.

GIGS ECONOMY

The “gig economy” which includes platforms like Uber, Uber Eats, Door Dash and Deliveroo, as well as sub-contracting labouring work, often advertised through Facebook and Gumtree continues to boom. In difficult economic environment these platforms become a vital source of work particularly for migrants in the community. Often clients are left underpaid or unpaid.



HIRE CAR ISSUES/MOTOR VEHICLE ACCIDENTS

With an increase in rideshare services, and food delivery platforms, saw a decrease in motor vehicle accidents involving taxi's (there still were a few!), but an increase overall in hire car company disputes and motor vehicle accidents involving Uber and delivery drivers.

Many of the drivers hire the vehicles to use for these platforms, often with complex insurance policies that tend to abandon them when they are involved in accidents. SMLS continues to aid in navigating these issues as the "gig economy" rapidly grows.

TENANCY

With new landlord and tenancy regulations and a temporary freeze on evictions, the COVID pandemic saw a large upswing in tenancy enquires, particularly around the rights of landlords to evict and how tenants can seek rental freezes or discounts.

JUNIOR STAFF

THE JUNIOR GENERALIST STAFF have been excellent in their enthusiasm and desire to experience cases in different jurisdictions. Most staff now have appeared in Fair Work Commission conciliations, as well as drafting pleadings for the Magistrates' Court and the Federal Circuit Court namely in underpayment matters. Many also participate in duty lawyering outreach services.

COVID-19 IMPACT ON GENERAL PRACTICE

THE PIVOT TO VIRTUAL DROP-IN SESSIONS, AND ADVICE HAS SEEN OUR SERVICE TO CONTINUE TO BE SOUGHT AFTER, VICTORIA WIDE, WITH MANY PEOPLE USING OUR SERVICE OUTSIDE OF THE SOUTH-EASTERN SUBURBS AND METROPOLITAN MELBOURNE.

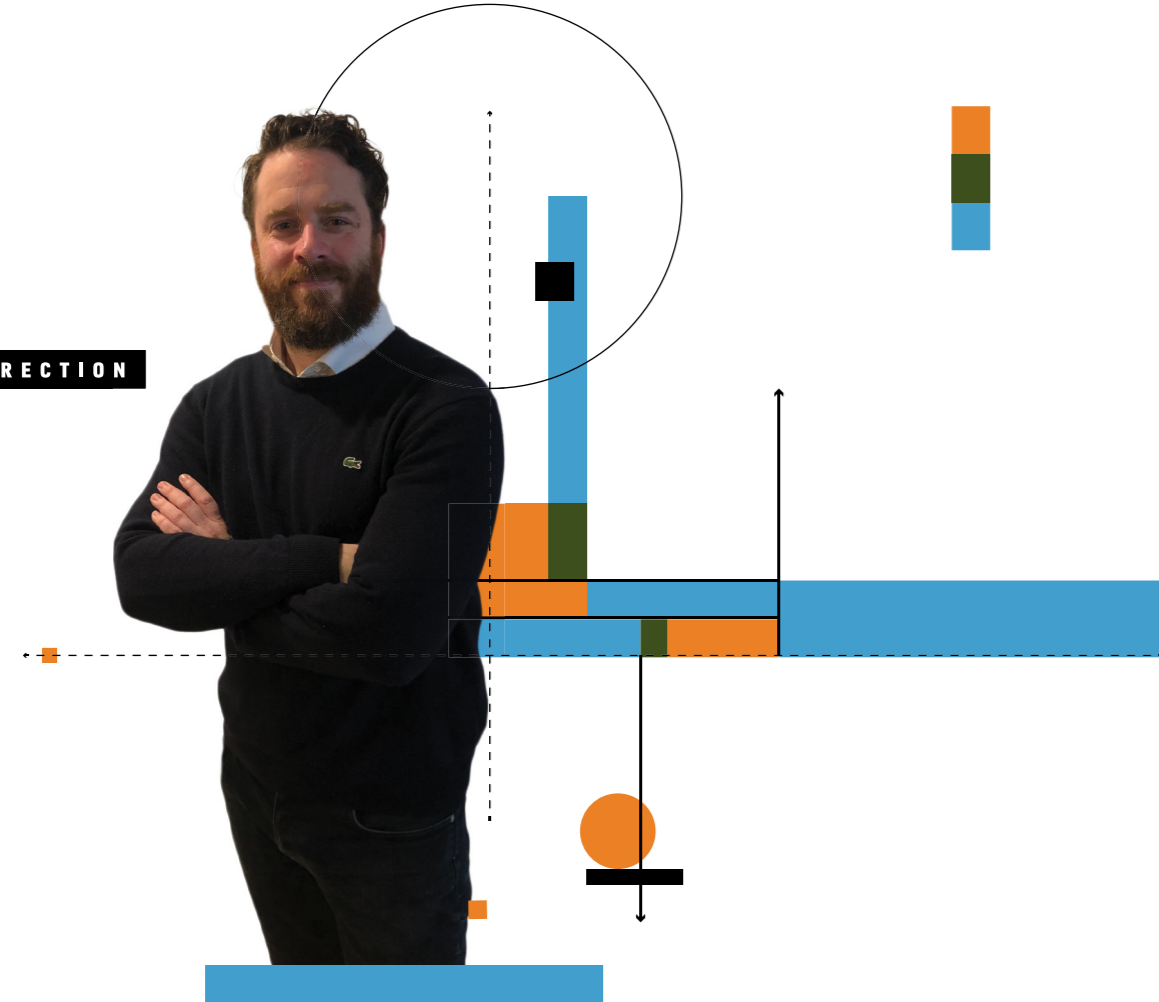
We were quick to implement our drop-in services in the virtual world. These carried over into the courts with most general practice lawyers taking part and appearing in court via various digital platforms.

We have also had to experience multiple adjournments with matters across all jurisdictions. This can be particularly stressful for clients hoping to see an end

to their matters. We have handled these expectations and used the delays to try to facilitate settlements, with some great outcomes achieved over the year.

The pivot to virtual drop-in sessions and advice has seen our service continue to be sought after Victoria wide, with many people using our service outside of the south-eastern suburbs and metropolitan Melbourne.

DIRECTION



We have noticed that those accessing our Narre Warren appointments and appointments at our Doveton and Pakenham outreaches, tend to be family law related including parenting and property family law matters involving family violence and often intervention orders ("IVOs").

We take a comprehensive approach to our employment matters therefore it was common to have employment files that dealt with underpayment, bullying and unfair dismissal.



CASE STUDY 01/

We assisted a client in a motor vehicle accident matter. As a result of the accident, our client's car was written off. The other party was charged for drunk driving, our client unsuccessfully tried to get a restitution order. We assisted the client in lodging a civil claim in the Magistrates Court. Once the other party learned about the civil claim, he responded to our requests of settling the matter to avoid further costs and stress for both parties. Our client received all the outstanding amounts pursuant to the deed of settlement.

CASE STUDY 02/

Our client was a victim of false redundancy. She was made redundant, whilst on maternity leave, due to making enquiries with respect to incorrect maternity leave payments, excess tax and job keeper entitlements. After initially being excluded from job keeper entitlements due to her enquiries, she was advised that she may be made redundant. A General Protection (GP) claim not involving dismissal was filed, after which our client was made redundant. This sparked our client to file a GP claim involving dismissal. At conciliation, we were able to facilitate negotiations, securing a settlement in the form of general damages and an apology.

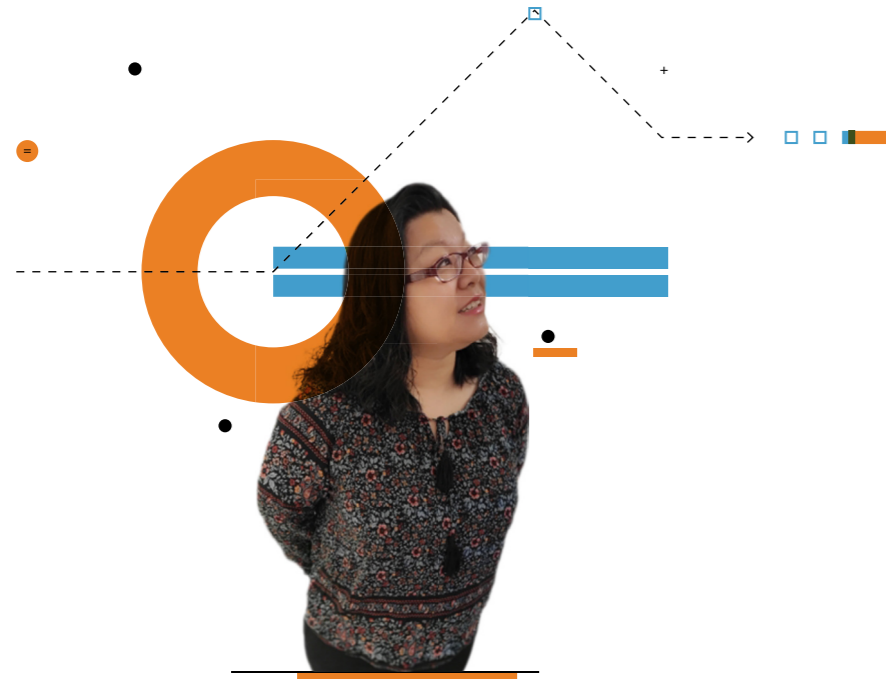
-
-
-

FAMILY VIOLENCE DUTY LAWYERS

WE ARE VERY FORTUNATE TO ENJOY OUR COLLABORATIVE WORKING RELATIONSHIP WITH ALL THE COURT USER STAKEHOLDERS.

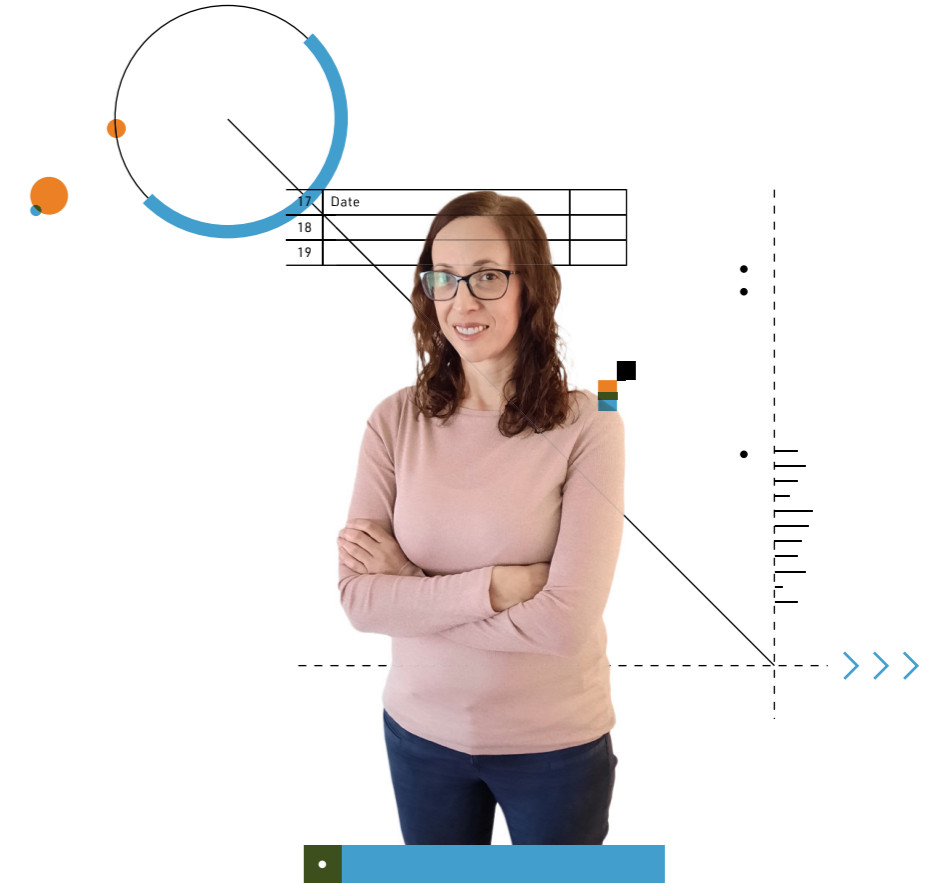
SMLS has been providing daily family violence duty lawyer service to the Dandenong Magistrates Court for over a year now. We have been developing the skills of our junior lawyers for this critical work including specialist training. We are very fortunate to enjoy our collaborative working relationship with all the court user stakeholders. The duty lawyering was severely impacted by COVID-19 including the fact clients were recommended not to attend court so very few referrals were received from April onwards, which meant many clients were without legal advice or representation. We have worked closely with our partners to establish systems to support both the process of the IVOs but also to ensure as much possible opportunity for potential clients to access legal services.





Together with our employment-based outreach services, the generalist lawyers assisted in a large amount of underpayment matters. We have been successful in a high proportion of matters securing great outcomes for clients.

We were quick to implement our drop-in services in the virtual world. These carried over into the courts with most general practice lawyers taking part and appearing in court via various digital platforms.



OUR REACH CONTINUES TO GROW

We are very pleased to see our reach continue to grow and critical access points across the south-east being fully utilised. Outreaches in Doveton and Pakenham are well established and there is significant demand for service at our Narre Warren site. We have noticed that those accessing our Narre Warren appointments and appointments at our Doveton and Pakenham outreaches, tend to be family law related including parenting and property family law matters involving family violence and often intervention orders (“IVOs”). While SMLS has disproportionate demand for family law services than what we can provide – noting while there are a number of legal assistance sector providers in our region, the demand remains very high, we do continue to provide complex case management including trial preparation.



CASE STUDY 03/

We represented our client parent, the primary carer for the couple’s 4-year-old since separation three years ago after she commenced proceedings in the Federal Circuit Court after the other party failed to return the child from a scheduled visit and she changed lawyers.

- The other party made allegations that our client was a risk to the child due to her previous drug use and despite evidence to the contrary, was still using drugs
- The court made interim parenting orders for the child to live with the other party following a family consultant’s recommendations based on our client’s previous drug use despite evidence of recent clean supervised drug tests
- Child Protection reported the child 'not at risk' in our client’s care
- The matter went to trial and the judge did not follow the family consultant and ICL’s submissions for shared care instead the judge ordered the child be returned to our client’s care. The client was delighted with the result as she said her previous lawyer had told her the case was “hopeless”.

During COVID 19 an increasing number of parents withholding children from the parent they usually live with triggering urgent applications to the court for the return of the child causing emotional and psychological harm to the child

We have successfully obtained court orders for the return of children in these situations using the Federal Circuit Court’s Urgent COVID-19 list with a 3 day turn around between filing the application and the first hearing.

1
three years ago

2
child returned to client's care

3
successfully obtained court orders

ACG
ACG



OM

P

LL



HS
HS

CLINIC OVERVIEW

DURING COVID, WE PUT TOGETHER A PROPOSAL TO ADMINISTER A NEW REMOTE CLINICAL PROGRAM. WE ARE THRILLED TO HAVE RECENTLY COMPLETED OUR FIRST CLINICAL PERIOD IN THIS NEW FORMAT.

This has been an interesting and exciting year for the Monash University, Faculty of Law clinical programs at SMLS. Just as we were about to host our first professional practice group at our new Narre Warren premises, COVID hit. There is significant population growth in the South East and increasingly a large proportion of our clients are presenting from the City of Casey and Shire of Cardinia, so this was a welcomed move and we were looking to fill up our new offices some more people.

But we get ahead of ourselves. First, we would like to acknowledge that our inaugural and long-term Monash Academic Director Dr. Kate Seear stepped away from the position in 2020. Kate and Executive Director Kris shared the responsibility of implementing the new structure that included the role of the Academic Director. We would like to thank

Kate for her significant contribution to SMLS including the incredible support in reviewing and refining professional practice at SMLS to ensure its compliance with the new standards as part of its higher academic certification. She engaged with our team on community development, law reform and advocacy projects which continues today. Kate initiated building stronger ties across the law faculty as SMLS builds its work in policy and law reform more broadly. We are incredibly grateful for her insights, energy, and commitment to SMLS and wish her well in her new endeavours.

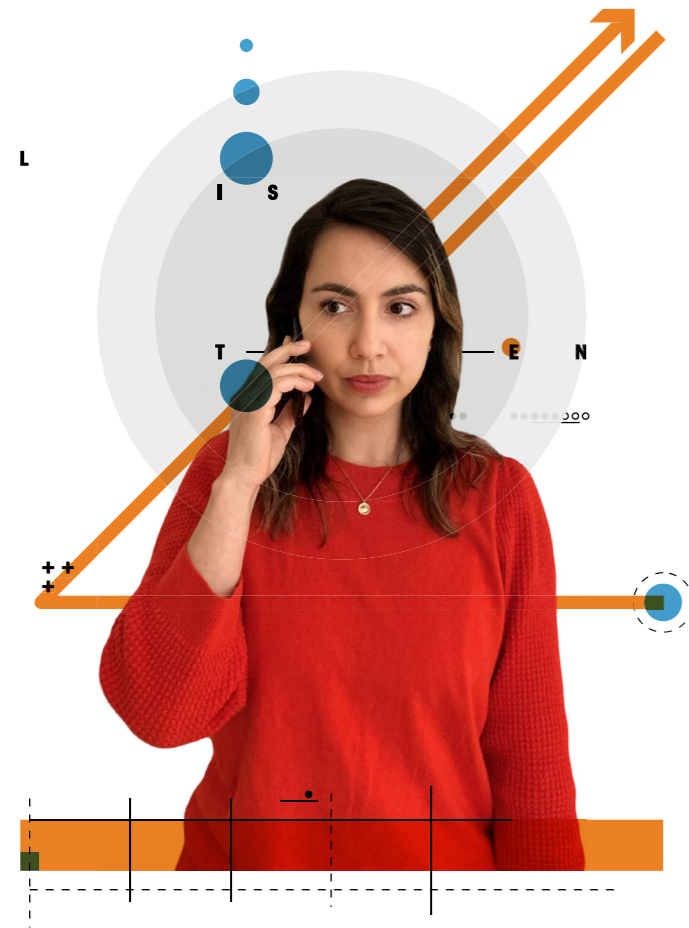
We wish to thank Dr. Kathryn James for her continuing as the Acting Academic Director for a period. Kathryn has had a long association with SMLS. It is was great to have her onsite as a clinical supervisor and in the role of Academic Director. We now welcome Dr. Jackie



Weinberg into the role and look forward to working together to continue to support this important opportunity for law students in their journey through their law degrees.

So – COVID hit. Unfortunately, we had to suspend the clinical period that was about to commence in late March as the country adjusted to what may lay ahead. During this time, we put together a proposal to administer a new remote clinical program. We are thrilled to have recently completed our first clinical period in this new format. We are proud to have been able to deliver this opportunity to the students. Whatever happens as we navigate out of the crisis that is COVID, we will have learned much and have new ways in which teaching opportunities can be offered in the future.

Whatever happens as we navigate out of the crisis that is COVID, we will have learnt much and have new ways in which teaching opportunities can be offered in the future.



STUDENTS'
RE
CT
— IO N

F — LE

A placement at Springvale Monash Legal Service is an invaluable opportunity to gain practical legal experiences, while having a significant impact on the community. Being involved in the Community Legal Centre's employment law clinic, I handled real and complex legal matters, undertook significant responsibilities, and was fortunate to receive close and supportive supervision and mentorship. This opportunity is unmatched in having tangible impact on clients' lives, as well as experiencing the intricacies of legal practice through experiential learning. The team at SMLS offers the perfect combination of a supportive environment, with real opportunities to learn and develop.

Aran Haupt

Never imagined that completing a law unit could be so rewarding and enjoyable! My journey at SMLS was incredibly enriching as it reminded me of why I went to law school. Thanks to SMLS, I had the unique opportunity to present in court, interact with clients across different cultures and socioeconomic backgrounds and to take responsibility for solving client problems under supportive mentorship. It is a safe place to learn, challenge legal theory and develop skills that are critical for a future legal career.

Nira Kanagasabai

SMLS was a great opportunity to put classroom theory into practice. I valued the autonomous nature of the placement, and client interaction. The responsibilities and tasks were real and challenging, beyond what I initially expected. My placement was an insightful experience and gave me transferable skills which will be valuable for my career.

Jacob Beshara

I gained invaluable insight into providing practical, holistic advice at SMLS. Interacting with community members from diverse backgrounds exposed me to a range of legal, non-legal and social justice issues. Considering different client needs, social and moral consequences also broadened my understanding of legal practice. Helping real clients solve problems at SMLS was incredibly rewarding."

Yi-Yun Feng

SECASA

SECASA HAS ALSO SEEN THE CHANGING OF THE GUARD WITH LONG TERM STAFF AND PIONEERS DR. CAROLYN WORTH AND NERIDA MITCHELL LEAVING. WE ARE GRATEFUL FOR THE DECADES' LONG WORKING RELATIONSHIPS OUR STAFF HAVE ENJOYED.

SMLS is very proud to acknowledge the 25 years we have partnered with South East Centre Against Sexual Assault providing support to victims of family violence and sexual assault with applications for compensation.

Earlier this year client, Natasa Christidou courageously published her biography **This is how I will strangle you** authored by Gideon Haigh. This is a painful but powerful story of human courage and resilience to navigate amongst other things the legal system in addressing a confronting and devastating childhood story.

SECASA has also seen the changing of the guard with long term staff and pioneers, Dr. Carolyn Worth and Nerida Mitchell leaving. We are grateful for



AHEAD »

the decades' long working relationships our staff has enjoyed. COVID has had a huge impact on our client's ability to access this service however, through all of this we are amazed at the ongoing commitment and support of volunteers that we received. We have also conducted our first remote clinical program with Monash University Law students who undertake an elective with our sexual assault clinic. We are really pleased to see the engagement of the students through new platforms.

While we are limited in the information we can share of client's journeys, we wanted to share some of the common obstacles our clients face. These may include isolation and lack of support

from family. They may suffer psychological issues including PTSD, anxiety, nightmares, and memory loss. Our clients often find jobs are difficult to hold down. We assist clients who have carried their stories for many years. Over the last year, SMLS has successfully secured over \$550,000 in compensation for victims of family violence and sexual assault. Legal processes can be difficult and confronting at the best of times but for people who are victims of crime seeking compensation is another part of a long journey. We acknowledge this journey of our clients.

Over the last year SMLS has successfully secured over \$550,000 in compensation for victims of family violence and sexual assault.



SHAPING OUR FUTURE...

Springvale Monash Legal Service

We have established a social media presence and have launched a new website that provides the connectivity between all our platforms so that we continue to grow our strong voice in public discourse and remain accessible to all our community.



This year has been a combination of the advancement in our practices, obstacles to clear and opportunities to revamp our model. The support we provide has widened which brings new knowledge and extra responsibility. In June 2019, in preparation for opening the Narre Warren branch office, Springvale staff were involved in conducting procedures and systems training for new administration staff and lawyers. With large volumes of family violence related cases presenting at the Dandenong Magistrate Court, we have increased the level of back house support to our lawyers. When COVID hit we learnt to overcome the challenge to work as a team with no face to face contact and still stay connected. Fortunately, in a sign of the future, our document systems were transitioning online so that has allowed us to keep daily work running smoothly. This has also provided the framework to continue to support our Monash Law students and the professional practice program.

ADMIN STAFF REFLECTIONS



Have a much better understanding on the scope of assistance being provided by the legal service [by way of a more detailed triage] system when booking clients with various legal issues. Being the first point of contact with client has help built up skills in understanding and supporting the client over the phone."

Interactions with management during one on one sessions boosted my confidence... Since I am working from home, I have been part of many processes and procedures which I never used to work on site... I have been attending staff meetings which I never got a chance to attend while I was working on site.



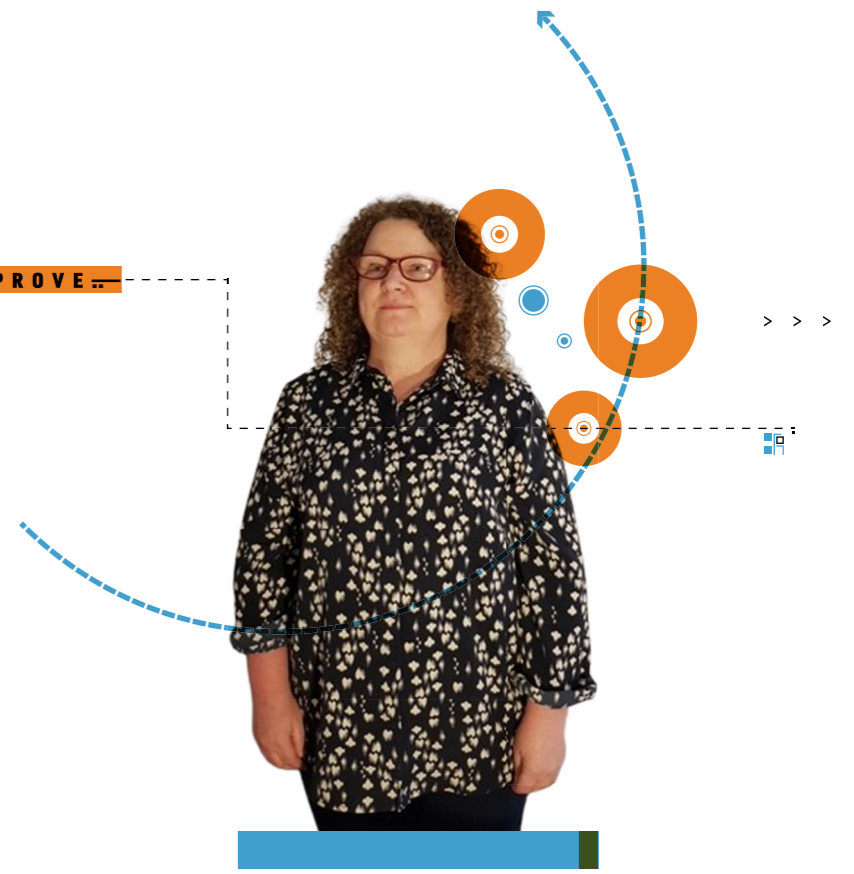
CHANGE





It gave me great satisfaction and a feeling of accomplishment being involved in establishing the office space in anticipation of the students commencing at Narre Warren. I enjoyed meeting the students and working alongside them providing support when needed

IMPROVE



Our staff meetings came to be the highlight of my working week, as I eagerly anticipated reconnecting with my colleagues, enjoying the opportunity to be creative and have fun. Racking my brain and combing through my meagre resources to meet the next theme or challenge really helped take my mind away from the anxiety and uncertainty of the wider world. It turns out I do love dress ups after all!

We always have end of year celebrations with the volunteers, to show our appreciation for the work they do. Unfortunately, due to restrictions we were unable to hold our annual Volunteer appreciation event, but we hope to have a big celebration in the next financial year.



During this very unusual time everyone is doing their best particularly the management has been doing very well to keep everything going as smoothly as possible and keep everyone feels connected which are not easy.



03. COMMUNITY BASED PROGRAMS



This year, SMLS came to the end of our three-year strategic and operational plans. We aimed high and worked hard to achieve our goals, with a focus on evaluation, advocacy, partnership development and integrated service delivery. We built on our integrated services and introduced a social work program into our organisation, partnering with RMIT, La Trobe University, Monash University and Federation University to offer placements for social work students. The program has been an incredible success and expanded the scope of assistance we can provide our clients. It has also produced several high-quality resources used throughout our sector, including an Integrated Services map documenting models of collaboration between social workers and community legal centres around Victoria, and a services database outlining COVID responses from over fifty organisations in the South East.

We continued to build our advocacy and law reform work, with a strong focus on cannabis legislation and employment law. In the employment law space, we continued to work closely with WEstjustice

and Jobwatch, building up the Victorian Employment Law Working Group, as well as contributing to various inquiries including a joint submission to the Select Committee on Temporary Migration, as well as a submission to ‘Improving protections of employees’ wages and entitlements: strengthening penalties for non-compliance’ consultation. We also made a significant and insightful submission to the Joint Select Committee on Australia’s Family Law System, made submissions to and gave evidence before the Inquiry into Anti Vilification protections Inquiry panel in Victoria. We maintained our focus on reducing harms caused by pokies machines in our community, making strong submissions to both the City of Casey and the Victorian Commission for Gambling and Liquor Regulation regarding an application to install an additional 100 machines in Clyde North. SMLS also joined our sector in various advocacy efforts relating to COVID19, including various strategies aimed at expanding access to government support for Temporary Visa Holders.

SMLS continued to work closely with

our community, supporting our existing partnerships and establishing new ones. We worked with the African – Australian community, delivering various legal education sessions with Daughters of Jerusalem Children and Family Services. We also developed partnerships with Afri-Aus Care, and the African Australian Legal Network, producing resources and creating referral pathways for some of the most vulnerable people from our local communities.

OUTREACH PROGRAM

MANY STUDENTS ARE UNWILLING TO REPORT WAGE THEFT OR EXPLOITATION OUT OF A FEAR THAT THEIR EMPLOYER MAY REPORT THEM TO THE DEPARTMENT OF IMMIGRATION IF THEY MAKE A COMPLAINT TO FAIR WORK, AND THIS IS COMMONLY USED AS A THREAT BY THEIR EMPLOYERS.

ISWRLS

The intersectional experiences of international students in Australia have contributed to many people being vulnerable to exploitation and wage theft. International students are temporary visa holders, are subject to visa restrictions on their right to work, many are young, speak English as a second language and most are working in part-time or casual jobs. All these combined attributes have contributed to the significant number of international students facing work-related legal problems.

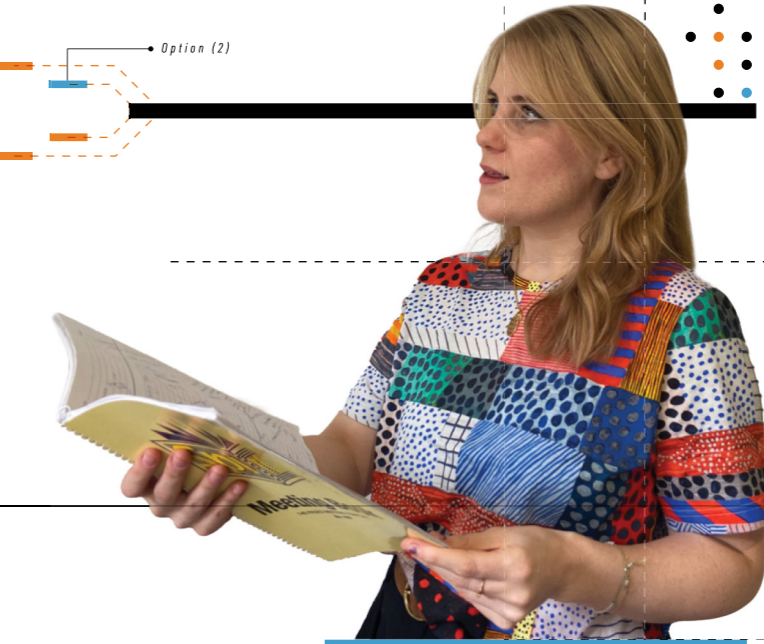
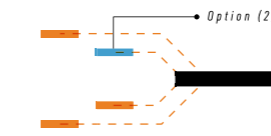
Many students are unwilling to report wage theft or exploitation out of a fear that their employer may report them to the Department of Immigration if they

make a complaint to Fair Work, and this is commonly used as a threat by their employers. Their student visa will usually have a work restriction condition limiting their work hours to 40 hours per fortnight.

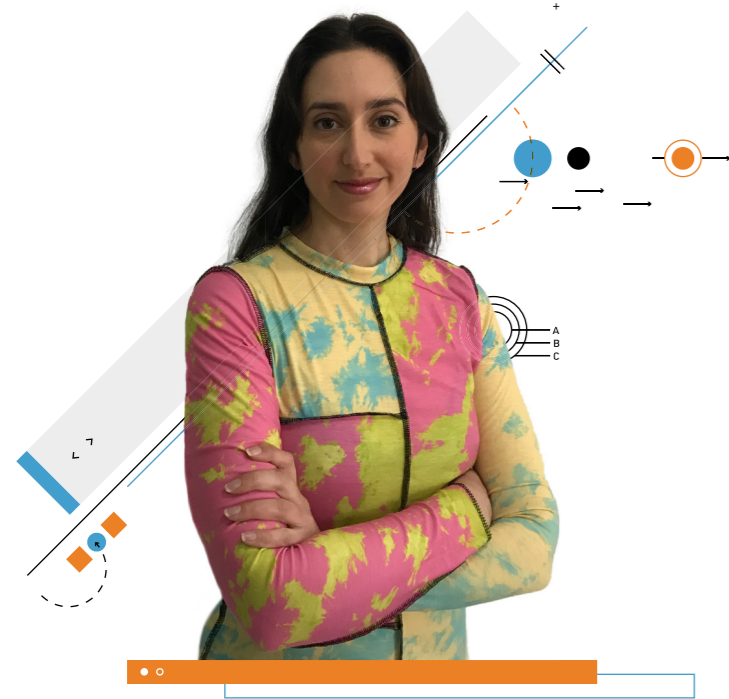
The International Students Work Rights Legal Service (ISWRLS) is a partnership program assisting International Students at risk of work-related legal problems to have a positive experience in Victoria, by taking a collaborative approach towards providing tailored legal services and building sector capacity. The program also aims to contribute toward a fair and just society by engaging in advocacy on behalf of international

students. Since opening, ISWRLS has provided legal assistance to over 440 international students, successfully recovering nearly \$325,000 in unpaid wages and entitlements and compensation for unfair treatment at work. By embedding the legal service within Study Melbourne Student Centre, the student can access free events and confidential support services. ISWRLS is accessible and client-centered.

ISWRLS is a partnership between three community legal centres, SMLS, WEstjustice and Job Watch, funded by the Department of Jobs, Precincts and Regions.

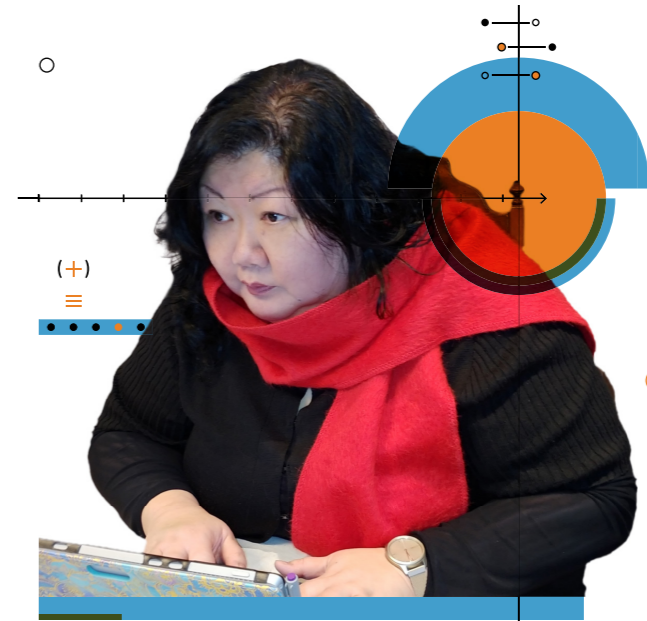


STRATEGY



Sporting Change is now working to overcome the challenge of future sustainability, with SMLS and our school partners working together to find possible solutions to ensure the program's ongoing success.

Our community development team have been collaborating with our local community, creating and engaging community legal education projects, as well as delivering virtual legal education.



UNIQUE EVENTS

OUR SPORTING CHANGE TEAM ROSE TO THE CHALLENGE OF A NEW MEDIUM, A COMPLETELY NEW WAY OF ENGAGING WITH YOUNG PEOPLE IN OUR COMMUNITY. WE SHARE **CASE STUDIES**, TAILORED LEGAL EDUCATION MESSAGES AND FUN AND ENGAGING ACTIVITIES.

SMLS, like many other service delivery organisations, was somewhat cautious in entering social media spaces. When COVID struck, our community development team had a moment of panic. How can we engage with our community while working from home? How could we deliver our programs for young people? We decided to dive headfirst into social media.

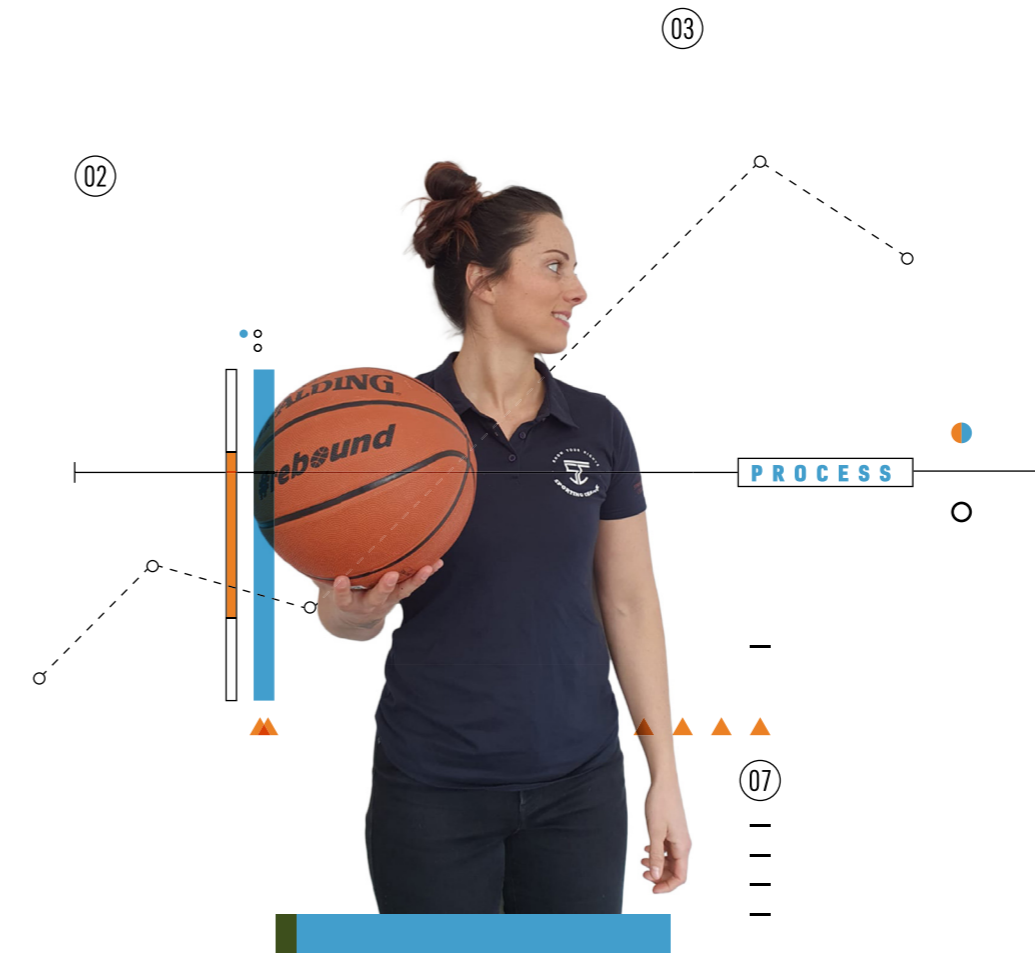
SMLS is an organisation that takes planning and preparation very seriously. As our focus on youth services grew, we decided to set up a 'youth advisory committee' who would provide insight and advice as we engaged with young people and developed youth programs. This committee has been an invaluable source of support as we made the leap to virtual

programming over 2020.

We tasked this diverse group with surveying their friends- which social media sites do young people in South East Melbourne use? The results were as expected - Instagram and Tik Tok. Instagram became our platform of choice. Our Sporting Change team rose to the challenge of a new medium, a completely new way of engaging with young people in our community. We share case studies, tailored legal education messages and fun and engaging activities. We now have over 150 followers, most of whom are young people from our partner schools in Narre Warren, Cranbourne East and Pakenham.

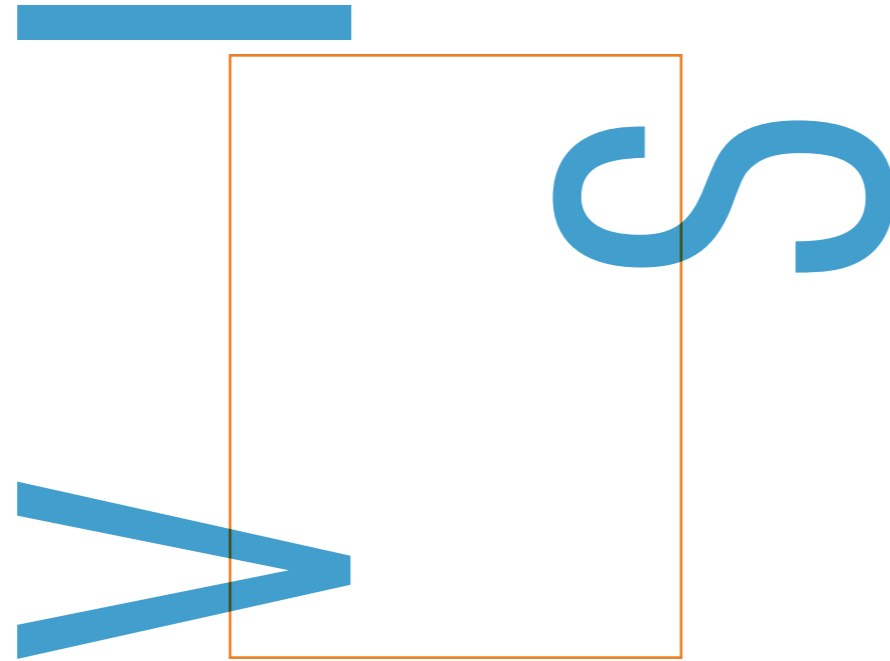
Some of our previous program par-

Thankfully, the significant effort we put into planning and scaffolding our services has given us the resilience required to adapt and respond, with creativity, innovation and passion.



ticipants have reached out online, after finding us through their friends, telling us of their successes and struggles, highs and lows. We have produced material for YouTube and created community legal education videos for teachers to use in virtual classes. To keep engaged with our young people we delivered care packages, to support people who were struggling.

Thankfully, the significant effort we put into planning and scaffolding our services has given us the resilience required to adapt and respond, with creativity, innovation and passion.



SPORTING CHANGE PROGRAM

THIS YEAR, SPORTING CHANGE WAS FEATURED ON THE ABC PODCAST 'THE OUTER SANCTUM'. OUR EXECUTIVE DIRECTOR SPOKE ABOUT HOW THE IDEA FOR THE PROGRAM DEVELOPED, BUILDING ON THE IDEA OF SPORT AS AN EDUCATIONAL STRATEGY. OUR YOUTH WORKER OUTLINED THE VARIOUS WAYS IN WHICH WE USE SPORT TO TEACH PEOPLE ABOUT THE LAW, AND WE INTERVIEWED A FORMER PARTICIPANT IN THE AFTER-SCHOOL PROGRAM TO HEAR HIS PERSPECTIVE.

Sporting Change, our flagship community development program, has grown significantly over time, being delivered at three schools in South Eastern Melbourne, with over 90 community legal education sessions delivered to young people after school each year. The school lawyer component has assisted young people to recover unpaid wages, navigate the legal system as survivors of sexual assault, understand fines and criminal charges, and understand their rights and responsibilities when faced

with other legal issues.

Our partnerships with each school continue to flourish. Despite the impact of COVID, we have maintained strong connections with young people through social media and other projects such as videography competitions.

This year, Sporting Change was featured on the ABC podcast 'The Outer Sanctum'. Our Executive Director spoke about how the idea for the program developed, building on the idea of sport as an educational strategy. Our Youth Worker



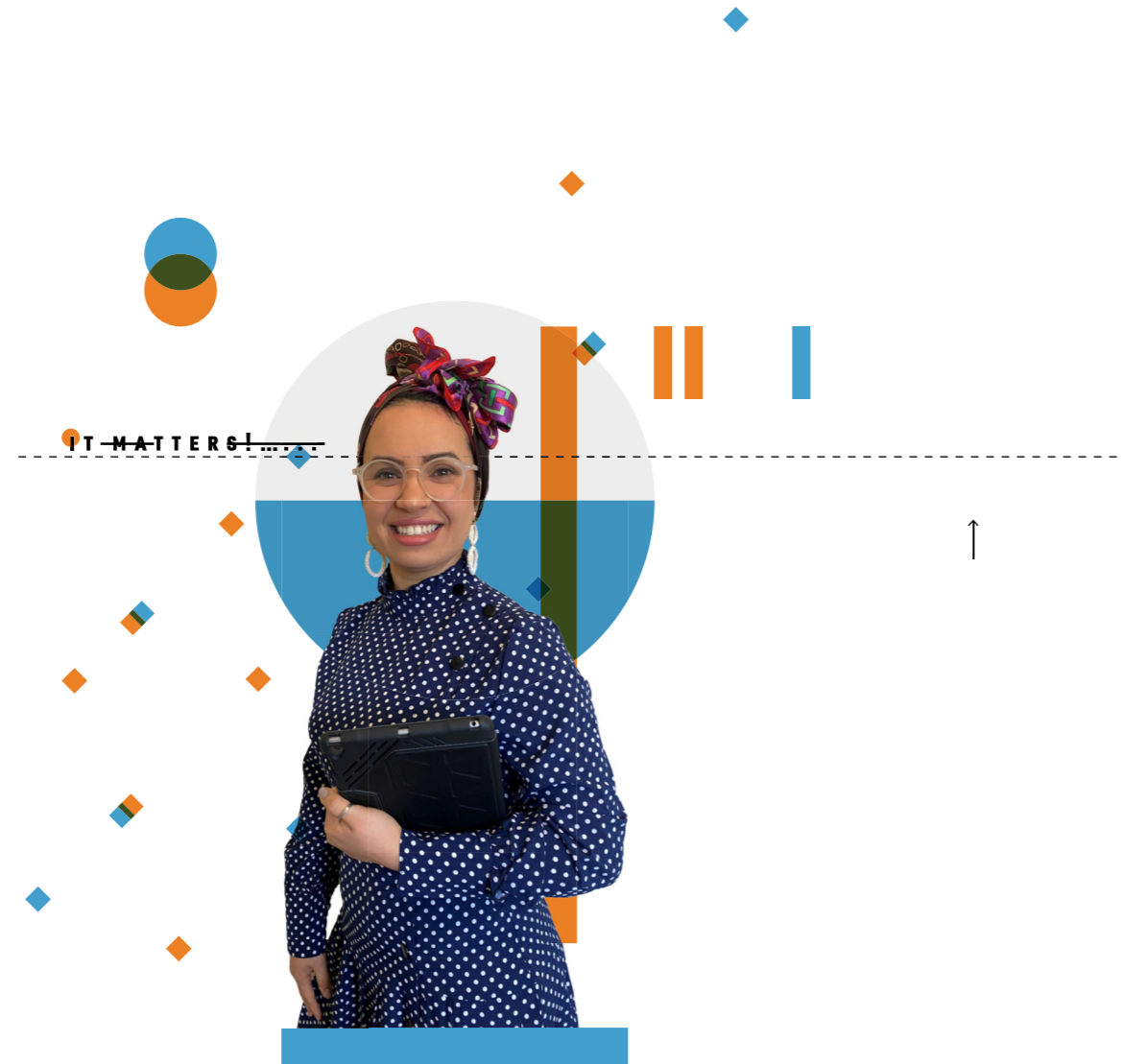
outlined the various ways in which we use sport to teach people about the law, and we interviewed a former participant in the after school program to hear his perspective.

Nihaal became involved in Sporting Change through a friend of his who asked him to come along.

I learned a lot to be honest- like my rights as a young person in the community, how to deal with the police when they stop and ask you questions. It made me look at a different view of the law...

The best thing about the program - to be honest there are a lot of good things about the program. It's really engaging with youngsters. It looks like a family at the end of the program, we were all besties.

Through Sporting Change I did a leadership course during my school holidays with Melbourne City (Football Club), I met some of the guys from Melbourne City, and I learned a lot from the program. I spent one year as a volunteer for the Football club, running clinics before the games. Just to engage with the community through Melbourne City was



really good.

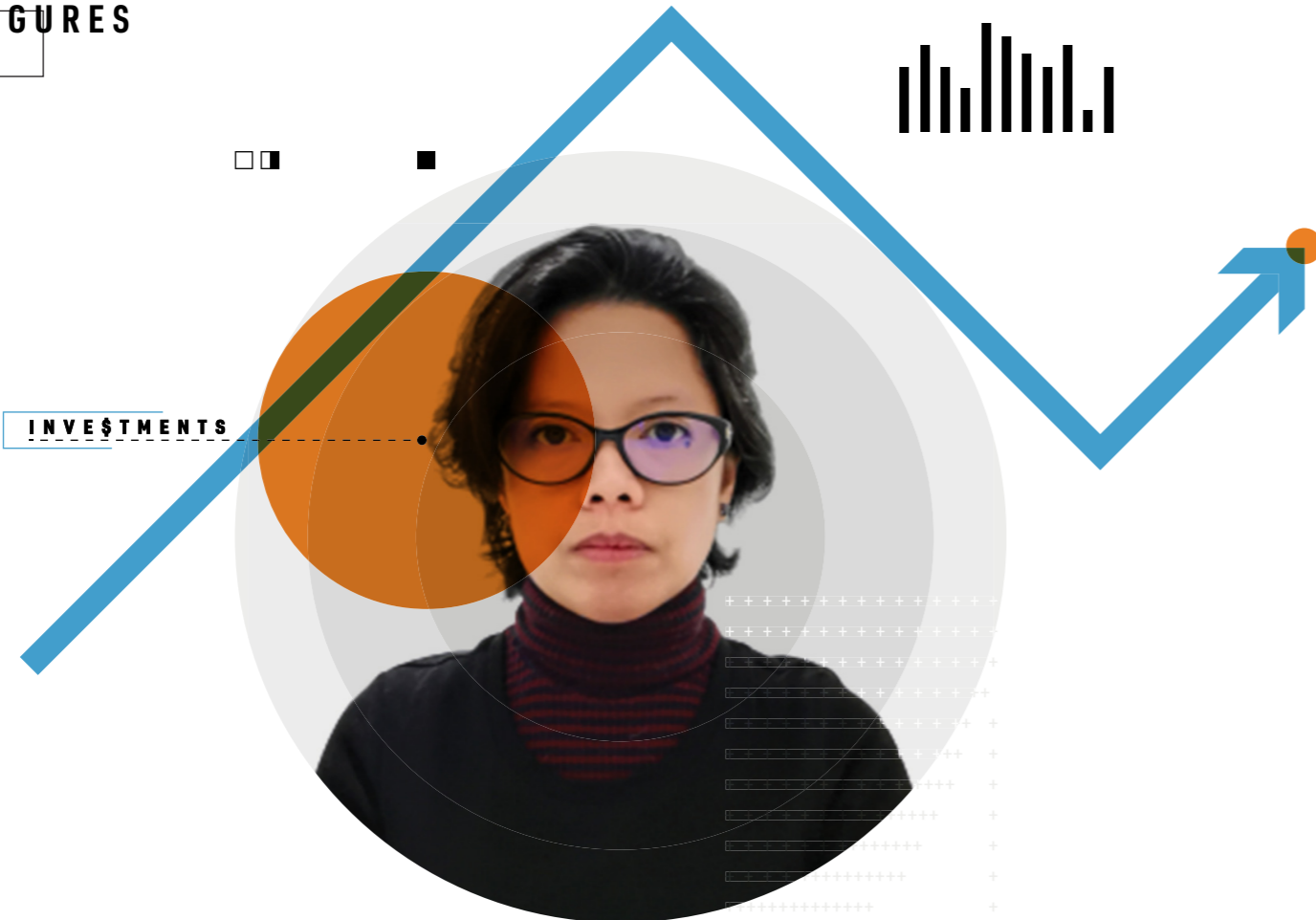
I really think Sporting Change was something different. It did give coming to school a different vibe on a Tuesday, like Sporting Change was gonna be lit! You know, the excitement to come to school that day, you know knowing that after three o'clock it's gonna be the best time of the week- hang out with some friends, play a lot of sports and learn something and just enjoy the rest of the week.'

The program is now working to overcome the challenge of future sustainability, with SMLS and our school partners working together to find possible solutions to ensure the program's ongoing success.

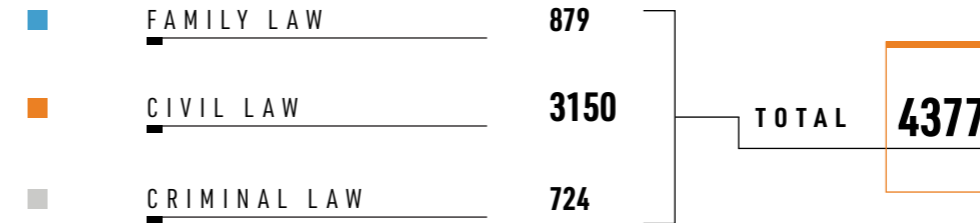
The best thing about the program - to be honest there are a lot of good things about the program. It's really engaging with youngsters. It looks like a family at the end of the program, we were all besties.

FACTS AND FIGURES

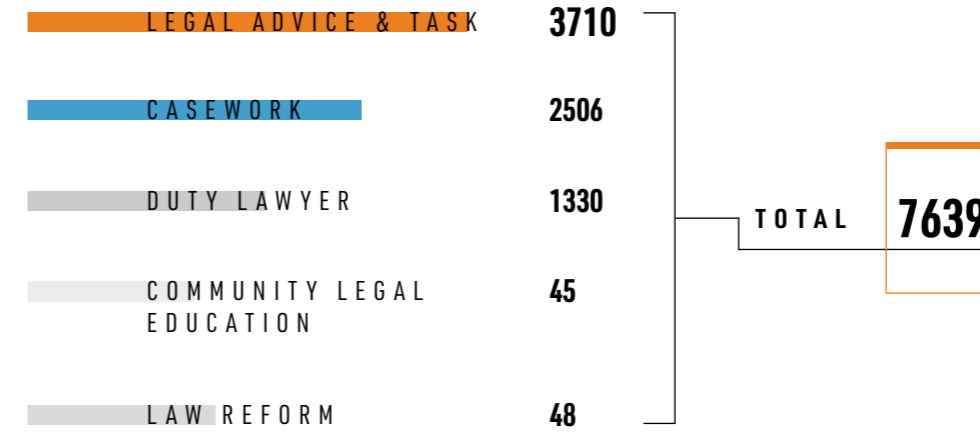
INVESTMENTS



CLIENTS BY LAW TYPE



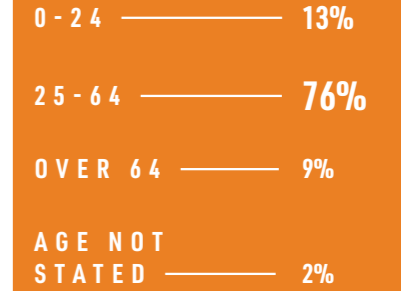
SERVICES PROVIDED



CLIENTS GENDER



CLIENTS AGE



CLIENTS WITH FINANCIAL DISADVANTAGE **87%**

CLIENTS WITH DEPENDANT CHILDREN AT HOME **48%**

CLIENTS WITH DISABILITY/MENTAL ILLNESS **19%**

CALD CLIENTS **51%**

CLIENTS EXPERIENCING FAMILY VIOLENCE **42%**

CLIENTS FROM REGIONAL/REMOTE AREAS **0.25%**

CLIENTS EXPERIENCING HOMELESSNESS **9%**

04. ACKNOWLEDGMENTS

- 1.** The Hon Christian Porter MP, Attorney-General for Australia, Australian Government Attorney-General's Department.
- 2.** The Hon Jill Hennessy MP, Attorney-General of Victoria, State Government of Victoria.
- 3.** Gabrielle Williams MP, State Member for Dandenong; The Hon Anthony Byrne, Federal Member for Holt; and Mr Gary Maas, State Member for Narre Warren.
- 4.** Professor Bryan Horrigan – Dean, Fiona Bygraves – Faculty General Manager, our colleagues at Monash Law Clinic Clayton and Monash Law Clinic Melbourne and the staff of the Faculty of Law Monash University for their ongoing commitment to Clinical Programs.
- 5.** Victoria Legal Aid for funding assistance, advice, collaboration, and referrals.
- 6.** Our partner organisations at 5 Osborne Avenue, Springvale; South East Community Links (SECL); Springvale Neighbourhood House (SNH); and Springvale Learning and Activities Centre (SLAC).
- 7.** Our South Eastern Regional Legal Assistance Network (SERLAN) partners;

- Peninsula Community Legal Centre; Victoria Legal Aid Peninsula Regional Office; and Victoria Legal Aid Westernport Regional Office.
- 8.** Management and staff of the City of Greater Dandenong for their support and service in attending SMLS's requests.
- 9.** The Study Melbourne Student Centre for providing outreach service for SMLS's International Student Work Rights Legal Service.
- 10.** Catholic Care Family Dispute Resolution Service.
- 11.** Monash Children's Hospital.
- 12.** Gatluak Puoch from Department of Health and Human Services.
- 13.** Kenyatta Dei Wal from Centre for Multicultural Youth.
- 14.** Southern Migrant and Refugee Centre Inc.
- 15.** Department of Jobs, Precincts and Regions
- 16.** All SMLS volunteers for their endless enthusiasm and energy assisting with the Volunteer Program and casework.
- 17.** YSAS and Windana for providing opportunities for students for our professional practice program to engage with allied community services and their cli-

ents.

18. Our funders for Sporting Change program; Victoria Legal Services Board, State Government via Federation of Community Legal Centres.

19. Narre Warren South P-12 College, Cranbourne East Secondary College and Pakenham Secondary College for their participation in the School Lawyer and Sporting Change program.

20. All of the Victorian sporting clubs and individuals who participated and volunteered on the Sporting Change program:

- Melbourne City Football Club, Jake Freeman and Cesar David Canaria Ortiz
- Rugby Victoria, Chris Duffy and Glenn Davies The Quilt Program
- Chad Williams, Secondary Black Belt Taekwondo and Brown Belt in Brazilian Jiu-jitsu
- Brad Morris, Sports Scientist and Former UFC Athlete
- Cricket Victoria, Rob Elston, Adrian Jones and Gina Smith
- Casey Cavaliers Basketball Club, Raheem Lemons and Sarah Halejian
- Kelly Sports, David Marchesani and Ann Donnelly

21. City of Casey and Cardinia Council Shire.

22. WestJustice for ongoing collaboration on a range of projects.

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

24. Danny Ryan, Chiedza Malunga and all the staff at Monash Health.

25. Victorian Local Governance Association.

26. Windana Drug and Alcohol Recovery Inc.

27. Migrant Workers Centre.

Daughters of Jerusalem, Youth and Family Support.

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

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

30. Victorian Bar for their endless enthusiasm and energy assisting with the Volunteer Program and casework.

All of the following lawyers and Barristers:

- James Ryan - Castan Chambers
- Simon Fuller - Foley's List
- Geoff Lake - Owen Dixon Chambers
- Alex Manos - Aickin Chambers
- Andrew Crocker - Aickin Chambers
- Marita Ham - Daphne Foong
- Laura Hilly - Dimitri Ternovski,
- Emily Anderson - Chrisanthi Paganis

31. Specific acknowledgement to Gary Lung Victoria Legal Aid, Sinea Dodds Victoria Police, Daniel Latter and Alan Wilkinson from Magistrates Court Dandenong.

32. Dandenong Magistrates Court Family Violence Registry.

33. SMLS Patron Justice Shane Marshall.

34. Berwick Family Relationship Centre for referrals.

35. African Australian Legal Network, Afri-Aus Care Inc and South Sudanese Communities for their assistance on developing a range of resources for sexual assault victims.

36. Good Shepherd Australia New Zealand for their partnership with the Integrated Services Financial Counsellor program.

37. RMIT University, La Trobe University, Monash University, Federation University for their partnership with the Social Work Students program.

38. Moira Eveleens and Casey Cardinia Libraries team

39. DHHS for the social work students program 'Enhanced Pathways to Family Violence Work Project'

40. The many counsellors from the South East Centre for Sexual Assault and Family Violence for their continued support in assisting clients through our joint programs.

SMLS Acknowledges its Donors

Sonia Parisi

Tom Yore

Trang Nyugen (deceased)

