

Annual Report 2010-2011



Acknowledgements

FKCKC wishes to extend our deepest thanks to the following people and organisations who have assisted and supported us over the past year.

Our Pro-Bono legal partner, Hall & Wilcox | Peter Seidel and Emma Rattray at Arnold Bloch Liebler | Holding Redlich | Mark Courtney, Roy Reekie and Karina Bourke at Victoria Legal Aid | Victoria Legal Assistance Forum (VLAFF) | Hugh, Michelle and Claudia and all at the Federation of Community Legal Centres | Daniel Halle-Michael | City of Melbourne | Doula Galla Community Health Service | Penny Jordan, Flemington Neighbourhood Renewal | The fantastic team at Foundation House | Refugee Minor Program | Helen Mc Murtry | Senator Gavin Marshall | Cathy Connop, Farnham Street Neighbourhood Learning Centre | Marjorie Matthew and Julie Arnot, Dignity Financial Counselling Service | Dr Berhan Ahmed, African Think Tank | Debbie Mortimar SC | Zrinjka Dolic | Legal Services Board | Jo Kirby and Erin Victorian Law Foundation | Simon Roberts | Rivkah Nissim, VEOHRC | Michelle Grossman, Victoria University | Dr Grace McQuilten (Melb Uni) | Faten Mohamad | Claire Pollot Sutton | Robin Inglis, Fitzroy Legal Service | Meaghan Fitzgerald, Fitzroy Legal Service | Jan Thorpe, Moonee Valley Legal Service | Khoi Cao-Lam, North Melbourne Legal Service | Carmen Tommasi, Moreland Community Legal Centre | Robbie McEwan, YouthworX | Verb Cafe | Cymbeline Buhler, Western Edge Youth Arts | Michele Lee, Victoria Legal Aid | The Done By Law team at 3CR radio | Brian Walters SC | Charandev Singh | Jane Dixon SC | Emrys Nevapil | Pheobe Knowles | Annie Nash and Pheobe Button and all at Flat Out inc. | Robert Stary

Many others are individually thanked within this report



ABOUT US

Flemington and Kensington Community Legal Centre (FKCLC) has a history of working closely with its community to address legal issues of concern. We assist people who live, work or study in the Flemington and Kensington area. Our service may at times take on casework from other agencies on a referral basis.

OUR AIMS

Our Centre seeks to ensure that all people in the community have equal access to justice, are aware of and can assert their legal rights, and that they understand and respect the rights and responsibilities of others in the community.

The Centre also aims to ensure that the process of changing laws is responsive to changes in the community, and that laws have the same impact on people regardless of their income or power. In short, the Centre aims to assist disadvantaged groups within the community to understand and deal with what can at times be a disempowering legal system.

OUR WORK

The Centre works to provide a safe, reliable and accessible legal resource by:

- Providing free, accessible, high-quality legal casework relating primarily to consumer rights, debts, fines, general family law (advice and referral only), police issues, social security, tenancy and wills, and an offshore refugee migration service.
- Contributing to law and policy reform by seeking the views of individuals on issues of law reform and working through state-wide and national Community Legal Centres, working groups, and local community networks.
- Providing community legal education by presenting sessions at local secondary schools, cultural community groups, nursing homes, and other community agency forums, and updating the Police Powers Booklet, a joint bi-lingual publication between FKCLC and Victoria Legal Aid.
- Working to improve the skills and social justice awareness of legal students and other community members through a strong, accessible volunteer program.
- Developing strong collaborative networks and relationships, including relationships with individual community members who play a key role in educating others about the law.
- Working with the community on changing laws that disadvantage them, and empowering them to take control of the problems they are experiencing.



**Flemington &
Kensington
Community
Legal Centre** Inc

The People

2010 2011 BOARD OF MANAGEMENT

Karen Pyke	Chairperson
Amanda Pagan	Treasurer
Tim O'Neill	Public Officer
Kathy Richardson	Secretary (Resigned April 2011)
Genevieve Nihill	Member
Steven Jell	Member
Linda Gale	Member
Jenny Si	Member
Dianne Couch	Member
Jacob Uljans	Member
Sophie Coleman	Member
Teresa Fitsimons	Member

2010 2011 STAFF

Tamar Hopkins	Principal Solicitor
Sharon Carr	Solicitor
Joni Gear	Solicitor (resigned August 2010)
Lynnette Barratt	Locum Solicitor
Denise Gardner	Migration Agent
Anthony Kelly	Executive Officer
Simon Roberts	Executive Officer (resigned March 2011)
Thuan Nguyen	Admin/Finance Office
Fay Spear	Cleaner

Farewell for former Executive Officer, Simon Roberts 15 April 2011.

2010 2011 VOLUNTEERS

Adrian Praljak	Lauren Panetta
Alanna Cook	Leah Perkins
Alexandra Galanti	Marisa Black
Alicia Dyer	Marisol Sanchez Lopez
Amy Brennan	Michele Gehrig
Annika Holden	Morgan Jaguar
Anthia Atsis	Nadine Di Blasi
Ashraf Ali	Nadja Mack
Blaise Alexander	Neva Skilton
Christina Wong	Nilanka Goonettrake
Christopher Rodrigues-Nascimento	Pippin Barry
Dan Cash	Sahrah Hogan
Erin Buckley	Sara Domijan
Frederick Brodie	Shabana Ahmed
Georgia Boyce	Simone Grieve
Heather Boyle	Skanda Kumble
Jack Hobbs	Sonja Horgan
Jack Kenchington-Evans	Sophie Coleman
Jacob Uljans	Tallace Bissett
Jenny Si	Thomas Campbell
Josh Wignell	Tim O'Neill
Juliet Armatolos	Victoria Ng
Kate Kulman	Yasmin Mitchell
	Zoe Keith

FUNDING AND SUPPORT

The Centre's core funding is provided by Victoria Legal Aid and the Commonwealth Community Legal Services Program

We received small grant from Victoria Law Foundation for printing of Racial Profiling Research Project.

A special thank you to V. Johnstone-Blyth, D. Giovannitti, A. O'Regan, V. Zeqaj, M. Duong, K. Richardson and anonymous for their generous donations.



Chairperson's Report

Flemington Kensington Community Legal Centre has again provided exceptional support to members of this community and has been at the forefront of responding to legal issues which extend beyond the immediate needs of the local community. While we had to cope with the continuing challenge of meeting client demands with a diminishing level of funding the Centre can be proud of its achievements in this year.

Simon Roberts departed from the Executive Officer role in April of this year and I would like to thank him for his energetic contributions to this Centre. He has left a sound ship and we have all appreciated his determination to build a renewed, re-invigorated and sustainable organisational structure and profile. In particular he is commended for his extraordinary sector wide advocacy in the national CLC funding campaign, for his leadership role in the 2010 CLC Multiple Bargaining Agreement negotiations and his determined support for CLC sector pay equity.

We have been extremely fortunate in being able to employ Anthony Kelly to fill this challenging role. He has brought enthusiasm and a commitment to continue to fight for adequate resources, funding and staff for the Centre. He has displayed a strong commitment to the pursuit of human rights for our community members and I thank him for the smooth transition he has made in fulfilling his role as Executive Officer.

Kathy Richardson departed from the Board of Management this year and I would also like to thank her for her enormous contribution to this Centre. Kathy was an extremely committed Board member and brought with her valuable knowledge and understanding of board management and policy making. She was an active participant in sub-committees of the Board and her thoroughness was a great asset to the Centre.

In 2010/11 the Flemington Kensington Community Legal Centre cemented its role in police accountability law and strategies. Tamar Hopkins, awarded the 2010 Law Institute of Victoria Community Lawyer of the Year, continues to provide the sort of visionary and pragmatic determination that her role requires and that is increasingly seeing results as you'll see from her report below.

The reality of war and persecution is never far from the day to day work of Denise Gardner, our Migration Agent, whose work in the extremely complex and specialised area of family reunifications and with unaccompanied minors defines this centre's long term commitment to human rights, legal protection and justice.

Sharon Carr, our tenacious generalist solicitor, coordinates our Night Service and provides our ever busy generalist legal service. Sharon addresses the disadvantage and vulnerabilities faced by our clients on a daily basis and delivers a truly superb legal service.

Making the most of our funding is only possible through a continued dedication to maintaining the highest standards in financial management, administration and planning. I'd like to thank our Administration and Finance Officer Thuan Nguyen and our Treasurer, Amanda Pagan for their brilliant and combined efforts in this.

Our significant achievements this year are due to the passion and dedication of our staff and our team of amazing volunteers. We could not thank them enough for their continued commitment to making a difference to the lives of our clients. A special thank you to our volunteer, Heather Boyle who provided us with professional receptionist support two days a week.

Flemington Kensington Community Legal Centre has never worked alone. Our partnerships with local, state and national community organisations and bodies continue to flourish. I personally want to thank our many allies, friends and valued supporters, some of whom remain anonymous, for their trust and solidarity in our shared quests.

In particular, we need to thank our community law partners, Hall & Wilcox, who provide valuable administrative, legal and research for us each year as well as supporting volunteers on our Board and nights service. We also thank our many pro-bono QCs, barristers and legal support teams backing up and supporting our casework and police accountability work.

Our historical relationship with our neighbours, Doutra Galla Community Health Service continues to grow and

evolve with the times, as does our valued relationships with other community legal centres throughout the West.

The Centre has shared premises with Dignity Financial Counselling for many years and we have enjoyed the support they have provided for many of our clients. Unfortunately they announced this year that they would be closing this service. We would like to thank them for this support, for their shared tenancy and for so many years of superb financial counselling services for so many people.

We have been particularly grateful for the vital sector advocacy and continuing day to day support of the Federation of Community Legal Centres and the National Association of Community Legal Centres.

I believe this Centre has always responded to challenges which emerged in our community but which we have been able to relate to broader issues in our society and with their support we have been able to pursue our clients needs but also to raise awareness of the need to be vigilant and proactive in relation to emerging legal and human rights issues beyond the local community.

Karen Pyke,
Chair, Board of Management



Tamar Hopkins received the 2010 Law Institute of Victoria Community Lawyer of the Year

Executive Officer's Report

Starting at Flemington Kensington Community Legal Centre earlier this year has felt like an enormous honour.

I've felt humbled by the extraordinary work of so many current and previous staff, volunteers and the community here in the inner west who have built such a powerful legacy of determined campaigning, legal defence and community development work here over so many decades.

To do justice to that legacy, and build upon it for the years ahead, is indeed a challenge, but something that the current team here at Flem-Ken seem determined about.

The curved and mutually supporting shapes of our new logo gracing its first annual report, encapsulates calmness and approachability, trust and strength, and the two suburbs we proudly serve. This refined look and feel communicates organisational changes that run much deeper.

Our new strategic plan, which Simon Roberts and staff oversaw early this year, builds upon the centre's work over recent years, focussing on our three core legal programs; the generalist legal service, our migration service, and the Police Accountability work but integrating them into a coherent whole. This plan guides the way we balance and integrate these three vital aspects of our mixed service model.

Whilst revising its internal structure over recent years, Flemington Kensington Community Legal Centre has maintained the deep commitment to the progressive, democratic and non-hierarchical processes it was founded upon. This is something that attracted me to the organisation and I believe it is a strength that is reflected in the high commitment and low turnover of staff and the assertive, brave and empowered approach individual staff takes to their work.

This year we have also enhanced our communication to members and to the wider public through regular email newsletters, inter-networked social media and as much face to face outreach as possible.

For a small organisation with a very modest budget, the reach of our work is considerable. In 2010/11 we conducted important racial profiling research, filed groundbreaking race discrimination and police accountability cases, participated in some fantastic community theatre projects, community legal education sessions, won awards, distributed the Police Powers Handbook and our Public Housing Factsheets, both produced in conjunction with the Victorian Law Foundation, reunited families split by war and persecution, and, despite a reduction in staff from recent years, directly helped over 1,386 people with legal problems. The stats themselves do not express the many days, weeks, months and even years on particular cases, the court appearances, the extraordinary large files and all the times staff and volunteers go beyond what is expected of them to help clients in need.

We acknowledge and thank Victoria Legal Aid and the Commonwealth Community Legal Services Program for making this work possible and its ongoing commitment to the community legal sector.

Flemington Kensington Community Legal Centre has never worked alone. Our partnerships with local, state and national community organisations and bodies continue to flourish. I personally want to thank our many allies, friends and valued supporters for their trust and solidarity in our shared quests. It is simply a privilege to work alongside so many dedicated human rights defenders.

As staff we are very fortunate to be fully supported by our Board and Chair, Karen Pyke and Tim O'Neill, our Public Officer. I would like to thank each of them for their exceptional skills, wisdom and hard work over the past 12 months.

Our significant achievements this year are due to the passion and dedication of our staff and our team of amazing volunteers. We could not thank them enough for their continued commitment to making a difference to the lives of our clients. I'm personally extremely grateful for the support and encouragement extended to me by all the staff and volunteers here.



There are numerous challenges we face in the year ahead, not the least of which is diversifying our funding base and building to the staff level each of our legal areas requires.

As the newest member of the team that is Flemington Kensington Community Legal Centre I look forward to the year and its challenges ahead.

Anthony Kelly
Executive Officer

Police Accountability Project

The Legal Centre's Police Accountability Project aims to provide systemic advocacy and individual remedies to the victims of police misconduct and racial profiling. It has been a big year for the Police Accountability Project in a number of ways.

A critical shift has been the attraction of some key volunteers at the Legal Centre whose tireless work behind the scenes has meant that time consuming and document intensive litigation has been possible. Thanks in particular to Erin Buckley, Anthia Atsis, Georgia Boyle and Sahrah Hogan. We have also established an internship through the University of Melbourne Law School which has greatly enhanced our capacity. We also continue to benefit from the extraordinary assistance of a large pool of outstanding barristers and advocates.

Tamar Hopkins

Principal Solicitor



Thanks also to Laurence Maher, Erin Ramsay, Brian Walters SC, Peter Morrissey SC, Ruth Shann, Anna Forsyth, Phoebe Knowles, Charandev Singh, Zero Partos, Dr Behan Ahmed, Jane Dixon SC, Daniel Haile-Michael, Ashleigh, Tom, Josh, Sonja, Leah, Julia, Sara, Lauren, Me ad, Sarah Joyce, Chantelle Higgs, the families and the young people of the Flemington Region.

KEY MILESTONES FOR THE POLICE ACCOUNTABILITY PROJECT:

- The filing in the Federal Court of a Race Discrimination complaint Haile-Michael v Konstantinidis & Ors on behalf of a number of young men in the Flemington & surrounding regions. The Legal team made an application for a Protective Costs Order for our clients that was consented to by the police and State of Victoria. Thanks to Peter Seidel and Emma Rattray at Arnold Bloch Leibler as well as Rachel Doyle SC, Emrys Nekvapil, Gabi Crafti and Claire Harris.
- Confidential settlement following a 16 day hearing in the matter of Koua & God v Gray & Ors, thanks to Josh Wilson SC, Kathleen Foley, Dyson Hore-Lacy SC and Elizabeth Tueno. This was a case involving publically reported allegations of assault, false imprisonment and racial taunts by two young Africans against members of Victoria Police
- Confidential settlement in F. v S. & Ors, thanks to Dyson Hore-Lacy SC and Emrys Nekvapil. This was a case involving allegations of excessive force during an arrest under section 10 of the Mental Health Act.
- Filing of Ahmet v Robertson & Ors, thanks to Trevor Monti. This is a case involving allegations of assault and excessive force during an arrest and at the Flemington Police Station.
- Filing of Butterfield v van Oosterwyck & Ors, thanks to Klaus Mueller.
- This is a case involving allegations of assault and mistreatment of a protestor at an anti-intervention protest at Heidelberg Centrelink.
- Filing of Zeqaj v Tillerkeratne & Ors, thanks to Karina Szwaja and Michael Cahill
- This is a case involving allegations of assault during the purported execution of a search warrant at a house.
- Withdrawal by the police of charges, one hour in the hearing in a children's court matter, thanks to Andy Naido. This is a case involving allegations of assault during the purported execution of a search warrant at a house.
- Filing in the Australian Human Rights Commission a complaint on behalf of 10 young Africans, thanks to Michael Stanton. This is a case involving allegations of racial profiling, racial taunts and unlawful searches and assaults against young Africans in the Carlton area.
- Filing in the Federal Magistrates Court of G. v S. & Ors. Thanks to Nola Karapanagiotidis and Karina Szwaja. This is a case involving allegations of a racial taunt.
- Obtaining the Victoria Police Discipline Investigation Manual through an FOI application Zeqaj v Victoria Police, just prior to a VCAT hearing, thanks to Jim McKenna.
- Involvement in a Joint Submission with the Federation of CLCs, Darebin CLC and the Human Rights Law Resource Centre to the OPI review on the investigation of deaths in custody. Our contribution drew on the international research done through the VLF CLC Fellowship in 2009-2009.
- Submission on behalf of Tyler Cassidy's family and the family of Graeme Jensen to the OPI review on the investigation of deaths in custody.
- Organising a taser forum at the National CLC conference in Melbourne for the National Police Accountability Network.
- An article in the Alternative Law Journal – "When complaint systems fail.
- Award of the 2010 LIV Community Law of Year Award.
- Acceptance of the Individual Communication to the UN Human Rights Committee of Gail Hickey on behalf of TJ Hickey. We are waiting on the Australian Government's reply. Thanks to Emrys Nekvapil, Sharon Broomhead, Ray Jackson and the Indigenous Social Justice Association in Melbourne.
- Following submitting a reply to the Australian Government, we are now waiting for the UN Human Rights Committee to make a decision about Corinna Horvath's individual Communication to the UN. Thanks to Dyson Hore-Lacy SC, Michael Stanton and Phoebe Knowles.
- In August 2010 we completed the Race or Reason? report, an extensive and unique research project on young people's experience of police encounters. Undertaken by Zrinjka Dolic, this research began in 2009 and was publically launched in July 2011. This project will be built upon this year as we advocate for its key recommendation; a stop and search receipting policy for Victoria Police.

Space Invaders

Police interactions with young people contain an inherent power imbalance. This can lead to hostility and violence, as regularly reported to us here at Flemington Kensington Community Legal Centre. Police powers often create a situation where “police enforce particular notions of acceptable usage of public space. This results in police-youth conflict.”¹ The short-term effect may be a struggle to assert ownership of space, but more alarming are the long-term effects on young people. A single incident can lead to a criminal charge, consequently introducing a young person to the criminal justice system.

In this context Flemington Kensington Community Legal Centre in partnership with Victoria Legal Aid (VLA) and Western Edge Youth Arts developed an innovative and unique community legal education project, interactive theatre piece, called Space Invaders.

Space Invaders was developed by and for young people and aimed to educate and empower young people about legal rights when dealing with police, and equip young people to de-escalate situations of conflict. Space Invaders involved many months of development and rehearsals and was finally performed during August 2011 to selected schools where young people often present with stories of negative encounters with police.

The project worked with clients, or youth experts, from our catchment area as well as others. A youth expert was someone who has had contact with the criminal justice system. For these young people, whether newly arrived or not, this theatre project helped build resilience and empowerment by allowing them to re-frame negative experiences and reflect on their learnings by contributing to an educational theatre piece for their peers. These young people were central in working with the artistic team, creating stories with powerful and empowering messages.

The artistic team was led by Director Cymbeline Buhler, Western Edge's Artistic Director, in collaboration with Assistant Director: Ahmed Dini; Playwright Adam Cass; emerging young Playwright Bejinj Chol and a wonderful team of actors. Tamar Hopkins from FKCLC was extensively involved in the writing, rehearsals and performances, providing legal insights and information from within the game-show style theatre, and Anthony Kelly also provided some training and consultation in the development stage.

The mentoring artists, Cymbeline and Adam Cass, are both award-winning artists brought a wealth of experience supporting young emerging artists, community partnerships and direct practice in their respective fields. The young emerging artists we

worked with had extensive previous experience in the subject matter and fantastic interactive theatre skills!

Outcomes for this project were many. The young people who participated and saw the numerous performances were empowered in knowing their rights with police officers and in seeing practical strategies for how to exercise these rights. In a sense, the young person got to see worst case and best case scenarios in a fictional setting, equipping them for similar scenarios that might occur in the real world. The long-term benefit is that any of the youth audience members may avoid escalating a situation with a police officer, and therefore avoid criminal charges. More broadly, this project also has the potential to address issue of community safety by encouraging better relationships between young people and police.

We would like to thank everyone involved with this exciting project and recognize that the need for important initiatives like this continues.

¹ Boys, You Wanna Give Me Some Action 2010, Springvale Monash Community Legal Service.



Another busy twelve months for the generalist service. Sadly for us, Joni Gear resigned (to take up a graduate position at Victoria legal Aid), leaving the generalist service with a staff of one (although thankfully, a fabulous team of volunteers). We returned to having one night service per week. A locum solicitor, Lynne Barratt, stepped in to finalise several of Joni's files, until the end of 2010, but since then I have been on my own.

The Night Service saw a range of criminal law, infringements, welfare rights, tenancy, consumer law, motor vehicle accidents, wills and Power of Attorney. There were many interesting cases. One long-term neighbourhood dispute was finally resolved by our chipping away at Office of Housing (we are nothing if not tenacious) until they moved the offending party.

Sharon Carr
Solicitor



CASE STUDY

Graham Evans* worked as a driver for a trucking company. He and his fellow drivers received (incorrect) advice from company management in relation to taking breaks between shifts. It appeared to us that the company had put pressure on drivers to take less breaks, and work longer shifts, (in breach of the rules) consequently maximising company profits (but also jeopardising health and safety).

VicRoads investigated, and laid charges against both the company and all the drivers. Mr Evans faced over 200 charges. The charges were of the kind known as absolute liability, meaning there is no defence available, not even that of reasonable mistake. Mr Evans could have been fined thousands of dollars. We knew the court could not entertain a not guilty plea, but we were worried about potential penalties. We only dared to hope for a finding that the charges were 'proven and dismissed'.

We prepared a plea in mitigation, tendering the (written) memos from company management inappropriately instructing drivers to take fewer breaks. We briefed Counsel as we knew Mr Evans would be disadvantaged appearing in person against VicRoads prosecutors.

In court, all charges against Mr Evans were struck out. He came straight from court to give us the good news, and the big smile on his face was a joy to behold. We don't necessarily do the job for the smiles (but they certainly help!).

*Not his real name

Migration Service

There is an old Chinese curse “May you live in interesting times! It has certainly been an interesting year in the world of your humble migration agent. Boats of desperate people landing on Christmas Island, overstaying backpackers, angry politicians & shock jocks and all along I think of a book I read in 1980 There goes the Neighborhood! A book written when the boat people were Vietnamese who were apparently setting up ghettos in Richmond and Footscray. These suburbs have become culinary havens and children of these same refugees now sit in corner offices in big city firms and fill many and varied professional roles they are politicians, doctors and lawyers. They have mortgages and speak in the broadest of strine.

So it will be for the Ethiopians, the Burmese, the Afghans now passing through our office. But in the meantime we press on with the day to day struggle to reunite families and here I will provide an example that demonstrates the pain of the job as well as the good will of many hardworking and sympathetic people.

A few weeks back I was at the airport (armed with warm jumpers and teddy bears) to welcome five children to Australia. Six months ago their mother had come to our office with her Foundation House worker. She had been granted political asylum and was desperate to have her children here. Immigration law gives her the entitlement to have them join her here. Her husband had vanished in their homeland ~ perhaps in prison for his political activities, perhaps recovering from a known assault by local authorities, perhaps simply hiding to shield his children from further harassment.

This story is like many others in my filing cabinet. However her health was rapidly deteriorating, her doctors advising that she might have only weeks or months. Forms were lodged, doctors reports gathered, favors begged. officers from the Immigration Department (both here and overseas) went out of their way to help prioritizing interviews and medicals. The local M.P.'s office sprang into action, IOM (the International Organization of Migration) found seats on a booked out plane. All of this co-ordinated by Giovanna at the Victoria Foundation for the Survivors of Torture.

Suddenly a household in western Melbourne has doubled in size and the children can be with their mother to say farewell. Next stop a visit to Red Cross

Tracing to try to locate their missing father and hopefully the process can start again.

In conclusion, I need to point out that despite all the aggressive anti refugee rhetoric I have been amazed at the willingness of our volunteers to become involved in this overlooked legal work. They fill in forms, make phone calls, take meticulous file notes and write letters. They follow DHL packages with passports from Addis Ababa to Nairobi and hand out tissues. Why? I hope that they see that migration is an exciting practice and bringing families to safety is a good and decent thing to do.

Denise Gardner
Migration Agent



Administration and Finance Officer's Report

Greetings, readers! It's me again. I love this place and very much enjoy my work - that's why I'm still here after 13 years.

My main tasks are to prepare financial reports – preparing the monthly reports for Board meetings, monthly bank reconciliation for general & trust accounts, preparing quarterly Business Activity Statement (BAS), enter data for the Community Legal Services Information System (CLISIS) etc. Any things that relate to the numbers I really enjoy, even though sometimes it gives me a bit of a headache to make things balance. Beside these main tasks, I also do general office tasks.

In late February 2011, I attended a “Making Sense of Financial Statements” training at Multicultural Hub. This training was organized by VCOSS and conducted by Matrix on Board. Now, I understand more about Financial Statements and the training was good.

In early August 2010, it is sad to hear our lovely solicitor & internal IT expert, Joni Gear resigned. Following Joni's resignation, in late March our Executive Officer – Simon Roberts also resigned. Luckily, we now have Anthony Kelly replacing Simon, as Kylie loves to sing “We should be so lucky, lucky lucky...” (I like Kylie's song).

Prior to end of the financial year, Flemington and Kensington Community Legal Centre received a donation of \$28,000.00 from an anonymous supporter. This donation provided an extra day for a Police Accountability Project for 2011-2012. We are deeply appreciative of this generous donation.

We would also like to thank Senator Gavin Marshall's office, Teresa Fitzsimons from Australian Government Solicitor & one of Tamar's client for their enthusiastic support.

This year, we have been working hard to achieve a comfortable surplus, another happy and exciting year! Thanks to our Board Members especially our excellent Treasurer, Amanda Pagan, who is always very helpful when I need her.

Thanks to all our volunteers for their valuable time here. Also a million thanks to our very cheerful Admin Volunteer, Heather Boyle. Of course, finally I will not forget to say thanks to my “work mates” for their help during the year!

Thuan Nguyen
Admin/Finance Officer



Volunteers

Volunteers are the lifeblood of this community legal centre. We simply could not do without them. They each bring their skills, knowledge, training and life experience to the centre and contribute far beyond just giving their time and doing tasks.

Volunteers connect us with the community. They contribute to our organisational culture and growth. Volunteers govern and oversee on our Board and get behind our efforts to fundraise and draw in support. They laugh with us and learn alongside us. They share in the trials and challenges of staff as we navigate complex community legal work.

The Flemington and Kensington Community Legal Centre would like to thank all the volunteers who have worked with us over the past year, for contributing so much.



Yet again we thank the indomitable volunteer, Heather Boyle who applies her wealth of community experience as she staffs the busy reception desk 2 days each week.

I am a post-graduate law student at Melbourne Law School. During my volunteer placement at Flemington and Kensington Community Legal Centre, I worked on the Racial Discrimination complaint in the Federal Court of Australia. This was a great opportunity to develop my legal skills in a fast-paced environment and see first-hand how I could make a contribution to peoples lives through my law studies. My role in the great legal team, which included the one and only Tamar Hopkins, was to interview all clients, research current laws and cases, prepare affidavits, liaise with the team of solicitors and barristers on a daily basis and ensure that the clients needs were met. In the end, we achieved the result that we wanted at court and it was largely due to the perseverance and determination of the legal team, the group of young and talented men that were representing their community and of course Tamar Hopkins, who will never stop until justice is done for persons adversely affected by police brutality.

Sahrah Hogan

Having worked full time through the duration of my degree, I had not been able to find the time to volunteer whilst studying - something that I was never really happy about. So at the end of my degree and having finished up at work, I began volunteering at FKCLC four days a week. And I am so glad that I am having the volunteer experience - it is everything I had hoped for. I am daily inspired by the drive of the Flem Ken team to service community needs to the best of their ability. I am amazed by and grateful for the patient and thoughtful responses to the endless barrage of questions I interrupt the staff with on a daily basis. Their readiness to teach has brought about in me, a quiet resolution to always support in some way, the community sector throughout my future career in law, regardless of where that career might take me.

I had always been aware of access to justice issues in the community, and volunteering at FKCLC has given me a determination to go from awareness to action!

Anthia Atsis

Centre Statistics

OVERVIEW OF INDIVIDUAL CLIENT WORK

Our 2010-2011 Centre activities statistics reflect a small drop in the number of clients, cases and projects at the centre.

The total number of clients this year was 518, a drop of 5.9% from last year's clients.

Total number of actual legal cases open during this year (already open and new) was 569, down from 627 last financial year. A drop of 9.2%.

The number of face to face, advice only sessions was 333 compared with 397 over the previous year, representing a 16% reduction.

For Informations or referrals, we recorded 484, almost identical to last year's 486.

These relatively small drops in our capacity to see clients and open new cases reflect the loss of two solicitors and a community development worker, a significant 26% drop in the staffing level, from the previous year.

The loss of our dedicated community development worker position has resulted in less non-casework projects, which include community legal education sessions and programs, law reform and advocacy projects being recorded this year. This year we undertook 15 non-case work projects of various lengths, significantly down from the 26 different projects we recorded the previous year.

These projects include community legal education sessions at local agencies, schools and community groups, submissions to government and public talks and

training activities. These recorded activities generally do not include the extensive amount of media work and communications that accompanies law reform activities and advocacy.

Of course the stats themselves do not express the high proportion of specialist files undertaken by the centre which, in a high proportion of cases, are long and involved, some taking months and even years, involving court appearances and extraordinary large files.

Over a longer time period our service level statistics are steadier. This year we plan to record projects, activities and cases diligently, improve our case work efficiencies and practices, and examine how best to leverage our volunteer base, external partners and options to increase our overall staff level.

Client by Law from 1.7.2010 - 30.6.2011

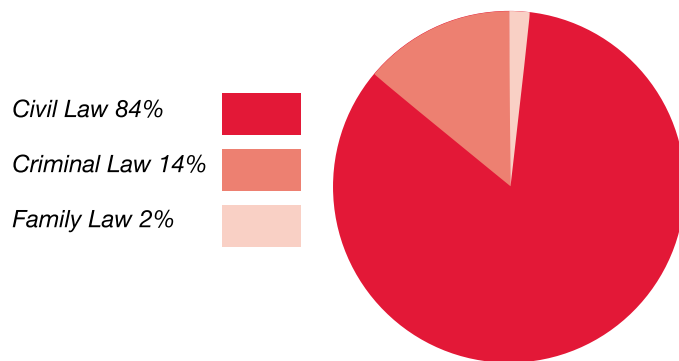


Figure 1: Clients by Law Type - recorded over the 2010-2011 financial year.

Top 10 Problem Types from 1.7.2010 - 30.6.2011

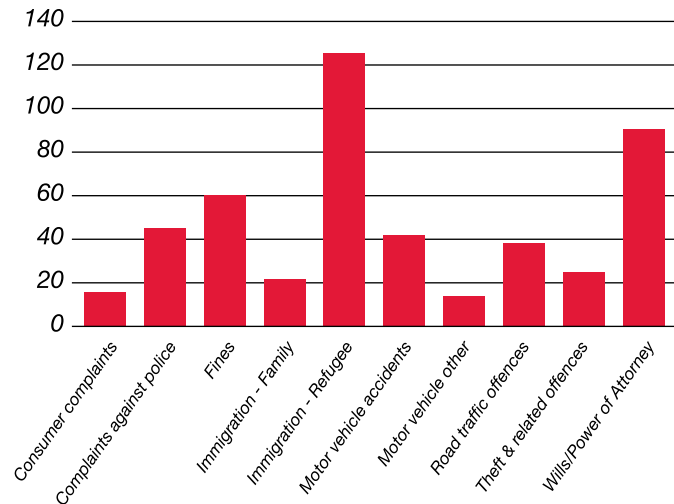


Figure 2: The top 10 legal problem types - recorded over the 2010-2011 financial year.

Top 10 Country of Birth by Client from 1.7.2010 - 30.6.2011

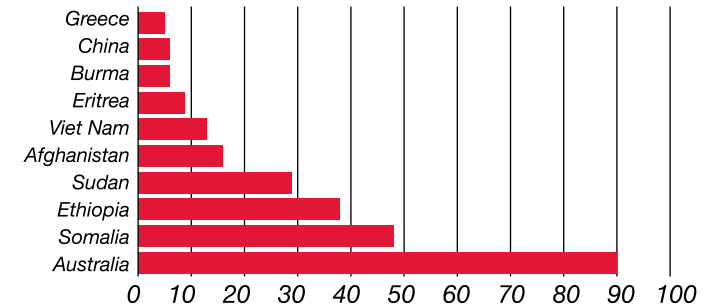


Figure 3: Top 10 Clients Country of Birth - recorded over the 2010-2011 financial year.

Financial Report for the Year Ended 30 June 2011



INCOME AND EXPENDITURE STATEMENT FOR THE YEAR ENDED 30 JUNE 2011

Income	Note	2011 \$	2010 \$
CLC Recurrent - Commonwealth		90,112	88,692
CLC Recurrent - State		194,896	185,026
CLC Income carried forward		(19,022)	-
VLF - Racial Project		1,700	2,959
Legal Services Board		-	41,500
Fundraising/Donations		334	350
Interest received		6,604	5,467
Sundry - Salary Recoupment (W/Cover)		36,997	32,530
Other Income		6,103	7,956
		317,724	364,480

Expenditure			
Amenities		1,071	1,198
Annual Leave Loading		4,033	3,195
ASC Lodgement Fees		42	41
Audit		2,551	2,300
Bank Charges		1,083	1,434
Cleaning		2,564	3,336
Dignity expenses		3,482	3,793
Electricity, Gas & Fuel		2,227	2,528
Insurance		3,852	3,340
Library & Subscriptions		2,726	3,451
Legal Services Board - Racial		1,700	44,346
Membership		877	493
Migration Agents Certificate		95	95
Minor Equipment Purchases		3,040	1,485
Other		1,727	1,287
Postage		1,895	1,766
Practising Certificates		1,114	851
Provision for Annual Leave		(8,309)	2,086
Provision for Long Service Leave		12,682	5,507
Rent		3,640	3,640
Salaries - Permanent Staff		211,597	265,771
Stationery & Photocopying		5,058	2,815
Superannuation - Permanent		18,547	23,097
Telephone		5,839	6,087
Training		1,949	4,136
Travel		73	112
Work Cover Insurance		1,133	1,150
Work Cover Salary		36,997	32,530
		323,285	421,870
Profit before income tax		(5,561)	(57,390)
Income tax expense	2	-	-
Profit after income tax		(5,561)	(57,390)
Retained Profits at the beginning of the financial year		45,142	102,532
Retained Profits at the end of the financial year		39,581	45,142

Financial Report for the Year Ended 30 June 2011

ASSETS AND LIABILITIES STATEMENT 30 JUNE 2011

	Note	2011 \$	2010 \$
Current Assets			
Cash	3	157,156	120,545
Trade and other receivables	4	977	5,111
Total Current Assets		158,133	125,656
Non-Current Assets			
Property, plant and equipment	5	5,152	-
Total Non-Current Assets		5,152	-
Total Assets		163,285	125,656
Current Liabilities			
Trade and other creditors	6	14,845	23,098
Amounts received in advance	7	48,490	1,420
Provisions	8	16,508	24,817
Total Current Liabilities		79,843	49,335
Non-Current Liabilities			
Provisions	8	40,691	28,009
Total Non-Current Liabilities		40,691	28,009
Total Liabilities		120,534	77,344
Net Assets		42,751	48,312
Members Funds			
Retained profits		39,581	45,142
Reserves	9	3,170	3,170
Total Members Funds		42,751	48,312

STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2011

	Note	2011 \$	2010 \$
Cash Flows from Operating Activities			
Receipts from government grants (recurrent)		285,008	267,395
Receipts from customers		41,000	43,795
Payments to suppliers and employees		(290,849)	(402,502)
Interest received		6,604	5,467
Net Cash provided by operating activities	10	41,763	(85,845)
Cash Flows from Investing Activities			
Payments for purchase of property and equipment		(5,152)	-
Net Cash provided by (used in) investing activities		(5,152)	-
Net increase (decrease) in cash held		36,611	(85,845)
Cash at the beginning of the year		120,545	206,390
Cash at the end of the year		157,156	120,545

Financial Report for the Year Ended 30 June 2011

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2011

Note 1: Statement of Significant Accounting Policies

This financial report is special purpose financial report prepared in order to satisfy the financial reporting requirements of the Associations Incorporations Act 1981 (Vic). The committee has determined that the association is not a reporting entity.

The financial report has been prepared on an accruals basis and is based on historical costs and does not take into account changing money values or, except where specifically stated, current valuation of non-current assets.

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

a. Cash and Cash Equivalents

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

b. Income Tax

The income tax expense (revenue) for the year comprises current income tax expense (income). The association does not apply deferred tax.

Current income tax expense charged to the profit and loss is the tax payable on taxable income calculated using applicable income tax rates enacted, or substantially enacted, as at the end of the reporting period. Current tax liabilities (assets) are therefore measured at the amounts expected to be paid to (recovered from) the relevant taxation authority.

The Association is exempt from paying income tax by virtue of Section 50-45 of the Income Tax Assessment Act, 1997. Accordingly, tax effect accounting has not been adopted.

c. Property, Plant and Equipment

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

The depreciable amount of all property, plant and equipment is depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use. Leasehold improvements are amortised over the shorter of either the unexpired period of the lease or the estimated useful lives of the improvements.

d. Employee Entitlements

Provision is made for the Association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits that are expected to be settled within one year have been measured at the amount expected to be paid when the liability is settled. Employee benefits payable later than one year have been measured at the present value of estimated future cash outflows to be made for those benefits.

Provision is made for the Association's liability for long service leave from commencement of employment, not from the 5 year employment period normally accrued as industry practice.

e. Provisions

Provisions are recognised when the Association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

f. Impairment of Assets

At the end of each reporting period, the entity reviews the carrying values of its tangible and intangible assets to determine whether there is an indication that those assets have been impaired. If such an indication exists, the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, is compared to the asset's carrying value. Any excess of the asset's carrying value over its recoverable amount is expenses to the income statement.

g. Revenue

Revenue is brought to account when received and to the extent that it relates to the subsequent period it is disclosed as a liability.

Grant Income

Grant income received, other than for specific purposes, is brought to account for the period to which the grant relates.

Deferred Income

Unspent grant income received in relation to specific projects and events is not brought to account as revenue in the current year but deferred as a liability in the financial statements until spent for the purpose received.

Capital Grants

Grant Income received relating to the purchase of capital items is shown as Unamortised Capital Grant and brought to account over the expected life of the asset in proportion to the related depreciation charge.

Interest Revenue

Interest revenue is recognised using the effective interest rate method, which for floating rate financial assets is the rate inherent in the instrument.

Donations

Donation income is recognised when the entity obtains control over the funds which is generally at the time of receipt.

h. Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Tax Office. In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense. Receivables and payable in the assets and liabilities statement are shown inclusive of GST.

Financial Report for the Year Ended 30 June 2011

Note 2: Income Tax Expense

	2011 \$	2010 \$
Prima facie tax payable on operating profit at 30% (2010: 30%)	(1,668)	(17,217)
Less tax effect of:		
- non-taxable member income arising from principle of mutuality	1,668	17,217
Income tax expense	<u>-</u>	<u>-</u>

Note 3: Cash and cash equivalents

Cash at Bank	66,521	57,974
Cash on Deposit	90,635	62,571
	<u>157,156</u>	<u>120,545</u>

Note 4: Trade and other receivables

Other receivables	977	5,111
	<u>977</u>	<u>5,111</u>

Note 5: Property, plant and equipment

Office equipment - at cost	36,056	30,904
Less accumulated depreciation	(30,904)	(30,904)
	<u>5,152</u>	<u>-</u>

Note 6: Trade and other payables

BAS amounts payable	-	11,155
Accrued charges	14,845	11,943
	<u>14,845</u>	<u>23,098</u>

Note 7: Amounts received in advance

Income in advance - QBE	1,468	1,420
Donations in advance - other	28,000	-
VLA grants carried forward	19,022	-
	<u>48,490</u>	<u>1,420</u>

Note 8: Provisions

Current

Provision for annual leave	16,508	24,817
	<u>16,508</u>	<u>24,817</u>

Non-current

Provision for long service leave	40,691	28,009
	<u>40,691</u>	<u>28,009</u>

Note 9: Reserves

Capital equipment (VLA reserve)	24,439	24,439
Less transfer from reserve depreciation	(21,269)	(21,269)
	<u>3,170</u>	<u>3,170</u>

Note 10: Reconciliation of Cash Flow from Operations with Profit from Ordinary Activities after Income Tax

Profit after income tax	(5,561)	(57,390)
Cash flows excluded from operating profit attributable to operating activities		

Non-cash flows in profit

- Depreciation		
Changes in assets and liabilities:		
- (Increase)/decrease in trade and other receivables	4,134	(5,111)
- Increase/(decrease) in creditors	(8,253)	10,355
- Increase/(decrease) in amounts received in advance	47,070	(41,292)
- Increase/(decrease) in provisions	4,373	7,593
Net cash provided by Operating Activities	<u>41,763</u>	<u>(85,845)</u>

STATEMENT BY MEMBERS OF THE COMMITTEE FOR THE YEAR ENDED 30 JUNE 2011

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 1 to 8:

1. Presents a true and fair view of the financial position of Flemington & Kensington Community Legal Centre Inc. and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that the Flemington & Kensington Community Legal Centre Inc. will be able to pay its debts as and when they fall due.

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


Karen Pyke - Chairperson

Dated: 9/8/11


Amanda Eagan - Treasurer

Dated: 8/8/11

Financial Report for the Year Ended 30 June 2011

Sean Denham & Associates
Business Advisors
and Accountants

Suite 1
707 Mt Alexander Road
Moonee Ponds VIC 3039

Telephone 03 9326 2699
facsimile 03 9372 7260
mobile 0417 041 611
email sean@sdcpa.com.au

FLEMINGTON AND KENSINGTON COMMUNITY LEGAL CENTRE INC.

**INDEPENDENT AUDIT REPORT TO THE MEMBERS OF
FLEMINGTON AND KENSINGTON COMMUNITY LEGAL CENTRE INC.**

Report on the Financial Report

We have audited the accompanying financial report, being a special purpose financial report, of Flemington & Kensington Community Legal Centre Inc., which comprises the committee's report, the assets and liabilities statement as at 30 June 2011, statement of cash flows as at 30 June 2011, and the income and expenditure statement for the year ended, a summary of significant accounting policies and other explanatory notes and the statement by members of the committee.

Committee's Responsibility for the Financial Report

The committee of the association is responsible for the preparation and fair presentation of the financial report and have determined that the accounting policies described in Note 1 to the financial statement, which form part of the financial report, are consistent with the financial reporting requirements of the Associations Incorporation Act 1981 (Vic) and are appropriate to meet the needs of the members. The committee's responsibilities also include establishing and maintaining internal control relevant to the preparation and fair presentation of the financial report that is free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; and making accounting estimates that are reasonable in the circumstances.

Auditor's Responsibility

Our responsibility is to express an opinion on the financial report based on our audit. No opinion is expressed as to whether the accounting policies used, as described in Note 1, are appropriate to meet the needs of the members. We conduct our audit in accordance with Australian Auditing Standards. These Auditing Standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial report in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the committee, as well as evaluating the overall presentation of the financial report.

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

Independence

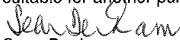
In conducting our audit, we have complied with the independence requirements of Australian professional ethical pronouncements.

Auditor's Opinion

In our opinion, financial report gives a true and fair view of the financial position of Flemington & Kensington Community Legal Centre Inc. as at 30 June 2011 and its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements, and the Associations Incorporation Act 1981 (Vic).

Basis of Accounting and Restriction on Distribution

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Association Inc. to meet the requirements of the Associations Incorporation Act 1981 (Vic). As a result, the financial report may not be suitable for another purpose.


Sean Denham

Sean Denham & Associates

Dated: 16 August 2011

CPA's

Suite 1, 707 Mt Alexander Road, Moonee Ponds Vic 3039

CERTIFICATE BY MEMBER OF THE COMMITTEE

I Karen Pyke, and I Amanda Pagan, certify that:

This annual statement was/will be submitted to the members of the association at its annual general meeting.



Karen Pyke - Chairperson

Dated: 9.8.11


Amanda Pagan Treasurer

Dated: 8/8/11



CONTACT US

Flemington and Kensington Community Legal Centre
(FKCLC)

Address: P.O. Box 487, **Flemington**, Vic, 3031
22 Bellair Street, **Kensington**, Vic, 3031

Phone: 03 9376 4355

Fax: 03 9376 4529

Email: fklegal@fkclc.org.au

Website: www.communitylaw.org.au/flemingtonkensington/

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