

P I L C H

Public Interest Law Clearing House

Annual Report 2002 - 2003

PUBLIC INTEREST LAW CLEARING HOUSE

The Public Interest Law Clearing House ('PILCH') is an independent, not for profit legal referral service. It seeks to meet the legal needs of community groups and not for profit organisations, and individuals from disadvantaged or marginalised backgrounds.

PILCH acts as a facilitator or go-between for pro bono legal assistance between the community and the private legal profession. Its main role is to receive, assess and refer requests for pro bono legal assistance. PILCH aims to work creatively to match clients with lawyers willing to give their services without charge.

Individual clients who raise issues of public interest that require legal resolution, who satisfy legal merits and means tests and who are ineligible for legal aid, qualify for referral to a PILCH member. The member then acts for the client on a pro bono basis.

Not for profit organisations with public interest objectives, or which provide services that are in the public interest, are also eligible for assistance. PILCH aims to support and enhance the work done for and on behalf of the community by such organisations, which typically function with limited resources, by providing access to quality legal services.

PILCH's membership represents the diversity of the Victorian legal profession and includes private law firms, the Victorian Bar, corporate legal departments, community legal centres and university law faculties.

Members support PILCH in a variety of ways including financially, by agreeing to accept referrals for legal assistance, and through 'in kind' support.

PILCH's objectives are to:

- improve access to justice and the legal system for those who are disadvantaged or marginalised;
- identify matters of public interest requiring legal assistance;
- seek redress in matters of public interest for those who are disadvantaged or marginalised;
- refer individuals, community groups and not for profit organisations to lawyers in private practice and to others in ancillary or related fields willing to provide their services without charge;
- support and enhance community organisations in pursuing the interests of the communities they seek to represent; and
- encourage, foster and support the work and expertise of the legal profession in pro bono and/or public interest law.

In keeping with and to further its objectives, PILCH also coordinates a number of related services and projects, including:

- the Victorian Bar Legal Assistance Scheme;
- the Law Institute of Victoria Legal Assistance Scheme; and
- the Homeless Persons' Legal Clinic.

PILCH thanks its 2002-2003 members for their support and contribution:

Aitken Walker & Strachan
Allens Arthur Robinson
Andrew George Solicitors
Arnold Bloch Leibler
Arnold Dallas McPherson
Baker & McKenzie
Blake Dawson Waldron
Brimbank Community Centre
Carey Van Rompaey
Clayton Utz

Cornwall Stodart
Corporate Citizenship
Consulting
Corrs Chambers Westgarth
Deacons
Fitzroy Legal Service
Freehills
Herbert Geer & Rundle
Holding Redlich
Hunt & Hunt

La Trobe University, School
of Law & Legal Studies
Lawyers Engaged in Alternative
Dispute Resolution (LEADR)
Maddocks
Mallesons Stephen Jaques
Middletons
Minter Ellison
Monash University,
Faculty of Law

National Australia Bank Ltd,
Legal Department
Office of David Grace QC
Phillips Fox
Russell Kennedy
Ryan Carlisle Thomas
TABCORP Holdings Ltd,
Legal Department
TAC Law
Testart Robinson

Tress Cocks & Maddox
University of Melbourne,
Faculty of Law
Victoria University, Faculty
of Business & Law
Victorian Bar
Wisewoulds

PRESIDENT'S MESSAGE

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BOARD MEMBERS

Ian Walker (Chair)	Minter Ellison
Bruce Moore (Treasurer)	Mallesons Stephen Jaques
Andrew Blogg (Secretary)	Aitken Walker & Strachan
Peter Caillard	TABCORP Holdings Ltd, Legal Department
Judith Dickson (Alternate)	La Trobe University, School of Law & Legal Studies
John Emerson	Freehills
Andrew George	Andrew George Solicitors
David Krasnostein	National Australia Bank Ltd, Legal Department
Sarah Matheson	Allens Arthur Robinson
Richard McGarvie	Victorian Bar
Fiona McLeay	Clayton Utz
Jeannie Paterson (Alternate)	Monash University, Faculty of Law
Judith Peirce	Brimbank Community Centre
Peter Seidel	Arnold Bloch Leibler
John Sharkey	Deacons
Maureen Tehan	University of Melbourne, Faculty of Law
Jim Rangelov (Observer)	Law Institute of Victoria

As President of the Board, I am pleased to present the Annual Report of the Public Interest Law Clearing House for the period July 2002 to June 2003.

Over the past year, PILCH has further developed as an organisation and consolidated its position at the hub of pro bono activity in Victoria. The most notable achievement this year was the final bringing together of the three major pro bono schemes in Victoria under the auspices of PILCH, with the Law Institute of Victoria Legal Assistance Scheme joining the PILCH Scheme and the Victorian Bar Legal Assistance Scheme. PILCH has also continued its overall management of the Homeless Persons' Legal Clinic. This model of cooperative service delivery has enabled PILCH to respond more effectively to the community's need for access to justice.

Having been President of the PILCH Board since 1998, I am particularly aware that the objectives of PILCH in serving the community can only be fulfilled with the cooperation and commitment of the entire legal profession. Accordingly, I would like to thank and commend those practitioners who have given freely of their time to provide pro bono legal assistance to many hundreds of members of the community. The PILCH Scheme particularly depends on the support of its members — both financially and in kind. Without that support, PILCH would not survive or be where it is today. To the members of PILCH go my particular thanks for your support and assistance over the last twelve months.

I also wish to express my appreciation to the staff of PILCH for their continuing dedication and the utmost skill and diligence they bring to the roles they perform. The fact that PILCH today is a vibrant organisation with a critically important role to play in all aspects of the pro bono sector, ranging from service delivery issues to sometimes difficult and complex policy issues, is a testament to the team led by our wonderfully capable Co-Executive Directors, Samantha Burchell, Emma Hunt and Paula O'Brien.

To my fellow Board members, I wish to express my appreciation for their continuing work and support both through their individual roles on the Board and through the support their organisations provide to PILCH. It is this collaborative effort which has enabled PILCH to deliver effective and extensive legal assistance, and it is this which will ensure that the organisation continues to thrive in the coming years.



Ian Walker
President
December 2003

Ian Walker – President



EXECUTIVE DIRECTORS' REPORT



Samantha Burchell –
Co-Executive Director



Emma Hunt –
Co-Executive Director

The work of the Public Interest Law Clearing House is driven by its absolute commitment to the principle of access to justice. This commitment has always guided the development and growth of PILCH and the past year has been no exception.

In 2002-2003, PILCH's activities have been directed towards providing a more complete, accessible and responsive service for people who do not have the means to access the legal system and whose interests would suffer if denied assistance by pro bono lawyers. The structure for this is now in place with all four major pro bono referral schemes in Victoria being administered from PILCH's offices. Excellent collaborations between the schemes have resulted in greater accessibility of pro bono lawyers for more people through a system that is easier to navigate.

Everyday we hear from people like:

- Mohamed, an asylum seeker in detention in remote Port Hedland, who has had no legal advice about a protection visa application;
- Alison, who works as a cook and speaks little English. She may be the victim of fraud by her accountant and stands to lose her home;
- the group of permanent residents of a small country caravan park who are concerned about its imminent closure and their lack of alternative accommodation;
- Tom, a prison inmate, who had his visiting rights suspended at a Governor's hearing, where he had no opportunity to present his case;
- a neighbourhood house that runs a range of programs for the local community and wants to expand its activities to provide English lessons to refugees who cannot access learning facilities. In order to attract more funding for the language program, the neighbourhood house needs 'deductible gift recipient' taxation status; and
- Barry, a homeless man who suffers from schizophrenia and chronic alcoholism, who has accrued over \$5,000 worth of fines for public space and public order offences.



Paula O'Brien –
Co-Executive Director

PILCH is the frontline of pro bono practice, where the private legal profession's philosophical and ethical commitment to pro bono work is tested. Helping people to make contact with the referral source is a hollow achievement unless their needs are actually being met by what lawyers ultimately can or will do. Difficult circumstances arise when matters involve challenges to governmental power, where the work required is resource intensive, when there are logistical obstacles to the provision of assistance or where the clients are particularly vulnerable, needy or marginalised.

Overcoming these barriers and helping lawyers fulfill their commitment remains an ongoing challenge for PILCH, and one that it continues to embrace. For example, in the past year, PILCH conducted training for lawyers to provide them with the skills to do work in the areas of greatest need, particularly in migration law; the sites at which the Homeless Persons' Legal Clinic offers services have been expanded; and we made submissions to government about law reform to address obstacles to accessing legal services.

With its tenth anniversary in 2004, PILCH will aim to continue to be responsive, creative and strategic in its outlook. We are mindful of new challenges, such as the extension of organised pro bono services beyond metropolitan Melbourne into rural and regional areas and the role that technology may be able to play in service delivery. Whatever the agenda for the future, it must be set and driven by the needs of clients. Commitment to the principle of access to justice will continue to be the touchstone of the organisation as it faces the future.

Finally, we are very grateful to PILCH members, whose generous financial and in kind support, complementing their provision of legal services, is fundamental to the organisation's existence. Staff and volunteers at PILCH are also deserving of thanks for their tireless efforts and their dedication and commitment. We also appreciate the support and contribution which the Victorian government, the courts, the Law Institute of Victoria, the Victorian Bar, community legal centres, community organisations and many others offer in various ways. All of this furthers the contribution PILCH makes to the realisation of the principle of access to justice.

Samantha Burchell and Paula O'Brien* December 2003

**Emma Hunt is currently on maternity leave*

PILCH

Coordinating Pro Bono Legal Services for the Needy

PILCH Scheme

- Is the matter in the public interest?
- Does the matter have legal merit?
- Is the client ineligible for legal aid?
- Does the client meet a means test?

- If yes, PILCH may be able to refer the matter to a solicitor and/or barrister who will act pro bono.

VB LAS Victorian Bar Legal Assistance Scheme

- Does the matter have legal merit?
- Is the client ineligible for legal aid?
- Does the client meet a means test?
- Is the provision of assistance in the 'interests of the administration of justice'?

- If yes, VB LAS may be able to refer the matter to a barrister who will act pro bono.

LIV LAS Law Institute of Victoria Legal Assistance Scheme

- Does the matter have legal merit?
- Is the client ineligible for legal aid?
- Does the client meet a means test?

- If yes, LIV LAS may be able to refer the matter to a solicitor who will act pro bono

HPLC Homeless Persons' Legal Clinic

- Is the client in need of legal assistance and homeless or at risk of becoming homeless?

- If yes, HPLC can provide free legal assistance at one of its clinics.

PUBLIC INTEREST LAW CLEARING HOUSE SCHEME

Funding

PILCH is fully funded by membership fees paid by its members. It also receives generous in kind assistance from many of its members.

Staffing

PILCH is staffed by two Co-Executive Directors, who each work part-time, a full-time Coordinator, and two secondee solicitors. They are assisted by volunteers, interns and fellows.

Statistics

During 2002-2003, PILCH received **423** requests for legal assistance under the PILCH Scheme.

Arising out of these requests, **144** referrals were made to barristers and solicitors. These were legal matters, in which the client was without the means to pay for legal assistance and which met the public interest criterion. For individuals, this criterion requires that their legal issue effects a marginalised or disadvantaged group, raises a matter of broad public concern or impacts on a large number of people and requires addressing for the public good. Not for profit organisations and groups which have public interest objectives also satisfy this criterion.

Of the referrals made under the PILCH Scheme, 59% were for not for profit organisations, 34% were for individuals and 7% were for groups.

Events

During 2002-2003, PILCH hosted the following events:

- 'Homelessness and the Law' seminar, in conjunction with the Sir Zelman Cowen Centre for Continuing Legal Education, October 2002
- 'David Marr on *Dark Victory*' seminar, March 2003
- Inaugural meeting of the Public Interest Lawyers Network, May 2003

Projects, Policy and Advocacy

During 2002-2003, PILCH coordinated the following programs:

- Volunteer program, with 19 law students and lawyers volunteering on a weekly basis
- Internship program, with 8 students completing an internship during the university vacation period

- Fellowship program, with 9 seasonal clerks from PILCH member law firms completing a fellowship at PILCH as an extension of their clerkship with the firm

In conjunction with the Victorian Bar, the Federal Court and the Federal Magistrates Court, PILCH created a database of barristers willing to do pro bono migration work. PILCH administers this database and provides information to the Courts about barristers available to accept pro bono referrals. PILCH aims to continually develop the pool of lawyers available for pro bono migration work.

PILCH made a submission to the Victorian Government in relation to its legal services tender.

PILCH commissioned a strategic review of its operations by an independent consultant. The review has formed the basis for PILCH's planning for its future direction.

Promotion

During 2002-2003, the Co-Executive Directors presented papers to the following:

- National Community Legal Centres' Conference
- University of Melbourne Postgraduate Students' Association
- Monash University, Legal Ethics course
- Monash University, 'Practising in the Public Interest' course
- Victorian Bar Readers' course
- Victorian Bar migration training

The Co-Executive Directors were interviewed by:

- The *Herald Sun*, for an 'Insight' report into access to justice issues
- A Norwegian author, writing a chapter about legal issues in a book about the Tampa asylum seekers
- David Marr, about the 'PILCH chapter' in his book about the Tampa case, *Dark Victory*
- Public Interest Advocacy Centre ('PIAC'), about the Tampa case for PIAC's publication, *Working the System*
- *Lawyers Weekly*

PILCH produced and distributed the following publications:

- *Pro Bono in Practice*: an e-newsletter which covers PILCH news and developments in pro bono work, and focuses on issues affecting practitioners. *Pro Bono in Practice* was published in August 2002, December 2002, and June 2003 and was distributed to over 1000 practitioners, and interested others.



Penny Martin –
Secondee Solicitor



Afrooz Kaviani – Publications Assistant

- *PILCH Matters*: A newsletter which informs supports and clients of PILCH of issues and cases undertaken by PILCH members. *PILCH Matters* was published in June 2002 and was distributed to 1500 practitioners, and interested others.
- *Court and Tribunal Fee Waiver Guide*: A fully revised edition of this guide was distributed to all PILCH member firms and community legal centres in December 2002.

The Co-Executive Directors published the following articles in the *Alternative Law Journal*:

- 'From Conservatism to Activism: The Evolution of the Public Interest Law Clearing House in Victoria' (February 2003)
- 'Pro Bono Innovation at PILCH' (December 2003)

In early 2003, the PILCH website was launched at www.pilch.org.au.

Awards

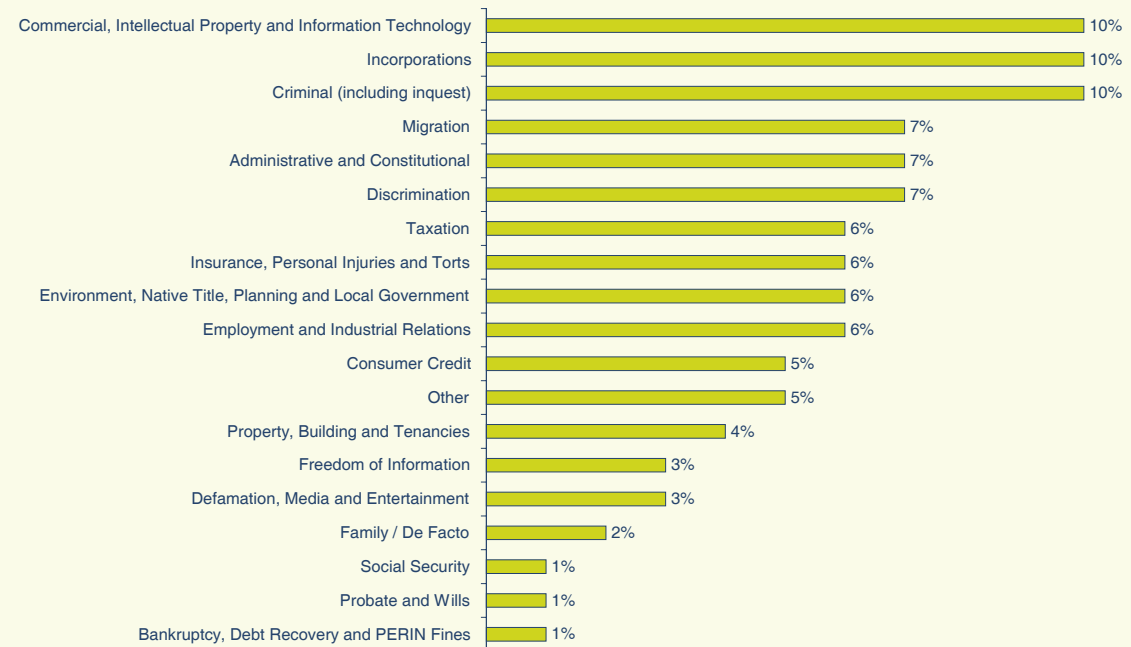
PILCH was awarded the Tim McCoy Award for the second year in a row. It was conferred with the Award for its work in establishing and operating the Homeless Persons' Legal Clinic.

Community Contacts

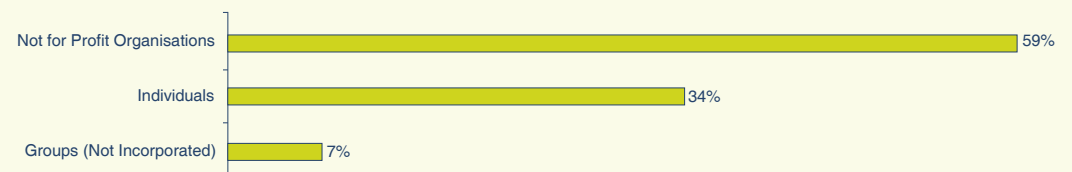
During 2002-2003, the Co-Executive Directors were members of the following:

- National Pro Bono Resource Centre ('NPBRC') Board
- NPBRC Steering Committee
- NPBRC Conference Sub-Committee
- Victorian Bar Legal Assistance Committee
- Victorian Bar Asylum Seekers Sub-Committee
- Advisory Council to the Victorian Law Reform Commission
- Homeless Persons' Legal Clinic Steering Committee
- Law Institute of Victoria Law Reform Committee
- Victorian Law Foundation Pro Bono Policy Council
- Refugee and Immigration Law Working Group of the Federation of Community Legal Centres
- Pro Bono Co-ordinators' Group

PILCH Scheme Areas of Law



PILCH Types of Clients



LEGAL ASSISTANCE FOR NOT FOR PROFIT ORGANISATIONS AND GROUPS

During 2002-2003, PILCH referred matters to members for legal assistance for the following not for profit organisations or community groups:

Action for More Independence and Dignity in Accommodation
Adult Multicultural Education Services
Alternative Technology Association
Arab and Islamic Anti Discrimination Network
Arthritis Foundation
Asia Pacific Journalism Centre
Australian Financial Counselling and Credit Reform Association
Basslink Concerned Citizens Coalition
Beaumaris Children's Playhouse Inc
Braybrook Community Centre
Breath for Brain Injury Inc
Brimbank Community Centre
Buoyancy Foundation
Catholic Commission for Justice Development and Peace
Centre for Grief Education Inc
Centre on Housing Rights and Evictions
Children Out of Detention
Children's Welfare Association of Victoria Inc
Clarinda Retirement Village Residents' Association
Clean Air Society of Australia and New Zealand
Cobaw and Wombat Forest Action Group Inc
Community Child Care Association Inc
Community Information Glen Eira Inc
Consumer Credit Legal Service
Corrections Working Group, Federation of Community Legal Centres

Create Foundation
Cultivating Community
Darebin Community Legal Centre
Duke Street Community House
Eastern Linkages Inc
Eritrean Women's Voice
Falun Dafa Association of Vic Inc
Federation of Community Legal Centres
Financial and Consumer Rights Council
Financial Counselling (Vic) Inc
Frankston Beach Association Inc
Friends of the Earth
Friends of the Yarra Corridor
Friends of Chicquita Park
Good Shepherd Youth and Family Services Inc
Hanny Exiner Memorial Fund
Hepatitis C Council of Victoria
Homeless People's Association
Housing for the Aged Action Group
Islamic Council of Victoria Inc
Islamic Welfare Council of Victoria
Japan Seminar House Inc
Joint Forum of Island Committees
Kallista Community House
Kids on the Avenue Children's Centre Inc

Laverton Community Centre and Neighbourhood House Inc
Lawyers for Forests
Liberty Victoria
Nillumbik Steiner School
Noah's Ark Family Resource and Toy Library for Children
Open Channel Co-op
Pearcedale Conservation Park
Refugee Advocacy Service of South Australia
Refugee and Immigration Legal Centre Inc
Residents Against Toxic Waste in the South East
Russian House Victims of Chernobyl Relief Fund
Save Chicquita Park Residents' Association
SPAN Community House Inc
Springvale Community Aid and Advice Bureau
Students Partnership Worldwide
Victorian Aboriginal Legal Service
Victorian Borrowers Association Inc
Victorian Council of Social Service
Victorian Industry Training Advisory Bodies Association Inc
Victorian Little Athletics Association Inc
Warrawong Children's Foundation
Windana Society
Women's Health West
Youthlaw



Natasha Leigh –
Secondee Solicitor

VICTORIAN BAR LEGAL ASSISTANCE SCHEME

Introduction

The Victorian Bar Legal Assistance Scheme ('VB LAS') is now in its third successful year of administration by PILCH. It is overseen by the Legal Assistance Committee of the Victorian Bar, to which PILCH regularly reports.

Over 400 barristers – more than 25 percent of the practising list – have volunteered to participate in VB LAS. Many others, although not formally registered, welcome requests to assist when approached. Many barristers generously assist clients referred to them by the VB LAS, often at very short notice or in circumstances which directly advance the administration of justice by the courts.

Applications received by VB LAS are assessed on the basis of legal merit, lack of means and whether assistance is required in the 'interests of the administration of justice'. The majority of applications come from individuals, many with complex legal problems and without other options for legal assistance. Referrals made to barristers may be for advice, drawing documents and/or appearance work.

VB LAS has greatly benefited from sharing office at PILCH with the Law Institute of Victoria Legal Assistance Scheme through opportunities for cross-referrals and shared knowledge.

Funding

VB LAS is funded by the Victorian Bar, with support from the Legal Practice Board.

Staffing

VB LAS has recently welcomed Susannah Sage as its first part-time manager, employed by PILCH. Susannah's primary role is to attend to clients and make referrals to barristers, while fostering the development of pro bono work at the Bar.

Susannah is assisted by the PILCH secondees solicitors, administrative staff, volunteers, interns and fellows.

Susannah Sage – Manager, Victorian Bar Legal Assistance Scheme



Statistics

In 2002–2003, VB LAS received **289** inquiries, an increase of approximately 32% compared with the previous year.

Of these inquiries, **70** referrals were made to barristers, an increase of 43%. Where appropriate, applicants were also often referred to other services, such as Victoria Legal Aid, an ombudsman, a community legal centre or another community based organisation.

Matters referred cover diverse areas of law including general commercial and civil, migration, crime, family, property and tenancy, professional negligence, personal injury, debt and bankruptcy, and discrimination.

In 2002-2003, migration law was the area of greatest need, with many applications being made to VB LAS by asylum seekers held in detention. These clients posed unique challenges to the standard referral practices. However, VB LAS prioritised and valued being involved in legal service delivery to this disadvantaged group in the community.

Legal Assistance Initiatives for Asylum Seekers

In 2002-2003, PILCH, in conjunction with the Asylum Seekers Sub-Committee of the Bar, conducted an 'audit' of organisations involved in the provision of pro bono legal assistance to refugees and asylum seekers. It was hoped the results of the survey would assist those advising refugees and asylum seekers in identifying the organisations best able to help them and in preventing duplication of effort by legal service providers.

In light of the demand for assistance by asylum seekers, the Victorian Bar conducted training sessions to educate barristers in the conduct of migration matters in which PILCH staff participated. Following these very successful sessions in early 2003, PILCH and VB LAS began compiling a consolidated database of barristers at the Victorian Bar who are prepared to provide pro bono legal assistance to asylum seekers. The database aims to incorporate barristers who have completed the training sessions, together with those who have already expressed an interest in taking on pro bono matters through PILCH, VB LAS, the Federal Court Order 80 Scheme or the Federal Magistrates Court Part 12 Scheme. PILCH, VB LAS, and the Courts will use the database to direct matters for asylum seekers to appropriate counsel, in particular, to attempt to ensure the work is evenly distributed across willing members of the Bar.

Further, PILCH, VB LAS, the Federal Court and the Federal Magistrates Court successfully commenced referring migration matters to junior barristers under the supervision of more experienced counsel who have agreed to act as mentors. In this way, VB LAS has developed a broader base of expertise to which referrals may be made in the future.

Promotion

PILCH staff are engaged in the promotion of VB LAS, both to the legal profession and the broader community. Specifically, staff promote VB LAS to potential volunteer barristers (including by speaking at the Bar Readers' course). In 2002-2003, letters to barristers were sent to all members of the Bar with the aim of attracting more barristers to participate in VB LAS. VB LAS is also promoted through PILCH publications, including the newsletter and annual report. VB LAS is also publicised to courts, tribunals and community legal centres.

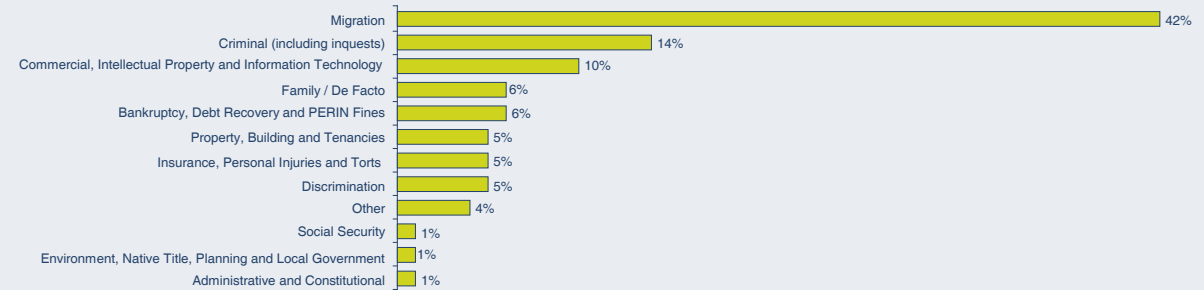
Acknowledgements

PILCH and VB LAS thank the Victorian Bar Council, its Legal Assistance Sub-Committee and in particular, the chair of the Sub-Committee Tony Howard QC, for their ongoing and active support of the scheme. Particular thanks are also extended to members of the Victorian Bar who have given generously of their time and expertise to ensure that those disadvantaged and vulnerable members of the community who could not otherwise access the legal services of barristers are able to do so.

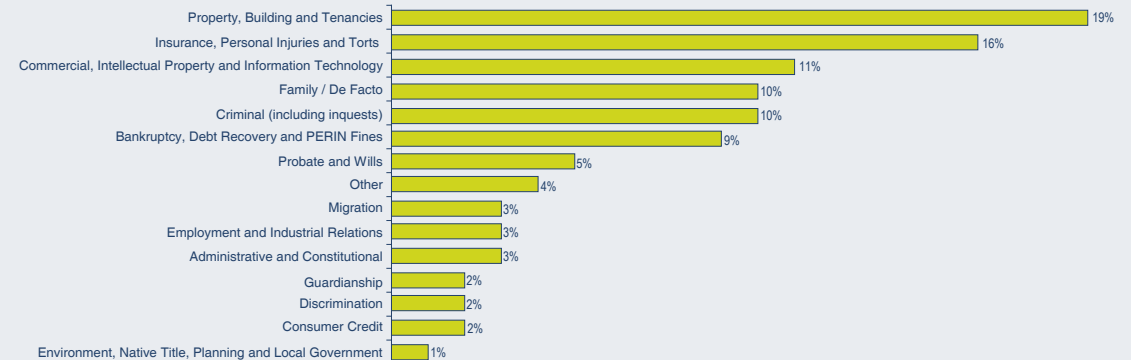


Judith Cirillo – Coordinator

VB LAS Areas of Law



LIV LAS Areas of Law



Anthony Bates – Seconded Solicitor



LAW INSTITUTE OF VICTORIA LEGAL ASSISTANCE SCHEME

Introduction

The six month trial administration by PILCH of the Law Institute of Victoria Legal Assistance Scheme ('LIV LAS') which began in October 2002 seems a distant memory. LIV LAS integrated easily into the landscape of PILCH, bringing fresh dimension and scope to the pro bono assistance available to applicants to PILCH. The trial was extended to 30 June 2003.

Due to the success of the trial, the Law Institute of Victoria ('LIV') has requested that PILCH continues to administer LIV LAS in 2003-2004.

Applications received by LIV LAS are assessed on the basis of legal merit and means. The majority of applications come from individuals, many with complex legal problems and without other options for legal assistance. Referrals made to solicitors may be for advice or representation in litigation.

LIV LAS brought with it the LIV database of participating solicitors from across Victoria. LIV LAS has built on this database and is proud to have over 500 practitioners/firms participating in the Scheme. Participants range from the formally coordinated pro bono programs of large firms to individual solicitors participating from small suburban or rural practices. There have been successful matches across all firm sizes and most areas of practice.

Funding

LIV LAS is funded by the LIV, with support from the Legal Practice Board. LIV LAS also enjoys direct support from the LIV with its promotional and IT requirements.

Staffing

LIV LAS is administered by a part-time manager, Jane Dimsey, and an administrative assistant, Nickolas Troy, who are employed by PILCH. Jane has taken maternity leave from October 2003 and her position is being filled by Kate Fischer.

Nickolas Troy – Administrator, Law Institute of Victoria Legal Assistance Scheme



Statistics

From 14 October 2002 to 30 June 2003, LIV LAS received **407** inquiries. **91** of those matters were referred. This represents an important proportion of the unending and largely unapplauded pro bono effort of solicitors across the State.

Promotion

LIV LAS was successfully re-launched by the Attorney-General of Victoria, the Hon. Rob Hulls MP, on 14 May 2003. The event was attended by over 65 people at the LIV's premises. LIV LAS has advertised through all Sections of the LIV for solicitors to participate, and has also been featured twice in the *Law Institute Journal*. During 2002-2003, LIV LAS also sent pamphlets to all LIV members and developed new website information. LIV LAS sent information about the Scheme to the Magistrates' Court registries, the Equal Opportunity Commission of Victoria and Victoria Legal Aid offices. Electronic application forms were made available to all community legal centres.

Coordination and Future Directions

LIV LAS continues to have a bright future at PILCH. The arrangement between the LIV and PILCH is friendly and constructive. We anticipate that it will continue well into the future with regular liaison between the two organisations. Formal reports are made by LIV LAS to the PILCH Board and to the Access to Justice Committee of the LIV.

LIV LAS is fostering good relationships with community referral sources and sees this as a priority in the coming year to ensure that the pro bono work undertaken identifies and assists those with the greatest need.

LIV LAS has improved the ability to deliver efficient and effective service to clients engaged in litigation through close cooperation with the Victorian Bar Legal Assistance Scheme. The development of this partnership highlights one of the benefits of PILCH's administration of multiple schemes. It also assists us to deliver the right service to clients who often find the distinctions between schemes difficult to comprehend in the context of the results they wish to achieve.

Acknowledgements

PILCH and LIV LAS thank the LIV, its Access to Justice Committee and John Cain, Chief Executive Officer of the LIV, for their support of the scheme.

We would also like to thank all Victorian solicitors who have provided pro bono assistance to people without the means to access the legal system. Your generous work has helped to guarantee the principle of equality before the law.



Jane Dimsey – Manager,
Law Institute of Victoria Legal
Assistance Scheme

PILCH HOMELESS PERSONS' LEGAL CLINIC



Beth Midgley – Administrative Assistant, Homeless Persons' Legal Clinic

Introduction

The PILCH Homeless Persons' Legal Clinic ('HPLC') provides free legal assistance to, and advocacy on behalf of, people who are homeless or at risk of homelessness.

Legal services in the areas of civil, administrative and summary criminal law are provided on a weekly basis by pro bono lawyers from:

- Allens Arthur Robinson at Argyle Housing Service
- Blake Dawson Waldron and the National Australia Bank Ltd, Legal Department at St Peter's Eastern Hill and the Lazarus Centre
- Clayton Utz at The Big Issue and Credo Café
- Hunt & Hunt at Flagstaff Crisis Accommodation
- Mallesons Stephen Jaques at Melbourne Citymission Western
- Minter Ellison at Ozanam House and Flagstaff Crisis Accommodation
- Phillips Fox at Hanover Welfare Services

Funding

In 2002-2003, HPLC was funded by the Victorian Department of Human Services (Supported Accommodation Assistance Program Fund) and the Victorian Department of Justice.

HPLC is now funded in the amount of \$75,000 per annum by the Victorian Department of Justice through the Victoria Legal Aid Community Legal Sector Program Fund.

Recently HPLC's funding for 2003-2004 was generously supplemented by donations of \$5,000 each from Arnold Bloch Leibler and the National Australia Bank Ltd, Legal Department.

Statistics

Since its establishment in October 2001, HPLC has provided free legal services to over 750 clients.

The amount of time contributed by volunteer lawyers has exceeded 10,000 hours at a commercial value of almost \$2.5 million.

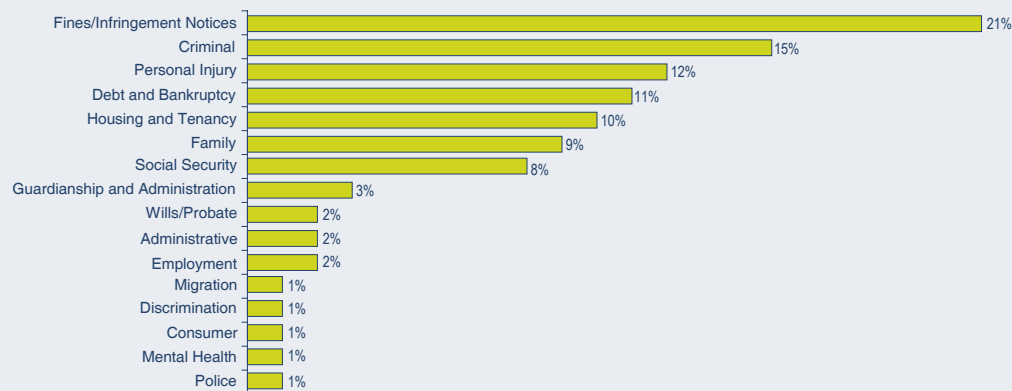
Projects, Policy and Advocacy

During 2002-2003, HPLC continued to conduct public policy advocacy promoting the legal and human rights of homeless people.

Law reform submissions were made to state and federal governments in relation to the enfranchisement of homeless voters, the protection of homeless people from unlawful discrimination, homeless people's access to social security, homeless women's access to adequate housing, the development of constructive alternatives to fining homeless people for public space infractions, and homeless people's access to legal aid and justice.

HPLC, together with four former clients, was recently invited to participate on the Victorian Government's Homeless Persons' Rights Reference Group.

HPLC Areas of Law for 1 October 2001 to 30 June 2003



Philip Lynch – Coordinator, Homeless Persons' Legal Clinic



STAFF

Training

HPLC has recently extended its training program to include, in addition to three full days of training per year, bi-monthly training sessions. These lunchtime sessions address issues pertaining to homelessness and the law, and are free to all Clinic lawyers, volunteers and community workers.

Publications

In June 2003, HPLC published the first edition of a bi-monthly newsletter, *Street Rights*. *Street Rights* is edited by PILCH and Naomi Bailey of Homeground Argyle Housing Service. Each issue contains information about a legal issue relevant to homeless people, promotes opportunities for engagement and participation in public policy advocacy and law reform, and profiles a community organisation or homelessness service provider.

Throughout 2002-2003, HPLC published numerous articles regarding homelessness, human rights and the law in publications as diverse as *The Age*, *Lawyers Weekly*, the *Herald Sun* and the *Melbourne Journal of International Law*.

Awards

In November 2002, PILCH was awarded the Tim McCoy Award in recognition of HPLC's contribution to community law and justice.

HPLC has also been nominated for a Prime Minister's Award for Excellence in Community and Business Partnerships, and an Australian Human Rights Award.

Acknowledgements

HPLC thanks volunteer lawyers, participating law firms and host agencies for their continued support and efforts to ensure that the legal and human rights of homeless people are promoted and respected.

Eloise Curry – Secondee Solicitor



Samantha Burchell
Emma Hunt

Paula O'Brien

Judith Cirillo
Susannah Sage

Jane Dimsey

Kate Fischer

Nickolas Troy

Philip Lynch

Beth Midgley

John Davies
Afrooz Kaviani

Co-Executive Director
Co-Executive Director
(on maternity leave from May 2003)
Co-Executive Director
(whilst Emma Hunt is on maternity leave)
Coordinator
Manager, Victorian Bar Legal Assistance Scheme
Manager, Law Institute of Victoria Legal Assistance Scheme
(on maternity leave from October 2003)
Manager, Law Institute of Victoria Legal Assistance Scheme
(whilst Jane Dimsey is on maternity leave)
Administrator, Law Institute of Victoria Legal Assistance Scheme
Coordinator, Homeless Persons' Legal Clinic
Administrative Assistant, Homeless Persons' Legal Clinic
Accountant
Publications Assistant

PILCH expresses its appreciation for the book-keeping and accounting services provided by Gerald Frost of Mallesons Stephen Jacques until early 2003.



Natalie Bugalski
– Secondee Solicitor

SECONDEE SOLICITORS

PILCH thanks those members who, in the last year, made available solicitors on secondment:

Allens Arthur Robinson	Nicole Rich	May 2002 – August 2002
Minter Ellison	Natasha Leigh	June 2002 – November 2002
Deacons	Natalie Bugalski	August 2002 – December 2002
Maddocks	Anthony Bates	December 2002
Minter Ellison	Penny Martin	December 2002 – June 2003
Maddocks	Joanna Oakey	January 2003 – March 2003
Allens Arthur Robinson	Eloise Curry	March 2003 – September 2003
Clayton Utz	Helen Lou	June 2003 – August 2003

ACKNOWLEDGMENTS

PILCH expresses its appreciation and thanks to the following volunteers, student fellows from PILCH member law firms and student interns who, in the last year, generously gave their time to support the work of PILCH:

Volunteers

Suzie Britton	May 2003 – Present
Emily Chew	September 2002 – Present
Hugh Grossman	May 2003 – June 2003
Rochina Iannella	June 2002
Afroz Kaviani	July 2002 – Present
Ben Kiely	April 2003 – June 2003
Susannah MacDonald	August 2002 – December 2002
Beth Midgley	June 2002 – January 2003
Clare Molan	March 2003 – June 2003
Alice O'Connell	March 2003 – Present
Prasana Segara	August 2002 – November 2002
Conrad Smith	July 2002 – Present
Joel Spatt	December 2002
Annie Sweetapple	February 2003 – April 2003
Claire Taylor	May 2003 – June 2003
Sanjula Weerasinghe	December 2002 – June 2003
Christine Williamson	May 2003 – Present
Mehnaz Yoosuf	March 2003 – Present

Fellows

Allens Arthur Robinson	Kathryn Howard and Kate Johnson
Blake Dawson Waldron	Emily Chew, Ari Douras and Chris Sibree
Clayton Utz	Edward Gisonda
Deacons	Alison Westcott
Minter Ellison	Emily Anderson and Janey Tootell

Interns

Emin Altiparmak	Clare Barrins
Fiona Green	Adrian Kennedy
Janette Lewis	Andrew Ooi
Adam Straw	Doris Yue

John Davies – Accountant

FINANCIAL REPORTS

Public Interest Law Clearing House (Vic) Inc. Reg. No. A0029409J

Statement of Income and Expenditure for the year ended 30 June 2003

Income	Notes	2002-03 PILCH \$	2002-03 VB LAS \$	2002-03 LIV LAS \$	2002-03 HPLC \$	2002-03 TOTAL \$	2001-02 TOTAL \$
Membership		201,518	-	-	-	201,518	120,330
LIV LAS Management Fees		-	-	97,576	-	97,576	-
VB LAS Management Fees		-	69,169	-	-	69,169	27,171
Homelessness Project		-	-	-	43,000	43,000	86,000
Refund & Reimbursements		12,019	-	-	-	12,019	-
Interest received		9,018	-	176	-	9,195	3,590
Training/ Teaching Fees		3,020	-	-	2,729	5,749	207
Event registration		3,528	-	-	2,009	5,537	5,514
Donations		-	-	-	11,000	11,000	80,375
Total Income		229,104	69,169	97,753	58,738	454,763	323,187

Expenditure							
Payroll		108,921	-	37,570	49,972	196,463	120,920
Salary oncost		22,436	-	6,189	11,151	39,776	10,474
Occupancy		6,854	18,759	4,621	1,776	32,011	28,848
Printing		4,245	-	4,266	9,991	18,502	6,586
Amenities, postage & stationery		8,400	479	2,476	3,867	15,222	7,830
Consultants		7,308	2,285	2,697	1,295	13,585	6,159
Communications		1,996	-	40	8,807	10,843	4,061
Conferences & travel		3,420	-	6,052	-	9,472	8,964
Library & Membership		3,843	998	1,328	431	6,600	-
Finance & Insurance		5,652	-	392	211	6,255	1,753
Depreciation	2	2,756	626	266	860	4,507	2,393
Equipment repairs & replacements		2,332	224	43	767	3,366	-
Other expenses		750	-	-	-	750	15
Total expenditure		178,913	23,371	65,941	89,126	357,351	198,003

Surplus (Deficit) for year		50,191	45,798	31,811	-30,388	97,412	125,184
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Accumulated Funds as at 1 July 2002		116,499	-	-	53,133	169,633	44,449
Surplus (Deficit) for year	4	50,191	45,798	31,811	-30,388	97,412	125,184
Transfer to Reserves		-	-	-	-10,000	-10,000	-
Accumulated Funds as at 30 June 2003		166,690	45,798	31,811	12,745	257,044	169,633

PUBLIC INTEREST LAW CLEARING HOUSE INC. REG. NO. A0029409J Notes to and forming part of the Special Purpose Financial Statements for the year ended 30 June 2003.

Note 1 - Statement of Accounting Policies

These financial statements are special purpose financial reports prepared for use by the Board and members of the Public Interest Law Clearing House Inc. The Board has determined that the Association is not a reporting entity and there is no requirement to apply all Accounting Standards, UIG Consensus Views and other mandatory professional reporting requirements in the preparation and presentation of these statements.

These statements are prepared on an accrual basis from the records of the Association. They are based on historic costs and do not take into account changing money value or except where stated, current valuations of non-current assets. Accounting policies have been consistently applied, unless otherwise stated.

Note 2 - Depreciation

Provision is made for the depreciation of all non-current assets, over the effective life of each asset. Depreciation is applied using the straight line method and commences from the first full month the asset is held for use. The rates of depreciation applied are: Computer Equipment 30% Office Furniture & Fittings 10%. In previous years non-current assets were written off in the year of purchase.

Statement of Assets and Liabilities for the year ended 30 June 2003

Assets	Notes	2,003	2,002
Current assets		\$	\$
Cash at Bank: PILCH Account		216,184	196,813
Cash at Bank: LIV LAS Account		40,817	-
Cash on hand		24	85
Accounts receivable		36,825	2,504
Total current assets		293,851	199,402
Non-Current assets			
Fixed Assets			
Equipment & Furniture	2	13,834	-
less Prov. for Depreciation		-719	-
Computers	2	18,019	-
less Prov. for Depreciation		-2,647	-
Total current assets		28,487	-
Total Assets		322,338	199,402
Less Liabilities			
Current liabilities			
Accounts payable		7,112	5,459
PAYG Withholding Tax & GST		26,406	16,063
Provision for Annual Leave		9,769	2,061
Prepaid membership fees		-	6,188
Unspend funds: HPLC		12,745	53,133
Reserved funds: HPLC		10,000	-
Unspend funds: LIV LAS		31,811	-
Unspend funds: VB LAS		45,798	-
Total current liabilities		143,641	82,903
Non-Current liabilities			
Provision for Long Service	3	12,007	-
Total non-current liabilities		12,007	-
Total liabilities		155,648	82,903
Net Assets		166,690	116,499
Accumulated Funds			
Balance 1 July 2002		116,499	44,449
Surplus (Deficit) for year		50,191	72,050
Balance 30 June 2003		166,690	116,499

PUBLIC INTEREST LAW CLEARING HOUSE INC. REG. NO. A0029409J Notes to and forming part of the Special Purpose Financial Statements for the year ended 30 June 2003.

Note 3 - Long Service Leave Provision

Provision is made for Long Service Leave for all eligible employees.

Note 4 - LIV Surplus

An amount of \$5,963.00 was invoiced in error to Law Institute of Victoria on 11 August 2003. The amount was paid by LIV but the error not discovered until after balance date. The error has the effect of overstating the income item and as a result the surplus for the period. The amount has subsequently been repaid to LIV and will show as an expense in the 2003/04 financial statements.

Statement of Cash Flows for the year ended 30 June 2003

	Notes	2002-03	2001-02
		\$	\$
		Inflows (Outflows)	Inflows (Outflows)
Cash flows from operating activities			
Receipts from membership & donations		206,331	207,688
Receipts from government grants - recurrent		140,576	86,000
Receipts from other sources		85,672	32,893
Interest received		9,195	3,590
Payments to suppliers and employees		-349,794	-185,608
Net cash provided by operating activities	2	91,980	144,563
Cash flows from investing activities			
Payment for purchase of computers and equipment		-31,853	-
Net cash used in investing activities		-31,853	-
Net increase (decrease) in cash held		60,127	144,563
Cash at beginning of the financial year		196,898	52,335
Cash at end of the period	1	257,026	196,898

The accompanying notes form part of this statement.

Notes to the Statement of Cash Flows

1. Reconciliation of Cash

For the purpose of the statement of cash flows, cash includes cash on hand, cash at bank. Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the balance sheet as follows:

	2002-03	2001-02
	\$	\$
Cash on hand	24	85
Cash at bank	257,001	196,813
	257,026	196,898

2. Reconciliation of Net Cash used in Operating Activities to Operating Result

	2002-03	2001-02
	\$	\$
Operating result	97,412	125,184
Depreciation	3,366	-
Increase in Sundry Creditors	11,996	12,264
Increase in Provision	19,715	-198
Decrease in Prepayments	-6,188	6,187
Increase in Accounts Receivable	-34,322	1,126
Net Cash provided by Operating Activities	91,980	144,563

3. Tax Status

The activities of the entity are exempt from taxation.

Public Interest Law Clearing House (Vic)
Incorporated © 2003

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Annual Report 2002-2003

December 2003

Written and compiled by staff, secondees solicitors and
volunteers of the Public Interest Law Clearing House.

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Freehills

Reg. No. A0029409J

ISSN 1325-1791

The role of PILCH in consolidating and
coordinating pro bono work is crucial
in ensuring access to justice for the
disadvantaged and disenfranchised.

I encourage all legal organisations to join
PILCH and contribute in a tangible way
to a socially just community.

– Attorney-General of Victoria,
the Hon. Rob Hulls MP