

ANNUAL REPORT



LAW ACCESS

LAWACCESS.ORG.AU

2022

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ABOUT LAW ACCESS

Law Access aims to improve access to justice for disadvantaged and marginalised people in Western Australia. We receive requests for assistance from all over the State, and in all areas of the law, and match those who will most benefit from legal assistance with lawyers willing to provide assistance.

Law Access provides:

- Referrals to Western Australian pro bono lawyers
- Referrals to the legal assistance sector
- Research, policy and law reform to address unmet legal need in Western Australia
- Support and resources for pro bono culture to thrive in Western Australia
- Volunteering opportunities for law students and PLT graduates

Law Access is a company limited by guarantee and a public benevolent institution registered with the Australian Charities and Not For Profits Commission. Law Access Limited was established by The Law Society of Western Australia in December 2014 to implement the recommendations of a Lotterywest funded feasibility study Doing The Public Good by Kalico Consulting. Law Access Limited commenced delivering the Law Access Pro Bono Referral Service, formerly delivered by The Law Society of Western Australia, from 1 July 2015.

Our Patron

The Hon Malcom
McCusker
AC CVO KC

Our Board Members

Matthew Howard SC,
Chairman & Director
(Jan 2022)
Barrister, Francis Burt
Chambers

Valerie French OAM,
Director

Marshall McKenna,
Director
Partner, Gilbert +
Tobin

Judy McLean, Director
Principal Solicitor &
Coordinator,
Fremantle Community
Legal Centre

Greg Mclntyre SC,
Director
Barrister, Michael Kirby
Chambers

Adam Levine, Director
Partner, K & L Gates

Professor Natalie Skead
FAAL PFHEA, Director
Dean and Head of
School, UWA Law
School

Clare Thompson SC,
Director
Barrister, Francis Burt
Chambers

Paula Wilkinson,
Director
Director, Kim Wilson
& Co

CHAIR'S FOREWORD



It has been my privilege to be the Chair of Law Access since the beginning of January this year. As no doubt many of you will be aware, I followed Malcolm McCusker AC CVO QC in this role. It is no exaggeration to say that Malcolm is a living legend of the legal profession. It was to our enormous benefit to have him as Chair for more than three years. That continued his unparalleled contribution to the administration of justice in this State. No matter how busy he was as an eminent silk, there was always time for him to make significant contributions whether as a pro bono advocate in cases great and small, as the long-time Chair of Legal Aid WA, or by his advocacy to Government.

In those circumstances, I have no illusions of being able to fill Malcolm's shoes. On a happier note, I am delighted that Malcolm has seen fit to continue his association with, and support of, Law Access by becoming its Patron. Malcolm and the McCusker Foundation continue to be steadfast supporters financially of our service. As recounted elsewhere in this Report, we lost our founding CEO at the beginning of this year as well. On behalf of the Board, I join in our Patron's words in thanking Dominique and acknowledging her service. The first significant item of business for the Board this year, therefore, was to appoint a new CEO. After receiving a group of high quality applications, the Board was excited to appoint Alana Dowley to the role. At the end of last year, there was also a refreshing of the Board and we welcomed the Hon Valerie French, Clare Thompson SC and Adam Levine onto the Board.

The next most significant item for Law Access this year was the entry into a new Memorandum of Understanding with our parent, The Law Society of Western Australia. This is a very significant event for Law Access (and I trust The Law Society) as it articulates our close relationship and heralds a renewed determination to work together for the good of our community. The document recognises, as is the fact, that the profession through The Law Society is making a very significant contribution to access to justice through Law Access. We hope to be a continuing source of pride for The Law Society as it contributes to our important work and that we are seen as a core priority for the profession and Society. In some ways the legal assistance sector does not change: there is too much demand for the supply of services and our community goes backwards in its ability to meet what should be its ambition of providing access to justice via representation. However, there are very real changes afoot in the sector which are being driven in part by Government, but also significantly by technology and new ways of approaching the persistent problems. Law Access intends to be at the forefront of those for the benefit of the vulnerable in our community.

I would like to finish by issuing a challenge to those reading via a clunky paraphrase: If history is made by those who show up, then improving access to justice occurs by those who get involved and contribute. So, get on board financially or as a recipient of our referrals!

Matthew Howard
Chair

LAW ACCESS STATISTICS



536

Applications for Pro Bono
Assistance in 2022



200

Matters referred to Lawyers



06

Matters were unable to be
referred



7541*

Estimated value of Pro Bono hours



\$2.76m*

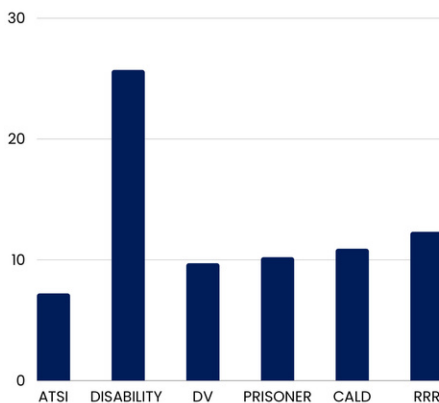
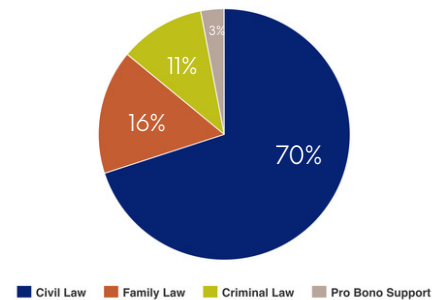
Estimated value of Pro Bono

*Estimates are based on the pro bono lawyer survey results extrapolated to the total number of referrals.
The number of hours includes Law Access secondees and volunteer lawyers.

Applications Received by Matter Type

Law Access received the following applications by matter type:

- 70% Civil Law (including migration)
- 16% Family Law
- 11% Criminal Law
- 3% Pro Bono Support (including for CLCs)



In 2020-2021, Law Access assisted individuals in genuine need of legal assistance with experience of the following categories of disadvantage:

- ATSI (First Nations):- 7.2%
- DISABILITY (People with a Disability):- 25.7%
- FDV (Family and Domestic Violence):- 9.7%
- PRISONER:- 10.2%
- CALD (Culturally and Linguistically Diverse):- 10.9%
- RRR (Rural Regional and Remote):- 12.3%

TESTIMONIALS

"Having someone who knew the process was a relief as I didn't know where to start and also did not understand the policy wording."

"If I hadn't got law access to provide a pro bono lawyer my brother would have been deported."

"I felt supported. My lawyer listened to me and helped me to understand my situation with respect."

"I enjoyed working with the client and guiding her through the process at a time when she felt hopeless and beaten down. I was able to provide her with support and provided her with my time and advice to achieve a good outcome." – Tom Monks

"I would not have been able to communicate with the client without the disbursement for interpreter and translator fees." – Sophie Manera

95% of lawyers said they would recommend to other lawyers that they undertake pro bono work.

"Without pro bono work the scale of justice is always tipped in favour of those who can afford it. - Tom Monks



UNAABA HUMAN RIGHTS AWARD

UNAABA connects Western Australians with the United Nations in order to promote justice, peace, security and sustainable development for present and future generations.

Law Access was honoured to be awarded the 2021 UNAABA Human Rights Award at a ceremony held on 22 October 2021.

The Excellence in Human Rights Promotion Award recognised the work of Law Access as an outstanding contribution to the promotion of human rights in WA. The award reflects the contribution of the many pro bono lawyers and volunteers who we rely on to deliver our service.



COMMENTS FROM THE JUDGING PANEL

"The judges enjoyed learning about your advocacy for those in need of legal representation in the Western Australian community. You have had an outstanding impact; providing assistance to those in need but unable to afford representation, education about the rights they are entitled to and challenging the status quo – to name a few."

"Your nomination demonstrated innovation and a strong commitment to volunteerism that has directly contributed to Australia's achievement of SDG goals. It is the dedication and energy of local Champions like yourself that makes a difference in the community."

REPORT FROM THE CHIEF EXECUTIVE OFFICER

Enhancing Our Services

Law Access continues to look for ways to increase the efficacy of the pro bono contribution to addressing legal assistance needs in Western Australia. We do this through working closely with pro bono lawyers and the legal assistance sector.

Wills Project and Clinics



Law Access identified this project as a priority under the new WA Pro Bono Model. Aboriginal Family Legal Services (AFLS) worked with Jackson McDonald to develop resources for lawyers assisting Indigenous Australians with wills.

AFLS, Jackson McDonald and lawyers from HHG Legal Group and Legal Aid then delivered a clinic, in conjunction with locally based not-for-profit Broome CIRCLE. The clinics took place 8-12 November 2021 in the Djarindjin and Beagle Bay Communities on the Dampier Peninsula and were a big success. Broome CIRCLE staff provided wrap around financial counselling and consumer rights support for issues identified as part of the clinic and AFLS provided follow-up legal services.

On 15-19 August 2022, a clinic was run in the Pilbara with the assistance of Pilbara Community Legal Centre, again working with AFLS and lawyers from Gilbert + Tobin.

Criminal Injuries Compensation training module

This project has been developing an online training module for pro bono and CLC lawyers, in collaboration with Albany CLC and Lander & Rogers. The module is nearly ready for testing and will be released soon. It aims to enhance the capability of pro bono lawyers to assist potentially vulnerable clients with Criminal Injuries Compensation Claims.

Pro Bono Lawyers' Portal

With the generous support of the McCusker Charitable Foundation and a number of corporate and individual sponsors, Law Access has launched a 'Pro Bono Lawyers' Portal – kickstarter' project. The project aims to expand the resources available to pro bono lawyers for training and information, to facilitate increased and sustained quality pro bono participation.

Working in Partnership

Law Access continues to participate in the Department of Justice working groups towards the implementation of a new Legal Assistance Strategy for WA.

The Law Society confirmed its long-standing relationship of support for Law Access, executing an agreement providing for both cash and in-kind support and a new logo for Law Access.

The University of Western Australia also re-affirmed its commitment to Law Access in 2022 and continues to provide valued in-kind support.

Law Access thanks Kylie Kerin for her time chairing the Stakeholder Advisory Committee and from March 2022, we welcomed new Chair Jennie Gray from Womens' Legal Service.

Building Organisational Capacity

Law Access has implemented a number of technology up-upgrades to enhance the capability of the Law Access team to engage with stakeholders and to work in a covid-world. Our business continuity plans continue to evolve with changing circumstances.

The Law Access Assessor's Panel has broadened Law Access' capability to merit assess complex matters outside the areas of expertise of our current staff.

Ensuring Our Sustainability

Law Access has seen a considerable number of staff changes over the last year. We sincerely thank all staff for their commitment to Law Access and their special efforts to ensure smooth transitions and continuity of service.

We express our sincere thanks to our pro bono lawyers and other supporters through the Reward and Recognition Project, sending Certificates of Appreciation. Our Thank you Drinks event was held on 6 December 2021 and was generously hosted by MinterEllison.



Law Access is grateful to the Western Australian Government and the Public Purpose Trust for their commitment to funding certainty to the end of the financial year 2025.



Finally, we held the most successful Walk for Justice yet in 2022, supported by a record number of participants and raising over \$150,000.

Alana Dowley,
CEO, from March 2022

FINANCIAL REPORT

Statement of Profit and Loss

For the year ended 30 June 2022

	2022 \$	2021 \$
Revenue	708,792	786,742
Employee expenses	(583,310)	(653,022)
Depreciation expenses	(7,376)	(3,996)
Fundraising expenses	(12,049)	(4,097)
Other expenses	(74,989)	(71,221)
Surplus for the year	31,069	54,405

3 Revenue

	2022 \$	2021 \$
Revenue		
<u>Government grants</u>		
Department of Justice - WA Probono Model grant	150,000	250,000
Department of Justice - Law Access grant	100,000	-
ATO Jobkeeper grant	-	52,359
ATO COVID-19 cashflow boost	-	59,565
<u>Other revenue</u>		
Public Purposes Trust Fund grant	270,000	265,000
Sponsorship	18,500	19,636
Donations	170,241	140,032
Interest on investments	51	151
Total Revenue	708,792	786,742

Statement of Changes in Equity

For the year ended 30 June 2022

	Total equity \$
Balance as at 30 June 2020	191,180
Surplus for the year	54,405
Balance as at 30 June 2021	245,585
Surplus for the year	31,069
Balance as at 30 June 2022	276,654

Law Access accounts were audited by Ledger Accounting

TRIBUTE TO DOMINIQUE HANSEN



For 7 years, until she retired in January 2022, Dominique was the manager of Law Access, devoting her boundless energy to the cause for which Law Society WA established Law Access: to secure pro bono legal services for Western Australians with a meritorious case, but lacking the means to pay for legal representation. To achieve that, Dominique often (as the Law Society's CEO David Price says) "went above and beyond" the hours and work her job description prescribed.

Crucial to the success of Law Access were strong relationships she developed with the legal profession. And, despite her workload, she always took time to mentor and encourage her staff, inspiring them by her dedication and compassion.

On meeting Dominique, I was struck by her commitment and her depth of knowledge, qualities which persuaded me to accept appointment as Chair.

Three annual "Impact Reports" (2019-2021) demonstrate the success Law Access has in providing access to justice for those in need.

For the part that she has played in achieving that success, we owe Dominique a great debt of gratitude.

- Tribute by Malcolm McCusker AO CVO KC



My involvement with Law Access began in 2019, and from that time I observed Dominique's tireless energy and commitment to growing and promoting Law Access, as well as ensuring that the service provided was of the highest possible quality. From my perspective, Dominique's strong relationships with stakeholders as well as a great many members of the legal profession in Western Australia have been invaluable to the success of the organisation.

Dominique developed similarly strong relationships with the staff of the organisation. She is a thoughtful leader, who was appreciative and supportive of her team. I particularly noted Dominique's extraordinary compassion and empathy for those less fortunate in our community, which was inspiring to me personally, and was of course a motivation for Dominique's dedication to her work at Law Access.

- Tribute by Genevieve French, Law Access employee

CEO's Timeline

2012

Feasibility study conducted by Kalico Consulting, jointly commissioned by LSWA and Community Legal WA.

<https://lawaccess.org.au/lawp/wp-content/uploads/2019/11/WA-Pro-Bono-Report-Final-Sept-2013.pdf>

Public Interest Law Clearing house Reference Group convened by the Law Society of Western Australia (LSWA)

Law Access service is delivered by LSWA with the Access to Justice Committee members completing merit assessments.

2013

2014

February: Law Access relocates to new premises at a silent address provided by the UWA Law School with 1.1 FTE and a team of talented law student volunteers.

July: LSWA transfers staff members Katrina Williams and Dominique Hansen to Law Access Ltd which starts to deliver the pro bono referral service.

LSWA approves business plan to establish Law Access as a separate, wholly owned subsidiary.

November: Principal Lawyer Katrina Williams commences undertaking merit assessments in house.

December: Law Access incorporates as a company limited by Guarantee with LSWA the sole member.

Law Access obtains Public Benevolent Institution and DGR1 status.

2015

2016

August: Part time Senior Family Lawyer engaged.

January: Part time Project Officer and part time Lawyer employed.

May: First Law Access Walk for Justice.

2017

2018

Development and launch of Law Access website.

First **Impact Report** published.

FilePro donate their electronic legal practice management system to Law Access.

Law Access adopts a Theory of Change and develops a new Evaluation Framework.

First research project on unmet legal need completed: Jill Howieson, Robyn Carroll, Sarah Murray, Ian Murray, Lisa Young, Lisa Jarvis, Dominique Hansen and Fiona Lester, **Family Property Disputes involving Family Violence: A Pilot Research Project** (Report for Law Society of WA Public Purpose Trust, December 2018).

2019

2020

Review of Family Law Pro Bono service published: Tina Price et al. **Family Law Review Next Steps Report June 2021**

August: Law Access implements a Client Relationship Management Database.

October: Law Access awarded UNAABA Human Rights Award.

November: Law Access transitions to the Cloud and separate our IT from our parent body.

November: Law Access, AFLS, Legal Aid Jackson McDonald, HHG Legal Group and Broome CIRCLE deliver a successful Pilot Wills Clinic in the Dampier Peninsula.

First Virtual Law Access Walk for Justice.

MOU with Community Legal WA underpins implementation of WA Government's new Pro Bono Model.

2021

THANK YOU

Pro Bono Lawyers

We thank all the pro bono lawyers and legal assistance service providers who took referrals from Law Access. We are grateful to members of our Pro Bono Coordinators' Committee who helped to guide and support our work.

Volunteers / Interns

Thanks to our volunteers:

- Angie Hazell (legal assistance)
- David Baldwin (Practical Legal Training)
- Eve Newton-Johnson (Practical Legal Training)

Student Volunteers

Thanks to our student volunteers from Edith Cowan University Business and Law School, School of Law Notre Dame University, University of Western Australia Law School, McCusker Centre for Citizenship

Law Firm Secondees

Many thanks to the law firm secondees who worked with our staff this year.

- Corrs Chamber Westgarth
- Johnson Winter & Slattery
- King & Wood Mallesons
- Clayton Utz
- Minter Ellison
- Sparke Helmore Lawyers

Funders



Public Purposes Trust



Major Doners

**McCusker
Charitable
Foundation**



Thank You Drinks Sponsors

MinterEllison

In Kind Supporters

Compu-Stor
Vicky Dodds Consulting
FilePro

Donors

We thank all those who donated to the Law Access Walk for Justice, the individuals who donated to the Law Access GiveNow appeal, CPD presenters who elected that The Law Society of Western Australia make a donation to Law Access on their behalf and other generous CPD donors who donated to Law Access.

THANK YOU

We Thank Our Generous Walk For Justice Sponsors

Gold Sponsor

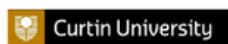


Corporate Sponsor



MinterEllison

University Sponsors



Law Access acknowledges our Principal Supporters

The Law Society of Western Australia and The University of Western Australia Law School



Pro Bono Portal Sponsors

McCusker
Charitable
Foundation



HERBERT
SMITH
FREEHILLS

ALLEN & OVERY

Individual Sponsorships:

Gregory Castledine, Gary Cobby, Grant Donaldson, Hopgood Ganim, Matthew Howard, Adam Levine, Marshall McKenna, Steven Penglis, Nick Stagg, James Steedman

Stakeholder Advisory Committee Members

Thank you to the members of our Law Access Stakeholder Advisory Committee for guiding and supporting our work.



Our Vision

Equal Access to Justice

Our Purpose

To relieve disadvantage through pro bono legal assistance

Law Access Ltd
ACN 602 771 068

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LAW ACCESS

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2022