



MACKAY REGIONAL  
COMMUNITY LEGAL CENTRE Inc.

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# ANNUAL REPORT 2021-2022

# Annual Report 2021 – 2022

## CONTENTS

### About Us

|                            |    |
|----------------------------|----|
| Our Purpose and Vision     | 4  |
| Our Region                 | 6  |
| Our ESG Commitment         | 8  |
| Our Clients                | 9  |
| Management Committee       | 11 |
| Our Reconciliation Journey | 14 |
| Volunteers                 | 17 |

### 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 (QSTARS) |    |
| - 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 |
|---------------------|----|

### Conclusion

|                      |    |
|----------------------|----|
| 2021 – 2022 The Wrap | 58 |
|----------------------|----|

## Snapshot

...

1,154 clients  
(legal advice and/or ongoing assistance)

81.3% earn less than  
\$52,000 a year

69.3% female

35% over 50

28% (321) disability  
and/or mental illness

10.9% (126) clients  
identify as First Nations

1,590 legal advices

121 legal tasks

160 D&FV duty lawyer  
services

35 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 charity administered by a volunteer management committee, providing legal assistance through employed staff and volunteers.

The Centre provides free and confidential legal advice, information, referrals and ongoing assistance to financially disadvantaged people. The Centre also delivers presentations on various legal topics to community and other organisations, as well as to the general public.

The service is provided 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](mailto:admin@mrclc.com.au)  
Office Hrs: M – F 9am-4pm  
Legal Advice Evenings:  
2 per month 5:30-7:30pm

Web and Socials:

[www.mrclc.com.au](http://www.mrclc.com.au)



### Acknowledgement of Country

The MRCLC acknowledges and pays respect to the traditional custodians of the land on which we work in Mackay, the Yuwibara, as well as those of neighbouring lands, and to their Elders past, present and emerging.



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



## About Us

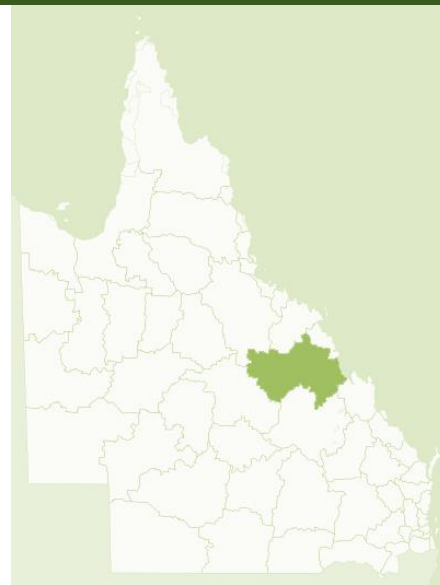
### Mackay



### Whitsunday



### Isaac



### Population – 174,816

117,902

35,927

20,987

### Area (sq km) – 90,140 km<sup>2</sup>

7,614 km<sup>2</sup>

23,818 km<sup>2</sup>

58,708 km<sup>2</sup>

(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

The MRCLC has continued to provide services throughout the Mackay, Whitsunday and Isaac regions despite the difficulties COVID-19 continued to bring to our service and our clients. Our services adapted. Throughout the financial year, appointments continued in outreach locations and in person appointments occurred as needed. I offer enormous thanks to our hardworking staff who help to improve people's lives by providing high quality legal assistance in often multifaceted challenging circumstances.

With residential vacancy rates remaining very low (Mackay recorded a vacancy rate of 0.5% in March 2022) and rents significantly increasing, our tenancy solicitors, in particular, see the hardship experienced by our clients firsthand. The MRCLC helps to ensure tenants are only being required to leave on a valid basis, provide information on housing options and assist with contested matters in the Queensland Civil and Administration Tribunal when that becomes necessary. We have seen a large number of housing providers and property managers issuing Notices to Leave at the commencement of the lease. I understand this occurs to protect their, or their client's, interests, but this seems hardly to be within the spirit of the legislation and causes unnecessary distress and uncertainty for tenants.

Unspent funds from Commonwealth COVID-19 funding were carried over, which enabled the MRCLC to see a greater number of clients than would otherwise be possible, particularly in relation to domestic and family violence and family law. This funding has now come to an end.

Thank you to Esmeralda Reasbeck and Maria Orcullo who volunteered as a member of the management committee until the end of last year. Esmeralda's friendly and sociable company was matched by her knowledge of the legal profession and style. She certainly had some entertaining stories.

Maria Orcullo generously volunteered her time from August 2021 in various ways, including to provide 66 legal advices. In addition to that, she was employed part-time from January – June this year. She commenced part-time employment with us again from late October 2022 under the Queensland Statewide Tenant Advice and Referral Service (QSTARS) and the new workplace sexual harassment and discrimination service.

I wholeheartedly thank Fleur Holyland Salvador for the new part-time role of Business Coordinator that she took up with gusto from March 2021. With the position being extended twice, we unfortunately ran out of funding in September 2022 to maintain that position. She made significant improvements to the promotion and backbone aspects of our service over this time, and helpfully provided legal advices when required, as Fleur is also a solicitor.

Outreach has developed at the Moranbah Youth and Community Centre, with relationships building between the MRCLC and the Moranbah and District Support Service in particular. The number of referrals and clients from Moranbah have been increasing. With the 2 hour 15 minute drive each way, we have been able to have 1 hour appointments for up to 4 clients. It makes for a long day, but well worth it to reach the Moranbah and Dysart communities. We appreciate your support.

The MRCLC has recently entered Service Agreements in relation to 2 new programs:

- Family Advocacy and Support Service
- Workplace Sexual Harassment and Discrimination Service

I look forward to these services being provided in our region 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.

## About Us

### Our Objectives

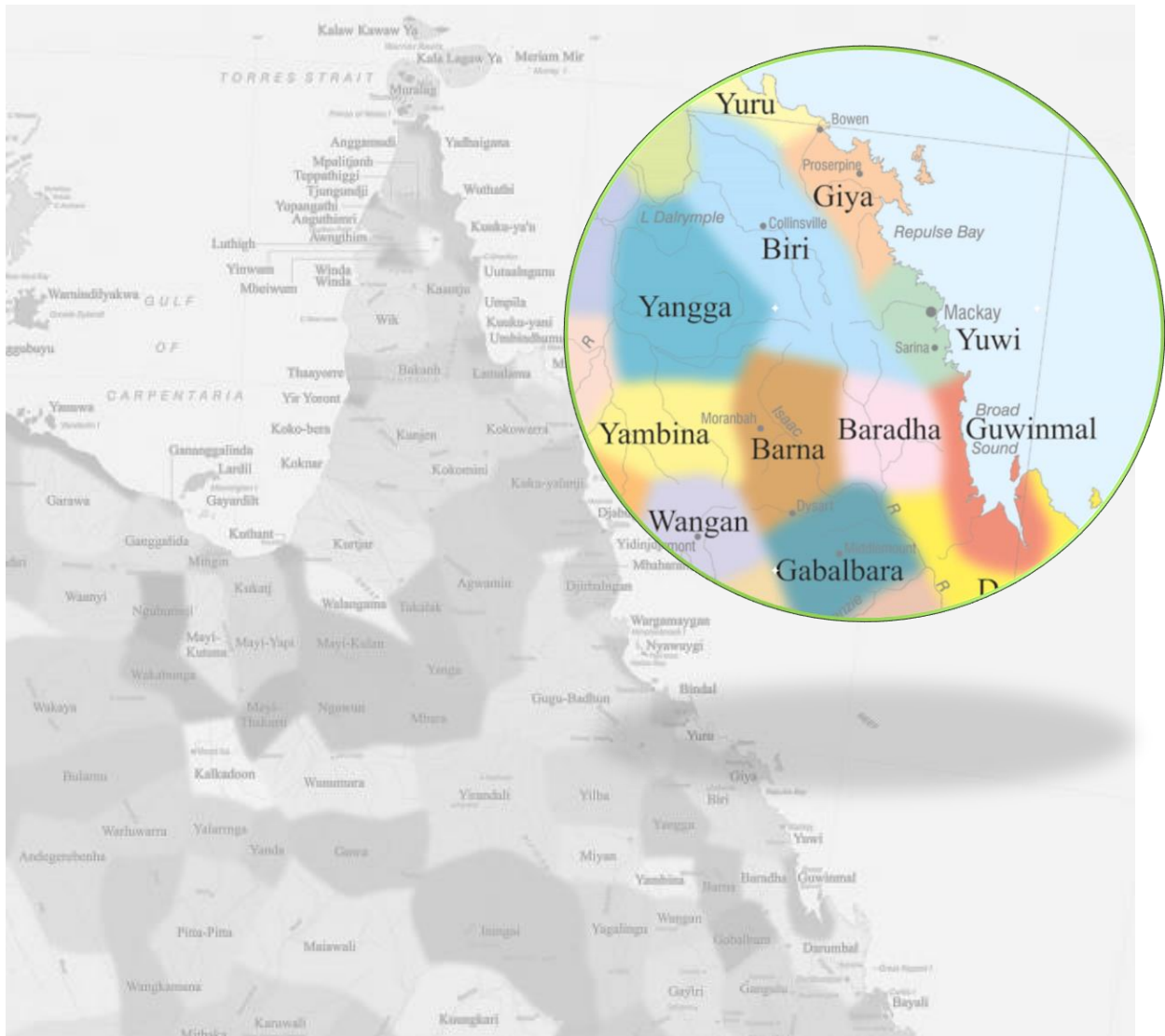
- (1) To provide a free and accessible legal service;
- (2) To seek legal and social change in order to create a more just society;
- (3) To address inequalities within the law and society;
- (4) To promote legal education;
- (5) To provide a legal service that recognises the social/welfare issues facing 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.

### Our Region



## 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 Environmental, Social and Governance Obligations

#### Environmental

MRCLC is committed to managing and reducing its environmental impact. To this end, MRCLC has a Rubbish and Recycling policy that governs our rubbish disposal and recycling procedures. MRCLC purchases energy efficient appliances and equipment and maintains same to avoid energy overconsumption.

In 2023, MRCLC will be using a dedicated recycling service to recycle smaller items.

#### Social

MRCLC is mindful of its social impact, both internally and externally. Owing to the nature of its work, MRCLC has a positive social impact, providing free legal services to vulnerable and disadvantaged people.

MRCLC has a range of policies dedicated to the overall health and wellbeing of its staff members, including policies that provide for leave for staff experiencing domestic and family violence, and for flexible working arrangements.

At the external level, MRCLC always aims to source equipment and office supplies from local companies to support local businesses and employment. MRCLC's service providers, including our IT provider and cleaning company, are all small local businesses.

In 2022, MRCLC's first Reconciliation Action Plan was endorsed by Reconciliation Australia. MRCLC is excited to undertake meaningful actions that will benefit our local First Nations people and Australian South Sea Islanders, and those beyond our service area.

MRCLC is committed to gender equality and equal opportunity employment. Our Manager and Principal Solicitor is female, as are all our staff members. There is significant cultural diversity amongst our staff.

#### Governance

MRCLC's management committee is comprised of six members from an array of professions, including legal and accounting backgrounds. It is committed to diversity within its membership. At present, two thirds of the management committee are female. Our management committee is governed by sixteen (16) policies that strive to ensure our committee acts ethically, transparently, and efficiently.

## About Us

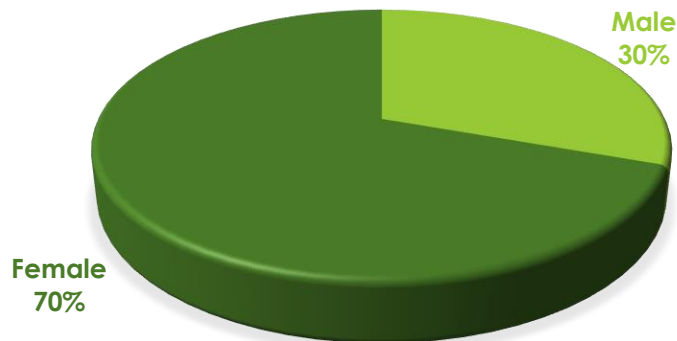
### Our Clients

**The MRCLC assisted 1,154 clients\***

\*Excludes Community Legal Education (CLE) attendees.

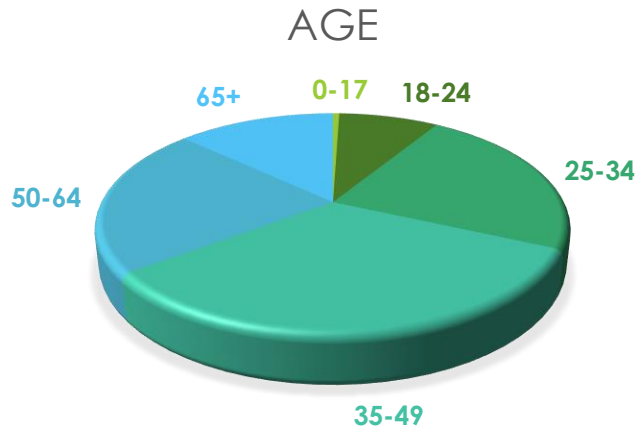
|                              |              |
|------------------------------|--------------|
| Informations                 | <b>124</b>   |
| Referrals                    | <b>3,728</b> |
| Legal Advice                 | <b>1,590</b> |
| Legal Tasks                  | <b>121</b>   |
| D&FV Duty Lawyer             | <b>160</b>   |
| Cases Opened                 | <b>30</b>    |
| Cases Closed                 | <b>35</b>    |
| CLE Resources & Publications | <b>3</b>     |
| CLE Presentations            | <b>10</b>    |

### GENDER

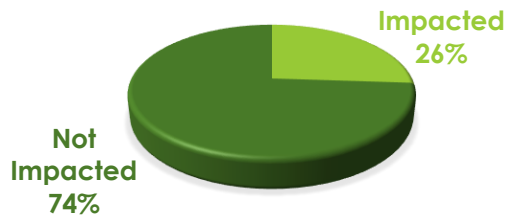


## About Us

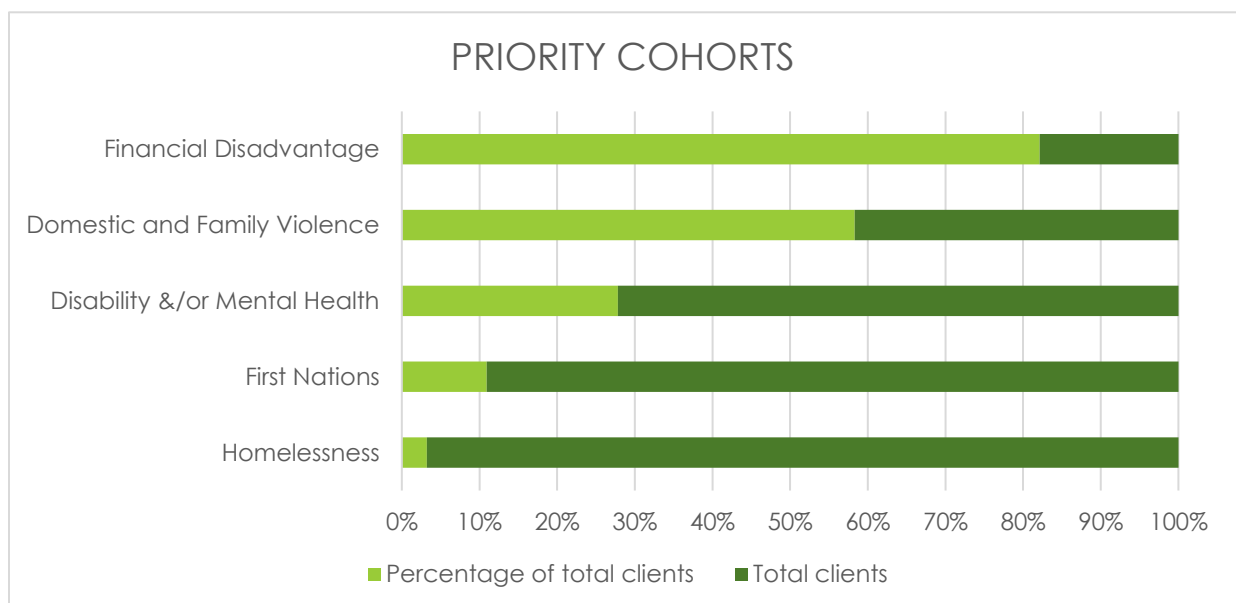
### Our Clients



### COVID-19 IMPACTED (CLSP AND QSTARS)



**Income scales (per annum):**  
**Low:** below \$26,000  
**Medium:** between \$26,000 and \$52,000  
**High:** above \$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



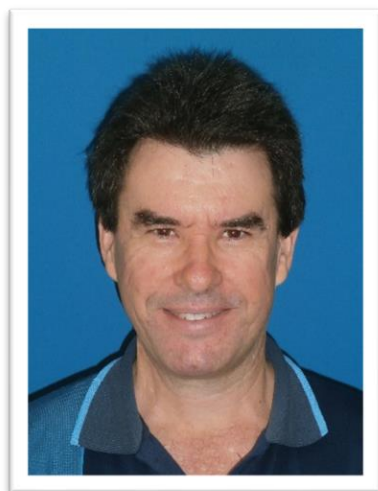
I started with MRCLC in 2017 as a committee member and was appointed President last year. I have previously worked as a Family Dispute Resolution Practitioner (Family Mediator) in the community sector, as well as various legal roles in the private sector.

I currently work as a family lawyer 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

#### **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 30 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 a Family Dispute Resolution 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.

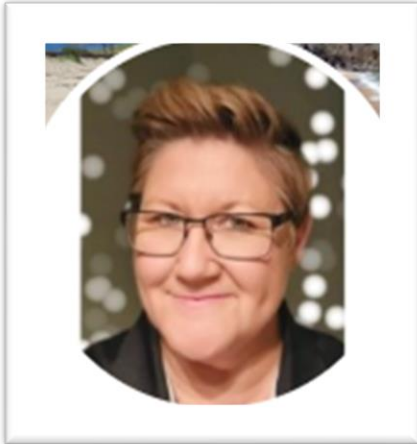
In 2002, I commenced work with Legal Aid Queensland and have been on the MRCLC management committee since then, when it was under the auspice of George St Neighbourhood Centre, now known as The Neighbourhood Hub. I have withdrawn from the committee at times over the years where my work with LAQ presented 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

Karen Bonham



I am the Community Development Manager at MADEC Ltd. I have a passion for connecting our community and as a Mackay local, have a long history of working in community organisations, including MRCLC, IDEAL Placements and Connect Housing Group. I am currently the chair of Mackay Regional Mental Health Network, President of the Mackay Youth Support Services Management Committee and Secretary for the Run For MI Life Board. I'm also a member of the Backbone Planning Group for the Youth Out Loud 1000 Conversations project facilitated by Mackay Regional Council and Greater Whitsunday Communities.

Jason Kirkpatrick



I joined the MRCLC Committee in 2021. I had previously gained work experience as a Law Graduate at MRCLC in 2017, so I have an appreciation of the hard work MRCLC does. I am currently a Family Dispute Resolution Practitioner at CatholicCare Central Queensland and am the current Family Law Pathways Officer for the Mackay/Whitsunday region. I am enjoying being on the MRCLC committee and am grateful to be a part of the committee, because of the fantastic service they provide for the region.

**The MRCLC extends our sincerest thanks to our Management Committee.**

## About Us

### Our Staff

**Jessica Brake**

Manager and Principal Solicitor

**Simone Butschle**

Solicitor

**Vanessa Pranjivan**

Solicitor

**Rikki-Anne Wilson**

Solicitor

**Fleur Holyland Salvador**

Business Coordinator and Solicitor

**Maria Orcullo**

Solicitor

**Janice Storti**

Senior Administration Officer

**Katie Morgan**

Administration Officer

## About Us

### Our Reconciliation Journey

In the past MRCLC staff have undertaken cultural awareness training on an ad hoc basis through multiple providers, including from local Aboriginal staff at the Queensland Department of Seniors, Disability Services and Aboriginal and Torres Strait Islander Partnerships (DSDSATSIP), Aboriginal online and other providers. In May this year the MRCLC for the first time provided community legal education at the Mackay Yamadi Lera Yumi Meta Association. A presentation was delivered on elder abuse, with one presentation delivered to Aboriginal and Torres Strait Islanders, and the other to Australian South Sea Islanders.

The staff and management committee decided to begin its reconciliation journey in 2022. The Reconciliation Action Plan Working Group first met on 19 January 2022 and culminated in the development of the Reconciliation Action Plan (RAP). Our RAP working group is made up of four staff members, one member from MRCLC's management committee and a First Nations representative.

MRCLC has some understanding of the unique challenges faced by First Nations clients when accessing the legal system. MRCLC hopes that, with the development and progression of its RAP, First Nations clients will have better access to a holistic legal service that meets their individual legal need.

The working group met monthly to develop our RAP and its activities included:

- Developing our Reflect RAP, including developing our Terms of Reference
- Participating in NAIDOC week events
- Circulating NAIDOC resources to MRCLC staff members to help them understand the importance of NAIDOC week
- Identifying relevant stakeholders in the Mackay, Whitsunday, and Isaac Regional Council areas, including not-for-profit organisations dedicated to providing services to First Nations people, that might benefit from MRCLC services (and vice versa)
- Gaining First Nations representation on our working group

Our RAP was formally endorsed by Reconciliation Australia on 1 September 2022 and can be found on their website [here](https://www.reconciliation.org.au/reconciliation-action-plans/who-has-a-rap), or by searching their register at <https://www.reconciliation.org.au/reconciliation-action-plans/who-has-a-rap>.

MRCLC is proud to launch its RAP on 4 November 2022, immediately prior to our AGM. MRCLC hopes that our reconciliation journey will allow us to:

- Deliver more legal services to First Nations clients in a manner that is culturally safe



- Develop stronger working relationships with First Nations organisations
- Educate our staff and volunteers on what it means to facilitate a culturally safe environment for our First Nations clients, and how we can break down barriers they face when accessing the legal system
- Increase our participation in First Nations specific events, like Closing The Gap events
- Boost our presence and make our services known to First Nations clients in our service area



## About Us

### Our Volunteers

The Mackay Regional Community Legal Centre acknowledges the invaluable contribution of volunteers during the 2021-2022 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**

##### Solicitors

- |                             |                              |
|-----------------------------|------------------------------|
| - James Bailey              | SR Wallace & Wallace Lawyers |
| - Richard Callaghan         | Kelly Legal                  |
| - Jenna Cruikshank          | Maurice Blackburn            |
| - Lucy Guye                 | Macrossan and Amiet          |
| - Adam Harvey               | Harvey Legal                 |
| - Kyla Marshall             | Parker Law QLD               |
| - Esmeralda Reasbeck        | MRCLC                        |
| - Lara Tom                  | SR Wallace & Wallace Lawyers |
| - Katie-Elouise White-Spier |                              |
| - Maria Orcullo             | MRCLC                        |
| - Rikki Wilson              | MRCLC                        |
| - Danielle Woodward         | SR Wallace & Wallace Lawyers |

##### Coordinators

- |                    |                     |
|--------------------|---------------------|
| - Emily Lawson     | Macrossan and Amiet |
| - Brittany Colussi | Wallace and Wallace |
| - Vanessa Ladewig  |                     |

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

## About Us

### Our Volunteers

#### **Day Service Volunteers**

##### Solicitors

- Maria Orcullo

##### Law Students

- Emily Lawson

##### High school students:

- Katelyn C



Thank you to 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 I reflect upon the year that has been, I would be remiss not to acknowledge the disruptive force that has controlled our lives for the better part of three years. The light at the end of the long dark tunnel of Covid-19 is nearing. The world is slowly returning to some normality. The ever ominous risk seems to be slowly dissipating, and I am optimistic to say that we can relinquish our fear of a dreaded virus that once ruled our lives. For, what I hope to be the last time, I write this year's report within the backdrop of Covid-19 and its impact once more upon the Mackay Regional Community Legal Centre (MRCLC) this year.



President Justine Sturgiss

This year was another challenging year in terms of how we provide services to clients, while continuing to keep our staff and community as safe as possible. There remained restrictions for the larger part of the year and we faced continued unprecedented challenges including the mask mandate. This provided a challenge to us in terms of service delivery to the outreach areas we had identified in our previous strategic planning meeting. Unfortunately, we were not able to do as much work in these areas as we had anticipated and outreach was cancelled in January and February due to outbreaks in Queensland. However, I would like to acknowledge the dedicated staff who continued to provide these services to the best of their ability and had no complaints when we were able to commence our service delivery to those areas again.

To that note, I would like to sincerely thank each and every staff member and volunteer for their hard work and dedication this year. In an industry where burnout remains high, then add on the extra extenuating circumstances we as a society had to face, each and every one of you continued to not only show up, but greatly assist those who needed help the most. You all should be incredibly proud of your efforts and, although words could never repay your debt to society, we thank you one million times over.

Once again, the client satisfaction survey results showed just how wonderful the staff at MRCLC are, with the centre predominantly achieving higher than average satisfaction results compared with other Queensland community legal centres. I am consistently pleased with how well this centre scores on these surveys every year and each staff member should feel incredibly proud of this success.

This year saw us say farewell to our Business Coordinator (and sometimes Solicitor) Fleur Holyland Salvador. Fleur did some incredible work during her time as Business Coordinator including a significant amount of work on our Reconciliation Action Plan, assistance on various grant applications and a thorough review and amalgamation of our numerous policy and procedural documentation. On behalf of the MRCLC I would like to wish her all the very best in her future endeavours.

Due to MRCLC's strong financial position and receipt of extra funding, we were able to recognise the hard work that one of our volunteers, Maria Orcullo, continuously put in and offer her a paid contractual position within the centre. Maria has been assisting with family law and generalist services.

MRCLC continues to be financially secure with a great thank you once again to our very experienced Treasurer, Mark Armstrong. Both Mark and Jessica Brake do an incredible job in ensuring that they come very prepared to every management meeting with all the information required for us to make informed decisions regarding the finances. Although we had to deal with interest rate rises, inflation and no further Covid-19 funding, the Centre remains in a good financial position.

The centre was recently granted a contract to assist with a new government funded program regarding workplace sexual harassment and discrimination. The funding we will receive was more than we had applied for (which was a great shock to us!) and with that, the team has already begun their strategic planning on how best to utilise this funding and help the community in this space. We were also pleased to have our Elder Abuse Prevention and Support Service (EAPPS) contract renewed for another twelve months.

One of the interesting challenges we faced this year was how the new legislation in relation to mandatory reporting of child sexual abuse would work within the confines of legal professional privilege. Once more, the MRCLC took this change within their stride and acted promptly, amending forms as needed and providing training to staff members.

One of MRCLC's greatest achievements this year was the formation and submission of our Reconciliation Action Plan (RAP), with the document being formally endorsed on 1 September 2022. The decision to submit a Reconciliation Action Plan was not made lightly. There were many discussions and meetings between staff, committee members and the RAP working group on what exactly we wanted to achieve in forming this RAP and how we could genuinely achieve what we said we would do. I am greatly honoured that we were able to launch our Reconciliation Action Plan at our Annual General Meeting this year.

I am delighted to say that our committee membership grew this year. Karen Bonham joined the management committee at the last AGM. Unfortunately though Maria Orcullo resigned in December 2021 due to being offered a contract of employment with the MRCLC, however Jason Kirkpatrick joined the committee in January. On behalf of the existing committee members, we thank you enormously for volunteering your time, and we very much look forward to working with you all.

To that note I would like to thank the existing members of the MRCLC Committee – Ruth Wegner, Mark Armstrong (Treasurer), Jasmine Rekowski (Secretary), Karen Bonham, Jason Kirkpatrick and last, but definitely not least, Manager and Principal Solicitor, Jessica Brake. Without the support that you all provide, to not only me, but the committee and the centre in general, it would not be the success that it is. I am incredibly grateful to each of you for everything that you give to this committee. It takes some very special people to continue to volunteer their time to a community service. I came across this quote recently that I believe expresses the centre and community's gratitude towards your dedication: *"Volunteers don't get paid, not because they are worthless, but because they are priceless"* –Sherry Anderson.

I ended my report last year optimistically, and I aim to continue that pattern. MRCLC has overcome challenges that I doubt we could have ever predicted we would face. With the strong leadership of Jessica and her incredible team of staff, I have every faith that this centre will continue to succeed. I appreciate that with the end of one challenge, another commonly forms in its wake. There are concerns about inflation and the economy and how we as a society rebuild after years of existing through a pandemic. While I am unsure how these issues will transpire, what I can be sure about, is that Mackay Regional Community Legal Centre will continue to be there for the Mackay, Whitsunday and Isaac regions. We will continue to provide legal assistance to all those who need it and I can be certain it will be done with the utmost skill, passion and integrity.

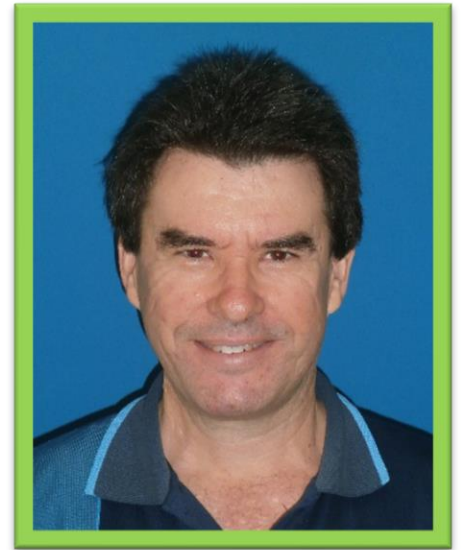
# P R E S I D E N T , S R E P O R T



## Executive Reports

### Treasurer's Report and Financial Statements

The financial performance and financial position of the centre was sound and in accordance with strategic and operational plans. Additional unplanned grants/subsidies were received due to the COVID-19 pandemic, which were lower than the prior year and reduced the operating deficit 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 decreased by around \$150,000 (16% of total revenue) and amounted to more than \$780,000. The main changes in funding over the past year pertained to the unplanned COVID-19 Frontline Legal Assistance Program that was reduced by almost \$60,000 (55%), federal cash flow boost reduction of \$50,000 (100%) and other grants which reduced by around \$43,000 (63%) and had funded Information Technology infrastructure upgrades.

Recurrent government grants (Commonwealth and State) increased by approximately \$8,000 (1.7%) and amounted to approximately \$469,000 (60% of total revenue). Contractual income for the Queensland State-wide Tenant Advice and Referral Service (QSTARS) increased by around \$5,600 (3%) and amounted to about \$193,000 (25% of total revenue). Income from Services and Mental Health Review Tribunal programs also decreased by about \$13,000 (33%) and was more than \$26,000 in total (3.4% of total revenue).

Total expenditure reduced by approximately \$47,000 (6%) in accordance with available funding, which was applied proportionately to deliver the services of each program and amounted to more than \$790,000. The main change in costs related to decreased staffing to achieve service obligations, which reduced by approximately \$19,000 (3%) and was more than \$610,000 in total (77% of total expenses). Accommodation costs increased by almost \$1,600 (1.9%) and amounted to about \$83,000 (11% of total expenses).

At the end of June 2022, the centre held total cash holdings of approximately \$360,000 and delivered an operating deficit in the region of \$12,000, having successfully responded to the uncertainties of the COVID-19 pandemic and improving business processes during that time. The cash holdings were partially committed to liabilities of approximately \$153,000 which related to employee entitlements (\$87,000) and other creditors (\$66,000). Nett current assets were

approximately \$255,000, which included current liabilities of around \$111,000 that were expected to be paid in the forthcoming year. Non-current liabilities of about \$42,000 related to long service leave entitlements that were expected to be paid beyond the next 12 months. Net assets and members' funds amounted to approximately \$227,000 and equated to about 3.4 months of operating expenses.

### 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, 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; and
- Cyber operations and interruption.

### Financial Governance

Financial reports were prepared by an independent professional bookkeeping business, Blitzin Books (now Coastal Accountants and Bookkeepers), and reviewed against operational plans each month by the Manager/Principal Solicitor and management committee. Financial transactions were processed in accordance with delegations of authority that were clearly defined in the centre's policies and procedures. Business operations were underpinned and supported by a comprehensive framework of internal control which included effective segregation of financial duties and reconciliations of accounts. The financial systems, processes and organisation of the centre were designed to provide a high level of financial assurance to stakeholders.



### Organisational Governance

The centre is governed by a comprehensive suite of policies and procedures that clearly articulate the organisation's objectives, structure, roles and responsibilities, professional standards and operational requirements including business continuity arrangements. They were originally developed from a framework of generic policies and procedures at the time of incorporation in 2003 and later restructured into the current more comprehensive suite in 2016. All policies and procedures are systematically reviewed and updated by the Management Committee throughout the year to ensure they continue to be relevant and appropriate. The higher-level scope of key policies and procedures include:- organisational purpose, structure and relationships; code of ethics and conduct; professional standards; managing records and information; external communications; and cultural safety.



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**Mark Armstrong**  
Treasurer

## TREASURER'S REPORT 2021-2022

## 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

*Ended May 2022*

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



#### 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 Queensland, through funding from the Queensland Department of Communities, Housing and Digital Economy.



### Other Sources of Funding Received During the 2021-2022 Financial Year

#### **Legal Aid Queensland Community Legal Education Collaboration Grant**

In June 2022 MRCLC was successful in its application under the Legal Aid Queensland CLE collaboration fund to deliver a CLE on the new mandatory reporting requirements in Queensland. This CLE will be developed with the Courage Project and aims to help community support organisations and their workers to understand the new laws on the mandatory reporting of sexual offences committed against children by an adult.

MRCLC received \$20,000 of funding to deliver these community legal education sessions in the Mackay, Whitsunday, and Isaac local government areas.

## 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 most of the 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. This includes credit and debt matters, employment law, wills and estates, family law and motor vehicle accidents. In May 2020, the Federal Government announced additional funding for the legal sector to help clients that had been impacted by the COVID-19 pandemic, particularly those experiencing domestic violence. This allowed MRCLC to increase its service capacity, and in particular, helped to establish the commencement of our Outreach service to Moranbah. This funding extension ended in March 2022.

#### Legal Advice and Assistance

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 civil law areas such as employment, credit and debt, consumer and neighbourhood disputes, social security, discrimination and human rights. The MRCLC does not assist with criminal law or commercial matters, conveyancing, personal injuries or preparation of wills.

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, people who experience disability or mental illness, and people with low education levels.

## CLSP Deliverables

In the 2021-22 year, the MRCLC provided 3,111 services to the community.

| Achieved     |       |                         |    |
|--------------|-------|-------------------------|----|
| Information  | 98    | CLE presentations       | 10 |
| Referral     | 2,249 | CLE resources           | 3  |
| Legal Advice | 711   | Closed ongoing services | 35 |

### Service Delivery for Legal Advice

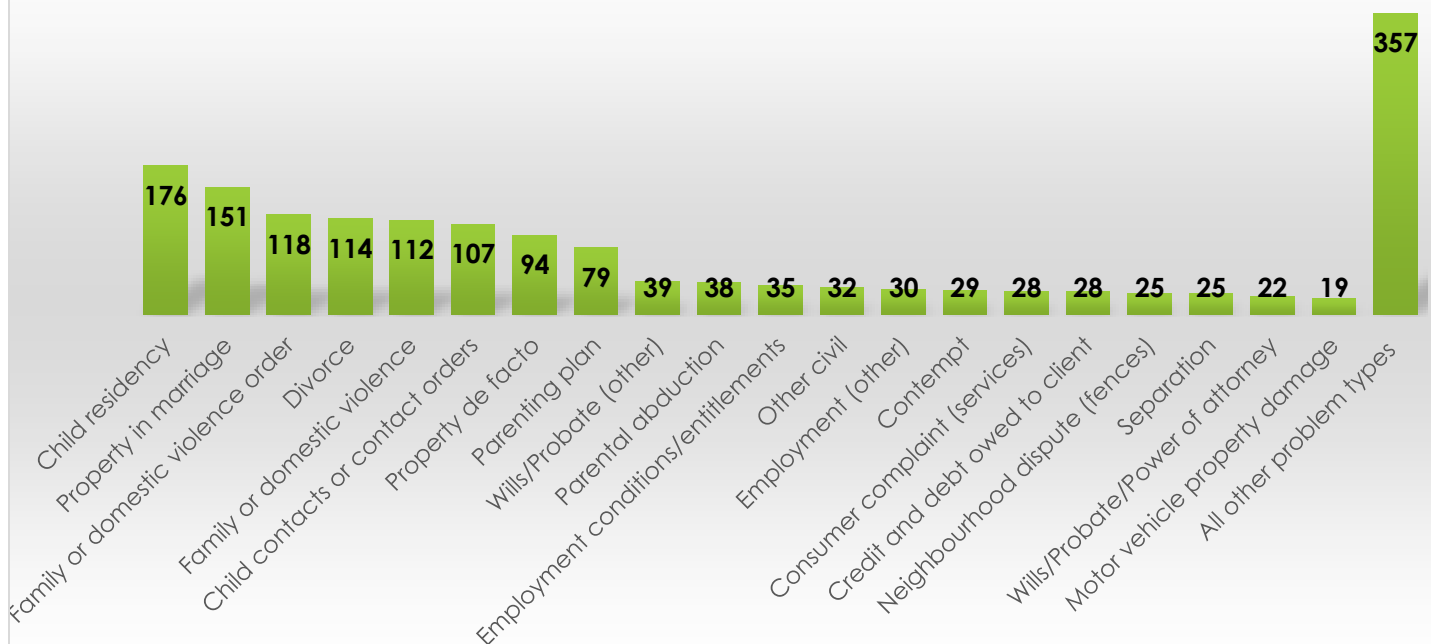
| Achieved    |     |                         |    |
|-------------|-----|-------------------------|----|
| MRCLC Staff | 502 | Outreach – Sarina*      | 4  |
| Volunteers  | 163 | Outreach – Whitsundays* | 59 |
|             |     | Outreach – Moranbah*    | 6  |

\*(Additional advices and/or casework clients may have also been provided under other programs)

### 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

### 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 residential tenants and rooming accommodation residents in Queensland with high quality, free, independent and accessible tenant advisory services that assists 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 2021-22 year, our Centre provided **3,861 instances of service** and **2,022 hours of assistance** to vulnerable clients under this program. We provided **617 advices, 76 legal tasks** and **589 referrals** to vulnerable tenants throughout Queensland 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 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, and
- 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 to 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.

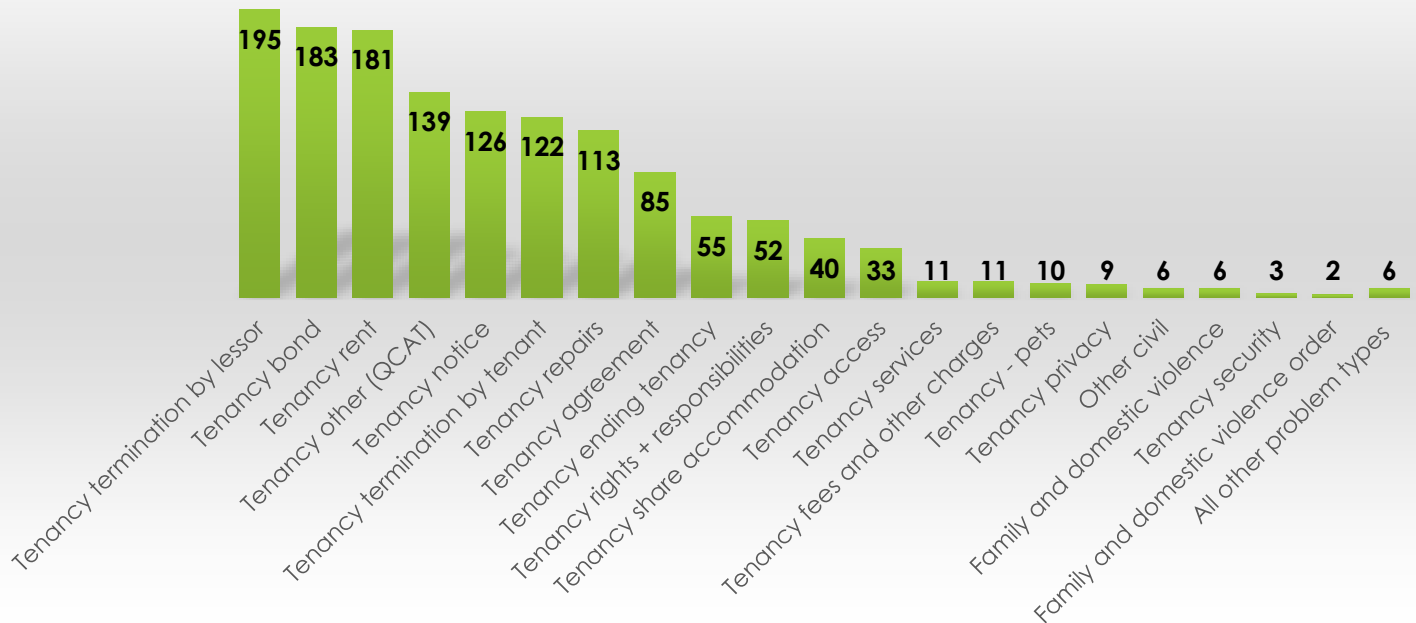
MRCLC has built good relationships and referral pathways with local organisations. Because of this, we can identify client's needs holistically, and assist with referrals to our other programs, or external provider organisations to meet those needs.

~ 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.

#### Top 20 problem types (QSTARS)



### 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

|  |   |
|--|---|
| <b>*There are 1.8 million renters in Qld</b>   | <b>*This number is likely to increase as renting rates are rising across all age groups</b>                       |
| Suitable shelter is a basic human necessity and right  | Housing is the foundation that enables individuals to participate in society and access the workforce             |
| <b>Renters experience inequality and injustice due to the power imbalance between themselves and property owners</b> | <b>Increased rates of homelessness negatively impacts society, increasing costs to health and justice systems</b> |
| 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

Tamara\* attended MRCLC after receiving a Notice to Leave from her lessor. She is a sole parent and receives a Centrelink benefit.

Prior to attending MRCLC, Tamara had applied for over 20 rental properties, but each application had been refused. The Mackay region has continued to experience low rental vacancy rates since the COVID-19 pandemic, with vacancy rates in the "4740" postcode areas reported at below 1%.

When Tamara attended MRCLC she was concerned that her and her family were facing a very real risk of homelessness and likely to suffer excessive hardship.

MRCLC met with Tamara in person to obtain detailed instructions about the Notice to Leave. She explained that before receiving the Notice to Leave, she had been sending the lessor's agent repeated requests for repairs and maintenance.



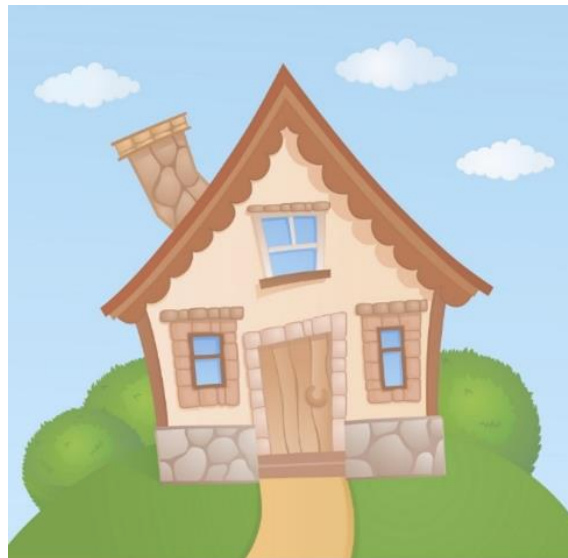


MRCLC advised Tamara that she could try and argue the Notice to Leave was retaliatory, by applying to the Queensland Civil and Administrative Tribunal ("QCAT") within 4 weeks after the Notice to Leave was issued. MRCLC also advised her that the Notice to Leave was short served, albeit by only 1 day.

MRCLC prepared a QCAT Application and written submissions in accordance with Tamara's instructions. MRCLC advised Tamara about how to file her application and what to expect at the QCAT hearing. The matter was then listed for a hearing where she represented herself. At the QCAT hearing, the Tribunal decided to set the Notice to Leave aside.

As the Notice to Leave was set aside, Tamara's tenancy was sustained. This outcome has enabled Tamara and her family to continue to reside at the rental property for now, giving them more time to try and find another suitable property.

This was a great outcome for Tamara.



## Our Programs

### Domestic and Family Violence Duty Lawyer Service

The MRCLC provides a duty lawyer service for domestic and family violence matters in the Mackay Magistrates Court. We are part of a panel of preferred suppliers providing this service and have been doing so consistently since October 2015.

The duty lawyer service ensures unrepresented parties in domestic and family violence matters are provided with free legal advice on the day of their court matter. As part of the service our duty lawyers can also provide court/legal representation for vulnerable clients.

The duty lawyers ensure that the clients are informed of their options, whether they are applying for a protection order or responding to the application, and are informed of the court processes depending on how they choose to proceed. The duty lawyer is also able to identify other legal issues the clients may be facing, or legal issues that are likely to occur. The holistic service provided by the duty lawyer equips clients with knowledge, support, and referrals to appropriate service providers.

As a duty lawyer, I have attended to clients that appear in court and who have no insight into the ramifications of a protection order. Some clients are not financially able to obtain legal advice prior to their court matter. I am happy to be part of this duty lawyer service as it is somewhat an extension of the MRCLC's objectives in providing free and accessible legal service to the disadvantaged and marginalised members of our service areas.

~ Vanessa Pranjivan

In the 2021 – 2022 year, MRCLC provided **160** 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 their views, wishes and preferences, 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 2021 – 2022 year, MRCLC provided services to **25** 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. EAPSS is targeted to members of the community who are experiencing or at risk of experiencing elder abuse, aged 60 years and over, or 50 years where a client identifies as First Nations. Although the funding is modest, the MRCLC is able to provide peace of mind to some and recommendations of next steps to others.

#### What is elder abuse?

Unfortunately, elder abuse is prevalent in society and can impact anyone. There are several types of elder abuse, including physical, sexual, emotional, psychological, and financial abuse, as well as 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.

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 COVID) 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 attended Sarina, Bowen, Cannonvale, Proserpine and Moranbah monthly in order to provide advice and assistance in person. We continue to look at further options for service delivery and outreach locations. In addition to advice appointments, some casework clients are seen at these locations.

#### **Whitsundays - Bowen, Cannonvale (Airlie Beach) and Proserpine**

We provide appointments at the Bowen Neighbourhood Centre on the fourth Thursday of the month. 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 2021-22: 36 CLSP, 18 COVID and 5 QSTARS.

#### **Mackay region – Sarina**

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. 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 2021-22: 4 CLSP.

#### **Isaac region – Moranbah**

On the second Wednesday of each month, a solicitor attends the Moranbah Youth and Community Centre to provide face to face legal advice. Moranbah is the most populated town in the Isaac region. The MRCLC is able to work together with local services, particular Moranbah District and Support Service. This service has been growing, particularly since December 2021.

Total outreach advices for Moranbah in 2021-22: 6 CLSP.

## 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 (formerly George Street Neighbourhood Centre) solely with volunteers from the Mackay community, including solicitors, barristers, social workers and others. 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 13 solicitors and 3 coordinators.

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 2021-2022 year, the MRCLC provided **99 services** assisting **94 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 2021-22 year we, along with most other service providers, faced the challenges of COVID-19's impact on in-person engagement. Despite this, our CLE program has continued, and attendees continue to express the value of receiving legal information and education.

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 also utilised web-based services to provide the community with access to resources. CLE publications in relation to dividing fence disputes and family law and domestic violence were published on the MRCLC website.

In person delivery of CLEs increased in the 2021-22 financial year and presentations were offered both virtually and in person. Some of the MRCLC's Community Legal Education sessions for the 2021-2022 year included:

#### 2021

**November** – Vanessa presented a CLE at the Mackay Women's Centre to their staff on common legal problems their clients encounter, including family law, domestic violence, wills, employment and tenancy.

**November** – Simone presented a CLE to mediators at the Dispute Resolution Centre on dividing fence disputes between neighbours.

**November** – Rikki presented a CLE on family law and domestic and family violence as part of the Family Law Pathways Network (FLPN) DV Hypothetical.

**December** – Jessica presented a CLE to staff at Whitsunday Counselling and Support in Cannonvale on domestic violence and family law.

#### 2022

*CLE presentations were impacted by the Queensland border opening at the end of 2022 and an increase in COVID-19 cases. CLEs were not delivered in person until May 2022.*

**May** – Jessica presented two CLEs to the Mackay Yamadi Lera Yumi Meta Association on wills, probate, and powers of attorney. One was to the Aboriginal and Torres Strait Islander group, and the other to Australian South Sea Islanders.

**June** – Simone presented two CLEs in June on wills and estates generally and gave an overview on power of attorney documents. These CLEs were delivered to social workers at the Mackay Base Hospital and at the Mackay Women's Centre.





Jessica Brake, Manager and Principal Solicitor, attended the Nebo Health and Community Day with Legal Aid Queensland. Jessica delivered a CLE on the new mandatory reporting laws.

In the 2021-2022 year, and despite the impacts of the COVID-19 pandemic, the MRCLC provided CLE sessions to **83 people!**

## Our Programs

### Community Engagement

Throughout the 2021-2022 year, the MRCLC engaged with the community. Staff attended Moranbah, Dysart, Sarina, Whitsunday and Mackay interagency meetings as well as Binbi Tok Olgeta meetings. Staff also attended:

- Mackay D&FV stakeholder meetings
- Regional Legal Assistance forums, which this year have been chaired by Jessica Brake, Manager and Principal Solicitor
- Simone Butschle, solicitor, attends monthly meetings as a committee member of Lowanna House, a Mackay women's refuge.

|                        |  |
|------------------------|--|
| <b>9 July 2021</b>     | Fleur attended the NAIDOC Family Fun Day in celebration of NAIDOC week.  |
| <b>22 July 2021</b>    | Jessica and Rikki met with Greater Whitsundays Community to discuss the Better Together Housing program.   |
| <b>12 October 2021</b> | Janice and Maria attended the 2021 Seniors Expo.   |
| <b>17 March 2022</b>   | Fleur attended the Close the Gap Campaign Report virtually.  |
| <b>20 April 2022</b>   | Jessica, Simone, Vanessa and Maria attended a meeting with KnowMore at MRCLC's office. KnowMore is a community legal service for people who have experienced institutional child sexual abuse and wish to apply for redress under the National Redress Scheme. |
| <b>17 May 2022</b>     | Vanessa and Maria held a stall at the Marabisda DV event.  |
| <b>15 June 2022</b>    | Simone and Katie held a stall at Canelands with Julie from Relationships Australia Queensland for World Elder Abuse Day.   |

## NAIDOC Family Fun Day 2021



Business Coordinator Fleur Holyland Salvador and Ruth Wegner from our Management Committee and Legal Aid attended the 2021 NAIDOC Family Fun Day

The NAIDOC Family Fun Day was held at Queens Park in July 2021. The Family Fun day is a great opportunity for First Nations people to meet with local service providers and to promote our service to the broader community.

## Homeless Expo 2022

Business Coordinator Fleur Holyland Salvador and Ruth Wegner from our Management Committee attended the 2022 Homeless Expo

The Homeless Expo, which is organised by CASA, connects the community with service providers that can assist the homeless.





## 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.



*MRCLC attended the Dysart Interagency Meeting in person in July 2021.*

## Our Programs

### Case Studies

#### Case Study 1 – Tree Dispute

Greg\* is an age pensioner who lives alone and out of town. Greg's neighbours had a large, well-established tree growing close to the common boundary. Leaf litter from the tree built up on Greg's roof, in the guttering, downpipes and underwater stormwater drains. The roots of the tree caused the underground stormwater pipes to crack. Greg was quoted approximately \$7,000 to have the roof, guttering and stormwater pipes repaired.

Greg is in his mid-70s and cannot safely continue to climb up a ladder and tend to his roof and guttering. Greg's ideal solution was the removal of the tree.

Greg wrote a letter to his neighbours, asking that they contact him to discuss the matter, but he received no response. The neighbours' daughter who resided in the property told Greg the owners would prune the tree, but this never eventuated.

Advice was provided to Greg about his options for resolution of the matter, including mediation. MRCLC was able to provide him with information about published QCAT cases that were relevant to his matter and advise about his prospects of success at QCAT.

MRCLC offered to write to Greg's neighbours first, even though Greg had already tried unsuccessfully to discuss the matter with them. A letter was sent to Greg's neighbours seeking resolution of the matter. MRCLC then corresponded with the neighbours' solicitor to negotiate an outcome. The neighbours agreed to remove the tree at their cost. Five days after the neighbours' solicitor confirmed their clients' agreement to remove the tree, Greg informed MRCLC the tree was removed. He was relieved to have the matter finalised.

#### Case Study 2 - Divorce

Brenda\* was contemplating separating from her husband, Adam\*. They have young children together. Brenda and the children visited their extended family in a different town so the children could get to know them. Brenda's family were able to provide her with the support she needed after experiencing domestic violence. The town she was now in does not have a nearby free legal service.

Brenda sought advice from the MRCLC on the process for separation. The MRCLC was able to provide advice to Brenda in person at an outreach location.

The MRCLC advised Brenda on a range of legal issues that she had not considered, including the risk of Adam filing for Recovery Orders for the children. We advised on applying for relocation orders.

We advised Brenda on property settlement. Their house was in Adam's sole name and Brenda had not considered that she would be entitled to anything.

We advised Brenda on domestic violence and the Application for a Protection Order to protect herself and the children.

Whilst it was an initial advice appointment, we provided her with sufficient information to assist her with planning her separation and putting things in place to protect herself and her children. We provided her with advice and information to aid financial stability once she separated. Brenda said she felt empowered to deal with her matter moving forward.

Not having separated from Adam, Brenda was unable to apply for Centrelink. Without the free service of the MRCLC, Brenda would not have been able to obtain legal advice. She would run the risk of the children being removed from her and placed in the care of the perpetrator of domestic and family violence.

### **Case Study 3 – Sustaining tenancy**

William\* rents a unit from the Department of Communities, Housing and Digital Economy (DCHDE) and has been a long-term tenant for over 10 years. He is a single, elderly, Aboriginal man, and is of poor health generally.

In February 2022, William was involved in an incident with a person who rents another unit within the same complex. Following that incident, he was convicted of a criminal offence in the Magistrates Court. DCHDE was notified of that matter and issued William a Notice to Leave for serious breach. He did not vacate because he was unable to find alternative accommodation and was facing a very real risk of homelessness. The Mackay region is currently experiencing very low vacancy rates across the rental sector.

As William did not vacate in accordance with the Notice to Leave, DCHDE filed a QCAT application seeking a termination order for failure to leave. MRCLC provided advice to William about DCHDE's Notice to Leave and their QCAT Application. On the information

available, MRCLC advised William that it was open for QCAT to terminate the tenancy and issue a Warrant of Possession.

MRCLC aided William, including preparing submissions in response to DCHDE's QCAT Application. MRCLC also liaised with DCHDE on William's behalf, seeking the withdrawal of the QCAT Application prior to the hearing. In accordance with MRCLC's request, DCHDE agreed to withdraw its QCAT Application, provided William entered into an Acceptable Behaviour Agreement, which he did.

William was extremely grateful for MRCLC's assistance and advocacy which has enabled him to sustain his tenancy.



## The Future

### Service Development

During the 2021-2022 year, MRCLC:

- Commenced our outreach service to clients in the Isaac Regional Council area. Clients are now able to meet with a solicitor in Moranbah to receive face to face legal advice and assistance.
- Began our reconciliation journey. We established a working group to develop a Reconciliation Action Plan. MRCLC's RAP was formally endorsed by Reconciliation Australia, and we look forward to working towards our reconciliation goals.
- Successfully tendered for funding to develop and deliver community legal education sessions on the relatively new mandatory reporting of sexual offences against children laws in Queensland. MRCLC will provide community legal education sessions to service providers in the Mackay, Whitsunday and Isaac Regional Council areas.
- Received funding from the Commonwealth government, allocated by the Queensland Department of Justice and Attorney-General, to deliver a workplace sexual harassment and discrimination service.
- Entered into a new arrangement with Legal Aid Queensland to deliver legal services under the Family Advocacy and Support Service (FASS) to people who require urgent family law advice and assistance to prepare for family law matters in certain circumstances.

## Conclusion

### 2021 – 2022 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). There is no other community legal centre based in this region.

The statistics for 2021 - 2022 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 1,154 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, 1,590 advices, 121 legal tasks, 127 D&FV duty lawyer services and by working on 35 ongoing casework files. The new Family Advocacy and Support Service and the Workplace Sexual Harassment and Discrimination Service will expand our service offerings even further.