



MACKAY REGIONAL
COMMUNITY LEGAL CENTRE Inc.

ANNUAL REPORT 2020-2021

Annual Report 2020 – 2021

CONTENTS

About Us

Our Purpose and Vision	4
Our Region	6
Our Clients	8
Management Committee	10
Our Staff	13
Volunteers	16

Executive Reports

President's Report	18
Treasurer's Report	21
Financial Statements	23

Our Programs & Services

Funding Streams and Programs	34
- Community Legal Services Program	
- Queensland Statewide Tenant Advice and Referral Service	
- Domestic & Family Violence Duty Lawyer Service	
- Mental Health Review Tribunal Representation Service	
- Elder Abuse Prevention and Support Service	
Outreach Programs	48
Legal Advice Evenings	49
Community Legal Education	50
Community Engagement	52
Case Studies	54

The Future

Service Development	57
Reconciliation	57

Conclusion

2020 – 2021 The Wrap	58
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Snapshot

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1,132 clients
(legal advice / ongoing assistance)

92% earn less than
\$52,000 a year

69% female

30% over 50

23% (263) disability
and/or mental illness

11% (128) Indigenous
Australians

1,628 legal advices

105 legal tasks

127 D&FV duty lawyer
services

55 ongoing matters

About Us

The MRCLC

Our Centre provides a high quality, accessible and holistic legal service to the Mackay, Isaac and Whitsunday communities. Our Centre operates within a social justice framework, incorporating advocacy, community education and seeking legal change to address inequalities in the law.

The MRCLC is an independent, non-profit community organisation administered by a volunteer Management Committee, providing legal assistance through employed staff and volunteers. We are a registered charity with the Australian Charities and Not-for-profits Commission.

The Centre provides free and confidential legal advice, information, referrals and ongoing assistance to financially disadvantaged people. Our Centre also delivers presentations on various legal topics to community organisations and members on request.

We provide assistance from our Mackay office, at outreach locations throughout the Whitsunday, Isaac and Mackay (WIM) regions and by phone. Legal Advice Evenings operate twice a month, staffed by our amazing volunteers.

Address: Suite 9, The Dome
[134 Victoria Street](#)
PO Box 995
Mackay QLD 4740
Phone: (07) 4953 1211

Fax: (07) 4953 1644
Email: admin@mrclc.com.au
Office Hrs: M – F 9am-4pm
Legal Advice Evenings:
2 x month 5:30-7:30pm

Web and Socials:

www.mrclc.com.au



Acknowledgement of Country

The MRCLC acknowledges and pays respects to the traditional custodians of the land on which we work, the Yuwibara people and to Elders past, present and emerging.



We also acknowledge the connections and contributions of Torres Strait and South Sea Islanders to the Mackay region.



About Us

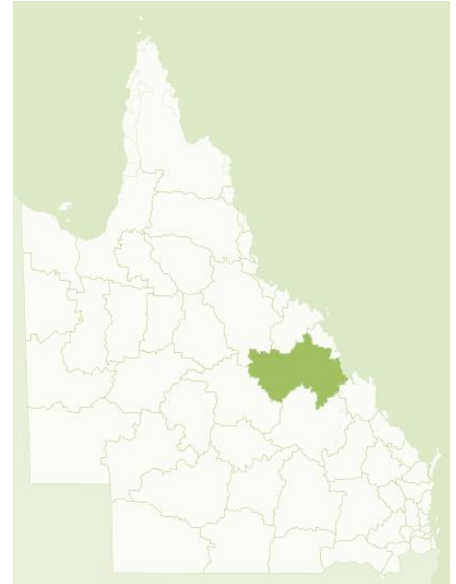
Mackay



Whitsunday



Isaac



Population – 174,816

117,902

35,927

20,987

Area (sq km) – 90,140 km²

7,614 km²

23,818 km²

58,708 km²

(ABS 2020) <https://www.abs.gov.au/>

Distance from Mackay

South	North	West
Sarina – 36km	Proserpine – 126km	Moranbah – 193km
Carmila – 87km	Airlie Beach – 149km	Middlemount – 246km
Clairview – 129km	Bowen – 192km	Dysart – 250km
St Lawrence – 159km	Collinsville – 273km	Clermont – 280km

About Us

Our Purpose and Vision

Vision Statement

To enable the most disadvantaged persons, primarily located in the Mackay, Isaac and Whitsunday regions to understand the legal system, their rights and to enforce those rights.

From the Manager and Principal Solicitor

Our staff and the community rose to the challenges thrust upon us over this past year. The pandemic's impact on service delivery led to most appointments being given by phone rather than in person. Although outreach and Legal Advice Evenings recommenced in July 2020 and in person appointments occurred as necessary. I offer a massive thanks to our hardworking staff who really do help to improve people's lives by providing high quality legal assistance in often multifaceted challenging circumstances.

With residential vacancy rates below 1% in our region, our tenancy solicitors see difficulties faced by clients firsthand. Leases are ending at higher rates than usual, and tenants find it tough to move somewhere nearby, causing distress and upheaval for their families. Nevertheless, the MRCLC helps to ensure tenants are only being required to leave on valid grounds, with required notice periods given and providing information on housing options.

With receipt of additional funding to meet impacts of COVID-19 from the Commonwealth government as allocated by the Queensland government, the MRCLC was able to see a greater number of clients than would otherwise be possible, particularly in relation to D& FV and family law.

In the first half of this year, Joeffrey Agbayani was employed with us, and at times generously volunteered, to assist us with implementing IT projects. I would like to thank our solicitors Esmeralda Reasbeck, who advised primarily in family law and residential tenancy matters, and Kay Cora, who advised primarily in residential tenancy matters, whose contracts came to an end by 30 June 2021.

I wholeheartedly thank Management Committee members Craig Oliver and Nina Swara who left the committee mid-year. I congratulate Craig, who was MRCLC's President, in his new role which, unfortunately for us, required him to leave Mackay. Nina has been a dedicated committee member for over 12 years, (coincidentally joining the same time I

did) and was also President of the MRCLC. She will be greatly missed for her experience and willingness to provide me with guidance at challenging times. Esmeralda and Maria Orcullo, a former volunteer Practical Legal Training placement, both enthusiastically joined the committee mid-year to fill these vacancies.

Welcome to Fleur Holyland Salvador for taking up the new part-time role of Business Coordinator in March 2021, and then also working as a solicitor.

I look forward to progressing the Elder Abuse Prevention and Support Service (EAPSS) program with Relationships Australia Queensland that began in September 2020, further developing monthly Moranbah outreach that commenced in August 2021, and continuing the work we perform under our other programs to help our community.

Mission Statement

To provide a high quality, accessible and holistic legal service primarily to the Mackay, Isaac and Whitsunday communities within a social justice framework, including by incorporating advocacy, community education and to seek legal change where there are inequalities in the law.

Our Objectives

- (1) To provide a free and accessible legal service;
- (2) To seek legal and social change in order to create a more just society;
- (3) To address inequalities within the law and society;
- (4) To promote legal education;
- (5) To provide a legal service that recognises the social/welfare issues facing its clients;
- (6) To provide crisis counselling and support and/or referral to appropriate agencies;
- (7) To encourage community participation in the delivery of the legal services it provides;
- (8) To develop and support self-help strategies and alternate methods of dispute resolution;

for the benefit of disadvantaged and marginalised people primarily in the Mackay, Whitsunday and Isaac Regional Council Areas and other localities that are beneficial to the Centre.

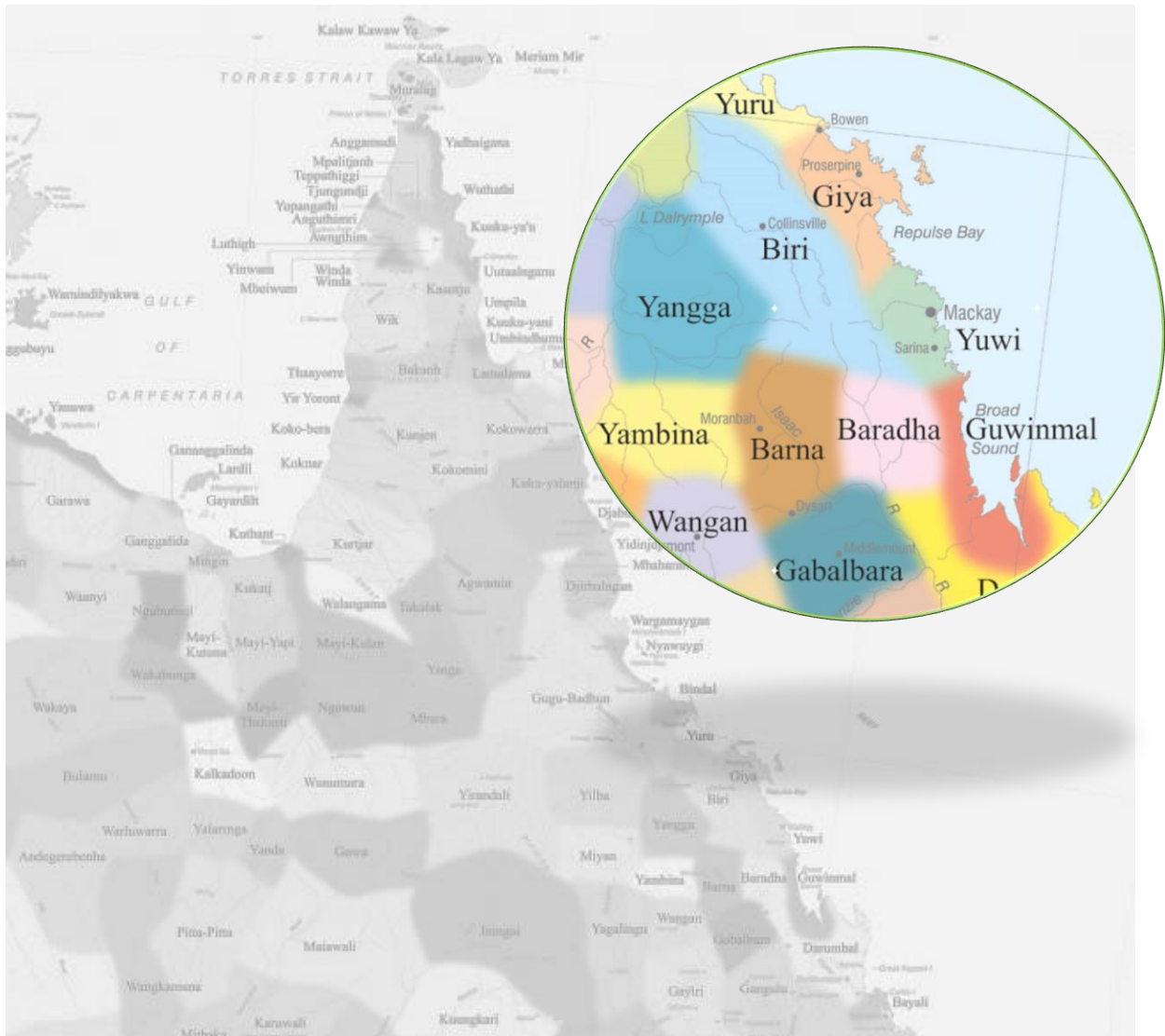
About Us

Our Region



About Us

Our Region



The MRCLC acknowledges and pays respects to the traditional custodians of the land on which we live and work, and to Elders past, present and emerging.



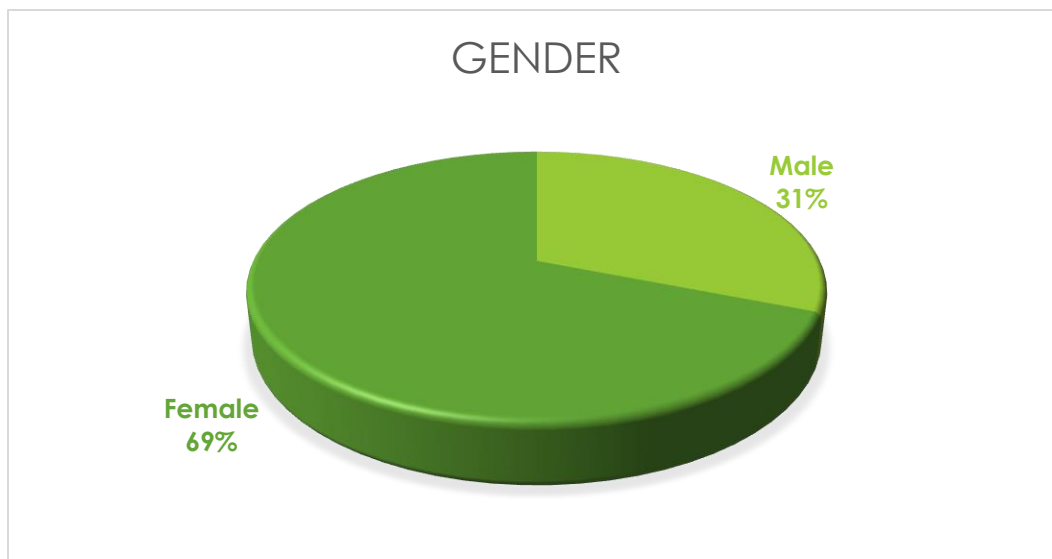
About Us

Our Clients

The MRCLC assisted 1,132 clients*

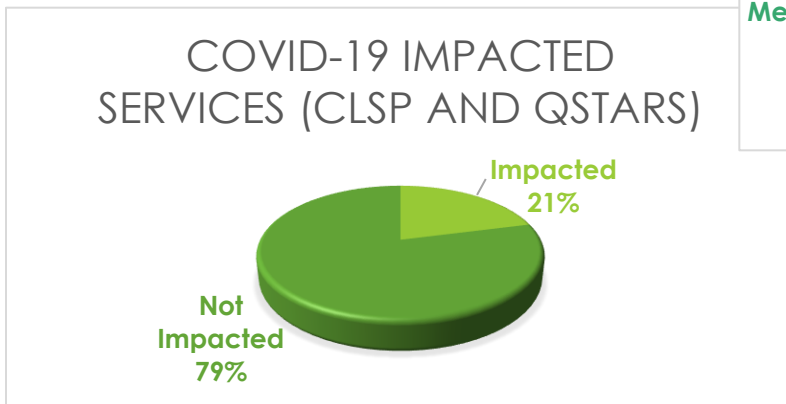
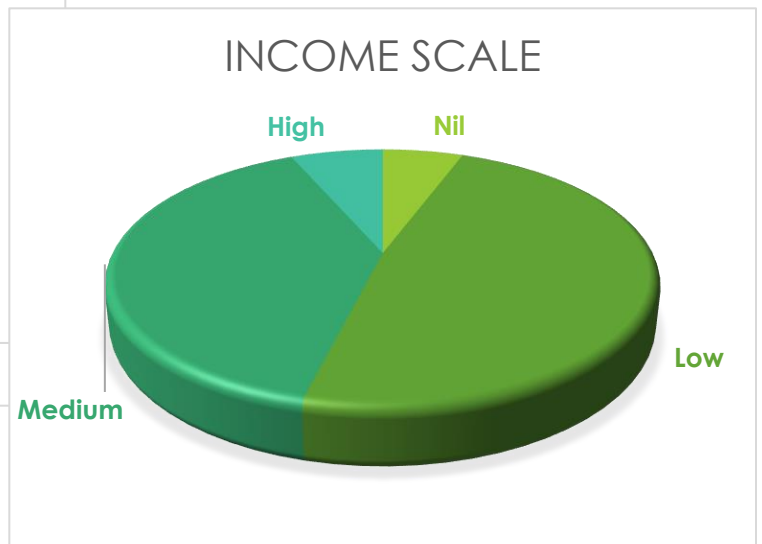
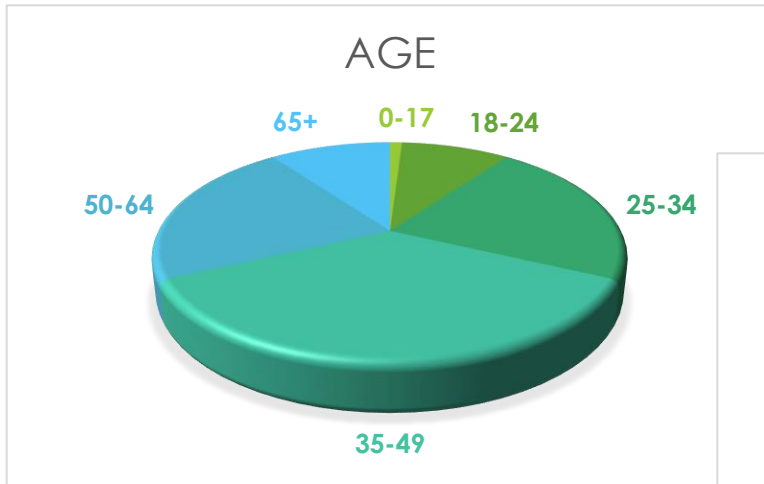
*Excludes Community Legal Education (CLE) attendees.

Information	56
Referrals	4,125
Legal Advice	1,628
Legal Tasks	105
D&FV Duty Lawyer	127
Cases Opened	49
Cases Closed	46
CLE Resources & Publications	4
CLE Presentations	15
Law Reform (changes to residential tenancy legislation)	1

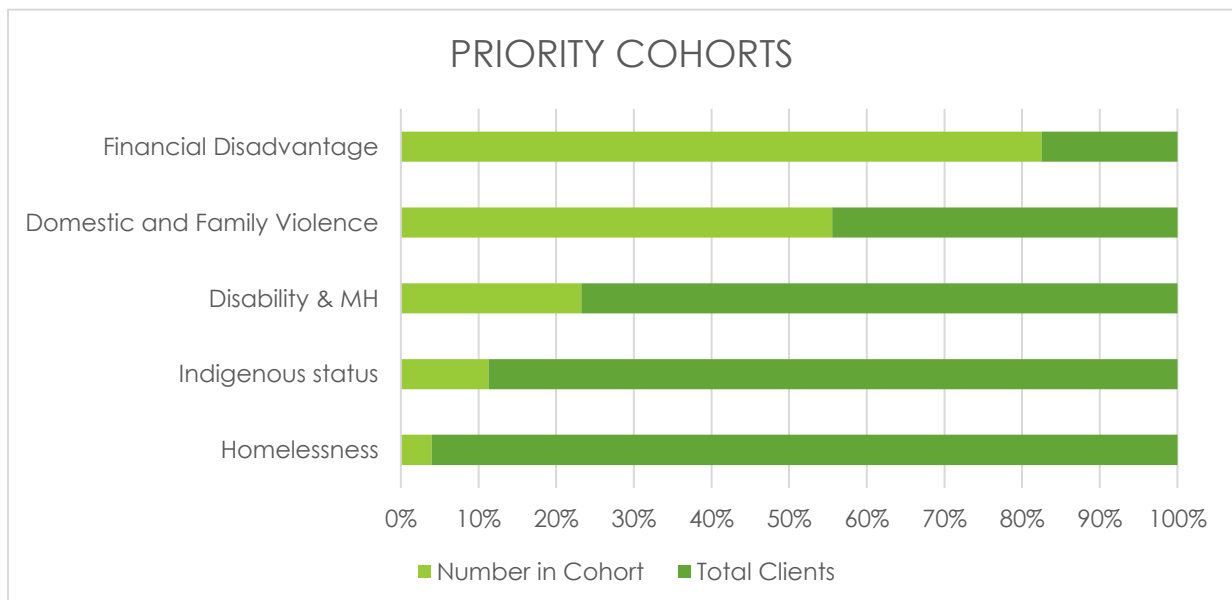


About Us

Our Clients



Medium income range
\$26,000 - \$52,000



About Us

Management Committee

Our Management Committee members volunteer their time and expertise to guide the strategic planning and direction of the Centre. The Committee meets monthly to review the Centre's operational and financial reports, providing guidance and feedback.

President

Justine Sturgiss



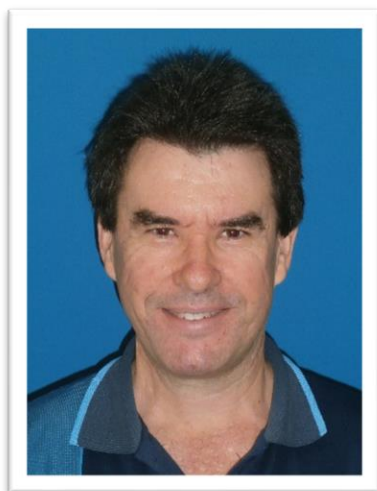
I started with MRCLC in 2017 as a committee member and was appointed President this year. I have a background in Law and have worked in law firms within Mackay and Brisbane.

I am currently a Family Dispute Resolution Practitioner and have always had a keen interest in law and helping others. MRCLC has allowed me to combine these two values and I hope that I can lead the committee to continued success.

I value that the MRCLC supports our local community with providing legal advice to those who may find it difficult to pay a private law firm and they do so with incredible care and ability. I would encourage others to join our committee, it's valuable, fun and a great team to work with!

Treasurer

Mark Armstrong



I have performed the role of Treasurer since September 2017. I was a member of the Management Committee for three years after joining the organisation in November 2014. I was initially interested in applying my knowledge and skills for the benefit of our community, but later found that being part of such a diverse and cohesive leadership team was equally compelling, and my involvement continues to be very rewarding and satisfying.

I am CPA and CA qualified and previously served on the Mackay Branch Council of CPA Australia for six years from Jan 2010 to Dec 2015. I have over thirty years' finance and audit experience in large Queensland organisations; in the industry sectors of energy, financial services and local government.

On a personal note, I also enjoy playing squash and musical instruments, bushwalking, travelling and spending time with my family and friends.

About Us

Management Committee

Secretary

Jasmine Rekowski



I joined the MRCLC Management Committee in 2015 and am currently the Secretary. This role comes with a lot of extra duties and responsibilities, but I wanted to give more to the MRCLC. Being involved with the Centre reflects my values of assisting disadvantaged and vulnerable people with professional support when they need it. I am proud to hold this role and work closely with the Treasurer (Mark) and President (Justine) and all Committee members. We are a great team!

I was a Solicitor and am currently an FDR Practitioner, having moved from the corporate to social sector. Being on the MRCLC Committee keeps my interest in law alive. I value that the Centre gives legal advice to people during the most stressful times in their lives. This should be a right for all!

I enjoy assisting with staff recruitment and appraisals and love to be reminded of how passionate, hard-working and dedicated the staff at MRCLC are. I commend MRCLC for their outreach and advice services, especially for family law, residential tenancy (QSTARS) and those experiencing elder abuse (EAPSS).

Ruth Wegner



I first became involved in committees and community organisations in 1982. Since that time, I have been involved with Mackay Host Lions Club Sugartime Quest, National Heart Foundation, Miss Australia Quest, The Variety Club, Crimestoppers, Junior Rugby League, Mackay Family Care & Community Support Assoc and Mackay Sexual Assault Assoc.

In 2002, I commenced work with Legal Aid Qld and have been on the MRCLC Management Committee since then, when it was under the auspice of George St Neighbourhood Centre, now known as The Neighbourhood Hub. I have withdrawn from the committee at times over the years where my work with LAQ presented a conflict of interest. I value the MRCLC as it is a great asset to our region, offering free legal assistance.

My interests include family history research, local history, rugby league and motor racing.

About Us

Management Committee

Maria Orcullo

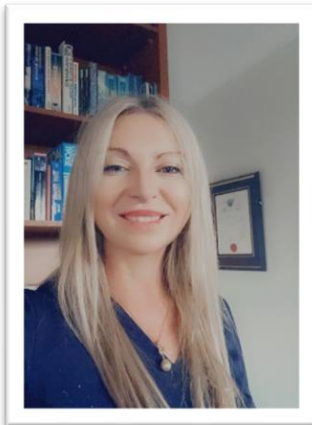


I have been volunteering at MRCLC since 2018 as a Legal Advice Evening Coordinator and then as an LAE solicitor.

This year I also became a volunteer solicitor for the day service, and joined the Management Committee.

I believe the MRCLC plays an important role in providing legal access to disadvantaged people and communities, and is committed to educating people within our region of their legal rights and obligations.

Esmeralda Reasbeck



Despite being Australian, I have lived a peripatetic existence including spending parts of my childhood in Africa, the Caribbean, Europe and the Middle East (among other places)! I am familiar and comfortable with diverse cultures. I have strong female influences in my life, including my mother who remains an inspiration.

I trained as a barrister in the UK and was called to the Bar in 2007 at Lincoln's Inn. I returned to Australia with my husband in 2010 and retrained as a solicitor. I have since worked in private practice as well as at the MRCLC.

The MRCLC extends our sincerest thanks and appreciation to departing Committee members:

Craig Oliver

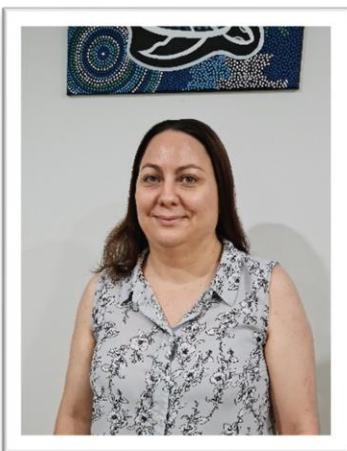
Nina Swara



About Us

Our Staff

Our Team



Jessica Brake

Manager and Principal Solicitor

I joined the MRCLC in the Manager and Principal Solicitor role in November 2010 as part of a much smaller team. In my role, I am responsible for all matters relating to the legal practice of the Centre, as well as the general operation of the Centre.

I was a solicitor in private practice for several years before coming to the MRCLC. In 2017 I completed my Master of Laws (Applied Law) majoring in family law. I also completed the Queensland Law Society's Practice Management Course in 2011 and 2020.

Outside of work I enjoy soccer with my local women's soccer team, even receiving a best and fairest player Award this year! I love music and have been playing with a Mackay community band for over 15 years. My favourite travel destination so far has been Hamburg, Germany. With international travel becoming possible again, I would love to explore more of Europe.

About Us

Our Staff

Solicitors



Simone Butschle

As a Solicitor, I provide legal advice in a variety of different legal matters. I assist people by listening to their problems, identifying options for them to resolve their issue, making referrals to organisations that may also assist, and carrying out various tasks for them such as completing forms, writing letters to the other party or completing legal documents.

I've been with MRCLC since 2014 and enjoy working with like-minded colleagues who have a passion for social justice and helping people with their legal problems. With borders re-opening, I'd love to visit New Zealand and Japan!

In my role as a Solicitor, I provide legal advice and assistance on a range of family law matters. I also represent clients in the Magistrates Court as a Domestic and Family Violence Duty Lawyer, and appear for clients at the Mental Health Review Tribunal.

I've been with MRCLC for 4 years after practicing law in Fiji for 8 years. I value assisting vulnerable clients, especially those from CALD backgrounds. I get to help them at the most difficult time in their lives, understanding their rights and the legal system, providing clarity and some relief. If I can help one person with at least one problem, then that is a good day.



Vanessa Pranjivan



Rikki Wilson

I joined the MRCLC team in 2019 as a Solicitor after working in private practice for several years. I love the outdoors and all that the Mackay region has to offer, especially freediving at the Great Barrier Reef.

I primarily provide advice and assistance to residential tenants under the QSTARS program. I also represent clients in the Mental Health Review Tribunal and as duty lawyer for domestic and family violence matters. Some of our clients have good cases, but cannot afford to pay a lawyer. I enjoy being able to assist clients navigate the legal system to achieve desirable and just outcomes.

About Us

Our Staff

Operations Officers

Senior Administration Officer – Janice Storti

I am the first point of contact for clients at the MRCLC, so most of my time is spent talking to them about their legal problems. As the Senior Administration Officer, I oversee the general day to day running of the MRCLC. I also help prepare reports, funding applications and occasionally attend meetings and local events.

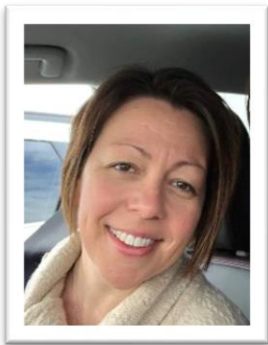
I joined MRCLC in 2015 and enjoy working as part of a great team providing free legal help to vulnerable people. I think the contribution that CLCs make to the community is invaluable and I enjoy being part of that.

Administration Officer – Katie Morgan

I started working at MRCLC in 2017 and I really enjoy being able to help people. I can relate to our clients and what they are going through, and I think that makes me more compassionate to their circumstances and story and helping those in need.

As a first point of contact for our clients, I speak with them about their matter when they attend or phone the office. I do a wide range of administrative tasks including booking appointments, assist with the daily running of the Centre and liaise with other services and prepare reports.

Those we've welcomed



Fleur Holyland Salvador
Business Coordinator
& Solicitor

I recently moved from Brisbane to join the MRCLC in March. As the Business Coordinator, I undertake a lot of our promotion and connection with stakeholders, as well as governance and fundraising. I really enjoy being able to contribute to the promotion of the Centre, and highlighting its invaluable work.

I have a long background working in the community services sector, and greatly value the role of CLCs in enhancing access to justice for vulnerable people.

I have two dogs who keep me busy and would love to travel to Mexico and South America in the future.

Those we've farewelled

Kay Cora – Solicitor

Esmeralda Reasbeck – Solicitor

Joeffrey Agbayani – IT Officer

Thanks to Kay, Esmeralda and Joeffrey for their service. We wish them all the best!

About Us

Our Volunteers

The Mackay Regional Community Legal Centre acknowledges the invaluable contribution of volunteers during the 2020-2021 year. Their commitment enables the Centre to assist more vulnerable Queenslanders than would otherwise be possible.

We thank you for your continuing involvement!

Legal Advice Evenings

Coordinators

- | | |
|-------------------------------|------------------------------|
| - Paigen Hunter | Kelly Legal |
| - Vanessa Ladewig | |
| - Emily Lawson (Gower) | Macrossan & Amiet Solicitors |
| - Brittany McIntyre (Colussi) | SR Wallace & Wallace Lawyers |
| - Maria Orcullo | |

Solicitors

- | | |
|-----------------------------|------------------------------|
| - Cassandra Adorni-Braccesi | SR Wallace & Wallace Lawyers |
| - James Bailey | SR Wallace & Wallace Lawyers |
| - Richard Callaghan | Kelly Legal |
| - Jenna Cruikshank | Maurice Blackburn |
| - Paddy Cullinane | Barrister |
| - Meredith Farquhar | |
| - Joshua Hammer | |
| - Adam Harvey | Harvey Legal |
| - Kyla Marshall | Parker Law QLD |
| - Emlyn Quinn | Statewide Family Law |
| - Esmeralda Reasbeck | |
| - Lara Tom | SR Wallace & Wallace Lawyers |
| - Katie-Elouise White-Spier | |
| - Rikki Wilson | MRCLC |
| - Danielle Woodward | SR Wallace & Wallace Lawyers |

You'll find more information about our Legal Advice
Evenings on page 49 of this report

About Us

Our Volunteers

Day Service Volunteers

Solicitors

- Robyn Cathcart

Practical Legal Training Students

- Maria Orcullo

(These are law students who have either completed or almost completed their degree and are undertaking a practical work experience component in order to be admitted as a solicitor.)

Law Students

- Glenn Howell (law graduate)
- Emily Lawson

Professionals

- Joeffrey Agbayani (IT)

Joeffrey volunteered and was employed for part of 2020-2021 to help us, amongst other things, set up videoconferencing facilities in our boardroom and to improve SharePoint functionality.

Work Experience High School Students

- Katelyn
- Elijsa

In addition to our Management Committee, we would also like to thank our Legal Advice Evening and Day Service volunteers.

To all of our wonderful volunteers,
the MRCLC extends thanks and appreciation for your contributions, improving access to justice and outcomes for our vulnerable clients.

Executive Reports

President's Report

As the newly appointed President for the Mackay Regional Community Legal Centre, it is with great honour that I write this year's report. I would like to acknowledge my predecessor, Craig Oliver, who very successfully ran the Presidency of the Centre until recently. In his President's Report from last year, Craig reflected upon how much the global pandemic had impacted the Centre's operations, as well as the lives of clients and staff alike. I hoped to say that things have improved this year, but sadly, this is not yet the case. Again, as per previous years, we must take this into consideration whilst reflecting on the year that has been.



President Justine Sturgiss

This year observed some large changes in staffing at the Centre. These changes included the creation of a new part-time position (Business Co-ordinator) to assist the Centre's Manager and Principal Solicitor, Jessica. The role was designed to focus the Centre on assisting those most in need and to increase our reach to this demographic in the greater Isaac and Whitsunday areas. We recruited Fleur Holyland Salvador to this position in March this year, and also utilised her capabilities as a solicitor to assist in the provision of service delivery.

Our strategic planning meeting in June identified outreach as an area to strengthen over the coming year. It was reflected within the Centre reports, particularly in the first half of the year, that outreach numbers were declining, and whilst this may be largely due to COVID-19, it is important that we reinforce our ties within these communities again.

We continue to be financially secure thanks to our experienced Treasurer, Mark Armstrong, our bookkeeper Tracy Single, and the overseeing of decisions by the Management Committee. I will leave the finer details of the financials to Mark to discuss in his Treasurer's report, however, I want to showcase the effectiveness of how the newly created Business Co-ordinator position has assisted in this regard. Jessica, Fleur and Janice worked to obtain and retain grants such as the retention of unspent funds from the Covid-19 Frontline Legal Assistance Program to 30 June 2022. This has resulted in keeping us in good financial stead for the Centre to continue to provide such a great service to our community.

To this note, at the end of last year, the Centre was also successful in obtaining an IT grant from the Queensland Department of Justice and Attorney-General, to increase virtual service delivery. This allowed the Centre to purchase a TV for the conference room to support Zoom meetings, enabling the Centre to develop videoconferencing options with clients, whilst providing ongoing opportunities for virtual training and meetings with various stakeholders and so forth.

The Centre continued strong relationships with other organisations, such as Legal Aid Queensland with the re-signing of the Mental Health Review Tribunal Representation Service Agreement. We have also continued our ongoing service arrangement with Relationships Australia Queensland, delivering the Elder Abuse Prevention and Support Service (EAPSS), and continue with cross referrals to other community organisations such as the Family Relationship Centre.

It has been another challenging year with COVID-19, as we are all evidently aware, and this has continued to have an impact on the way that services were provided at the Centre. Legal Advice Evenings were on hold for a period and most appointments continued via telephone. It is with much credit to the staff, volunteers and clients that they have been so co-operative whilst we continue to work through this still unpredictable pandemic, in the sense of the ever-changing climate of service delivery. On behalf of the Management Committee, I want to thank you all for your co-operation and understanding during these continually unprecedented times.

To that note, I would like to acknowledge the excellent team that is the Mackay Regional Community Legal Centre. Success is driven by a great and skilful leader and a team of passionate individuals who mark accomplishment not by monetary gain, but by the difference they can make in someone's life. This is the reason that we have such knowledgeable and incredibly skilful staff and volunteers, they are driven by the intrinsic reward of helping others. I thank each and every one of you for your hard work and dedication over the year and sincerely hope you continue to strive to achieve the best outcomes for clients.

P R E S I D E N T , S R E P O R T

The recent Client Satisfaction survey results are a wonderful indicator of just how excellent the service being provided is, with the Mackay Regional Community Legal Centre receiving above average scores on all but one of the benchmarks and some wonderful feedback from the clients surveyed. It gives me pride to hear comments such as "I am leaving feeling empowered," "I have all the tools necessary to take on my legal matters" and that "staff members go above and beyond to help".

The Management Committee has gained two members this year, Esmerelda Reasbeck and Maria Orcullo, both of whom have worked as Solicitors either within the Centre or as a volunteer. We are grateful to have their experience and knowledge to add to our board and, on behalf of the Committee, I would like to fervently welcome them to the team.

Whilst we gained two new members, we sadly lost two. As mentioned at the start of my report – Craig Oliver, our President until recently, and Nina Swara, who has been a part of the Committee for many years including periods of Presidency as well. On behalf of the Committee, I would like to sincerely thank them both for their hard work and dedication during their time with the Committee and wish them all the best, they will both be greatly missed. With that, I would like to personally thank the current members of the Committee. Mark, our Treasurer whom I have referred to previously, your skill with numbers never ceases to amaze me, thank you for always so thoroughly and aptly dealing with the finances. Jasmine, our spirited Secretary, full of puns, who consistently brings energy and know-how to the room. Ruth, one of our longest standing members, who brings a wealth of experience and dedication, even attending meetings during her days off. Thank you Ruth, it does not go unnoticed. Lastly, I would like to personally thank the Committee for putting their utmost faith in me to take the on the role of President. I hope that we can continue to lead strong and forge a committee that is admired for its dedication and commitment.

I would like to end my report with some optimism. Let us hope that by this time next year, COVID-19 is having significantly less impact upon the world. Reflecting upon the year that has been, I am proud to stand before you all as President of such an incredible Centre. A Centre that, despite all the adversities this pandemic continues to throw its way, remains committed to providing excellent legal services to those who need it the most.

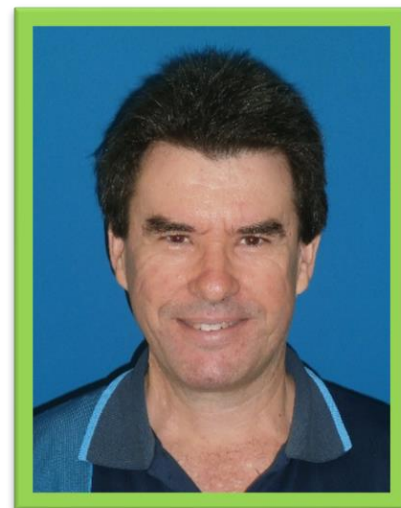
"There is no exercise better for the heart than reaching down and lifting people up"
– John Holmes.

PRESIDENT'S REPORT 2020-2021

Executive Reports

Treasurer's Report and Financial Statements

The financial performance and financial position of the Mackay Regional Community Legal Centre was sound and in accordance with strategic and operational plans. Additional unplanned grants and subsidies were received due to the COVID-19 pandemic, which increased the operating surplus of the Centre. The organisation was solvent and all expenses were paid as and when they fell due. Grants funding and contract revenue were up to date and recorded in the accounts. All compliance activities have been performed, including superannuation and taxation payments, bank reconciliations and funding acquittals.



Treasurer Mark Armstrong

Total income increased by around \$190,000 (26% of total revenue). The main change in funding over the past year pertained to unplanned COVID-19 Frontline Legal Assistance Program funding of about \$110,000 and other grants amounting to around \$55,000, including Information Technology infrastructure upgrades.

The recurrent government grants (Commonwealth and State) increased by approximately \$17,000 (12%, 6% and 2% of total revenue respectively). Income from Services and Mental Health Review Tribunal programs increased by about \$8,000 (1% of total revenue), to just over \$39,000.

Total expenditure increased in line with available funding and was applied proportionately to deliver the services of each program. The main change in costs related to increased staffing to meet service obligations, which increased by approximately \$106,000 (13% of total expenses).

At the end of June 2021, the Centre held total cash holdings of approximately \$396,000 and delivered an operating surplus in the region of \$90,000, which was elevated by unplanned special funding that arose from the COVID-19 pandemic. The cash holdings were partially committed to liabilities of approximately \$181,000 which related to employee entitlements (\$85,000) and other creditors (\$96,000). Net current assets were approximately \$257,000, which included current liabilities of around \$140,000 that were expected to be paid in the forthcoming year. Non-current liabilities of about \$41,000 related to long service leave entitlements that were expected to be paid beyond the next 12 months.

Financial Risk Management

The Centre undertook to provide reliable and accessible legal services that were delivered professionally. Supporting business processes were designed to deliver quality outcomes and minimise business risks. Key risk areas that could result in significant financial impacts included accidental injury, property access/usage, business operations, legal advice, association arrangements and electronic business systems. Accordingly, the following insurance policies were held to manage those risks:

- WorkCover accident
- Voluntary worker's personal accident
- Property loss/damage and business interruption
- Public liability and products liability
- Professional indemnity
- Association liability
- Cyber operations and interruption

Financial Governance

Financial reports were prepared by an independent professional bookkeeping business, Blitzin Books, and reviewed against operational plans each month by the Manager and Principal Solicitor and Management Committee. Financial transactions were processed in accordance with delegations of authority that are clearly defined in the Centre's policies and procedures. Business operations were underpinned and supported by a comprehensive framework of internal controls which include effective segregation of financial duties and reconciliations of accounts. The financial systems, governance, processes and organisation of the Centre are designed to provide a high level of financial assurance to stakeholders.



Mark Armstrong
Treasurer

TREASURER'S REPORT 2020-2021

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Financial Statements

For the Year Ended 30 June 2021

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Income Statement For the Year Ended 30 June 2021

	2021 \$	2020 \$
Income		
Cashflow boost subsidy	50,000	50,000
Commonwealth grant income	191,464	218,263
Covid 19 funding income	110,413	-
DV duty lawyer	15,840	12,837
MHRT program	26,128	10,903
Other grant income	68,000	12,826
Parental leave income	-	3,111
Profit on sale of plant and equipment	247	-
Provision for services	12,958	20,628
State grant income	269,090	225,583
Tenancy income	187,460	187,900
	931,600	742,051
Expenditure		
Communications	8,660	7,092
Computer expenses	21,368	14,860
Depreciation and amortisation expense	9,945	11,472
Finance, audit and accounting fees	18,377	15,397
Donations	9	60
Insurance	3,486	3,526
Library, resources and subscriptions	27,879	24,130
Low value assets immediate write off	4,947	6,900
Management fees	11,243	-
Office overheads	2,904	4,379
Oncosts	31,799	25,806
Other premises costings	16,097	12,317
Paid parental leave	-	3,830
Programming and planning	3,483	3,469
Recruitment costs	560	-
Rent	65,777	64,659
Repairs and maintenance	635	1,727
Salaries	549,112	457,432
Staff training	9,537	9,551
Sundry expenses	67	264
Superannuation contributions	51,983	43,456
Travel	3,567	3,205
	841,435	713,532
Income tax expense	-	-
Surplus after income tax	90,165	28,519

The accompanying notes form part of these financial statements.

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Statement of Assets and Liabilities

As at 30 June 2021

	Note	2021 \$	2020 \$
Assets			
Current assets			
Cash and cash equivalents	2	396,482	244,754
Trade and other receivables	3	270	-
Other assets	4	695	5,985
Total current assets		397,447	250,739
Non-current assets			
Plant and equipment	5	22,603	8,492
Total non-current assets		22,603	8,492
Total assets		420,050	259,231
Liabilities			
Current liabilities			
Trade and other payables	6	45,827	37,081
Provision for annual leave	7	43,960	37,593
Other liabilities	8	50,429	10,000
Total current liabilities		140,216	84,674
Non-current liabilities			
Provision for long service leave	7	41,037	25,922
Total non-current liabilities		41,037	25,922
Total liabilities		181,253	110,596
Net assets		238,797	148,635
Members' funds			
Retained surplus	9	238,797	148,635
Total members' funds		238,797	148,635

The accompanying notes form part of these financial statements.

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Notes to the Financial Statements

For the Year Ended 30 June 2021

1 Summary of Significant Accounting Policies

Basis of Preparation

The financial statements cover Mackay Regional Community Legal Centre Inc as an individual entity. Mackay Regional Community Legal Centre Inc is a not-for-profit Association incorporated in Queensland under the *Associations Incorporation Act (QLD) 1981* (as amended by the *Associations Incorporation and Other Legislation Amendment Act (QLD) 2007*) ('the Act'). The committee has determined that the association is not a reporting entity.

The financial statements have been prepared on an accruals basis and are based on historical costs modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and financial liabilities.

Significant accounting policies adopted in the preparation of these financial statements are presented below and are consistent with prior reporting periods unless otherwise stated.

(a) Income Tax

The Association is exempt from income tax under Division 50 of the *Income Tax Assessment Act 1997*.

(b) Revenue and other income

Revenue is recognised when the amount of the revenue can be measured reliably, it is probable that economic benefits associated with the transaction will flow to the Association and specific criteria relating to the type of revenue as noted below, has been satisfied.

Revenue is measured at the fair value of the consideration received or receivable and is presented net of returns, discounts and rebates.

Grant revenue

Government grants are recognised at fair value where there is reasonable assurance that the grant will be received and all grant conditions will be met. Grants relating to expense items are recognised as income over the periods necessary to match the grant to the costs they are compensating. Grants relating to assets are credited to deferred income at fair value and are credited to income over the expected useful life of the asset on a straight-line basis.

Interest revenue

Interest is recognised using the effective interest method.

Rendering of services

Revenue in relation to rendering of services is recognised depending on whether the outcome of the services can be estimated reliably. If the outcome can be estimated reliably then the stage of completion of the services is used to determine the appropriate level of revenue to be recognised in the period.

If the outcome cannot be reliably estimated then revenue is recognised to the extent of expenses recognised that are recoverable.

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Notes to the Financial Statements For the Year Ended 30 June 2021

1 Summary of Significant Accounting Policies

(b) Revenue and other income

Subscriptions

Revenue from the provision of membership subscriptions is recognised on a straight line basis over the financial year.

(c) Goods and services tax (GST)

Revenue, expenses and assets are recognised net of the amount of goods and services tax (GST), except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). 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 statement of assets and liabilities are shown inclusive of GST.

(d) Property, plant and equipment

Each class of property, plant and equipment is carried at cost or fair value less, where applicable, any accumulated depreciation and impairment.

Items of property, plant and equipment acquired for nil or nominal consideration have been recorded at the acquisition date fair value.

Depreciation

Property, plant and equipment, excluding freehold land, is depreciated on a reducing balance basis over the assets useful life to the Association, commencing when the asset is ready for use.

Leased assets and leasehold improvements are amortised over the shorter of either the unexpired period of the lease or their estimated useful life.

The depreciation rates used for each class of depreciable asset are shown below:

Fixed asset class	Depreciation rate
Office Equipment	37.5%
Computer Equipment	37.5% - 100%
Leasehold improvements	2.5%

At the end of each annual reporting period, the depreciation method, useful life and residual value of each asset is reviewed. Any revisions are accounted for prospectively as a change in estimate.

(e) Cash and cash equivalents

Cash and cash equivalents comprises cash on hand, demand deposits and short-term investments which are readily convertible to known amounts of cash and which are subject to an insignificant risk of change in value.

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Notes to the Financial Statements For the Year Ended 30 June 2021

1 Summary of Significant Accounting Policies

(f) Accounts receivable and other debtors

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

(g) Employee benefits

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 wholly settled within one year have been measured at the amounts expected to be paid when the liability is settled.

Provision for Long service leave includes accrual for all employees from their date of employment and as a result the liability includes amounts that the Association has no legal obligation to pay.

(h) Accounts payable and other payables

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

2 Cash and cash equivalents

	2021	2020
	\$	\$
Cash at bank	51,859	47,940
Short-term deposits	344,623	196,814
	<u>396,482</u>	<u>244,754</u>

3 Trade and other receivables

	2021	2020
	\$	\$
Current		
Trade receivables	270	-
	<u>270</u>	<u>-</u>

4 Other assets

	2021	2020
	\$	\$
Current		
Prepayments	695	5,985
	<u>695</u>	<u>5,985</u>

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Notes to the Financial Statements For the Year Ended 30 June 2021

5 Property, plant and equipment

	2021 \$	2020 \$
Office equipment		
At cost	9,434	5,870
Accumulated depreciation	(4,786)	(3,305)
	<u>4,648</u>	<u>2,565</u>
Computer equipment		
At cost	44,087	31,068
Accumulated depreciation	(26,132)	(25,140)
	<u>17,955</u>	<u>5,928</u>
Total property, plant and equipment	<u><u>22,603</u></u>	<u><u>8,493</u></u>

6 Trade and other payables

	2021 \$	2020 \$
Current		
Trade payables	3,480	1,872
GST payable	17,701	18,259
Superannuation payable	4,539	3,408
Portable LSL payable	1,924	-
Wages accrual	18,183	13,543
	<u>45,827</u>	<u>37,082</u>

7 Employee benefits

	2021 \$	2020 \$
Current		
Provision for annual leave	43,960	37,593
	<u>43,960</u>	<u>37,593</u>
Non-current		
Provision for long service leave	41,037	25,922
	<u>41,037</u>	<u>25,922</u>

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Notes to the Financial Statements For the Year Ended 30 June 2021

8 Other liabilities

	2021	2020
	\$	\$
Current		
Government income received in advance	50,429	10,000
	<u>50,429</u>	<u>10,000</u>

9 Retained surplus

	2021	2020
	\$	\$
Retained surplus at the beginning of the financial year	148,636	120,116
Net surplus/ (deficit) attributable to members	90,162	28,519
Retained surplus at end of the financial year	<u>238,798</u>	<u>148,635</u>

Mackay Regional Community Legal Centre Inc

ABN: 70 166 231 202

Statement by Members of the Committee

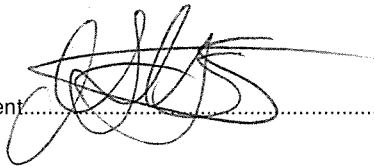
The committee has determined that the Association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report as set out on pages 1 to 7:

1. Presents fairly the financial position of Mackay Regional Community Legal Centre Inc as at 30 June 2021 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Mackay Regional 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:

President



Treasurer



Dated this 08/09/2021

Mackay Regional Community Legal Centre Inc

Independent Auditor's Report to the members of Mackay Regional Community Legal Centre Inc

Report on the Audit of the Financial Report

Opinion

We have audited the accompanying financial report, being a special purpose financial report of Mackay Regional Community Legal Centre Inc (the Association), which comprises the statement of assets and liabilities as at 30 June 2021, the income statement for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the statement by members of the committee.

In our opinion, the accompanying financial report of the Association for the year ended 30 June 2021 is prepared, in all material respects, in accordance with the Associations Incorporation Act (QLD) 1981 (as amended by the Associations Incorporation and Other Legislation Amendment Act (QLD) 2007).

Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the auditor independence requirements of the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

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

Emphasis of Matter - Basis of Accounting

We draw attention to Note 1 of the financial report, which describes the basis of accounting. The financial report is prepared to assist the Association in meeting the requirements of the Associations Incorporation Act (QLD) 1981 (as amended by the Associations Incorporation and Other Legislation Amendment Act (QLD) 2007). As a result, the financial report may not be suitable for another purpose. Our report is intended solely for the Association and should not be distributed to or used by parties other than the Association. Our opinion is not modified in respect of this matter.

Mackay Regional Community Legal Centre Inc

Independent Auditor's Report to the members of Mackay Regional Community Legal Centre Inc

Responsibilities of Committee

The Committee is responsible for the preparation and fair presentation of the financial report in accordance with the Associations Incorporation Act (QLD) 1981 (as amended by the Associations Incorporation and Other Legislation Amendment Act (QLD) 2007), and for such internal control as the committee determines is necessary to enable the preparation of the financial report is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the committee is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the committee either intends to liquidate the Association or to cease operations, or has no realistic alternative but to do so.

The committee are responsible for overseeing the Association's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.



Paul Hinton - CA
Director

Date: 08/09/2021

Our Programs

Funding Streams

The Mackay Regional Community Legal Centre acknowledges and appreciates the financial support we receive. This enables us to provide much needed legal services to vulnerable and financially disadvantaged members of the community.

The Centre currently operates the following programs.

1. Community Legal Services Program

Queensland Department of Justice
and Attorney-General and the
Commonwealth Attorney-General's
Department

2. COVID-19 Frontline Legal Assistance Program

Commonwealth Attorney-General's
Department and allocated by
Queensland Department of Justice
and Attorney-General and the



3. Mental Health Review Tribunal Representation Service

Legal Aid Queensland

4. Domestic and Family Violence Duty Lawyer Service

Legal Aid Queensland



The Mackay Regional Community Legal Centre acknowledges and appreciates the financial support we receive. This enables us to provide much needed legal services to vulnerable and financially disadvantaged members of the community.

5. Queensland Statewide Tenant Advice and Referral Service (QSTARS)

Tenants Queensland Inc., as funded by the Queensland Department of Communities, Housing and Digital Economy.



6. Elder Abuse Prevention and Support Service (EAPSS)

Relationships Australia (QLD) commencing in August 2020, through funding from the Queensland Department of Communities, Housing and Digital Economy.



Other Sources of Funding Received During the 2020 – 2021 Financial Year

Legal Aid Queensland Community Legal Education Collaboration Grant

This funding was awarded for the delivery of presentations on residential tenancy law throughout the Mackay, Whitsunday and Isaac regions.

Queensland Department of Justice and Attorney-General IT grant

This funding was awarded to increase the virtual service delivery capacity of CLCs during the COVID-19 pandemic. Our Centre received \$33,000, which was used to purchase and install videoconferencing equipment and upgrade our IT systems.

Our Programs

Community Legal Services Program (CLSP)

National Legal Assistance Partnership

Queensland Department of Justice and Attorney-General and the Commonwealth Attorney-General's Department provide funding to Community Legal Centres under the National Legal Assistance Partnership (NLAP). The objective of the [NLAP](#) is to support integrated, efficient, effective and appropriate legal assistance services. The services focus on improving outcomes and keeping the justice system within reach for vulnerable people facing disadvantage, within available resources.

The Community Legal Services Program (CLSP) runs under the current service

agreement from 2020-2025. This funding stream provides the majority of funding received for our Centre. Under this program, the MRCLC operates its generalist legal service, which provides advice, discrete tasks, ongoing casework assistance and community legal education on various areas of law.

The MRCLC also received an additional boost in government funding for the 2020-2021 year under the COVID-19 Frontline Legal Assistance program. This funding enabled us to respond to the increased demand for legal assistance, especially for domestic and family violence, as a result of the pandemic.

Legal Advice and Assistance

MRCLC assists clients through our daytime and outreach services, as well as Legal Advice Evenings, which are staffed by volunteers. Services operate in person or by telephone to residents of the Mackay, Whitsunday and Isaac local government areas. Services are targeted to vulnerable members of the community who are experiencing financial disadvantage, homelessness or risk of becoming homeless, experiencing or are at risk of domestic and family violence, persons from culturally and linguistically diverse backgrounds, who experience disability or mental illness, and people with low education levels.

Where a vulnerable member of the community outside of these regions is not able to access services closer to their location, for example due to a conflict of interest, the MRCLC will provide assistance from our office.

Under the CLSP, the MRCLC operates a generalist legal service. Legal assistance to clients is provided across many areas of law, including predominantly family law, and also civil law areas such as employment, credit and debt, consumer and neighbourhood disputes, social security, discrimination and human rights. The generalist legal service is not available for criminal law or commercial matters, conveyancing, personal injuries or preparation of wills.

CLSP Deliverables

Projected

In the 2020-21 year, the MRCLC provided 2,796 services to the community.
This was beyond the set target of 2,259 services.

Achieved

Information	51	CLE presentations	10
Referral	2062	CLE resources	2
Legal Advice	633	Closed ongoing services	13

Service Delivery for Legal Advice

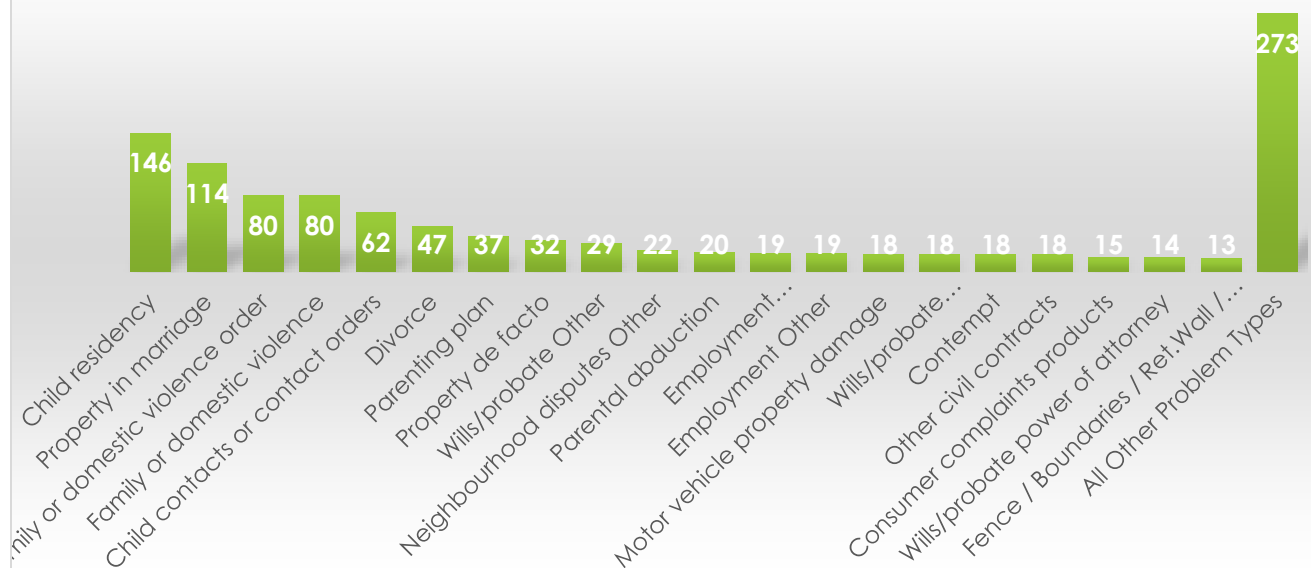
Achieved

MRCLC Staff	473	Outreach – Whitsundays	32
Volunteers	120	Outreach – Sarina	8

Advice by top 20 problem types

Note: there may be more than one problem type for each advice. For example, advices delivered on divorce may also include property settlement.

Top 20 problem types (CLSP)



Our Programs

COVID-19 Frontline Legal Assistance Program

In May 2020, the Commonwealth Government announced additional funding to help the legal assistance sector respond to COVID-19 by supporting and enhancing frontline legal assistance services. This is administered through the Service Agreement for COVID-19 Frontline Legal Assistance Funding. This additional funding enabled Community Legal Centres and other legal services to expand service capacity and target resources toward the anticipated increased need for legal services, including and especially in relation to domestic and family violence.

The MRCLC exceeded the 40% target for service delivery to those affected by domestic and family violence.

Activity	Advices	Legal Tasks	Referrals	Cases Opened	Cases Closed	All Services (except Referrals)
Total Services	370	6	827	3	0	379
D&FV Indicator	173	3	*	3	0	179
% D&FV Indicator	46.7%	50%	*	100%	*	47.2%

Community Engagement

Our Centre further identified community engagement as a priority activity following the periods of COVID-19 restrictions and was able to utilise funds to meet need across the community.

At the commencement of the COVID-19 funding program, the MRCLC approached organisations to determine areas of need within the regions. The funding was then utilised to further embed and increase access to legal services within the Mackay, Isaac and Whitsunday regions.

The MRCLC partnered with Legal Aid Queensland to attend regional events in the Mackay region, including the Homeless Persons Expo. This, along with other activities, aimed to increase knowledge and awareness in our communities, to identify legal problems and access legal assistance. Collaboration between services ensures that clients are provided with more holistic support and can access services sooner and with fewer barriers.

Small Business Needs

It was identified early on that the Whitsunday region, a region reliant on tourism, had many struggling small businesses. Some small business owners called our service seeking advice on financial, taxation, commercial leases and general business operational matters. This was identified as an issue at a Regional Legal Assistance Forum ([RLAF](#)) by the Manager and Principal Solicitor in late 2020, and it was discussed that there were no free services to refer these small business owners to. Many months later, a financial counselling program became available targeted at small businesses in the area. The identification of the issue at the RLAF may have contributed to discussions leading to the establishment of such a service.

Outreach

The MRCLC utilised a small portion of the COVID-19 funding to progress establishing additional outreach services. It was identified that Moranbah, being a 2 hour, 15 minute drive from Mackay (although much longer with roadworks), and located in the Isaac region, would be ideal. The Centre had not previously provided any regular outreach to the Isaac region.

The MRCLC approached the Moranbah & Districts Support Service to explore the establishment of this legal advice service in Moranbah one day a month. Residents in this rural area were impacted by loss of employment, as well as concerns about travel and transport. Community members in isolated areas were further impacted by the restrictions imposed due to the pandemic and Moranbah was experiencing a significant loss of service delivery, as in-person service delivery from Mackay-based service providers ceased for many organisations.

Further, the COVID-19 Frontline program funded an additional solicitor position within the MRCLC. That funding could support delivery of the outreach service as well as providing additional advice services from the Mackay office. The funding could also be applied for travel required to attend the Isaac region. Where residents are not able to travel or access transport, this outreach service provides direct benefit for clients to access help with their legal matter.

Parenting Arrangements Across State Borders

With border closures, parents are having to navigate the difficult task of endeavouring for their children to communicate, and spend time with, both parents in accordance with agreements or orders that were in place prior to the pandemic. The MRCLC has assisted parents to find practical solutions, prepare clients for mediation and advise on the court process if a reasonable compromise cannot be reached.

Funding rollover

The unspent portion of the COVID-19 Frontline Legal Assistance Program Funding has been rolled over into the 2021-2022 financial year. This will enable our Centre to continue to respond to the increased community demand for legal assistance as a result of the pandemic.

Our Programs

Queensland Statewide Tenant Advice and Referral Service (QSTARS)



In 2015, Tenants Queensland (TQ) commenced the Queensland Statewide Tenant Advice and Referral Service (QSTARS). QSTARS is a free service and aims to provide all Queensland residential tenants and rooming accommodation residents with high quality, free, independent tenant advisory services that assist tenants to manage and sustain their tenancy.

Mackay Regional Community Legal Centre is one of seven partner organisations providing regional service delivery of the QSTARS program since commencement.

Over the 2020-21 year, our Centre provided **3,620 instances of service** and **2,277 hours of assistance** to vulnerable clients under this program.

QSTARS aims to:

- Increase Queensland renters' understanding of tenancy issues, and their ability to understand and exercise their tenancy rights and responsibilities;
- Empower and build the capacity of Queensland renters to take action on their own to resolve issues relating to their tenancy;
- Increase tenants' capacity to maintain their tenancies and reduce their risk of homelessness;
- Provide the minimum amount of intervention to facilitate the most positive outcome achievable for the Eligible person regarding their tenancy matters;
- Reserve the highest level of resources and assistance for vulnerable and disadvantaged renters who require more intensive support to achieve the most positive outcome in regard to their tenancy matters;
- Provide a well-integrated network of QSTARS service providers through which high quality and consistent services are delivered.

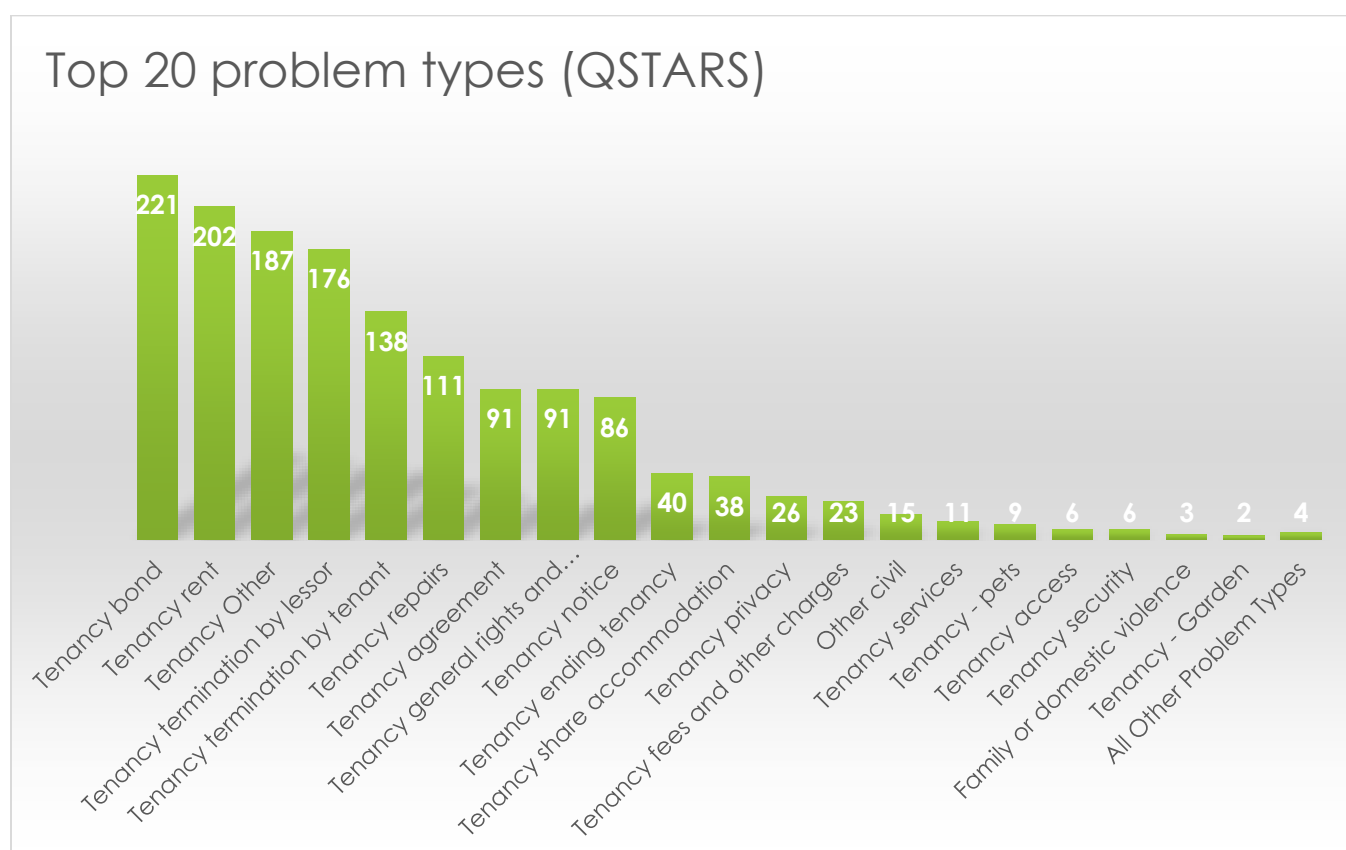
The QSTARS program provides many benefits. We can assist clients navigate the legal system and advocate for their rights. This in turn, levels the “playing field” by empowering our clients to act on their rights, to achieve fairer outcomes. The increased knowledge and access to resources further enables renters to improve their prospects of sustaining current and future rental accommodation agreements. The most rewarding outcome of this program comes from helping clients keep their existing tenancy or agreement and therefore maintain suitable, safe accommodation for themselves and their families.

MRCLC has built good relationships and referral pathways with local organisations. Because of this, we are able to identify client's needs holistically, and assist with referrals to our other programs, or external provider organisations to meet those needs.

~ Rikki Wilson

Advice by top 20 problem types

Note: there may be more than one problem type for each advice. For example, advices delivered on termination by lessor may also include advice on bonds.



Tenancy Law Reform

MRCLC is a supporter of the Make Renting Fair in Queensland ([MRFQ](#)) campaign – an alliance made up of over 50 supporter organisations. MRFQ supports and advocates for better renting laws in Queensland.

WHY WE HELP

*There are 1.8 million renters in Qld	*This number is likely to increase as renting rates are rising across all age groups
Suitable Shelter is a basic human necessity and right	Housing is the foundation that enables individuals to participate in society and access the workforce
Renters experience inequality and injustice due to the power imbalance between themselves and property owners	Increased rates of homelessness negatively impacts society, increasing costs to health and justice systems
Homelessness is a complex social and legal issue, with a variety of causes	

*QSTARS (<https://qstars.org.au/>) and/or Make Renting Fair Qld (<https://makerentingfairqld.org.au/>)

Tenancy Case Study

Tiffany* was referred to MRCLC via the QSTARS HUB. Tiffany was seeking advice after she was served with a QCAT Form 2 Application prepared and filed by her former Lessor's Agent. Tiffany's first advice appointment was the day prior to the QCAT hearing. Tiffany had not sought any advice about the matter previously.

The problem

The Lessor's Agent was seeking in excess of \$8,000 for repairs for damage allegedly caused by Tiffany and her co-tenant. The application was filed after the bond had been paid to the Lessor's Agent in full.

The costs claimed by the Lessor's Agent included:

- Cleaning – the cleaning paid for by the Lessor's Agent after the tenancy ended went beyond returning the property in the same condition as entry;
- Carpet replacement – the carpets were returned in the same condition as entry, save for reasonable fair wear and tear. Tiffany also instructed the carpets were more than 10 years old;
- Painting and repairs – the walls were returned in a suitable condition compared to entry;
- Furniture replacement – the included furniture was returned in a suitable condition, save for one of the mattresses which was soiled during the tenancy. Tiffany proposed paying a reasonable portion of the cost to replace the soiled mattress; and

- Rental compensation for the period of vacancy whilst the above repairs were being carried out.

The Lessor's Agent's Application relied on partially completed condition reports, together with small photographs that lacked detail. Tiffany provided copies of fully completed and signed condition reports and large, clear images to support her case.

MRCLC's advice and assistance

MRCLC provided advice about the Lessor's Agent's Application.

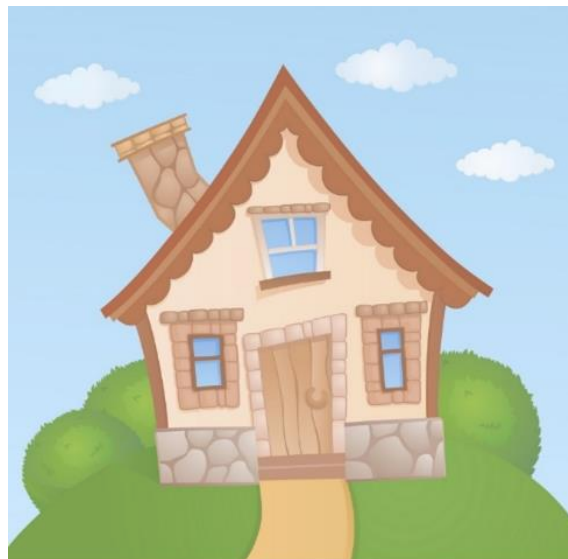
- To request the dismissal of the Application, on the basis it was made pursuant to section 429 of the Act which did not confer jurisdiction to deal with claims for compensation.
- In the event the claim is not dismissed, to seek an adjournment to allow further time to prepare and file written Response Submissions. As Tiffany had been served around 2 months ago, her request for an adjournment would likely be refused;
- To dispute the Lessor's Agent's claim, on the basis the repairs went beyond the tenant's obligation to return the property in the same condition as entry, so far as possible and fair wear and tear excepted.
- In the event the Tribunal decided Tiffany did not comply with her obligations, then to seek adjustments on account of betterment and depreciation. MRCLC advised about the relevant ATO depreciation rates for things such as carpets.

MRCLC prepared a written outline of arguments for Tiffany to take into the hearing. The outline of arguments assisted Tiffany to argue her case verbally. MRCLC advised Tiffany about QCAT generally and what to expect at the hearing the following day.

The outcome

At the hearing, Tiffany successfully disputed the Lessor's Agent's claims. In addition, the Tribunal decided that the full bond should not have been paid to the Lessor's Agent and ordered the Lessor's Agent to refund the bond, less a small amount on account of around four (4) days rent that was unpaid at the end of the tenancy, to Tiffany and her co-tenant.

This was a great outcome for Tiffany.



Our Programs

Domestic and Family Violence Duty Lawyer Service



The MRCLC provides this duty lawyer service as a Legal Aid Queensland preferred supplier and along with other service providers, including Legal Aid and private firms.

Our Centre's participation with this service commenced in October 2015. Clients attending the Mackay Magistrates Court for domestic violence order applications are eligible for assistance. Our lawyer gives free legal advice, including information and referrals, and provides representation for vulnerable clients.

What are the benefits of this program?

Many clients are not able to afford a private solicitor for these applications, or may not have been able to get an appointment to see a lawyer before their first court date. The program ensures that lawyers are available to provide advice to both parties (aggrieved and respondent) in these matters.

This protects the rights of the clients, gives them more knowledge and confidence in dealing with their legal matter and saves the court's time and resources by having matters dealt with more promptly. I enjoy being able to help clients who are not sure what to do, and empowering them to achieve better outcomes.

As the MRCLC seeks to provide holistic services and assistance to clients, our solicitors can also identify other legal issues that the client may be facing, and provide brief advice on the day.

Often, clients may require assistance with other family law matters such as property settlement and the care of children, or in relation to their residential tenancy. We refer clients for assistance with our other programs or to an external service provider so that they can understand their legal problem, their rights and how to fully resolve the issues.

~ Vanessa Pranjivan

In the 2020 – 2021 year, MRCLC provided **127** duty lawyer services under this program.

Our Programs

Mental Health Review Tribunal Representation Service



Since 2017, our Centre has provided representation services to clients appearing in the Mental Health Review Tribunal. We undertake this service as a preferred supplier of Legal Aid Queensland in relation to people referred to us by Legal Aid or the Tribunal.

Anyone appearing before the Tribunal can seek legal assistance with their review. However, the following people are automatically appointed a legal representative:

Someone on a Forensic order, or where the Attorney-General is to appear or be represented

A person subject to an application for Electroconvulsive therapy (ECT)

Minors (people under 18) on a Treatment Authority

Our process

Once a referral is received, our solicitor will make contact with the client, meeting in person to provide them with legal advice before their Tribunal review date. Clients are able to express their views, wishes and preferences in relation to their treatment and we will assist them to relay this to the Tribunal at the hearing. If we are not able to obtain the views, wishes and preferences of the client, submissions in relation to the best interests of the clients

will be put forward. Some clients do not want assistance or do not believe they need legal representation. Clients may also lack the capacity to give legal instructions to a solicitor. However, the program ensures that all clients within the abovementioned categories have access to legal representation and can participate more fully in the decision-making around their mental health care and treatment.

~ Vanessa Pranjivan

In the 2020 – 2021 year, MRCLC provided services to **28** clients under this program.

Our Programs

Elder Abuse Prevention and Support Service (EAPSS)



The EAPSS program commenced for the MRCLC in September 2020. We partner with Relationships Australia Qld (RAQ) for this service, which provides free and confidential legal advice to older people. [EAPSS](#) is targeted to members of the community who are experiencing or at risk of experiencing elder abuse, aged 60 years and over, and 50 years and over for Aboriginal and Torres Strait Islander people.

What is elder abuse?

Unfortunately, elder abuse is prevalent in society and can affect anyone. There are several types of elder abuse, including physical, sexual, emotional or psychological and financial abuse, neglect and abandonment. A person may not know they are experiencing or at risk of abuse, or could feel shame, embarrassment or fear the consequences of speaking out. An older person may be vulnerable and depend on the person abusing them, so it's not always easy to get help.

But everyone can help!

Members of the community can refer someone for assistance, or if they are concerned about an older person, can connect with the program themselves.

How do we help?

Financial abuse is the most commonly reported type in Queensland. Sadly, when an older person experiences one type, they are likely to experience multiple types. As part of the program, MRCLC offers information, advocacy, legal advice and referrals.

Depending on the situation, a client could access a one-off legal advice appointment, ongoing advice or direct advocacy by our solicitors. Our staff have a judgement-free approach and will tailor services to suit the person's circumstances. Once referred to MRCLC by RAQ, our Centre may also identify other legal issues the client is facing and then refer them for assistance within one of our other programs or to an external provider.

Connecting with CLE

As well as direct legal assistance and information, our Centre also provides Community Legal Education about Elder abuse, Enduring Powers of Attorney, Advanced Health Directives, Wills and

Guardianship and Administration. We conduct these sessions with community organisations and it's great to see more people equipped with knowledge that provides a direct benefit to them.

What are the benefits of EAPSS?

There are many benefits to the EAPSS program. Clients have a safe space to share their experiences and are better informed about their options. Clients receive information and help to make

decisions that are in their own best interests. It's great to see people empowered with knowledge and connected in with more services that can help them.

I enjoy helping clients to feel more supported at a time in their lives where they may be let down by those who should be looking after them.

~ Simone Butschle

Mackay Regional Community Legal Centre is one of six service locations providing regional service delivery of the EAPSS program in Queensland since commencement, and the only one providing the service in the Mackay region.



Our Programs

Outreach

Outreach services are undertaken as part of the generalist (CLSP) and tenancy (QSTARS) programs. Our Centre provides these services once a month by attending several regional locations. As part of the strategic direction and operation of the MRCLC, the Management Committee has placed a focus on the expansion of the outreach program. In the last financial year, solicitors from the Centre attend Sarina, Bowen, Cannonvale and Proserpine monthly in order to meet with clients and provide advice and assistance.

We continue to look at further options for service delivery and outreach locations.

Whitsundays

Over two days, on the fourth Thursday and Friday of each month, our solicitors visit Bowen, Cannonvale (Airlie Beach) and Proserpine. We provide in-person advice appointments at the Bowen Neighbourhood Centre on Thursday.

On the following Friday, our solicitors attend the Whitsunday Counselling and Support Service in Cannonvale, and then move to the Proserpine Community Centre in the afternoon, before returning back to Mackay.

Total outreach advices for Whitsundays in 2020-21: 32 CLSP and 1 QSTARS.

Mackay

On the second Tuesday of each month, a solicitor attends the Sarina Neighbourhood Centre. Being located within the Sarina Neighbourhood Centre provides the benefit of co-location of services who attend, many from Mackay, to meet with clients on that same day. Recently, the MRCLC has taken a more pro-active approach in liaising with Sarina's local service providers.

Clients often experience more than one issue or legal problem. While attending to connect with a particular service provider, they can approach or be referred to the MRCLC for assistance with any legal issues they are facing.

Total outreach advices for Sarina in 2020-21: 8 CLSP and 2 QSTARS.

Isaac

Spurred on by the receipt of additional funding under the COVID-19 Frontline Legal Assistance Program, the MRCLC commenced a regular monthly outreach attendance at Moranbah Community Centre, in the Isaac region. This will address a lack of service provision for that region.

Our Programs

Legal Advice Evenings

Legal Advice Evenings (LAEs) have been a core basis of service provision for our Centre. The MRCLC began as a voluntary service in 2004 at the Neighbourhood Hub with volunteers from the Mackay community, including solicitors, barristers, social workers and others, providing all services. Even with the commencement of modest funding from 2005 and increasing levels of funding since then, the donation of time and expertise of legal and other professionals remains fundamental to this service.

Currently, the LAEs occur twice a month. On the first Wednesday of the month, advice appointments for family law are booked. On the third Tuesday of each month, the general legal advice evening is run. Currently, the volunteers who donate their time to running these evenings include 11 solicitors, 1 barrister, 4 co-ordinators and 1 social worker.

We thank our committed staff who also volunteer their time to further service the needs of the community by attending the Legal Advice Evenings.

In the 2020-2021 year, the MRCLC provided **115 services** assisting **98 clients** through our Legal Advice Evenings.



We thank all our amazing
volunteers who contribute
to this service!

Our Programs

Community Legal Education

The MRCLC is committed to delivering Community Legal Education (CLE) sessions for the benefit of the community. In the 2020-21 year we, along with most other service providers, faced the challenges of COVID-19's impact on face to face, in-person engagement. Despite this, our CLE program has continued and attendees continue to express the value of receiving legal information and education to address 'real world' problems.

Our Centre conducts free community legal education and information sessions on various topics to a wide range of audiences. In the wake of the pandemic, the MRCLC utilised web-based services to provide the community with access to resources. CLE publications in relation to tenancy, *Tenancy Rights and Responsibilities in Queensland*, and the *Changes to the Associations Incorporations Act (Qld) 2021* were made available on our website.

Following implementation of COVID-safe plans, in person service delivery of CLE presentations recommenced for the Centre.

The MRCLC's Community Legal Education sessions for the 2020-2021 year included:

2020

September - Rikki presented a CLE on the *Associations Incorporations Act* to the Management Committee of OneLife NQ and created a CLE resource for this presentation.

October - Simone presented 2 CLEs on Tenancy - Rights and Responsibilities at the Jubilee Community Centre and St Vincent De Paul Society.

November - Rikki presented 2 CLEs in relation to the *Associations Incorporations Act*, attending The Neighbourhood Hub and Mackay Netball Association.

December - Simone presented a CLE on Wills, Probate and Powers of Attorney to the Older Women's Network at Mackay PCYC.



Community Legal Education

2021

February - Jessica presented a CLE at Queensland Justices Association Mackay Branch meeting in relation to the Elder Abuse Prevention and Support Service (EAPSS).

March – Simone presented several CLEs in March, attending the Family Relationship Centre where she ran 2 sessions in relation to Wills and Enduring Powers of Attorney.

Simone presented a CLE on Myths of Family Law in Australia at the Mackay Women's Centre to the CALD (Culturally and Linguistically Diverse) Women's Group.

She also presented to the English Conversation Circle in relation to Wills and

Enduring Powers of Attorney at the Dudley Denny Library.

April - Simone presented a Tenancy - Rights and Responsibilities CLE to Clermont High School students and a CLE on civil law to the English Conversation Circle at The Neighbourhood Hub.

May – Simone presented a CLE to the English Conversation Circle at The Neighbourhood Hub on Wills and Enduring Powers of Attorney & Advanced Health Directives.

June – Simone presented an online CLE at the MEAN (Mackay Elder Abuse Prevention Network) meeting on Wills and Enduring Powers of Attorney.



In the 2020-2021 year, and despite the impacts of the COVID-19 pandemic, the MRCLC provided CLE sessions to **216 people!**

Our Programs

Community Engagement

Throughout the 2020-2021 year, the MRCLC engaged with the community. Events include:

17 July 2020 Jessica and Vanessa attended the Mackay Aboriginal and Torres Strait Islander Family and DV Support Service launch.

5 August 2020	Vanessa attended the Duty Lawyer stakeholders meeting at the Mackay Courthouse.
19 August 2020	Simone attended the CLE Legal Assistance Forum meeting virtually.
3 September 2020	Jessica met with Julieanne Gilbert MP (Mackay)
21 October 2020	Rikki attended the Court Stakeholder meeting at the Mackay Courthouse.
21 November 2020	Vanessa attended the Mackay Women's Centre AGM.
9 December 2020	Jessica attended the QLS 2020 AGM virtually.
29 January 2021	Simone attended the Isaac Regional Council Youth Week meeting via Zoom with CQFCS.
3 February 2021	Vanessa attended the Centacare opening.
23 March 2021	Jessica met with LAQ CEO Nicky Davies at MRCLC.
16 April 2021	Simone attended the Lowanna House Committee Meeting.
28 to 29 May 2021	Jessica, Vanessa, Esmeralda and Fleur attended the 2021 North Queensland Law Association Conference in Mackay.
2 June 2021	Fleur held a stall with LAQ at the Mackay Homeless Expo.
17 to 18 June 2021	Fleur attended the Community Legal Centres Qld conference.
29 June 2021	Janice attended the Mackay Hospital and Health Services 'Closing the Gap' forum at the Mackay Entertainment and Convention Centre.

HOMELESS PERSONS EXPO – JUNE 2021



Business Coordinator
Fleur Holyland Salvador
and Ruth Wegner from
our Management
Committee attended
the Homeless Persons
Expo



CASA (Community Accommodation and Support Agency Inc) hosted the Homeless Persons Expo at the Sydney St Campus of CQ University. The event was cancelled in 2020 due to the COVID-19 pandemic, so it was great to see the expo back up and running.

INTERAGENCY AND NETWORK MEETINGS

Our Centre attends numerous interagency and network meetings to connect with services and understand the needs of the region. These have included:

- Binbi Tok Olgeta (Binbi – Aboriginal word: Good / Tok – Torres Strait Islander Creole: Talk / Olgeta – Bislama (official language of Vanuatu): Everyone).
- Interagency meetings for Mackay, Sarina, Whitsundays, Moranbah and Dysart.
- Community Legal Centres Queensland and North Queensland Law Association conferences; court services meetings and Mackay Regional Legal Assistance Forums.
- Community AGMs and Committee meetings, including Lowanna House and Mackay Women's Centre.

Our Programs

Case Studies

Case Study 1 – Tree Dispute

Everyone should be able to feel safe and relaxed in their own home, without being worried about their neighbours or risks of damage to their property.

Anne's* neighbours had large trees with branches overhanging into her yard. The trees were causing a constant problem of leaves and twigs clogging the guttering on her roof and covering her yard. Anne feared that the branches would fall on her or her home during a cyclone or storm. She was also unable to install solar panels on her roof as planned because of the small amount of sunlight that could reach her roof. Due to her fears about the trees Anne developed anxiety.

The dispute had been ongoing since 2015. Anne had tried dispute resolution in 2016, but no agreement was reached. MRCLC provided Anne with advice about her options and the steps she would need to take. In 2017 Anne commenced an application in QCAT seeking orders that her neighbours remove or trim back their trees. In mid-2020 QCAT ordered that certain branches and trees be removed, however Anne's neighbours did not comply with the QCAT orders. Due to the history of animosity between them, Anne felt unable to approach the neighbours about their non-compliance with the QCAT orders. MRCLC assisted Anne by writing to her neighbours requesting the works be carried out and organising same to occur. Anne's neighbours carried out the work ordered by QCAT within 3 weeks of the letter. Anne now feels much happier and safer at home.

Case Study 2 - Divorce

It will always be one of the worst times in a person's life when their marriage ends, but it can be even more difficult when the process to formalise that separation seems impossible to obtain. Cassidy* and Phil had been married for 3 years and been separated for a further 2 years. Cassidy wanted to apply for a Divorce.

Cassidy has an intellectual disability and is on a disability support pension. She could not afford to engage a private solicitor. The MRCLC assisted Cassidy to prepare and file an Application for Divorce on the Commonwealth Courts Portal. However, Cassidy did not know where Phil was and therefore was unable to organise for the Application for Divorce to be served on him as required. She did not have any contact details for Phil, his friends or his family. During the

marriage, Phil did not talk about any of his friends or family and did not introduce her to anyone. She could not afford to carry out extensive searches for Phil.

The MRCLC assisted Cassidy to prepare and file documents seeking an order that she not be required to serve the Application for Divorce and explaining why that was the case, including the steps she had undertaken to try to find current contact details and that of family and friends. The Federal Circuit Court granted an Order for divorce. She was relieved that this matter was finally at an end.

Case Study 3 – Consumer Dispute

Nancy* was referred to MRCLC by Legal Aid Queensland. Nancy is in her 70's and receives the Disability Support Pension. Due to having limited financial resources, she was unable to afford private legal advice or assistance.

Nancy's legal problem arose after she engaged the services of a vehicle transport business to move her car interstate. The business verbally advised Nancy that complimentary transit insurance was included in the fee; this was also advertised by the business on their website. At the time of transport, she did not have her own comprehensive insurance. Accordingly, she made verbal enquiries with the vehicle transport business to ensure the complimentary transit insurance would be adequate for her needs and she was informed that it was.

When Nancy collected her vehicle, she noticed new damage. She had evidence, including photographs and written evidence, to prove the damage was not present at the time the vehicle was delivered to the business' premises. Due to the nature of the damage, Nancy was unable to obtain a safety (road worthy) certificate and register the vehicle.

Nancy initially tried to resolve the dispute with the business directly. The business refused to accept they were liable for the damage and advised Nancy that the complimentary transit insurance did not cover the type of damage to her vehicle. As Nancy required a vehicle, she had to pay to have the repairs done at her own expense using her savings.

MRCLC advised Nancy that she could attempt to recover her out of pocket expenses from the vehicle transport business via a consumer dispute in the Queensland Civil and Administrative Tribunal ("QCAT"). MRCLC advised Nancy how to complete, file and serve the QCAT application. MRCLC also provided ongoing advice to assist Nancy to prepare for the QCAT hearing. With MRCLC's advice, she was able to prepare the QCAT Application herself and self-represent at the QCAT hearing. Nancy was successful with her QCAT Application.

Case Study 4 – Retaining Tenancy

We received an urgent referral from QSTARS for Sally Smith*. From the referral and subsequent appointment we found out that Sally had been in rental accommodation with her son. She had been paying \$380 per week. In March 2020 she had lost her job because of the COVID pandemic. Prior to losing her job Sally had never been in rental arrears.

Sally negotiated with her real estate agent to pay a reduced rent. The property manager agreed on the basis that she would defer payment of the difference owed until she regained employment. Sally had thought this was a rent reduction, not that she would be required to repay the difference. Sally regained work later in the year. She was only getting a few hours of work a week so her weekly income was around \$200. She was making additional payments to make up the difference, but the property manager took her to QCAT for being \$1,600 in rental arrears.

A few days prior to the hearing she found out her hours would be increasing and she would be earning \$500 more per week. Unfortunately when it came to the day of the hearing, Sally's taxi to take her to the court house never arrived. She frantically organised a neighbour to take her to the court house. Her matter had been scheduled at 8:30am, when the court opens, but she arrived at 8:40am. She sat for over two hours at the court house before finding out the matter had already been heard and a Warrant of Possession had been issued, requiring her to vacate the premises within 14 days.

This is when Sally had her appointment with us. On that day, our solicitor prepared the Application to re-open a hearing, submissions setting out the law and the orders she was seeking, Sally's Affidavit which set out the circumstances of the matter generally and how she came to miss the hearing, and an Application to stay (or put on hold) the original decision. We also prepared a letter to the courthouse explaining the urgency of the matter and a letter to the Queensland Police Service requesting the Warrant not be executed. The submission was based on an element that the Tribunal must consider when making an order about a failure to leave for an unremedied breach, which is to consider the seriousness of the breach.

Sally collected her own evidence to show her income, had her documents witnessed at the courthouse and filed the original and copies at the Registry. A week later Sally attended the MRCLC to inform us her matter had been re-opened and she was successful in maintaining her lease by entering into a payment plan. Had Sally been evicted, her and her family would have been homeless for Christmas during the first year of the pandemic.

The Future

Service Development

During the 2020-2021 year:

- MRCLC entered into a new Service Agreement with Legal Aid Queensland (LAQ) to deliver domestic violence duty lawyer services at the Mackay Courthouse on a rostered basis.
- MRCLC's Service Agreement for the EAPSS program with Relationships Australia Queensland (RAQ) was extended for another 12 months. MRCLC will continue to provide legal advice to clients who are experiencing elder abuse.
- The MRCLC has continued the process of collaborative regional service planning with the Mackay Legal Aid Queensland (LAQ) office, Mackay Aboriginal and Torres Strait Islander Legal Service (ATSILS) and Relationships Australia Queensland. Our services see the importance in identifying and attempting to address legal service gaps in the Mackay, Whitsunday and Isaac Regional Council areas.
- MRCLC received \$33,000 of funding from the Queensland Department of Justice and Attorney-General to purchase new technology to facilitate service delivery during the COVID-19 pandemic.
- MRCLC laid the groundwork for an Outreach service to the Isaac local government area. Clients have been able to receive face to face advice from a solicitor in Moranbah once a month since August 2021.
- The remaining COVID-19 funding has been rolled over into the new year to assist clients impacted by the effects of the pandemic, with a continuing priority for D & FV matters.
- The MRCLC continues to be a shareholder in the Mackay Regional Housing Company and Ruth Wegner, Management Committee member, is our representative. The company is focused on addressing the housing shortage for those on low incomes in this region which is vital given the incredibly low vacancy rates in the Mackay region (1%).

Reconciliation

Reconciliation Action Plan (RAP)

Our Centre is excited to take the next step in our reconciliation journey. We have formally registered for our REFLECT Reconciliation Action Plan (RAP) with Reconciliation Australia, and aim to complete our RAP by 30 June 2022. We are looking forward to growing our cultural competency and awareness, and ensuring the MRCLC is culturally safe and accessible for First Nations and Australian South Sea Islander clients, in order to improve social and legal outcomes. We are committed to hearing the voices of traditional custodians and elders, and ensuring our plan incorporates real steps to benefit the First Nations and Australian South Sea Islander peoples in our unique region.

Conclusion


2020 – 2021 The Wrap

The Mackay, Whitsunday and Isaac Regional Council areas, containing a population of approximately 175,000 people over an area of 90,140 square kilometres, are serviced by the Mackay Regional Community Legal Centre Inc (MRCLC).

The statistics for 2020 - 2021 demonstrate the continuing need for a community legal centre within Mackay and regional localities, and highlights the challenges of providing an appropriate level of service to the most disadvantaged in our community.

Even though we have assisted 1,132 people, there are still people that are turned away and those located in rural or remote areas are not being reached to the extent we would like to see.

Nevertheless, the MRCLC was able to significantly assist our community through the provision of Community Legal Education, 1,628 advices, 105 legal tasks, 127 D&FV duty lawyer services and by working on 55 ongoing casework files.



**We thank our staff, volunteers,
Management Committee,
funders and all those in the
community who support our
service.**