



WELFARE RIGHTS &
ADVOCACY SERVICE

ANNUAL REPORT

2014/2015

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Funding and Support provided to Welfare Right & Advocacy Service in 2014/2015

COMMONWEALTH GOVERNMENT



Commonwealth Attorney General's Department through the Legal Aid Branch of the Family Law and Legal Assistance Division (Welfare Rights Services Program and Community Legal Centre Program)

WESTERN AUSTRALIAN GOVERNMENT



Attorney General's Department and the Legal Aid Commission of Western Australia

Legal Contributions Trust



Department of Commerce



Lotterywest

Donations

Memberships

Personnel and Staff Profile 2014/2015

Board

Marina Georgiou	Chairperson to AGM 2014
Kevin Gaitskell	Chairperson from AGM 2014
Courtney Collins	Deputy Chairperson to AGM 2014
Luke Villiers	Deputy Chairperson from AGM 2014 to February 2015
Brendyn Nelson	Deputy Chairperson from February 2015
Anastasia Phylactou	Treasurer to February 2015
Stephanie Norris	Treasurer from April 2015
Luke Villiers	Secretary to AGM 2014
Matthew Davey	Secretary from AGM 2014
Matthew Davey	Committee Member to AGM 2014
Daniel Pastorelli	Committee Member to AGM 2014
Philip O'Donoghue	Committee Member from AGM 2014
Brendyn Nelson	Committee Member from AGM 2014
Sinead Glackin	Committee Member from AGM 2014
Leon Stojmenov	Committee Member from April 2015
Dominic Rose	UnionsWA nominee to AGM 2014
Owen Whittle	UnionsWA nominee from AGM 2014

Permanent and/or Contract Staff

Kate Beaumont	Executive Officer
Catherine Eagle	Principal Solicitor
Chris Belcher	Welfare Rights Advocate/Tenant Advocate
Jeanie Bryant	Welfare Rights Advocate
Paul Harrison	Tenant Advocate
Lorilee Yu	Solicitor to November 2014
Zara Spencer	Solicitor to September 2014
Christine Carr	Bookkeeper/Administrative Officer

Volunteers

Hugo Seymour	Simon Da Silva
Hannah Flynn	Claudia Giovannini
Isabelle Flynn	Adeola (Ade) Olowookere

Pro Bono Legal Assistance

Nilan Ekanayake	
Clare Thompson	
Clinton Russell	
Janette McCahon	Legal Aid WA
Anong Li	Tenancy WA

Chairperson's Report

Welfare Rights & Advocacy Service (WRAS) has now passed thirty years of service. This is no mean feat in a sector where there is considerable turnover. Over this time however, more than simply perpetuating the agency, WRAS has built an enviable reputation as a small, dynamic, client focused and influential organisation. Whilst we feel proud of our reputation, it is never taken for granted.

Our standing has been established by many people over this time. Importantly it is shared within our clients, funding bodies, sector partners and community. We thank all four for their respective inputs, including feedback on our services. We welcome their continued involvement.

In this context, the past year has been more about evolution than revolution.

Although dynamics within our sector has caused us to prepare for the latter, the majority of our efforts have been related to building on past structures and achievements. This has resulted in consolidation and developing a sound foundation for a more robust organisation. I would like to acknowledge the work of the previous board in providing the vehicles for our investments in both governance and strategy over this last year and the staff in continuing the high standards of service whilst we did this.

The year commenced with great uncertainty in relation to funding amounts, timelines and requirements for 2015/2016. In response, we prudently geared for significant internal reform in response to expected funding cuts to occur from 1 July 2015. This was a sensitive and complex challenge given the nature (size and impact) of the demand for our services and our underpinning ethos.

In late March 2015 we welcomed the announcement by the Commonwealth Attorney General George Brandis advising our core organisational funding was to be restored to existing levels for a further two years. This is unlike many other community legal centres who had cuts to both their Commonwealth and State funding for 2015/2016. This announcement allows continuation of existing service levels but also serves to reinforce the need to build a robust and responsive organisation. We forecast significant reductions in funding from July 2017. Whilst this is a concern, we value the government's revised investment decision and have spent the year focused on both delivering client services and building an organisation which is more able to respond to similar challenges ahead.

In response to the government's investment in our services, client demand, standards and as part of our broader strategy we have taken an important decision to appoint an additional lawyer.

There has been much activity in the governance sphere.

We have benefited from a stable, focused and skilled board. Two directors were replaced since the last AGM. I would like to acknowledge the contributions of Luke Villiers (as Deputy Chairperson) and Anastasia Phylactou (as Treasurer) and wish them well in their future endeavours. We have conducted a skills audit of the board to identify gaps and opportunities. Importantly we have identified complementary capabilities. These include skill sets and the availability to undertake the full business of governing the organisation. We have reaffirmed the importance of an appropriate gender mix of directors within this framework. This activity has driven recruitment activity and provides a platform for future board renewal.

We have undertaken important governance training at the beginning of 2015. As a consequence of this initiative, we have committed to operate as a *board* in preference to the historic orientation as a more operationally focused management committee. This change is reflected in revised standards of accountability and conduct (both individually and collectively) as well as processes and systems. The most prominent policy, our constitution, has been reviewed in line with this orientation.

We have continued the work on revising our policies for both accreditation and our intention at higher governance standards. It is pleasing to have recognition for our efforts by the auditor in relation to the financial management of the organisation. Further to the important 'clean bill of health' and ensuring that we have robust checks and balances in place we were commended that we had more than sufficient financial resources in excess of our liabilities to trade for longer than is usually expected as a standard for organisations such as WRAS.

We have engaged with our staff and their Union (The ASU) to finalise an enterprise agreement (EBA). This is an important building block for a robust and responsive organisation. I would like to express my appreciation to the staff for their patience over this journey.

As part of our responsiveness and improved delivery of services we have developed a new website.

The final building block as part of our process of consolidation and preparation has been our investment in a new strategic plan. I would like to acknowledge the valued support of Lotterywest enabling us to engage a suitable consultant in both our governance and strategic planning initiatives.

Our efforts in strategic planning have been at times exhausting, frustrating and extremely challenging. We have questioned every organisational assumption and tested our responses with stakeholders. As a result we have developed a plan which we believe equips us for an exciting and challenging future.

One of the key features of the plan is the balance and relationship between direct service delivery and preventative initiatives. This is reflected in our revised vision: “*Realising rights and eliminating disadvantage*”. More than lofty aspirations, both features of our vision are key to a just society and the yard stick to focus our efforts and judge our success.

Although small, we have recognised the importance of investments in initiatives directed at addressing underlying causes of disadvantage. We recognise and assert a role in the ongoing development of a civil society. Our new strategy outlines our accountability in ensuring such activity is both informed by direct service delivery and collaborative in approach. Over the year we have continued and commenced a number of initiatives in this regard. A key initiative in the size of investment and potential has been our involvement, through our Executive Officer, who with the support of the board and staff has taken up the role of President of the National Welfare Rights Network.

Our strategy also calls for greater leverage of our considerable people and physical assets to improve client outcomes at lower overall cost.

Whilst not revolutionary in scale, the past year has nonetheless been a busy, challenging and important one. It sets us up for another thirty years of service. This work does not complete itself. It involves many capable hands.

I would like to thank our funders, including Commonwealth and State Attorney General’s Department, Department of Commerce, Legal Contributions Trust and Lotterywest, our clients, our partners in the sector and the broader community for your highly valued ongoing support.

What sets us apart as an organisation is the depth of understanding and commitment of our staff. To the redoubtable Kate Beaumont and her staff, thank you for another year of making a difference.

Finally, to my fellow Directors, thank you for volunteering your time and considerable expertise. Thank you for being willing to step up in the governance of an important organisation.

A handwritten signature in black ink, appearing to read 'Kevin Gaitskell', written in a cursive style.

Kevin Gaitskell

Chairperson

Objects of the TLC Emergency Welfare Foundation of Western Australia (Inc.)

The Objects for which the Foundation is established are:

- To provide emergency financial and material support to persons who are homeless, destitute, necessitous, suffering, distressed, disabled, disadvantaged or otherwise stricken by misfortune.
- To provide advice and other forms of welfare, assistance and guidance to those persons and to make representations on behalf of those persons.
- To liaise with and whenever appropriate request and arrange the service of public instrumentalities, or to charitable or other bodies which may be able to meet the need of those persons.
- To cooperate with other organisations having Objects similar to those of the Foundation.
- To assist and represent persons in conducting appeals against administrative decisions of Government agencies.
- To work towards structural change aimed at the elimination of poverty within the community and seek to empower welfare recipients generally and with respect to their legal, welfare and other rights.
- To promote the principles of equal opportunity.

Vision, Values, Mission and Objectives

Our Vision

A just and compassionate society.

Our Values

We are committed to:

- Client focused ethical practice;
- Social Justice and human rights principles;
- Empowering people;
- Collaboration and community engagement; and
- Innovation and creativity.

Our Mission

Eliminating disadvantage by assisting people to realise their rights to income and housing.

Our Objectives

- Serving individuals through casework, advocacy and advice.
- Increasing the systemic awareness and responsiveness to clients.
- Attracting, retaining and developing capable staff and volunteers.
- Ensure effective governance and reputation.
- Maintain sustainable systems, facilitates and financial management.

Agency Report

Overview

As a community legal centre (CLC), Welfare Rights & Advocacy Service continued to provide legal help in the areas of Social Security and Family Assistance Law, as well as Social Security Prosecutions and Tenancy Law in 2014/2015. The main delivery mechanism for legal assistance by the service is through information and referral, advice and casework, community legal education and law and policy reform.

In 2014/2015 there was a reduction in demand for advice and casework services in comparison to the previous year. This reduction in part, was because the service is no longer providing the additional tenancy support services of the Central Resource Unit as we had in the 15 month period up to March 2014. Casework assistance is prioritised to those within our services geographic catchment area although help is also provided to clients outside of our geographic catchment area in some circumstances. The community legal education and law reform and legal policy work undertaken by the service is informed by the experience of our clients. The law reform activities of the service are augmented by its direct work with the National Welfare Rights Network (NWRN). The activities undertaken by Welfare Rights & Advocacy Service are in line with the vision, mission, values and objectives of the service and the Constitution and Rules of the TLC Emergency Welfare Foundation of Western Australia (Inc.). The most recent year has seen the service undertake significant work developing a new strategic plan for the service for the next five years.

Funding

The main funding for Welfare Rights & Advocacy Service is the Commonwealth Attorney General's Department (AGD) through the Community Legal Service Program (CLSP) which funds our welfare rights program. The CLSP funding contract was extended a further year to bring it in line with the funding arrangements for Legal Aid, as part of the National Partnership Agreement (NPA) on Legal Assistance Services. Prior to the end of the previous triennial funding agreement Welfare Rights & Advocacy Service had secured additional funding from AGD for a four year period up to June 2017. Unfortunately in December 2013, as part of the Mid-Year Economic and Fiscal Outlook (MYEFO) 2013-2014, a decision to cease this additional funding from 1 July 2015 was made. The decision was in part because of a broader review of the Legal Assistance Program and the need for a new NPA to be in place from July 2015. We were advised of this decision in May 2014.

The announcement on 25 March 2015 by the Commonwealth Attorney General, George Brandis of a reversal of the MYEFO decision to cut funding to legal centres from 1 July 2015

was welcomed by Welfare Rights & Advocacy Service. As a result of the decision our services CLSP funding has been restored and is guaranteed under the new National Partnership Agreement on Legal Assistance Services until June 2017. It is unfortunate that after that time there will be a significant reduction in the funding available from the Commonwealth for CLCs which is likely to impact on our service and the assistance we are able to provide.

In 2014/2015 the service continued to receive supplementation funding from Commonwealth AGD to cover the additional wage costs associated with the WA SACS Equal Remuneration Order which provides for wage increases on an annual basis over an eight year period. It is expected that this SACS supplementation will continue throughout the life of the current National Partnership Agreement.

The Department of Commerce (DOC) continues to fund our tenancy program through its Tenancy Education and Advice Program. The current contract has been in place from 2012 and the initial three year term ran up until June 2015. There was provision for two one year extensions to the contract the first of which has been exercised by DOC for 2015/2016. Welfare Rights & Advocacy Service provides education and advice services to tenants in the Lower North Metropolitan Zone of Perth.

We continue to be funded by the Legal Contributions Trust for a ninth year to conduct a project which provides additional welfare rights help to young people.

In 2014/2015 Welfare Rights & Advocacy Service secured a one off grant from Lotterywest to undertake operational planning. This funding has assisted the service to undertake strategic planning work in the current year.

Direct Service Provision

Welfare Rights & Advocacy Service provides direct service by giving independent and free information, referral, advice, advocacy and representation to individuals. The specialist area of law dealt with by the agency is in relation to Social Security and Family Assistance law. Help is not provided in relation to Child Support matters. The priority in assistance provided is to ensure that information and advice is given to those impacted by Centrelink decisions and of the avenues of appeal and review available to challenge decisions made by the Department of Human Services (DHS). The service provides additional help in the area of Social Security Prosecution matters and targets welfare rights assistance directed to young people to assist them to challenge DHS decisions.

Apart from our welfare rights program we provide advice and casework assistance in respect of tenancy law. Tenancy help is provided to both private and public tenants to ensure that they are aware of both their rights and obligations within the *Residential Tenancies Act 1987* (RTA) and Housing Authority policies.

In 2014/2015 the service continued its volunteer program which commenced in 2013/2014. Direct casework assistance is not provided by volunteers. Historically private lawyers have given ad hoc *pro bono* assistance to clients referred by the service. In the current year the agency has continued to have significant assistance by a number of barristers, including Nilan Ekanayake, Clare Thompson and Clinton Russell who have provided assistance and representation at the Administrative Appeals Tribunal (AAT) and the Federal Court.

We have been assisted by Legal Aid WA and Tenancy WA during 2014/2015 to ensure the legal practice was supervised during a period of extended leave for the PS. Janette McCahon supervised the welfare rights practice and Aoning Li supervised the tenancy practice through the period from December 2014 to January 2015.

The service does not provide help in areas of law outside of our areas of expertise. Referrals to other providers are made for this assistance.

Catchment Areas

There are geographic catchments which apply for each of the programs undertaken by Welfare Rights & Advocacy Service. Welfare Rights assistance is provided within the geographic catchment area North of the Swan Rive to the top of Western Australia and across to the South Australian and Northern Territory border. Welfare Rights assistance for the remaining area of Western Australia is provided by Fremantle Community Legal Centre (FCLC) and Sussex Street Community Law Service (SSCLS). As a specialist welfare rights centre we regularly provide welfare rights help to clients outside of our catchment area at peak times. This assistance is usually limited to one off advice and referral back to the other service for ongoing casework help unless it requires an immediate and time critical intervention. There are reciprocal arrangements in place to provide one off and ongoing assistance to clients who are unable to be provided with welfare rights assistance by the centre in their area because of ethical reasons.

Help in relation to Social Security Prosecution matters is provided across Western Australia irrespective of the welfare rights catchments. Neither of the other two welfare rights providers in Western Australia give assistance with prosecution matters. Regularly large debt matters where there is a high risk of prosecution will be referred to Welfare Rights & Advocacy Service for assistance. In some circumstances ongoing casework assistance is provided by the service where assistance to challenge an administrative decision may impact on prosecution action. Alternatively the Principal Solicitor (PS) of the service may provide support to the lawyer or welfare rights worker from the other service to progress the administrative law matter. Apart from assistance provided across Western Australia the PS from Welfare Rights & Advocacy Service provides regular support to workers/lawyers in

other welfare rights centres and associate members of the National Welfare Rights Network (NWRN) across Australia in relation to Social Security matters.

Similar to the Social Security Prosecution work undertaken by the service we do not adhere to the traditional welfare rights catchments for young people as part of its Youth Welfare Rights Project. This approach is taken as neither of the other welfare rights providers in Western Australia have a specialist program to assist young people. It is critical in working with young people that they are not referred from one service to another.

Welfare Rights & Advocacy Service is one of fifteen Local Service Units (LSUs) across Western Australia that provides tenancy education and advice. The catchment area for our tenancy assistance is to the lower Northern Metropolitan Suburbs of Perth. The catchment area includes the local government areas (LGAs) of the:

- City of Perth;
- Vincent;
- Subiaco;
- Nedlands;
- Claremont;
- Peppermint Grove;
- Cottesloe;
- Mosman Park;
- Cambridge;
- Scarborough;
- Glendalough;
- Wembley Downs;
- Wembley;
- Menora;
- Coolbinia;
- Mount Lawley;
- Bayswater; and
- Mt Hawthorn.

We continue to work cooperatively with Northern Suburbs Community Legal Centre (NSCLC) to provide assistance to clients in other LGAs in the northern metropolitan area of Perth. This arrangement is in place to ensure that clients who have been long term users of Welfare Rights & Advocacy Service under previous servicing arrangements are not impacted.

Apart from this servicing arrangement tenancy assistance is regularly provided to tenants outside of its catchment area in terms of one off advice and ongoing casework assistance. Regularly referrals are made to Welfare Rights & Advocacy Service where for ethical reasons

another service is unable to provide tenancy assistance. Additionally referrals are made where assistance is unable to be provided within the time frames required or where other Local Service Units (LSUs) do not represent tenants in court.

As part of an unfunded pilot program in 2014/2015 Welfare Rights & Advocacy Service in collaboration with Tenancy WA, NSCLC and SSCLS commenced a Tenancy Duty Advocate Service at the Perth Magistrate's Court. On a roster basis tenancy assistance is provided to tenants by each of the LSU and CRU partners of which Welfare Rights & Advocacy Service is one. Initially this assistance was provided each Thursday but the duty advocate service has been extended to include assistance on Wednesday, the other main day for Tenancy matters to be dealt with by the court.

The service continues to have regular direct tenancy referrals from the Department of Commerce and Legal Aid WA, as our location is closest to their offices in Perth. Similarly Welfare Rights & Advocacy Service receives regular tenancy referrals from Day Dawn Advocacy and Street Law Centre. The location of Welfare Rights & Advocacy Service is a short distance from Day Dawn Advocacy and from the outreach services within the inner city where Street Law provides assistance. Regularly to this client group, which includes large numbers of Aboriginal and homeless clients, Welfare Rights & Advocacy Service provides both tenancy and welfare rights assistance.

Hours of Operation and Accessibility

Welfare Rights & Advocacy Service location for the provision of services is 98 Edward Street, Perth. The agency is open between 9.00 am to 5.00 pm from Monday to Friday with the exception of Public Holidays. The service has a two week closure at Christmas and an additional day off on Easter Tuesday. The closure of the service at these times is one of the employment conditions of the TLC Emergency Welfare Foundation of Western Australia (Inc.) Enterprise Bargaining Agreement. Welfare Rights & Advocacy Service has disabled access to the premises including ramps and wider doors for wheelchair access. The service is located in close proximity to public transport, including both bus and rail lines. There is free on street parking close to the office although there are time restrictions on that parking between 1 to 2 hours duration.

Apart from services provided at Edward Street we also provide a duty tenant advocate service on a rotational basis in collaboration with other LSUs and the CRU at the Perth Magistrates Court at the Central Law Courts.

The service has a Disability Action Plan which includes the provision of disability access to its building and ensuring that all facilities hired to conduct education and information sessions are compliant with disability access requirements. All materials produced by the service are user friendly and able to be accessed by people with disabilities. People with disabilities are

provided with the opportunity to have the assistance of support people in matters relating to their particular issues. People with disabilities are able to access feedback and complaint mechanisms by either directly contacting the centre for information via a pamphlet or by telephone or email.

We encourage feedback and suggestions from all service users.

The service does not usually do home visits, however on occasion they may be appropriate due to the disability of a client.

We use the Telephone Interpreting Service (TIS) to assist with our communication with people from culturally and linguistically diverse backgrounds. We have sometimes paid for accredited interpreters where TIS does not provide interpreters in a particular language.

The service uses the National Relay Service to assist access with the hearing impaired. The service pays for Interpreting services for our hearing impaired clients when needed. This cost of such interpreters is not covered by any government funding.

We recently launched a new website and as a result has an improved web presence. The website includes both welfare rights and tenancy Fact Sheets and a facility for users to provide feedback on the service via a Survey Monkey.

Servicing Priorities

Welfare Rights & Advocacy Service prioritises its direct services to the most disadvantaged within our community. This help is given through the provision of advice and casework assistance in the areas of law dealt with by the service. The priority for assistance in relation to welfare rights is directed to those without income, those who have had a significant reduction in income or are at risk of loss of that income. Priority assistance in relation to tenancy help is prioritised to those who are at risk of eviction or are homeless.

For ongoing casework assistance the service prioritises those who have additional barriers to progress their welfare rights or tenancy matter. These barriers may include disability, culture, language, literacy, age and other aspects of diversity. Casework assistance is only provided where a matter has legal merit, the person does not have the means to afford legal assistance and they are unable to progress their matter themselves. These considerations are in line with the parameters for legal assistance within the CLC program which are directed to those without means and with limited access to justice and who may experience difficulties within the mainstream legal system.

Welfare Rights advice and casework assistance is targeted to those on low or no income. One off advice however is provided to those with higher levels of income and assets, as the social security system includes a broad range of income support and other entitlements

directed beyond the traditional safety net. Ongoing casework is not provided to those with means, however a client may contact a number of times for advice during the course of their review matter.

Unlike the welfare rights program tenancy assistance is provided irrespective of the means of a tenant. This is a contract requirement from DOC, as the funding for the tenancy program is directly sourced from the interest from the bond of tenants through the Rental Accommodation Fund. Welfare Rights & Advocacy Service provides tenancy help to both public and private tenants. We do not provide assistance in tenant against tenant disputes as helping one tenant could result in the eviction of, or to disadvantage another tenant. Landlords are not provided with assistance and they are referred to DOC for help.

Welfare Rights & Advocacy Service tries to achieve balance between its provision of one off advice and ongoing casework assistance. With the limited financial resources available the service would struggle to meet the demand for ongoing casework assistance. The focus for much of our work with clients is in the delivery of advice and referral. Advice activities give an opportunity for us to deal with greater numbers of matters more quickly. It also allows us to resource clients with information, knowledge and the tools to progress their matters independently. Provision of one off advice can assist clients who have the financial resources available to secure appropriate legal help.

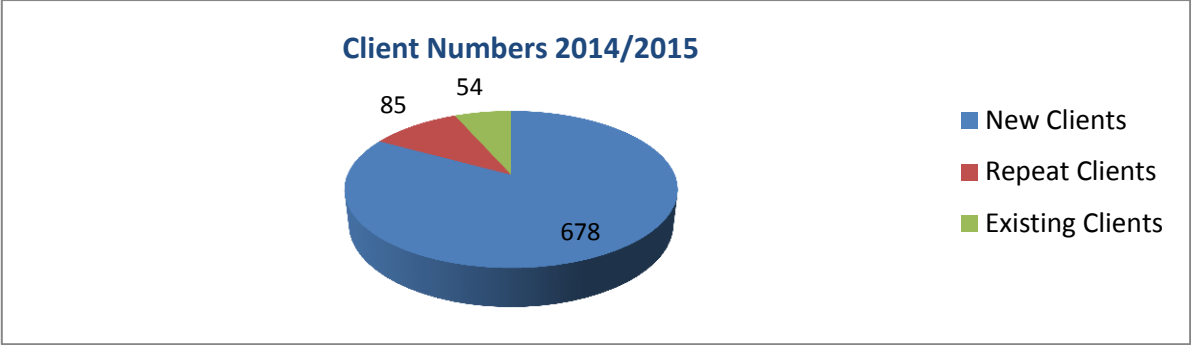
Where a matter has little legal merit the service does not provide ongoing casework assistance. The reasons why further help will not be provided is explained and that the client may pursue the matter themselves. Where pursuing a matter further there are potential risks or unintended consequences this is clearly explained to the client.

Welfare Rights & Advocacy Service also provides advice and casework services are to community organisations. This is part of a broader strategy to provide additional resources in the community.

Statistics

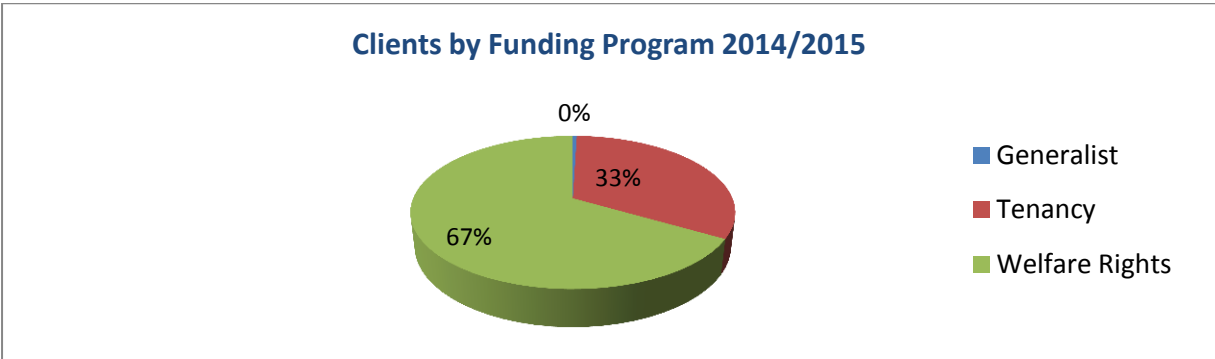
Welfare Rights & Advocacy Service uses the Community Legal Service Information System (CLSIS) to record its activities (including its advice, casework, community legal education and law reform and legal policy work) across the welfare rights and tenancy programs. The CLSIS database is provided by the AGD and is used by all CLCs funded through the CLSP program. We can interrogate the system to get overall service and program statistics.

In 2014/2015 Welfare Rights & Advocacy Service assisted 977 clients, which included 678 new clients, 85 repeat clients and 54 existing clients at the start of the year.

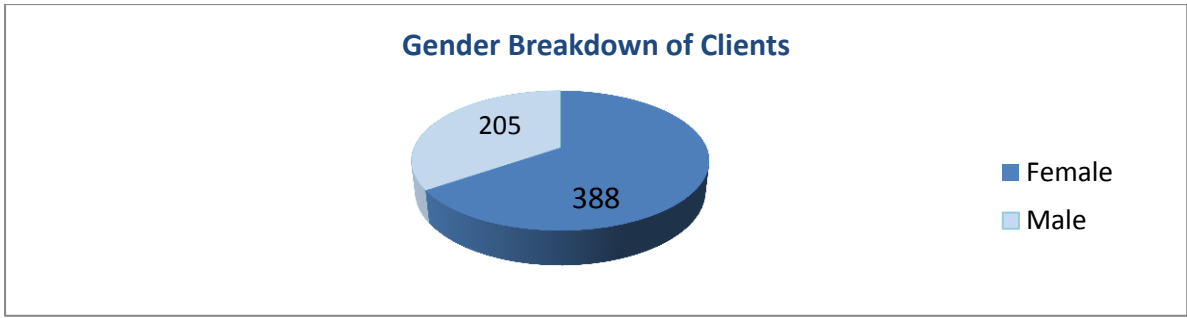


The client numbers represent a 16.8% and 8% reduction in the numbers of clients assisted by the service from 2013/2014 and 2012/2013 respectively. The reduction from the preceding two years was almost entirely made up of tenancy matters. In both years Welfare Rights & Advocacy Service provided additional tenancy and tenancy support assistance following the closure of the Tenants Advice Service until the establishment of the new CRU, Tenancy WA. For some of that period Welfare Rights & Advocacy Service received additional resources from DOC to provide interim Tenancy Support Services. Client numbers have reverted back to slightly higher levels than in 2011/2012.

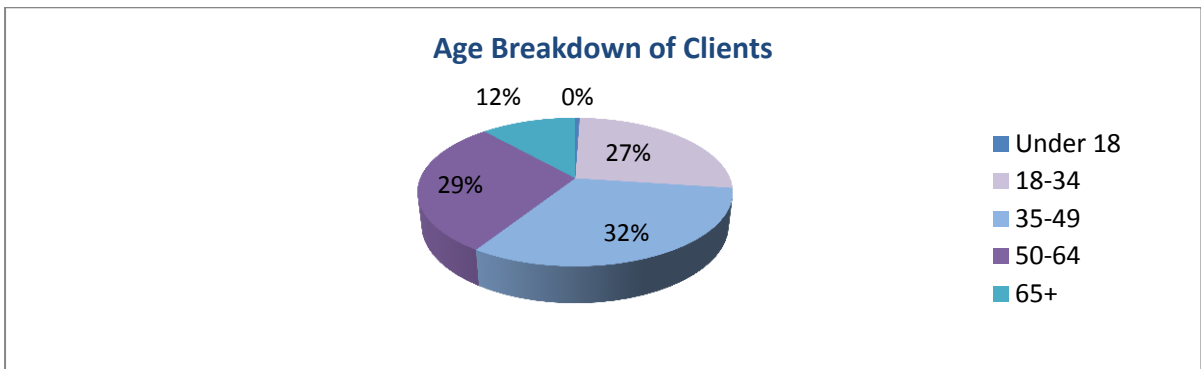
The breakdown of service clients are across the different funding programs which include generalist, welfare rights and tenancy categories. In 2014/2015 the division of clients on program lines had 67% seeking assistance for welfare rights matters and 33% seeking tenancy assistance, with less than 1% of clients seeking generalist assistance. In 2014/2015 there was a 5% increase in the numbers of welfare rights clients and at the same time a 23% decrease in the numbers of tenancy clients.



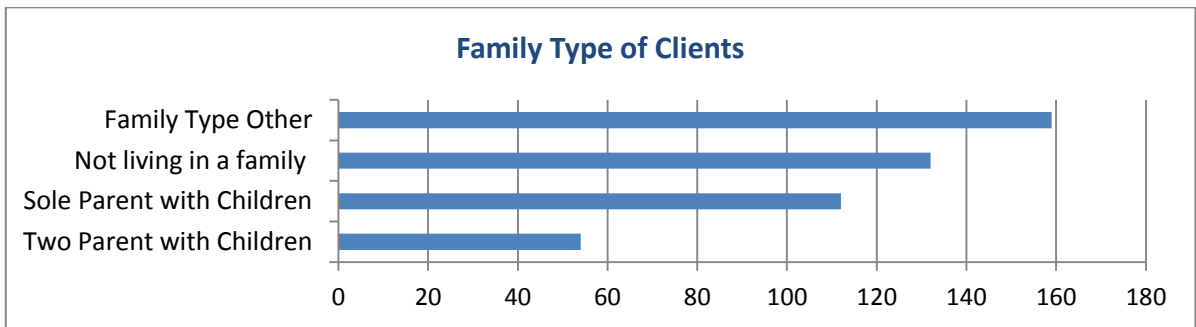
Welfare Rights & Advocacy Service provides assistance to a range of clients which include individuals, groups, organisations etc. The breakdown of the major client types was 593 individuals, 83 organisations and 2 groups. There has been a reduction in the assistance provided to organisations in the current year which is reflective in the reduction in tenancy assistance to organisations which was a major focus of the tenancy support assistance previously provided before TenancyWA came into being.



There continues to be more females than males accessing the service. This is reflective of the fact that more women are dependent on income support.

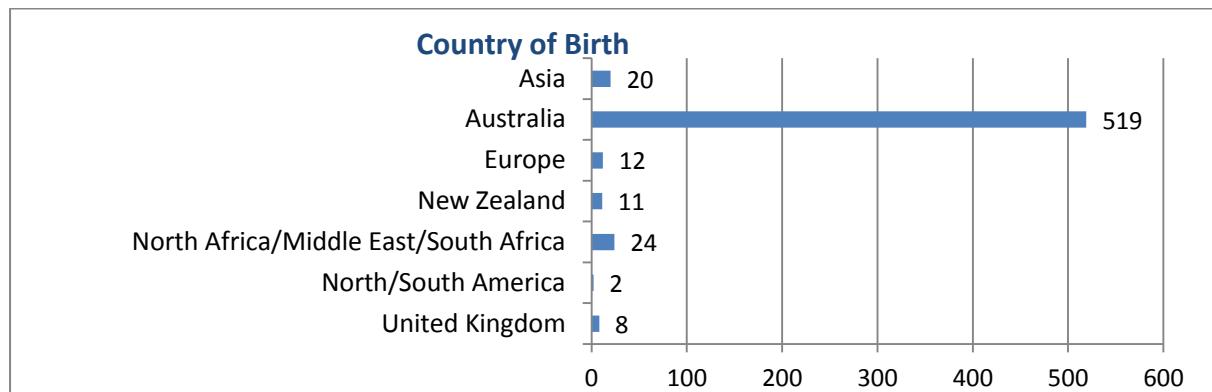


In 2014/2015 the agency we were more vigilant in its recording of the date of birth for clients. The age range for clients was between 17 to 90 years old. The greatest numbers of clients were in the age range from 35 to 49 years of age followed closely by those between 50 to 64 years of age and those between 18 to 34 year olds. This is consistent with the trend in 2013/2014.

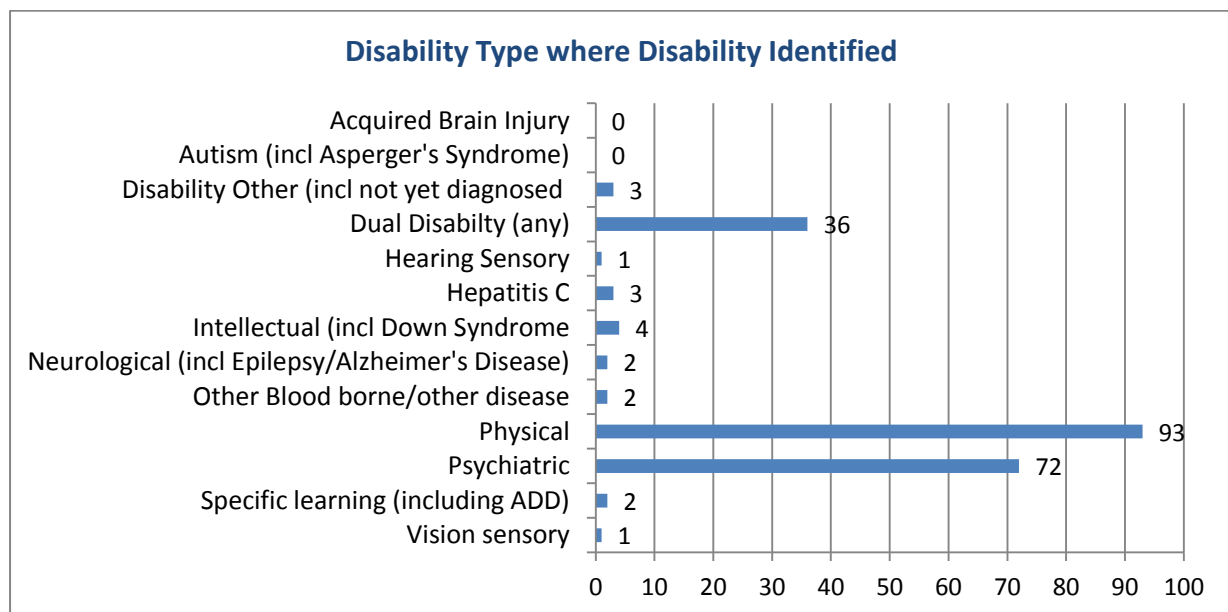


We do not always record the family types of clients when providing assistance unless it is relevant to the matter. For those who provided their family type similar to 2013/2014 “Family Type Other” (not sole or two parent families) continued to be the highest occurring family type followed closely by Not Living in a family. The latter category includes boarders and lodgers, those in shared houses and those who live alone. The numbers of Sole Parents with Children increased in the current year and reverted to previous trends of being double the number of Two Parent with Children families presenting for assistance.

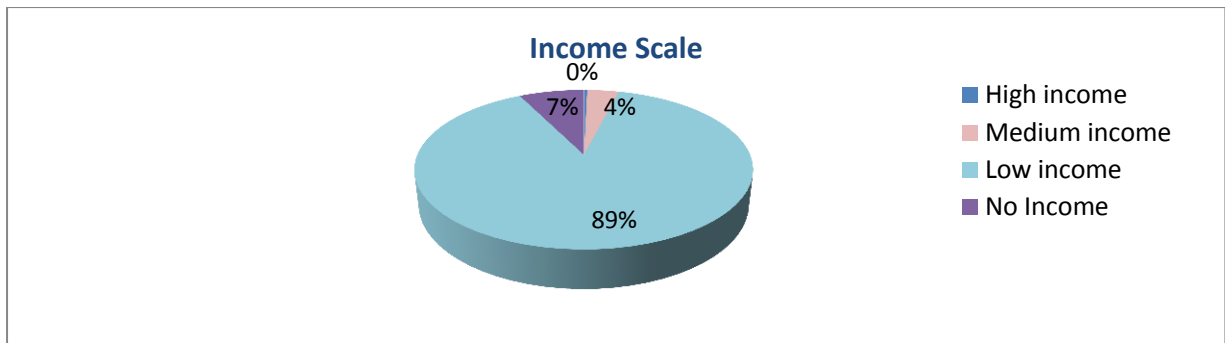
In 2014/2015 8.1% of clients identified as being of Aboriginal and or Torres Islander descent. Over a number of years there has been an increase in the numbers of Aboriginal clients assisted by the agency. This may be in part be because of continued high numbers of referrals from DayDawn Advocacy which principally works with Aboriginal clients.



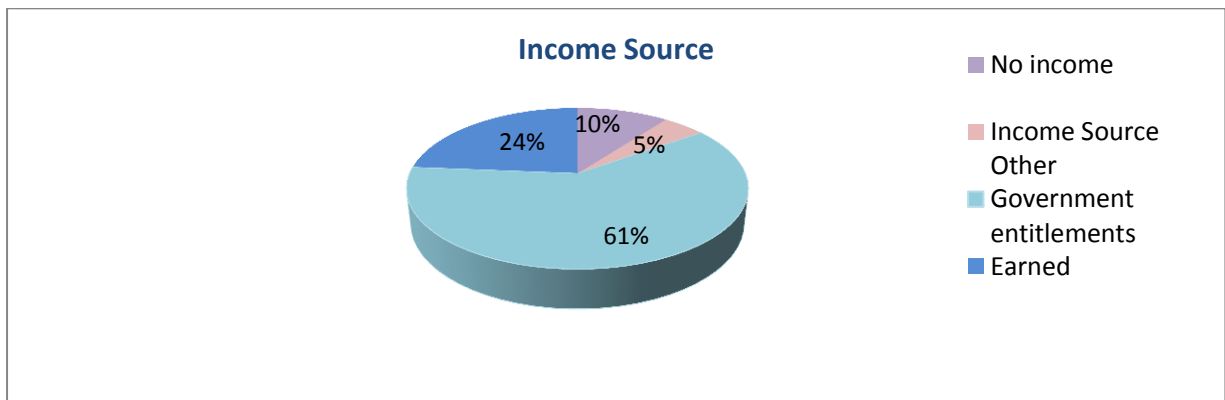
The country of birth of all clients is only obtained where relevant. Most of the clients of the service were born in Australia. Of clients where a country of birth was recorded, 12.9% were born overseas and 9.7% were born overseas where the dominant language was not English.



In 2014/2015, 36% of clients identified as having a disability. Of those who identified as having a disability the highest number were those with physical disability followed closely by those with psychiatric disability which was reflective of what occurred in 2013/2014.



Priority for advice and casework assistance is toward those on a low income. In 2014/2015 89% of clients were on a low income and 7% had no income.

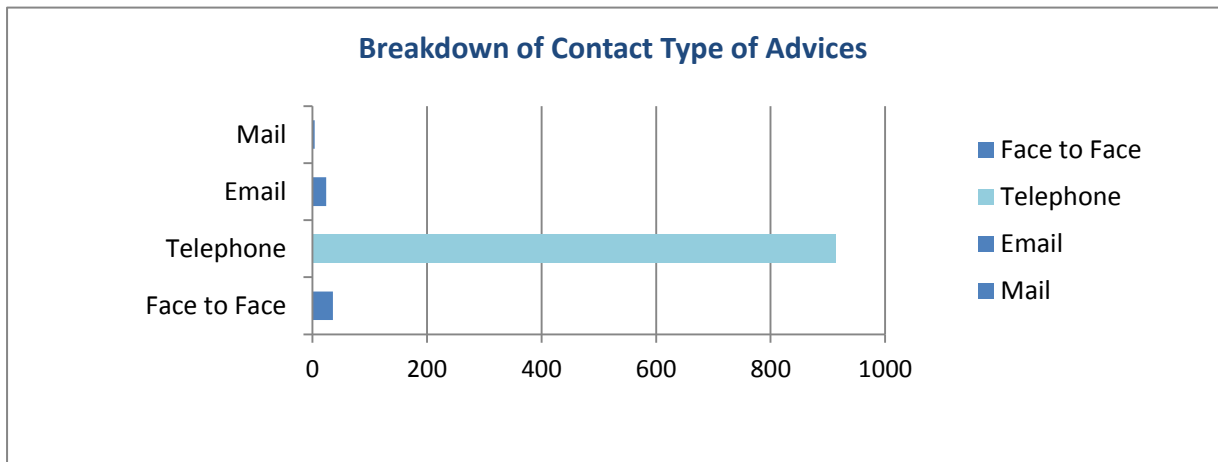


The source of income for 61% of client of the service continues to be government support followed by one quarter of clients who have earned income from wages.

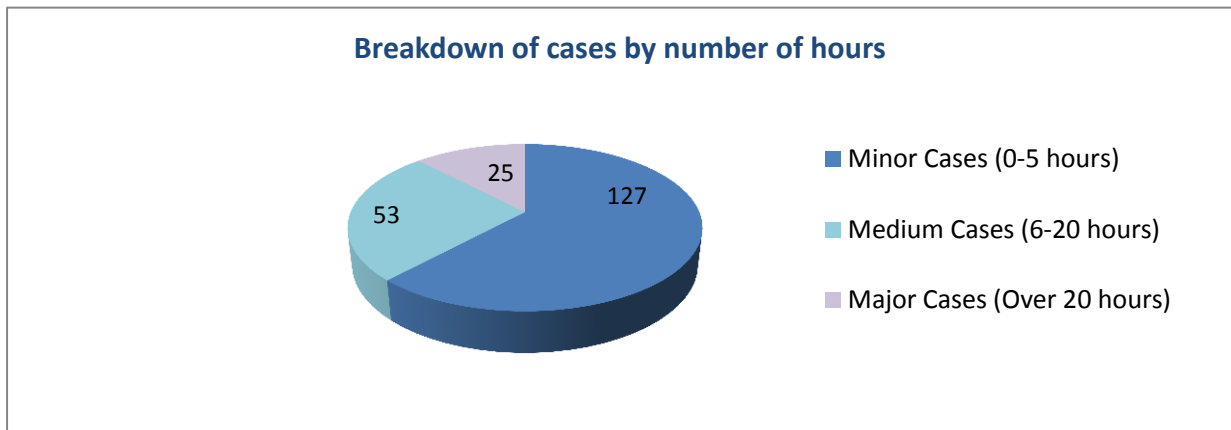
Service Activity	2014/2015	2013/2014	2012/2013	2011/2012	2010/2011
Casework					
Cases open/opened	239	255	280	311	337
Cases opened	184	217	233	253	280
Cases closed	205	201	240	267	276
Information	352	422	344	225	202
Legal Advice					
Clients	817	982	892	719	771
Total Advices	977	1210	1121	860	957
Face to Face	36	25	51	34	45
Telephone	913	1154	1031	792	873
Mail/Email	28	31	39	34	27
CLE	19	16	15	17	19
Law Reform	31	27	39	23	26

This table provides a comparison of the numerical statistics for the service for 2014/2015 compared with the activities undertaken in the preceding 4 years.

The majority of our advice assistance is by telephone with 95% of advices in 2014/2015 in this way. Telephone advice permits the service to undertake higher volumes than if these activities were undertaken face to face.



We had 54 cases open at the beginning of the year, 2014/2015 and opened 184 cases during the year. During the year the service closed 205 cases. This was slightly higher than in the preceding year. Cases are categorised into categories of minor, medium and major cases in terms of the hours taken to undertake the work on a case in line with AGD parameters. Major cases are defined as taking over 20 hours to complete. Many of the cases undertaken by the service significantly exceed 20 hours.



We quantify the number of times representation was provided at court and in tribunals. In 2014/2015 representation was provided in 23 matters that were closed in that year. In some of those matters there were multiple appearances. At the end of the year there were 33 open cases which have been carried over into 2015/2016.

When closing a case we send a survey to clients to seek feedback in relation to their service experience. The feedback provided is used to improve the services. Overall, feedback provided in 2014/2015 has been positive.

In 2014/2015 Welfare Rights & Advocacy Service participated in an independent research project collaboratively with the National Welfare Rights Network and its member centres. The research conducted by Sue Bell Research related to the services provided by the NWRN's member centres. The research involved a qualitative survey of 30 closed cases and a quantitative survey of 200 clients who had received advice in a two week period. As part of the project Welfare Rights & Advocacy Service conducted the quantitative survey with clients in October 2014. The service provided research participants for the in depth interviews undertaken by Sue Bell Research. ¹

The research, *How Does the National Welfare Rights Network add value to its clients?* is perhaps the broadest review of the services provided by the NWRN member centres en masse in the history of the welfare rights program which was established in 1993. A key finding of the research was that the NWRN provides a quality frontline service and appears to be meeting the needs and expectations of most of its clients with 97% providing positive feedback about their experience with the NWRN centre who had provided advice and casework assistance. ² The report also revealed specific flow on effects of welfare rights assistance in relation to their clients' ability to provide for their children, reduce family tension, maintain accommodation or move out of homelessness, return to work or study. Of most concern is that 30% or more indicated that they were no longer considering suicide. ³

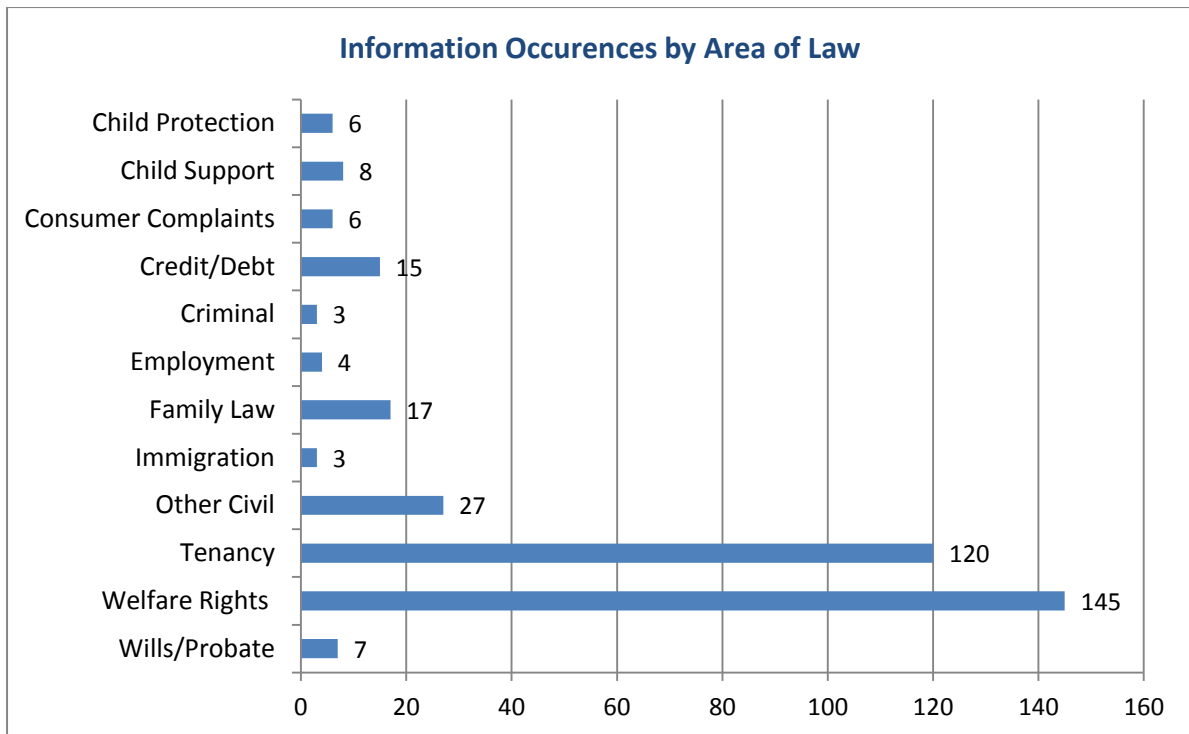
Apart from advice and casework we record the information and referrals to other service made. There was a reduction in the number of information activities which fell to 352 in the 2014/2015. Information and referrals are provided for those who contact us for help in areas of law not dealt with by the service or they do not live in our catchment area.

In 2014/2015 the dominant areas of law for most information and referrals was in the area of welfare rights followed closely by tenancy law. There has been a reduction in the numbers of referrals which may be as a result of the establishment of TenancyWA.

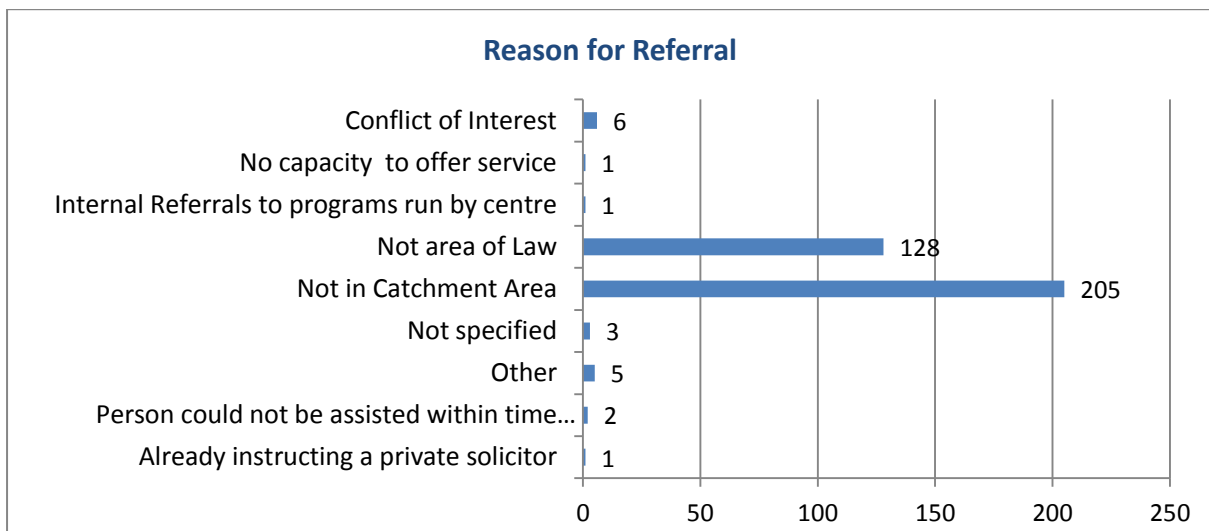
¹ Sue Bell Research, *How Does the National Welfare Rights Network add value to its clients?*, December 2014, <http://www.welfare-rights.org.au/sites/default/files/news/Independent%20Report%20into%20Welfare%20Rights%20Services%202015%20SusanBellResearch.pdf>

² Ibid Page 15.

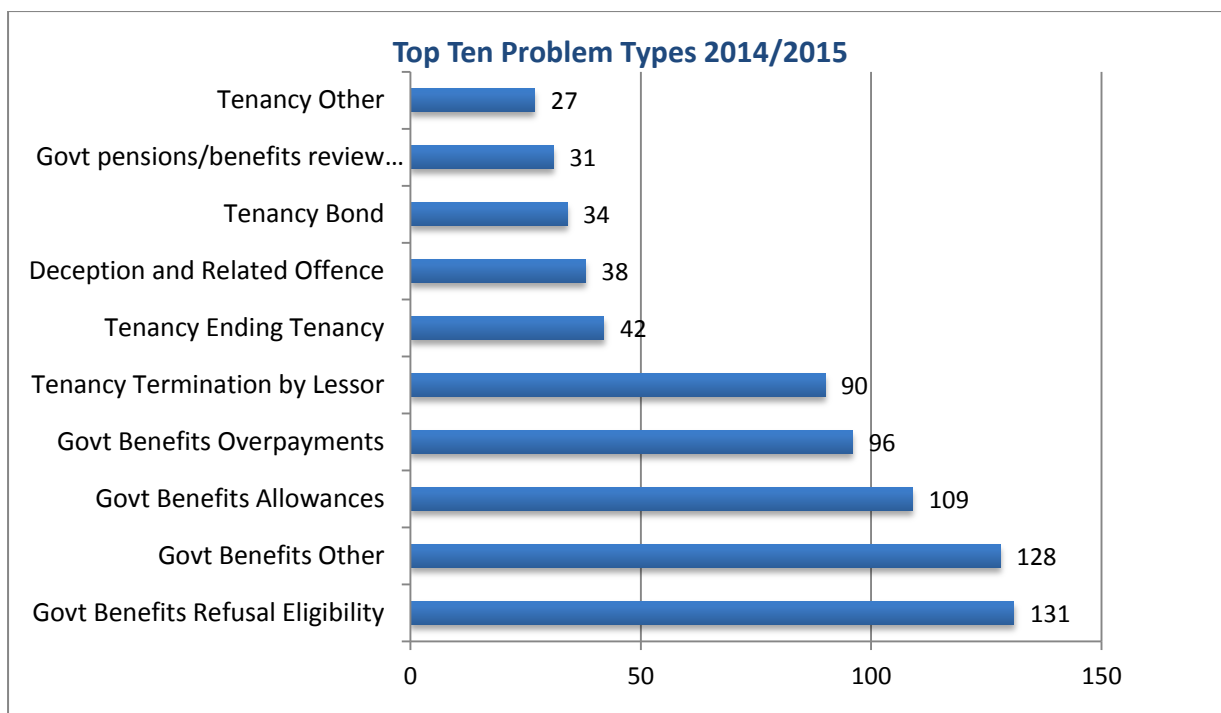
³ Ibid Page 11.



We record the reasons for referral to another service on the CLSIS database. In 2014/2015 the main reason for referral to another service was because the person was not from the geographic catchment serviced. The second largest number of referrals was in areas of law not dealt with by the service. There has been a reduction in the numbers of referrals made because of our limited resources or because we could not assist within the time frame wanted by the client.



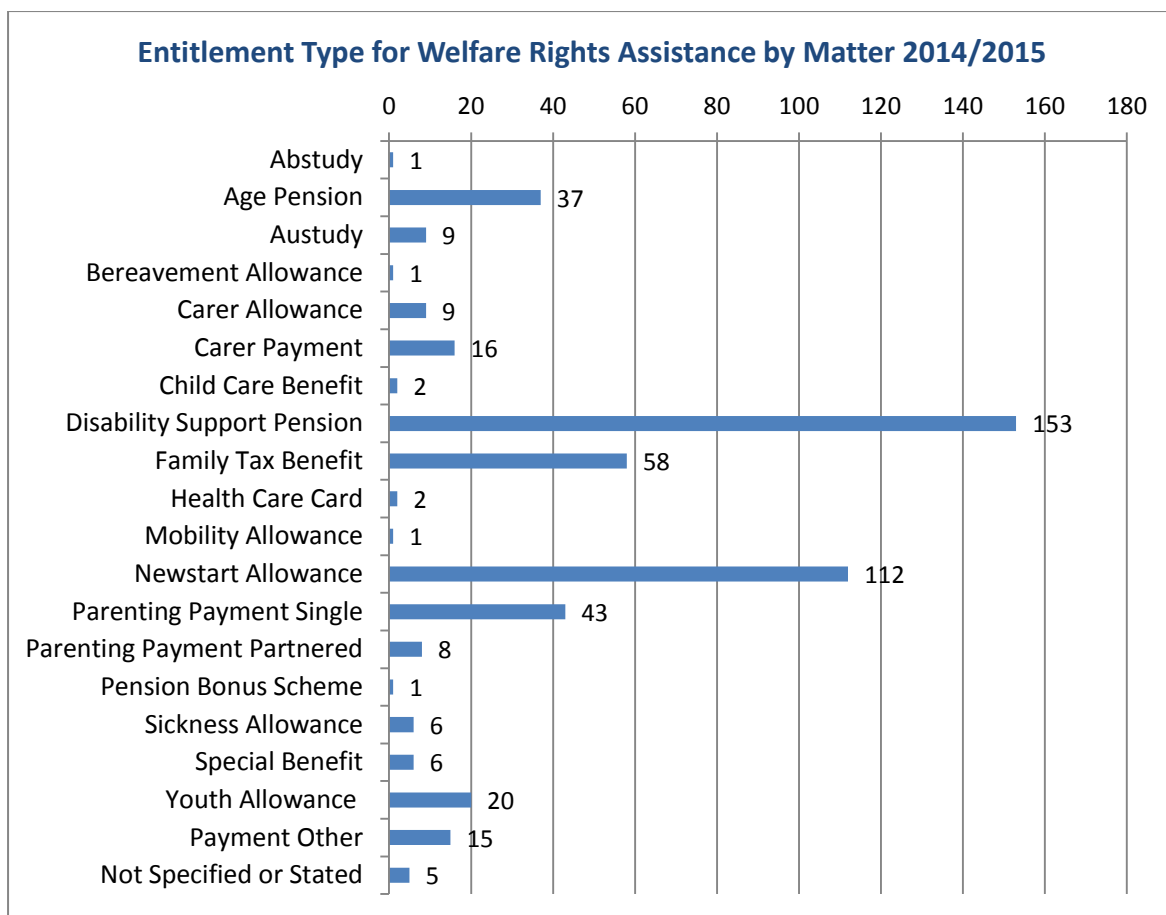
The top ten problem types for clients seeking help in welfare rights and tenancy matters are detailed in the table below.



Similar to the previous year the most prevalent welfare rights problem related to Refusal of Eligibility followed closely by Government Benefits Other and Government Benefits Overpayments. For tenancy problems the highest occurring problem related to Tenancy Termination by Lessor, followed by Tenancy Ending Tenancy (including Break Lease) and Tenancy Bond.

Trends in Welfare Rights Work

Similar to trends in recent years for the current year, 30% of welfare rights casework matters related to Disability Support Pension (DSP). The breakup of DSP issues included refusal of entitlement (78%), overpayments (10%), reviews (4%) and prosecutions (4%). A significant proportion of refusal of entitlement for DSP was due to client's conditions not being fully diagnosed, treated and stabilised and so not attracting impairment points. This is a change from last year where the most frequent issue was for clients with the required 20 impairment points from multiple tables who had not completed a Program of Support (POS). We expect that in 2015/2016 there will be a further increase in the proportion of clients who have had a claim for DSP rejected. The abolition of the Treating Doctor's Report (TDR) from 1 July 2015 will impact on clients who will struggle to provide the evidentiary requirements for grant of DSP. The second largest number of matters (22%) related to Newstart Allowance.



We expected to have increasing numbers of young people having their DSP cancelled and seeking assistance. This was as a result of the 2014 Budget Measure directed at those who were under 35 and had been granted DSP between 2009 and 2011 were to have their medical entitlement to DSP reviewed in line with the revised 2012 impairment tables. As a result of the medical reviews undertaken nationally as at May 2015 approximately 10% of those reviewed no longer qualify for the payment under the new impairment tables. A local trend noted by Welfare Rights & Advocacy Service has been that the main disability of many of the young people whose payments have been cancelled has been cerebral palsy. We have provided assistance to the Cerebral Palsy Association in relation to this worrying trend.

With successive changes to restrict portability over recent years the service has had more clients accessing for assistance as returning residents or having sought permanent portability of DSP. In 2014/2015 the service had a number of clients accessing for assistance because their DSP payments were cancelled as they had been overseas beyond the allowed portability period. Often these clients, due to their frequent and extended periods of temporary absences overseas, had to prove that they were still residing in Australia for Social Security purposes. When, and if, they have been able to establish their continued connection to Australia, and their intention to remain permanently have then had to struggle to prove their continued qualification to DSP under the new impairment tables.

Apart from returning residents there have been increased numbers who have had their DSP cancelled as a result of seeking permanent portability of their DSP because they have a “severe” disability. We commend DHS that they warn clients in writing prior to undertaking the assessment for permanent portability of the risk that their DSP will be cancelled. Unfortunately our experience is that these warnings are often ignored. When a person has previously qualified for DSP they expect that they will continue to qualify. In one recent case a woman 6 months off reaching Age Pension age and who had previously been assessed as having 35 impairment points was found to have only 5 impairment points under the new tables and her DSP was cancelled. In other long term cases which have resulted in cancellation there has been minimal medical review activity over sometimes decades which contributes to the belief that entitlement to DSP is permanent.

Over the last three years there has been a steady increase in the numbers of debt matters we have dealt with – we have seen a 55% increase in that time. Within this group the numbers of prosecution matters has also increased over the same period and in 2014/2015 it was one third of the overpayment work undertaken by the agency. With the Budget 2015 announcement of additional compliance activity by the Department of Human Services (DHS) over the next four years it is likely that the numbers of debt and prosecution matters will increase further.

Family Tax Benefit (FTB) continues to be a regular reason for contact with the service across a range of issues related to debts, shared and disputed care arrangements, reassessments and processing delays. It accounts for only 11% of the welfare rights matters according to entitlement type but this is likely a lesser number because only one entitlement category can be recorded in each matter and there can often be FTB issues co-occurring with an issue with the main income support payment.

There continues to be issues relating to delays in the processing of FTB claims where it may take several months. We have clients seeking assistance after lodging claims 2 to 4 months previously who are in severe financial hardship. This issue seems to be more prevalent where there has been a change of care or in disputed care arrangements. In situations where there is a change of care delays in claims being processed, which sometimes results in the losing carer still being paid the FTB and incurring a debt until a decision is made on the claim.

In 2014/2015 there have been increasing numbers of large FTB debts where private child support arrangements have been in place for a number of years. These people were initially advised that unless there were problems they should collect privately. The private collector may be unaware that the child support payer has not lodged their tax return for a number of years and that their child support assessment is based on an estimate by the payee. Subsequently the child support payer completes a number of tax returns which results in a reassessment of the rate of child support for the payee and a debt being raised for the past period. The difficulty in such cases is that where private arrangements have been in place

the payee is expected to collect the outstanding child support from the payer. If the person changes to Child Support Agency (CSA) collection the CSA will collect only 3 months owed child support unless the payee is able to establish that there are exceptional circumstances where arrears collection can be made up to 9 months of the arrears.

As a result of these reassessments many of these payee parents will have FBT debts for child support money that they have never received but are now expected to collect from the child support payer. It is unlikely that the child support payer will voluntarily pay the child support arrears so the payee needs to go to the Family Court to obtain an order for arrears. With cuts to Legal Aid there is limited assistance to help the client collect the arrears and they may need to secure a private lawyer which is often beyond the means of our clients. Apart from the debt there can often be a significant reduction in the rate of FBT payable on an ongoing basis because of mandatory continual adjustment for the remainder of the tax year. Another impact has been that through seeking Child Support arrears payee parents have been subject to threats of violence. There have been situations where as a result of such threats maintenance exemptions have been applied for the period of the child support arrears and that as a result the debt no longer exists. This area has been identified as an area for law reform and legal policy work with the NWRN in the coming year to address these issues.

This year we have continued to have difficulty accessing client's information under Freedom of Information (FOI). Delays and refusals to provide documents are an impediment to providing proper assistance to our clients. We lodged further requests for review of decisions to refuse to provide requested documents to the Office of the Australian Information Commissioner (OAIC). We also made a submission to the OAIC's own motion inquiry in November 2014. Following the report of the Commissioner in December 2014 we noticed that DHS were prepared to release many more documents in matters that were already the subject of review by the OAIC. Some older reviews have not been finalised by the OAIC a body which no longer has the resources to manage the reviews. The AAT is now the appropriate body to seek review of these decisions and we are making decisions about how to deal with these matters strategically within our limited resources.

Welfare Rights Case Studies

Case Study 1

Our client suffered from schizophrenia and bi-polar affective disorder. He had accrued an overpayment of DSP over a 5 and a half year period. The size of the overpayment meant the client was at risk of imprisonment if convicted of an offence. He had attended a prosecution interview and first contacted us when Centrelink told him his file had been referred to the

CDPP. His instructions were that he was 'very muddled', thought he had advised Centrelink when he started work and never opened his mail.

We obtained some documents from his file and raised the following issues in a submission to the CDPP (focussing on a lack of evidence of an offence and public interest factors):

- Centrelink were well aware of his health issues (he had 35 impairment points) and that he was working from time to time (he had given them information from his employer when asked to) but did not adequately investigate this until years later;
- He had had regular admissions to hospital due to his mental health conditions during the period of the overpayment and following; and
- His physical health had deteriorated significantly in the past 3 years.

We also noted that he did not understand the nature of the taped interview (this was obvious from the transcript of the interview) and it should not have gone ahead.

We obtained a letter from his longstanding GP who outlined all his past and current health issues and confirmed that his assertion about not opening 'window envelopes' was consistent with his chronic psychotic illness.

The CDPP notified us that having taken into account the matter raised in the submission and the letter from the doctor they had decided not to commence a prosecution

Case Study 2

Our client was a young Aboriginal woman with three children, aged 12, 8 and 5 who was referred to us due to a tenancy issue - the Department of Housing (DOH) had commenced eviction action due to rent arrears. She was receiving Newstart Allowance at the single rate and the father of the children was receiving Family Tax Benefit (FTB) even though they were not in his care. Our client has limited literacy and numeracy skills and the children's father had persuaded her to sign some documents which she did not understand. We referred her to Centrelink to lodge a claim for FTB and Parenting Payment Single (PPS) and to get the father of the children to confirm that the children were in our client's care.

When the client went to Centrelink she was directed to a computer to lodge a claim for FTB – even though she cannot read or write. Over the next couple of months the client went to Centrelink with an Aboriginal support worker from DOH to lodge claims for both Parenting Payment Single (PPS) and Family Tax Benefit on a number of occasions. The initial claim for PPS was rejected, as the client did not have an FTB child. She then went back to lodge a claim for FTB and that claim was waiting to be processed. In the intervening period the client was seriously assaulted by the children's father and hospitalised; the children's father was charged with assault and the client took out a Violence Restraining Order against him.

With the assistance of this service the client lodged further claims for PPS and FTB. Centrelink eventually granted FTB to the client. We made a submission to Centrelink highlighting the history of the matter and that the three children had always been only in our client's care and never in the care of the other party – this was confirmed by DOH.

A Centrelink Authorised Review Officer eventually granted FTB from a date prior to the date of the first claim for FTB. The client was also granted PPS but decided that she did not want to pursue back payment, as she feared violence from the children's father.

The client was able to use the arrears of FTB to repay her rent arrears and prevent eviction. We are also assisting her with an application for transfer of her tenancy as she is living with her three children in a two bedroom duplex. DOH will not consider this application as she has been issued with a 'strike' under the DOH Disruptive Behavioural Management Policy. The strike relates to the DV incident in which the client was the victim of a serious assault. The DOH caseworker has decided that the client 'caused' the incident by asking the perpetrator to leave her home. We are assisting her to challenge the strike even though this is not an 'appealable decision' within DOH policy. It is likely that the client and her children would have been homeless without our assistance.

Trends in Tenancy Work

In 2014/2015 the highest occurring issue in the tenancy work undertaken by the service has been in relation to tenancy terminations by lessor which accounts for 29.9% of the tenancy matters undertaken by the service. The next highest occurring issue is Tenancy Ending Tenancy which includes break lease, ending tenancy and termination by tenant followed by Tenancy Bond and Tenancy Other.

The service has continued to have high numbers of tenants being evicted by the Housing Authority using s75a of the RTA. Consistent with previous years Welfare Rights & Advocacy Service has provided advice and representation to clients facing eviction and have been able to defend matters so the tenant was not evicted. In other matters the tenant advocate has been able to negotiate with the Housing Authority to resolve the need to evict and where the tenancy has not been able to be defended the Tenant Advocates have on occasion been able to negotiate an extension to the usual time before eviction action occurs. In response to the prevalence of s75a matters a Fact Sheet was developed to assist tenants and those who work with tenants facing eviction under these provisions which can be downloaded from the Welfare Rights & Advocacy Service website.

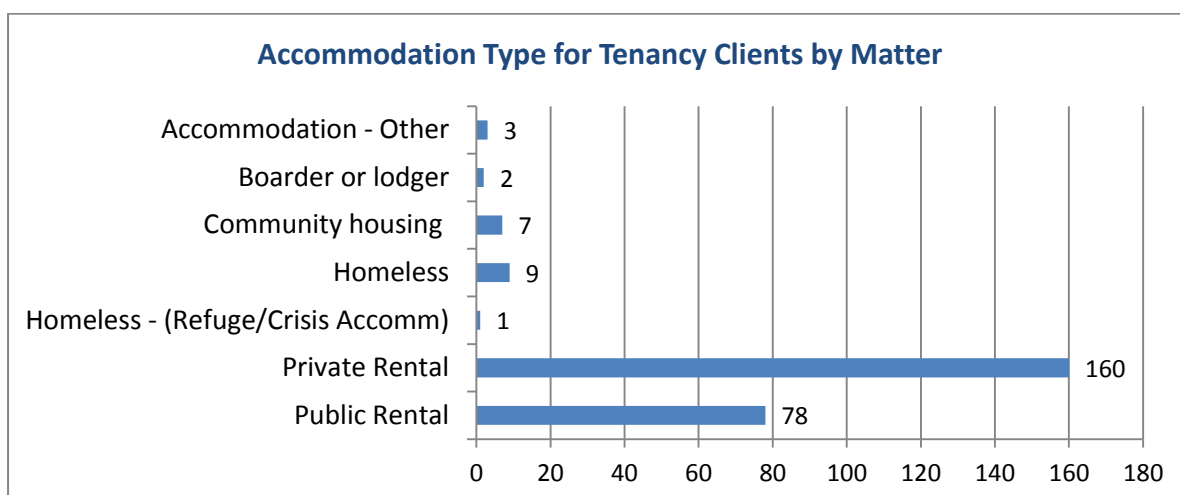
The second highest tenancy issue relates to ending a tenancy and in the most recent year there has been an increase in the numbers of 'break lease' matters. 'Break lease' occurs when a tenant who has signed a fixed term residential tenancy agreement (contract)

decides that they no longer want to continue living at the property. The reasons a tenant might 'break lease' are varied but include offers of employment elsewhere, the need to return home (if from interstate or overseas) to attend to family affairs, a property settlement or a relationship break down. Unlike some other states the RTA is silent about 'break lease' situations and so it is difficult to say exactly what a tenant's liability will be in such situations. Advice is regularly provided in these types of matters and due to the numbers of clients presenting with these issues a downloadable Fact Sheet was developed in relation to Break Lease.

Bond disputes continue to be a regular tenancy issue for our clients. The service does not usually provide assistance in these types of matters at court although on occasion this has occurred where there may be barriers to clients from CALD background with minimal English language skills. Usually the tenant advocate will provide assistance to the tenant in relation to the court process and how to conduct or defend their matter at court. With the duty advocate service at the Magistrate's Court the tenant advocate has provided assistance in the pre-trial meeting before the Registrar helping unrepresented tenants. The majority of these matters relate to bond release and rent arrears.

In relation to tenancy matters getting maintenance completed by the Housing Authority continues to be an issue for our public housing tenants. Although it does not account for a large number of the tenancy matters undertaken for clients it can be difficult in terms of getting maintenance done and for repairs to be completed properly. We do commend the Housing Authority for their significant work in relation to safety through their program of checks and fixes of wrongly installed smoke alarms, checks of electrical wiring and the chaining of stoves to avoid them falling over. Whilst there was some improvement initially with the change in the organisation which was responsible for Housing Authority maintenance over time we have seen that improvement drop off as it appears they continue to use many of the same sub-contractors to do the repairs and maintenance.

A regular maintenance issue relates to the plumbing and water pipes in HA properties. As a result of water leaks clients are left with large water consumption bills and where hot water is involved there can be high utility charges as a result of gas consumption from water heaters which are constantly leaking. In one such case the tenant had a \$4,500 water bill and a \$3,900 gas bill related to the leaking hot water in her property. Unfortunately too often when repairs are done they are temporary and as a result the work has to be repeated again and again which in the long run is not cost effective and which is frustrating for clients who are left with excessive water and utility consumption charges and the associated waste of resources. Apart from the costs as a result of the leaks there are also often mould infestations in bathrooms, ceilings and in adjoining rooms. Tenants have to constantly treat the mould effected area but until the source of the problem (the leaking pipe) is fixed it is a recurring issue which can impact on the health of the tenant and their family.



The service records the tenure type for its clients when providing tenancy assistance. In 2014/2015 the mix of private and public tenants assisted by Welfare Rights & Advocacy Service had 61.5% being private tenants and 30% were public tenants.

Tenancy Case Studies

Private Tenancy

Our client had come to study from China. Her written English skills were well developed, however she struggled with spoken English. She and her friend rented a property from a Real Estate Agent. They went to see the property and the exiting tenant offered to sell them his furniture which they agreed to. The furniture was not in very good condition and when they could afford to they replaced various items and disposed of the old items.

The client and friend took pictures of the property as it was not in a very clean state and there were some minor damages. She advised the Property Manager about these issues verbally.

At the end of the tenancy when it was time to leave the property there was a new Property Manager who did the final inspection. She was unaware of the condition of the property at the start of the client's lease and she advised the client that they would be taking money from the bond for the minor damages and the cost of replacing the furniture which was owned by the owner of the property (not the previous tenant).

The client lodged an online application at the court to dispute the amount of Bond being returned. The Real Estate Agent also lodged asking for half of the bond. Both applications went through unopposed and the client received two court orders, one awarding her all of

the bond and the other giving her only half of the bond. The Real Estate Agent distributed the bond according to their order.

The client contacted Welfare Rights & Advocacy Service about the conflicting court orders and she was assisted re-lodge at court. After the Real Estate Agent received the notice of the court application she contacted the client about the issues. The client asked the tenant advocate to negotiate on her behalf and we were able to resolve the issue amicably without going back to court. The client realised that she was required to pay for the furniture and the Real Estate Agent reduced the cost of replacing the furniture and refunded the client the rest of the bond money. The Court Application was withdrawn from the court.

Public Housing

Our client was a tenant with a long standing mental health condition, survivor of domestic violence and methamphetamine user with school age children facing eviction under s75a under the Housing Authority (HA) Three Strikes Policy. Her tenancy was in the catchment of another LSU who were unable to assist her for ethical reasons. The matter was initially listed at the Midland Court for July 2014.

Through the process the Tenant Advocate explained the elements of s75a and what the HA would have to prove to secure a termination of the tenancy. The Tenant Advocate provided advice to the client about possible defence of a s75a matter in court and the court process. The Tenant Advocate advised the client about ensuring that there were no further incidents at the property. The client was encouraged to engage with mental health support and treatment and to seek and obtain Violence Restraining Orders against her ex-partners. The Tenant Advocate opened a case to provide representation and obtained disclosure and the statement of claim from the HA and prepared a defence.

In July 2014 the matter was set down and listed for trial in February 2015. In the intervening period there were no further incidents at the property and the client had engaged with mental health treatment and support from STEP and had secured VROs against her ex partners. After the further adjournment in July 2014 the Tenant Advocate reiterated advice to the client about the need for her to ensure that there were no further incidents at the property during the period of the adjournment. The Tenant Advocate explained that if there were no further incidents at the property in the intervening period before February 2015 that it was less likely that HA would secure a termination of the tenancy.

At court in February 2015 the Tenant Advocate had prepared for trial with the Tenant. They were aware that the only two witnesses who were to provide evidence for HA had moved in August 2014 and so would not be able to give evidence past this time. Following the adjournment further advice was provided to the Tenant relating to the period of time since

the initial occurrence and that as there would have been at least 19 months since the last incident at the property that eviction under s75a would be less likely.

At court in February 2015 the HA Regional Recovery Officer (RRO) sought an adjournment as they had not prepared for Trial. The court made a further adjournment of the matter to November 2015. Following this adjournment Welfare Rights & Advocacy Service made representations to the RRO about a transfer of the client to another property. In those discussions the Tenant Advocate became aware that the HA were considering issuing a s64 (60 days no cause) notice and that a submission had been made to the Director General of the HA to approve.

The Tenant Advocate provided advice to the client about the HA issuing a s64 notice as the lengthy adjournment would mean they would be less likely to secure a s75a termination at the scheduled hearing in November 2015. The Tenant Advocate and client liaised with a number of her support network to get letters of support and in opposition to the s 64 notice. The Tenant Advocate prepared a submission to the Director General in relation to the issue of a s64 notice. In response to the submission the HA advised the Tenant Advocate that they would not be seeking termination of the tenancy by issuing a s64 notice and that they would continue to monitor the tenancy.

The outcome for the client is that she has not been issued with a s64 notice by DOH which would have resulted in both she and her children becoming homeless. Unfortunately in part due to the stress associated with her housing issue the client has had a relapse which has resulted in her hospitalisation in Graylands. At this stage there is still a pending s 75a trial scheduled for November 2015 which Welfare Rights & Advocacy Service will assist the client with. There have been no further incidents at the property.

Community Legal Education

As part of its service offer Welfare Rights & Advocacy Service prioritises the provision of community legal education (CLE) activities. In 2014/2015 there were 19 CLE activities undertaken across the welfare rights and tenancy programs. Activities included the delivery of formal sessions conducted with various audiences, including clients, community workers, lawyers, government employees and students. Unlike some CLCs the service does not have a designated CLE worker and all staff are expected to contribute to the CLE conducted by the service. Sessions are modified in terms of content and purpose in line with the prospective audience and the area of law to be covered. We endeavour to make each CLE sessions appropriate to the level of knowledge of the participants. A key component in our CLE activities is to actively seek feedback to factor into future CLE planning and continued improvement. Staff are encouraged to use the technology available to them in the delivery

of activities and in 2014/2015 a session for Queensland Association of Independent Legal Services (QAILS) was delivered using WebEx technology to link in lawyers across Australia conducted on Social Security Prosecutions.

In planning its CLE activities the service usually includes a remote or rural CLE activity in its catchment which includes the area to the top of the state. In early 2015 Welfare Rights & Advocacy Service secured funding from the Public Purposes Trust for the 2015/2016 year to conduct a CLE project to rural and regional locations within our catchment in relation to Social Security changes included in the 2014 Budget. As such as significant service resources will be used for this project it was decided to defer rural and regional CLE until the project planned for 2015/2016.

The CLE activities undertaken by Welfare Rights & Advocacy Service in 2014/2015 included singular and multiple sessions conducted at:

- NWRN Conference;
- NACLIC Conference;
- Lorikeet Community Centre;
- UWA Social Workers;
- Social Justice for Young Lawyers;
- Aboriginal Family Violence Prevention and Legal Service;
- QAILS;
- Royal Perth Hospital Social Workers;
- CLCA WA;
- DayDawn Advocacy; and
- NWRN.

Welfare Rights & Advocacy Service developed a number of Fact Sheets relevant to the welfare rights and tenancy work undertaken by the agency and in line with areas of frequent advice. These Fact Sheets are downloadable from the website and are distributed to clients by mail and email. The Fact Sheets developed in 2014/2015 were:

- Age Pension;
- Appeals;
- Break Lease;
- Debts;
- DSP;
- DSP under 35 Reviews;
- New Zealanders; and
- S75a and DBMU – Three Strikes.

Law Reform, Legal Policy and Media Activities

In 2014/2015 there was a small increase in the number of law reform activities undertaken by the service. The law reform, policy and media activities conducted by Welfare Rights & Advocacy Service are informed by the experiences of the clients we work with in our advice and casework assistance. In line with our strategic mission we prioritise work which can result in changes at a structural and systemic level, which has greater impact beyond the individual clients we assist through our casework activities.

At a local and national level the service participates in a number of regular meetings and forums. Participation in these forums is shared amongst staff of the service. Some of the regular and ad hoc forums, conferences and meetings which staff have participated in 2014/2015 have included:

- WA Tenancy Conference;
- WA Tenant Advocate's Meetings;
- WA Tenant Coordinator's Meetings;
- DHS Serious Non Compliance Meeting;
- NALC PII Committee;
- CLCA WA Legal Practice and PII Sub Committee;
- NWRN Conference (Alice Springs);
- NALC Conference (Alice Springs);
- Refugee Housing Social Inclusion;
- NWRN DHS Freedom of Information Sub Committee;
- NWRN Indigenous Issues Sub Committee;
- NWRN Welfare Reform Sub Committee;
- NWRN Member's Meetings;
- NWRN Committee Meetings;
- DHS Aboriginal Consultative Committee;
- DHS Community Consultative Committee;
- NWRN Planning Day;
- s75a Meeting;
- Commonwealth Ombudsman's Roundtable;
- AAT Stakeholder Liaison Meeting;
- Disability Employment Consultation;
- Community Sector Post-Budget Media Briefing, 13 May 2015;
- Post budget meeting with Minister for Human Services, Senator Marise Payne;
- Post budget meeting with Minister Morrison's Office;
- Meeting with AAT President Justice Duncan Kerr;
- NWRN Biannual Meeting with Department of Social Services; and

- NWRN Biannual Meeting with Department of Human Services.

Welfare Rights & Advocacy Service contributed to the law reform and legal policy in the welfare rights and tenancy areas by developing or contributing to the following submissions which included:

- OAIC Own Motion Inquiry into DHS FOI;
- Tenancy WA Submission to the Inquiry into Indigenous access to legal services (Tenancy Network);
- NWRN Submission to the Senate Community Affairs Legislation Committee on the Social Services Legislation Amendment (No. 2) Bill 2015;
- NWRN Submission on the Social Services Legislation Amendment (Youth Employment and Other Measures) Bill 2015;
- NWRN Submission to the Inquiry into Indigenous access to legal services;
- NWRN submission to the Tax Review Discussion Paper – Better Tax, Better Australia.

Welfare Rights & Advocacy Service conducted the following media activities in 2014/2015 as part of the National Welfare Rights Network (NWRN) which included:

Media Releases

- *Rental costs hit the wall: half a million in 'housing stress', says National Welfare Rights Network*, 30 April 2015;
- *Pension makeover looking good, says National Welfare Rights Network*, 7 May 2015;
- *Centrelink computer upgrade welcomed, but questions remain over fraud*, 13 May 2015;
- *Budget hits and misses leaves vulnerable families and jobless at risk*, 13 May 2015.

Print/Digital

- *Young jobseekers to wait four weeks for welfare instead of six months*, ABC, The World Today, 13 May 2015;
- *Young unemployed will still go hungry, says agencies*, Judith Ireland, Sydney Morning Herald, 13 May 2015;
- *Corporate cheats are the real problem*, 12 June 2015;
- *Disability Support Pension eligibility crackdown forces people onto Newstart Allowance: welfare groups*, Tracy Bowden, ABC, 26 June 2015.

Radio

- *Rental Affordability*, ABC NewsRadio News. 30 April 2015;

- *Rental Affordability*, ABC NewsRadio Drive, 30 April 2015;
- *Pensions Asset Test Changes*, 2SM News, 13 May 2015;
- *Budget 2015: Young Jobseekers to wait four weeks for welfare instead of six months*, ABC The World Today, 13 May 2015;
- *Centrelink Call Waiting Times*, ABC 702 Breakfast, 21 May 2015;
- *Centrelink Call Waiting Times*, ABC RadioNational Afternoons, 21 May 2015;
- *Welfare Cop on the Beat*, 2GB News, 24 May 2015;
- *Welfare Cop on the Beat*, 2SM News, 24 May 2015.

Television

- *Review of DSP, Program of Support and Participation Requirements*, ABC Capital Hill, 13 October 2014;
- *Disability and Employment*, West TV, 3 March 2015;
- *Welfare Cop on the Beat*, Channel 10 National News, 24 May 2015;
- *Tighter Disability Support Pension rules are hurting, says welfare groups*, ABC 7.30 Report, 26 June 2015.

In 2014/2015 Catherine Eagle continued in her roles as the Convenor of the NACLCL Professional Indemnity Insurance (PII) Committee, the WA State Representative on the NACLCL PII Committee and as the convenor of the WA Community Legal Centre Association (CLCA) Legal Practice and PII (LP&PII) Committee. In this role Catherine Eagle provides support and guidance to other CLCs in relation to PII issues and a range of issues that arise within a community legal setting. The NACLCL PII Committee meets on a telephone linkup on a monthly basis and come together for a Network Day prior to the NACLCL Conference each year. The CLCA Legal Practice and PII Committee meets on a 6 weekly basis and is responsible for oversight of the six monthly mandatory LP & PII Meetings, organisation of CPD training for CLC lawyers and the conduct of the Annual Crosschecks for WA CLCs which is required for all centres insured through the NACLCL PII policy.

Welfare Rights & Advocacy Service is an actively participate in the National Welfare Rights Network (NWRN) of which they are a member centre. Catherine Eagle participated in the Annual NWRN Conference in Alice Springs in August 2014. In the last year staff of the service have convened, chaired and participated in the monthly Members Meetings, various NWRN Sub Committees and Committee Meetings of the NWRN. These meetings have a focus on casework trends, policy and law reform, as well as the governance of the NWRN.

Kate Beaumont continued in the role of Vice President of the NWRN until April 2015. Following Maree O'Halloran leaving the role of President Kate Beaumont has taken on the role of President of the Network. As the President of the NWRN Kate Beaumont is the Spokesperson for the Network and is responsible for the media work undertaken. There is

increased opportunity for the service to contribute to the law reform and legal policy work undertaken by the NWRN.

Organisation and Governance

The governance of Welfare Rights & Advocacy Service rests with the Board of the TLC Emergency Welfare Foundation of Western Australia (Inc.) who volunteers their time and skills on behalf of the service. In the most recent year there was a significant change over of personnel on the Board at the Annual General Meeting in October 2014 when both Marina Georgiou and Courtney Collins did not seek re-election to the positions of Chairperson and Deputy Chairperson. After many years Daniel Pastorelli stepped down from the Board after earlier in the year moving from the Treasurer position to a General Committee Member of the Association. Dominic Rose also stepped down from the Unions WA nominee on the Board.

At the AGM Kevin Gaitskell was elected as the Chairperson, Luke Villiers moved from Secretary to the Deputy Chairperson position, Anastasia Phylactou continued on as Treasurer and Matthew Davey took up the Secretary role. New General Committee members Brendyn Nelson and Sinead Glackin were welcomed alongside Philip O'Donoghue who returned after a lengthy absence interstate and Owen Whittle joined as the Unions WA nominee on the Board.

Through the year there have been some further changes to the Board. Although notified in December 2014 in February 2015 Anastasia Phylactou stepped down officially from the Treasurer role to take up a six month secondment in Canberra. At the February 2015 Board Meeting Luke Villiers resigned from the Board after over six year's involvement. Following Luke's departure Brendyn Nelson agreed to move into the role of Deputy Chairperson. In April 2015 the Board welcomed two new Board members, Stephanie Norris and Leon Stojmenov. Whilst both Stephanie and Leon have an accounting background, Stephanie agreed to take on the role of Treasurer.

In 2014/2015 the Board has met on a bi-monthly basis and 7 meetings were held. The September 2014 Meeting did not proceed as it was inquorate and the February 2015 Meeting was deferred and convened two weeks later. Board Members participated in Governance Training in February 2015 which was conducted by Joel Levin from AHA Consulting. Following a successful Lotterywest Grant Joel Levin was retained to guide through the development of a new Strategic Planning for the service. Throughout the first half of 2015 the Board and staff of the service have worked together in the development of the Welfare Rights & Advocacy Service Strategic Plan for the period from 2015-2020. During the last year the new Enterprise Bargaining Agreement was finalised and signed off by the

Board and ASU for registration at the Western Australian Industrial Relations Commission (WAIRC).

Board Composition and attendance 2014/2015			
Position	Name	Period	Meetings Attended **
Chairperson	Marina Georgiou	Did not stand for election at AGM 2014	1
Chairperson	Kevin Gaitskell	Chair from AGM	5
Deputy Chairperson	Courtney Collins	Did not stand for election at AGM 2014	1
Deputy Chairperson	Luke Villiers	Dep Chairperson from AGM to 19 February 2015	2
Deputy Chairperson	Brendyn Nelson	Dep Chairperson from 19 February 2015	3
Treasurer	Anastasia Phylactou	Treasurer to February 2015	2
Treasurer	Stephanie Norris	Treasurer from April 2015	2
Secretary	Luke Villiers	Secretary to AGM 2014	2
Secretary	Matthew Davey	Secretary from AGM 2014	5
General Member	Daniel Pastorelli	General Member to AGM 2014	1
General Member	Matthew Davey	General Member to AGM 2014 went into Secretary	2
General Member	Brendyn Nelson	Joined at AGM 2014	3
General Member	Sinead Glackin	Joined at AGM 2014	4
Unions WA Member	Dominic Rose	Unions WA to AGM	0
General Member	Philip O'Donoghue	Joined at AGM 2014	4
Unions WA Member	Owen Whittle	Unions WA from AGM 2014	4
Ordinary Member	Leon Stojmenov	Joined from April 2015	2
Ex Officio - EO	Kate Beaumont	Whole year	7

*** Numbers relate to the meetings in that capacity and is not the total if Board members have moved roles through the year. Current Board Members are shaded in blue.

Apart from the major Strategic development undertaken through the year the Board over recent months has reviewed the Constitution and Rules of the TLC Emergency Welfare Foundation of Western Australia (Inc.). These changes are to be considered by the membership as Special Business at the AGM.

Staffing and Volunteers

Welfare Rights & Advocacy Service has continued with its core staffing in the 2014/2015 year. The core welfare rights and tenancy staff remained Christine Belcher, Jeanie Bryant, Catherine Eagle, Paul Harrison, Christine Carr and Kate Beaumont. The service had two lawyers, Zara Spencer and Lorilee Yu on fixed term contracts until September and November 2015 respectively. A decision was made by the Board to employ an additional lawyer on a fixed term basis and that vacancy was advertised in early July 2015. The last year has seen the finalisation of the Enterprise Bargaining Agreement between staff and the Board.

The service continued its volunteer program in 2014/2015. The volunteer hours undertaken at Welfare Rights & Advocacy Service was 321 hours which was 124 hours more than in the previous period. Volunteers in the most recent year have included law students, a restricted practitioner and family members of a staff member. These volunteer hours do not include the pro bono work which has been undertaken by Nilan Ekanayake, Clare Thompson and Clinton Russell representing a client of the service.

During a period of leave over December 2014 and January 2015 when the Principal Solicitor was overseas, lawyers from Legal Aid WA and Tenancy WA supervised the work of the welfare rights and tenant advocates.

In 2014/2015 staff of the service have undertaken performance appraisals and as a result training and developmental needs have been identified. All staff of the service participated in Suicide Prevention Training conducted by Salvation Army. Other ad hoc training has been that a staff member has participated in Occupational Health and Safety Training. Training has been organised with Assets in relation to Compassion Fatigue to be conducted in coming months. Lawyers of the service have participated in a number of CPD sessions provided by Legal Aid WA, the Law Society and CLCA WA through the year. Staff are given opportunities to participate in conferences with Catherine Eagle attending the Annual NWRN Conference and Paul Harrison and Chris Belcher attending the WA Annual Tenancy Conference. Both Paul and Chris participated in additional training delivered by Tenancy WA following on from the Tenancy Conference.

The service has continued to support staff through ensuring that all staff and volunteers have access to an Employee Assistance Provider (EAP). The EAP provider is OPTUM and staff and volunteers have access to free confidential counselling services. The assistance is provided as part of a group scheme which has been organised by CLCA WA and we would like to thank Helen Creed for her work negotiating the new contract which provides.

Future Directions

For all CLCs, each year brings different tests and whilst our service knows our Commonwealth CLSP funding for the next two years will not be reduced the cuts to funding from July 2017 are still clearly on the horizon. Others within the sector have already had significant cuts to both their Commonwealth and State funding coming into 2015/2016. It is an important time for CLCs to work collectively to continue to demonstrate the effectiveness of our services and that we are value for money in comparison to other arms of the legal assistance matrix. At a time when the community is focussed on responses to domestic violence it is imperative that there is a safety net of support available to those who require it. CLCs, including welfare rights centres provide that practical and needed assistance in relation to both income support and housing which are the fundamentals for those escaping domestic violence.

At a local level in response to a request made by the President of the AAT the service has commenced a conversation with the AAT about the provision of a legal advice clinic at the First Tier of that Tribunal. We see this as an opportunity for the service to expand its servicing through targeted assistance which will expand the help provided to clients at the earliest juncture of their external appeal journey.

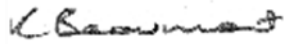
The environment in which we operate is made more difficult by the way in which our clients are portrayed in the media. The coming years will bring the further challenges of welfare reform and the implementation of the McClure Review of the Welfare System. While the objective of those changes is simplification it is somewhat as odds with a highly targeted system as it is the targeting that creates the complexity. The underlining principle needs to be that no person should be worse off under a simplified system than under the current one. Our service will continue in its collaborative work with the NWRN to work toward structural and systemic change informed by the experiences of our clients.

Following on from the finalisation of the new Strategic Plan the service will be working toward this revised vision, mission, values and objectives for the next five years. The service has engaged Joel Levin to provide further help to the service as we work on further Operational and Board Planning to operationalise the strategic direction for the organisation. To complement that work the changes to the Constitution and Rules should further progress changes to the Board and the way that it operates into the future. We are hopeful that as an organisation we will be able to change our name to the one that we are known by in the community. To be told by DOC that the association cannot use the name it has been trading by for almost two decades seems ludicrous.

Thanks and acknowledgements

I would like to acknowledge the work of the Board over the last year and their commitment to the service. It is pleasing that after the significant changes to the Board at the last AGM and other movement during the year that six members intend to stand for another term building and consolidating on the work undertaken in the last year.

The staff of Welfare Rights & Advocacy Service needs to be commended as they work tirelessly in the provision of help to the clients who we assist with their welfare rights and tenancy matters. We are truly fortunate that we have a stable and dedicated team who use their vast knowledge and expertise year in year out for the betterment of the clients we serve.



Kate Beaumont
Executive Officer

Treasurer's Report for the Financial Year 2014/2015

This year was another successful year for WRAS. Core funding still continues from the Commonwealth and State Attorney General's Departments, the Department of Commerce and the Legal Contributions Trust.

Overall funding levels remained consistent with the prior year even though we saw some changes in funding arrangements. Reductions in funding came from the Department of Commerce and the termination of the tenancy support contract in March 2014 following the establishment of the new Central Resource Unit, Tenancy WA. WRAS did however see an increase to the Commonwealth Attorney General's Department SACS wages supplementation funding this year. It is projected that the wages supplementation increase will continue in coming years in line with the WA SACS Equal Remuneration case.

Funding was also received from Lotterywest during the 2014/2015 year as a one off grant for organisational planning. This grant has been utilised to contribute toward the strategic planning initiatives for the agency.

Although the agency had not secured continued support from the Public Purposes Trust for the last two years, it was successful in securing a grant for a CLE Project in 2015/2016.

The final result for the year was a surplus of \$18,446. Of this surplus \$2,917 has been used to increase the agencies redundancy provision to cover increased wage rates and to bring the provision in line with the new EBA.

The surplus is mainly due to the close management of the agencies expenses. The agencies depreciation expense has also reduced, as assets are now fully written down. This shows efficiencies for the agency but also indicates that additional purchases may be required in the coming years to replace obsolete equipment. Operational efficiencies have also been gained through a more cost effective phone plan for the agency, which has reduced costs in the current year, and will benefit the agency in the years to come.

At the end of the financial year the balance sheet position was very similar to 2014 with the agency having a cash balance of \$395,588, plus prepayments of \$14,498, bringing the total current assets to \$410,086. Combined with property, plant and equipment with a book value of \$248,961, the agency holds total assets of \$659,047.

Current liabilities decreased from the previous year to \$148,101. Unspent grants also decreased to \$49,654 and are also included as a current liability and will be utilised in the coming financial year. Current and non-current employee provisions bring the total liabilities to \$198,752, and leave the agency in a net asset position of \$460,295.

This positive net asset position gives the agency stability and a strong financial position as it enters its new financial year.

A handwritten signature in black ink, appearing to read 'Stephanie Norris', written in a cursive style.

Stephanie Norris
Treasurer

Special Purpose Financial Report of the TLC Emergency Welfare Foundation of Western Australia (Inc.)