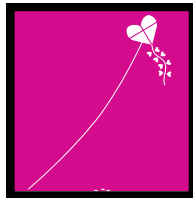




women's legal service

Annual Report



2012 – 2013

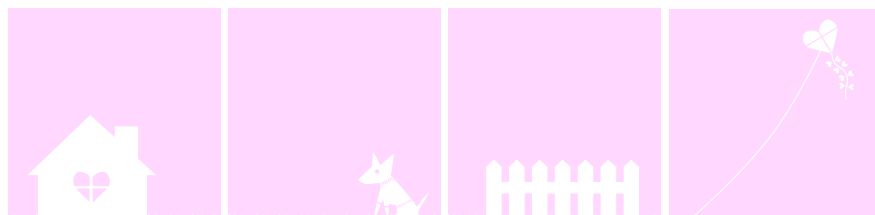
Our mission

To promote change within the law and the legal system in a manner informed by women's experience

To empower women by providing them with knowledge to better access the legal system

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COORDINATOR'S REPORT

My association with NQWLS began in 2000 when I commenced employment as the Indigenous Women's Solicitor in Townsville. Having come from private practice to the community sector I was amazed at the services provided and the benefit to women in crisis. I was proud to be involved in the process. In 2005 I established the Aboriginal and Torres Strait Islander Women's Legal Services NQ in Townsville after NQWLS made a decision to assist the IWU to gain independence. That service is now a huge success.

I had a break from Townsville for four years from late 2008 and when I returned I was offered a short six month position as co-ordinator, which position extended to twelve months.

The organisation was going through a change from the departure of the long term coordinator and this always presents challenges.

However, with the support and the assistance of the existing staff and the recruitment of three new solicitors the service has expanded and is providing additional options for women to access the service.

Significantly, although Cairns was reduced to providing outreach one day a week, the advice line one day a week and one day for advice in Cairns, our Cairns Solicitor Hayley Grainger, has taken on the Duty Lawyer Service in the Cairns Magistrate Court every Thursday. This has been very beneficial to women in violent situations and is a great initiative.

Our one day advice clinic was facilitated by a partnership with MacDonnell's Law in Cairns and this was very successful. I would like to thank the staff at MacDonnell's, particularly Amalie Grima, for the assistance provided.

We have also initiated a DV Duty Lawyer service in Townsville at the Magistrates Court.

Our outreach services have increased support in regional communities and we are in the process of establishing outreach clinics in TAFE Townsville.

There are two significant expansions or initiatives.

1. Our immigration service is seeking to meet the demand for assistance with CALD women experience family violence and the impact on their status, and

2. Our web page is undergoing reconstruction. The idea is to be able to provide community legal education services hosted by community organisations through the internet and the NBN Broadband network to women in rural and remote regions of our service area. The web will also be a source of relevant information for women and links to other relevant service providers. The next step in this process is training of community workers to facilitate webinars in their centres.

I am proud to be associated with this centre and the staff who are always looking for different ways to do it better and who are always ready to take on new tasks. It is a pleasure to work with women who are proud of what they can do and who are committed to what they do.

I am now leaving this industry for a chance to work on my goal for sustainable living in the rainforest.

I do believe that I am a better person as a consequence of my experience with NQWLS. I will truly miss all the friendly faces of the staff.

I would in particular like to thank our Principal Solicitor for her support, her energy for new ways of delivering services and her compassion for women needing support.

In addition to the staff, whom I have absolute regard, gratitude and respect for, I would like to thank the Management Committee for its support and assistance in the last year.

Management Committee

President:

Deborah Bouldon

Vice-President:

Natasha Busby

Treasurer:

Jodie Woolcock

Secretary:

Jodi Dingwall

Ordinary Member:

Siobhan Tangey

Carolyn Seri

Jameelie Fletchett

Anne Lewis

We take this opportunity to thank the current management committee for their time and input into the service.

Financials

If you would like a copy of our audited financial report for the 2012-2013 period please email tsvadmin@nqwls.com.au

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PRINCIPAL SOLICITORS REPORT

NQWLS has assisted women to achieve extraordinary outcomes by educating, supporting and assisting women to navigate through the legal system. I'm proud to be associated with NQWLS and absolutely believe in the value of the assistance we provide to women in our community. I have been fortunate enough to meet and work with extraordinary women over the time that I have been employed by NQWLS (five and a half years). We have an exceptional team and it is obvious that achieving positive outcomes for the women who access our service is a priority for all staff.

I personally want to thank all staff for their commitment and dedication to the service and women within our community. Our workers are our most valuable asset and it is important that we value and acknowledge the hard work of everyone involved with the service on a day to day basis. Without our staff, service delivery would not be possible. Thank you.

The last twelve months has seen service expansion with the employment of two contract positions in our Townsville office. Having more woman power on the ground makes a real difference to front line service delivery. We have established the Domestic Violence Duty Lawyer role in Townsville and Cairns. Our immigration service has expanded and will continue to expand over the following year with the inclusion of Humanitarian visa's. As the only registered migration agent employed by the service, I have been actively raising awareness of our immigration service. Immigration matters are often very complex and the women present with a diverse range of legal and social issues. These women are burdened with the additional barriers experienced by women from non-English speaking backgrounds when accessing justice.

Our clients access our service at a time when they are most vulnerable and most in need of support and assistance. It is for this reason that we believe that flexible service delivery models are very important to ensure increased accessibility to justice for women who require legal advice. It is about making our service accessible to as many women in our region as possible.

In the past year, our service has provided 2,366 advices to women in our region. The statistics are broken down as follows:-

Contact Type	No. of Advices
<i>Face to Face advice</i>	775
<i>Telephone advice</i>	1,380
<i>Mail advice</i>	211
Total	2,366 Total clients who identified as culturally and linguistically Diverse: 156

We are very proud of the strong relationships we have actively developed with community service providers within our region. We work collaboratively with a number of agencies throughout our region with the common objective of establishing clear referral pathways and enhancing outcomes for women and children in our community. We are confident that these relationships will continue to flourish and that women in our community will reap the rewards and benefits of NQWLS working collaboratively with vital community services in the region.

I would like to finish by extending a special thanks to Ann Florence who was the Coordinator for the past twelve months. Ann achieved a lot in her time with the service. Ann was a motivator and treated all staff with respect and valued everyone's contributions equally. Ann is a motivated, professional woman who will be missed dearly.

Ann Florence – Coordinator.

Ann returned to NQWLS in September 2012. She came from Toowoomba where she was the Principal Solicitor/ CEO at The Advocacy and Support Centre. Ann has been involved in the community legal sector in Queensland for fifteen years, both as an employee and as a volunteer. Ann is leaving the service in August to indulge in family and travel.

Tanya Andersen – Principal Solicitor.

Tanya has been with the NQWLS since May 2008. In 2009 Tanya was appointed to the position of Principal Solicitor and has been in that role since this time. She has been instrumental in developing many new ways of delivering better services to women in our region. Tanya is also a Registered Migration Agent and works with and assists very vulnerable women from Culturally and Linguistically diverse backgrounds. Tanya has also recently completed a Diploma in Family Dispute Resolution Practice.

OUR PEOPLE

Hayley Grainger – Solicitor

Hayley is the Outreach and Domestic Violence Duty Solicitor based Cairns. Hayley commenced with the service in October 2008. Hayley also has a Bachelor of Social Work. Hayley finds the two careers complement each other nicely and regularly draws on her Social Work skills and experience when working with her clients.

Linda Anderson – Solicitor

Linda has been with NQWLS since August 2012. Prior to 2012, Linda was employed by private firms in Townsville with a focus in Family Law and associated issues such as domestic violence. Linda participates in outreach clinics which operate from the Townsville office.

Debbie Taylor Administration Officer Townsville

Debbie has been with NQWLS for two years and in that time has made valuable contributions to the efficient operation of the administration. Debbie is one of the first points of contact for women and is responsive and supportive to women in conflict. Debbie also assists with the bookkeeping for the service.

Sharell O'Brien – Solicitor

Sharell has been with us since April 2013 having been appointed to develop a strong Community Legal Education Project and to assist with the day to day advice and assistance in Family Law. Prior to April 2013, Sharell was employed by private firms in Mackay and Townsville mainly specialising in Family Law.

Sarah Haack -Solicitor

Sarah started at the service in May this year. Sarah is responsible for the DV Duty Lawyer Program in Townsville providing advice and legal assistance to both aggrieved and respondent. Sarah has been employed in private practices, and with the Queensland Police Service as a Senior Legal Officer.

Leah Miller Administration Officer Cairns

Leah is our most recently appointed employee and works alongside Hayley in Cairns. Leah has fitted in well into our organisation and is a valuable member of the team.

Glenda Demopolous Administration Officer Townsville

Glenda is a long term employee and her knowledge of the service is a valuable enhancement to the administration team. Again, as a first point of contact she is professional, supportive and respectful.



Staff who have left the service: Rosalind Marr, Coordinator 1998- 2006, 2008-2012 and Theresa Joyce, Community Development Worker 2012-2013

New Staff: Ann Florence Coordinator, Sharell O'Brien Solicitor, Sarah Haack Solicitor , Leah Muller

OUR SERVICES

ADMINISTRATION

Our Administration team has kept busy the past twelve months with the increase in the number of Solicitors and recommencement of Outreach services from the Townsville office plus other projects. We welcome Leah Muller to the Cairns office, she has settled in well and both offices work together closely to ensure we are providing premium support to the Solicitors, Coordinator and clients.

Glenda and Debbie attended the 2013 NACLC Conference in Cairns which was a good opportunity to meet people from other Community Legal Services and hear of their experiences and challenges. There were many interesting speakers who had great enthusiasm for the Community Legal system.

Administration is often the first point of contact for our clients. Many women call due to a desperate situation and are experiencing a range of emotions which we must be sensitive to but at the same time we need to get information from them.

IMMIGRATION:

Tanya is the Registered Migration Agent for the Service and the immigration service has had some steady growth particularly in the last year. Women accessing this service are particularly vulnerable and disadvantaged. This is generally due to ;

- ◆ English being a second language,
- ◆ cultural barriers,
- ◆ abuse and
- ◆ uncertainty about their long term future in Australia.

It is necessary that a lot of resources are allocated to women accessing this service to facilitate understanding and appropriate support. Currently we assist women who are on temporary partner visa and who are victims of family violence. We hope to expand this service over time to include some humanitarian visa work.

"I found this people here very thoughtful and friendly. They kindness make me feel like I'm back home (Africa) with my parents. They are an amazing welcoming people"

Case Study

A Phillipino lady attended our office crying uncontrollably and also struggled with English so we had communication issues. Glenda comforted her, providing tissues and water until she calmed down enough to speak about her issue. Her ex-husband had accused her of stealing from him and she was worried about what would happen to her. Tanya was told of the situation and she responded by seeing the client immediately and assisting her with the required paperwork.

CLINICS

Each Monday and Thursday in Townsville, one of our Solicitors spends their morning providing face to face appointments to women. With the assistance of the Domestic Violence Resource Service (DVRS) women are able to access free face to face legal help in the safety of a secure environment. The appointments allow women to discuss their legal issues in confidential and private environment. Our Clinic is conducted from the office of the DVRS. We have forged a strong partnership with DVRS that allows both services to cross refer and provide women with greater assistance.

Case Study

A woman accessed our service for assistance in relation to her visa application. The woman had experienced family violence perpetrated by her sponsoring partner. The family violence included, physical assaults, sexual abuse, financial and emotional abuse. Our service assisted this client with bringing an application for a protection order and negotiating with his solicitor. The client obtained a protection order with no contact orders. The service then assisted this client to gather evidence and liaise with the Department of Immigration and Citizenship in relation to her obtaining permanent residency on the basis that her relationship had ceased due to family violence. The Department of Immigration made a decision to grant a permanent visa. She has now been granted permanent residency.

It is amazing to see the joy and happiness on the client's face as a consequence of this outcome.

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CASE STUDY

During an outreach session a client who was seeking assistance with an Application for Divorce. As I read through the application I noticed that there was a current Domestic Violence Order against her ex-husband. I reviewed the Domestic Violence Order and noticed that it was very specific which generally only occurs when there has been a serious incident of violence. I enquired further about the details of her relationship. The woman disclosed to me her experience of significant domestic violence perpetrated on her. Due to the women's concerns for her safety I was able to ensure that she did not disclose her address on the application. The woman was very grateful for this as she thought she had to provide her residential address to the court which would have placed her personal safety at risk.

TOWNSVILLE OUTREACH

From the Townsville office, we offer outreach services to Ingham, Ayr and Charters Towers on a monthly basis. This service is undertaken by a roster of different solicitors, so that all solicitors are able to participate and make connections in our wider North Queensland communities.

In each location, a local service provider works with us to identify clients in need, make bookings and provide urgent referrals where necessary.

In Charters Towers we partner with the Charters Towers Community Centre, which is a beautiful and near-new facility that is a joy to work from. Whilst not always fully booked, our Charters Towers outreach has provided us with the opportunity to provide ongoing support to a number of women who have had family law issues. This year has seen a reduction in the number of private firms servicing the Charters Towers region, and we are hoping to see a corresponding increase in the uptake of our outreach services as a result.

In Ingham, the Hinchinbrook Community Centre have been working with us for some time to provide outreach services. We find that the workers in Ingham are particularly good at identifying and referring women in need to our outreach services. Numbers have been a little low this year, but we are hopeful that is because of less need, and are confident that our profile is still high in Ingham, and that those women who need to access legal advice are aware of our outreach and other services.

In Ayr, we are supported by the Burdekin Community Association. BCA and NQWLS have worked very hard to improve the uptake of our outreach service, and the result has been fully booked outreach days (six clients) for at least the last quarter of this financial year. This has been an excellent outcome, with Burdekin-based clients being able to access legal advice without needing to travel into Townsville, and increased availability of our Townsville face to face appointments, as less Burdekin-based clients are booking those appointments.

Overall, outreach continues to be a successful and important part of our service as a whole, and the advantages of regional or remote clients being able to have a face to face consultation with a solicitor cannot be underestimated.

1800 LINE

On each Tuesday, Wednesday and Thursday from 9.00am to 1.00pm you will find one of our solicitors on the "1800 line" providing free legal advice to women. This service is a vital part of NQWLS as it allows women from across our service area to access legal assistance. Providing advice by telephone allows women in rural and remote areas to obtain legal advice without the need to travel or attend a business in their local community. Women can telephone our advice line without the fear of their former partner knowing they have sought legal assistance.

CLE

NQWLS services an area from Sarina, north to Cape York and the Torres Strait Islands and west to Mount Isa. This area includes many rural and remote regions that are often isolated from accessing readily available services such as legal help due to the geographical location of the town.

The development of community legal education programs including our webinar project, will allow women who may be isolated geographically to obtain knowledge of legal matters. The object of this project is to empower women with knowledge that will assist them in dealing with the legal issues that they may face.

The revamped website is a work in progress but keep your eye out for NOLA.

CASE STUDY

A client booked a face to face appointment with us for assistance with a domestic violence matter. This client already had a protection order against her former husband. Following a further incident of domestic violence, her former husband was charged with and convicted of breaching the order. Nevertheless, the former husband relied on this incident to attempt to obtain a protection order against our client. The client was refused legal aid funding. After the legal aid funding was refused, the client's circumstances changed, so consequently, we offered to assist the client with a Legal Aid appeal letter. Unfortunately, the client's Court date was also fast approaching, so we also offered to assist the client with Court documents, in case Legal Aid was unable to make a swift decision.

Following the lodging of the appeal letter, and a letter of support, Legal Aid made the decision to provide assistance to the client. We were also able to provide the draft Court documents that we had prepared to the client's Legal Aid solicitor, to speed up the process of finalising the Court documents.

We were later informed that the client had a successful result, with the client's former husband withdrawing his application upon receipt of the client's response documents.

CAIRNS OUTREACH SERVICES

Although our Office might be based in Townsville, our service area is much wider covering almost half of the State of Queensland. Our entire service area is classified as regional, rural or remote and as such women who live in these areas often experience difficulty in accessing services, including legal advice and assistance. Our 1800 advice line goes some way to addressing this issue but we also travel each month to Atherton, Mareeba, Innisfail, Mossman, and Port Douglas, to deliver free face-to-face legal advice clinics to women who live in and around these localities.

Our Cairns based outreach clinics, Atherton, Mareeba, Innisfail, Mossman and Port Douglas, continue to be very busy. We consistently fill all available appointments and often have standby lists where the clients can be contacted and attend for an appointment at short notice if a client cancels or doesn't turn up for their scheduled appointment.

The employment of additional Solicitors in the Townsville Office this year has allowed us to re-establish the delivery of regular monthly advice clinics in our Townsville based outreach locations, Ayr, Charters Towers and Ingham and as a result the number of women accessing these clinics is increasing.

We would like to thank our partner organisations in each of our outreach locations; the Tableland's Women's Support Service, Mareeba Information & Support Centre, Community Support Centre Innisfail, Mossman Community Centre, Port Douglas Neighbourhood Centre, Burdekin Community Association, Charters Towers Neighbourhood Centre and the Hinchinbrook Community Support Centre. We gratefully acknowledge the invaluable support we receive from the staff (both paid and unpaid) of these centres, who not only host our legal clinics but organise the appointments as well. It is because of this support that we have been able to provide assistance to nearly 200 women this year through our outreach services. This assistance has been on a variety of legal issues including family law problems, domestic and family violence, child protection matters, Centrelink and Child Support issues, sexual assault, victim's compensation, credit and debt, immigration and tenancy. Often the women who attend our outreach clinics have complex and multiple issues, and often the legal problems cannot be dealt with in isolation. This is where the close relationship with, and support of, our outreach partner organisations provides valuable assistance to our clients by offering a complimentary service to address the non-legal issues the woman is facing.

Case Study

We also speak with people saying they have called a number of services trying to get assistance and are just told they can't be helped and are sent on their way. If a woman comes to us with an issue which is outside the areas of law we can assist with we always do our best to find out who they should contact. When we have given the woman a contact to go to they are very grateful to be given direction rather than being sent away, not knowing where to turn to next.

MOSSMAN

PORT DOUGLAS

"I was very pleased with the outcome. The Solicitor's gentle way was very calming for me and she provided great assistance in the Court. Thank you very much!"

MAREEBA

INNISFAIL

ATHERTON

CAIRNS ADVICE CLINIC

The Cairns Advice Clinic, held every Thursday from 9.00am to 5.00pm in Cairns commenced in August 2012. The clinic was facilitated by a private law firm in Cairns (MacDonnell's Law). It was a great success with full day's bookings on most Thursdays. The clients were especially satisfied with the service and the collaboration between North Queensland Women's Legal Service Inc and MacDonnell's Law was highly successful with some 227 advices given in the Cairns office from August through to the end of June an average of 6-7 a week.

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D U T Y L A W Y E R

This year we established a Duty Lawyer Service available to women who are self-represented litigants in Domestic Violence Protection Order proceedings. The service is available to all women who are representing themselves, whether they are the Aggrieved or Respondent in a matter.

The Duty Lawyer is available at the Townsville Magistrates Court on Wednesday mornings and the Cairns Magistrates Court on Thursday mornings to provide advice and assistance to women regarding their Protection Order Applications, Statements and Affidavits, submissions to be made to the Court, potential outcomes of their matter and the consequences or effect of those outcomes. Many of the women who access the Duty Lawyer Service also require family law advice, particularly regarding parenting arrangements and the impact of an existing or potential Domestic Violence Protection Order on these arrangements. A lot of women are also seeking and are provided with information on the Court process and what to expect when they go into the Court as for many it is the first time they have been to court and they find it very stressful and overwhelming. Often they have the additional stress and fear of facing the perpetrator of the violence against them.

The other role of the Duty Lawyer Service is to represent women at Domestic Violence mentions or directions hearings. In keeping with the mission of NQWLS our primary goal is to empower women with the knowledge and skills to successfully navigate the legal system, and where possible the Duty Lawyer will assist women to represent themselves. However the Duty Lawyer can and does represent women who are particularly vulnerable, nervous, English is their second language or it appears unlikely that they would be able to adequately represent themselves. The decision whether or not to appear on behalf of a client is made by the Duty Lawyer at the time, on a case by case basis according to our case work guidelines. To date the service has provided advice to nearly 50 women, and represented 12 women in Court. The feedback to date has been very positive, not only from the women themselves but other stakeholders as well. We would like to acknowledge and thank the Cairns Regional Domestic Violence Service, Domestic Violence Resource Service, Queensland Police Service and the Court staff and Officers for the support they have shown the Duty Lawyer Service over the past 6 months that it has been operating.

"Thank you so much! I couldn't have done it without you. I can't believe I just stood up before the Magistrate and got the order - it's awesome!"

CASE STUDY

A woman sought the assistance of the Duty lawyer to apply for a Domestic Violence Protection Order to stop her husband from constantly texting her. The relationship had broken down and they had separated 6 months before. During that 6 months, he had texted her over 3000 times. In a 17 day period just prior to her making her application for a Protection Order, he had texted her over 390 times and over 67 times in a week. The woman was extremely upset and suffering immense stress due to the emotional and psychological impact of so many text messages. It was impacting upon her ability to work and to mother her children. She had represented herself the first time the matter was before Court and the Magistrate had declined to make a Temporary Protection Order as he wasn't convinced that there had been Domestic Violence as the Respondent "might just be seeing how she is".

The NQWLS Duty Lawyer appeared on the woman's behalf at the next mention and was successful in getting a Temporary Protection Order for the woman that prevented the Respondent from contacting her unless it was to do with the children as per a written agreement between them. The Respondent was represented by a Solicitor who argued that the content of the messages was not sufficiently abusive to constitute domestic violence. The Duty Lawyer made submissions to the Court highlighting that repeated texting can constitute domestic violence and that although each individual message may not amount to domestic violence, the sheer number of messages, many of them degrading the woman's mothering ability and making inappropriate sexual comments, was in fact domestic violence.

**STOP THE
VIOLENCE**

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We provide free legal information and advice to north Queensland women. We can help in the following areas: family law, defacto matters, family/domestic violence, discrimination, immigration, sexual assault and child protection.

To get Legal Help

» Call 1800 244 504 for free legal advice. This service runs Tuesdays,

Wednesdays and Thursdays from 9am to 1pm.

» Make an appointment with one of our lawyers in our Cairns or Townsville office. Office hours are Monday to Thursday from 9am to 5pm and 9.00am to 5.00pm Tuesday to Thursday in Cairns.

» Make an appointment at one of our legal clinics. Every month on a Wednesday we travel to either Innisfail, Atherton, Mareeba, Port Douglas or Mossman or each Tuesday we travel to either Ayr, Ingham or Charters Towers.

Call us to make an appointment or to find out more...

Townsville Office 07 4772 5400