

Queensland Public Interest Law Clearing House Incorporated

2007-2008 Annual Report

Law Firms

4Change Lawyers
Allens Arthur Robinson
Ash Solicitors
Blake Dawson
Brian Bartley and Associates
Clayton Utz
Cooper Grace Ward
Corrs Chambers Westgarth
Deacons
DLA Phillips Fox
Edwards & Edsforth
Freehills
Holding Redlich
Macrossan Lawyers
Mallinson Stephen Jacques
McCullough Robertson Lawyers
McInnes Wilson Lawyers
McPhee Lawyers
Miller Harris (Cairns)
Minter Ellison Lawyers
Murphy Schmidt Solicitors
Nathan Lawyers
Piper Alderman
Quinn & Scattin
Shine Lawyers
Slater & Gordon
Sparke Helmore Lawyers
TressCox Lawyers
Walkers Solicitors

Barristers

Nicholas Andreatidis
Michael Ballans
Ken Barlow
John Bond SC
Jacoba Brasch
Vincent Brennan
Judy Brien
Alexandra Brook
Simon Brown
Sue Brown
Anna Cappellano
Gary Coveney
Christopher Crawford
Quentin Cregan
Jean Dalton SC
Cameron Dick
Tracy Fantin (Cairns)
Dr Kim Forrester
Joshua Hanna
Patrick Hay
Keith Howe

George N Kalinowski
David Keene
Stephen Keiro SC
Liam Kelly SC
Nina Kilton
Carla Klease
Michael Labone
Peter Lyons QC
Ross Mack
Paul R Marshall
Nicole Martin
Scott McConnel
James McNab
Damien O'Brien
TP O'Brien
Daniel O'Gorman SC
Darryl Rangiah
Guy Sara
Hugh Scott-Mackenzie
Sara Scott-Mackenzie
Dr Max Spry
David Thomas
Roger Traves SC
Terence Walsh
Suellan Walker-Munro
Karen Williams
Douglas Wilson
Dr Michael Wilson
Julene Winn



Specified Members

Bar Association of Queensland Inc
Legal Aid Queensland
Queensland Association of Independent
Legal Services Inc
Queensland Law Society Incorporated

Associate Members

BDO Kendalls, Chartered Accountants
Griffith University Law School
Queensland University of Technology Law School
Faculty of Law, Bond University
T.C. Beirne School of Law, University of Queensland

Government Legal Unit Members

Australian Competition and Consumer
Commission

Queensland Public Interest Law Clearing House Incorporated

2007-2008 Annual Report

STATISTICAL SNAPSHOT

2007-08 CASEWORK

Referral Services

212 applications received
62 referrals

Self-Representation Civil Law Services

86 applications received
160 hours of appointments

Homeless Persons' Legal Clinic

268 new files opened

Refugee Civil Law Clinic

38 new files opened

Consumer Law Advice Clinic

66 new files opened

Administrative Law Clinic

18 new files opened

PRO BONO VALUE SINCE 2002

Public Interest Referrals

1050 applications received to date
393 referrals
160 referrals finalised and costed with an estimated value of \$1.1 million
(not including contributions to the clinics and through secondments)

Homeless Persons' Legal Clinic

1477 files opened with an estimated value in excess of \$4.6 million

Consumer Law Advice Clinic

499 cases to date

Administrative Law Clinic

113 cases to date

2007-08 FINANCIALS

Revenue—\$624,198
Expenses—\$585,299
Surplus carried forward—\$38,899



PRESIDENT'S REPORT

Since QPILCH began operations in January 2002, almost seven years ago, it has expanded rapidly, taking on a range of activities to more broadly access the resources and goodwill of the Queensland legal profession and to attract government funding in order to increase civil law services for disadvantaged Queenslanders.

The expansion has occurred as we have looked for opportunities to target services towards the most disadvantaged members of the community, particularly where no specialised services were being offered.

- **Homeless Persons' Legal Clinic (HPLC)**, from December 2002 initially established with the support of a Blake Dawson secondee and then secondees from Minter Ellison until 2005 when its coordination was funded by the Queensland Department of Communities. It began with one service in Brisbane and now has eight across Brisbane, one in Toowoomba, three in Townsville and one soon to start at the Gold Coast. This service is supported by over 30 law firms across the State.
- **Consumer Law Advice Clinic (CLAC)**, initially established with the support of Clayton Utz in 2004, targets people with credit or debt problems. It is now funded by the TC Beirne School of Law (UQ). In this coming year, with the support of the Attorney-General (from LPITAF), it will join a new coordinated consumer law service located at Caxton Legal Centre.
- **Administrative Law Clinic (ALC)**, fills a much needed gap in assisting people who cannot afford a lawyer to challenge government decision-making. It has been wholly funded by Bond University since 2005.
- **Refugee Civil Law Clinic (RCLC)**, established in 2007 with the support of Corrs Chambers Westgarth and the Refugee and Immigration Legal Service, this service provides civil law assistance to refugees and immigrants with less than five years residence who have insufficient funds for a lawyer.

In its first year, QPILCH was a simple *pro bono* referral agency, staffed by a part-time coordinator, with the support of six law firms, a secondee from Blake Dawson to establish the Homeless Persons' Legal Clinic (HPLC) and six Griffith University law students in its *Public Interest Lawyering* clinic. In the first financial year (2001-02), 50 applications were processed and 17 referrals were made.

By 2007-08, with 27 firm members and 51 barrister members, five student clinics, four full-time and eight part-time staff members, a secondee from Corrs Chambers Westgarth, and with the following government funding:

- public interest referral coordination from the Community Legal Service Program
- project funding from the Legal Practitioners' Interest on Trust Account Fund (LPITAF)
- coordination of the HPLC from the Department of Communities and
- support for training and knowledge management from the Law Foundation Queensland.

QPILCH:

- processed 212 applications and made 62 referrals
- opened 268 new HPLC files
- assisted 38 refugee clients of the Refugee Civil Law Clinic
- assisted 86 clients in the Self-Representation Civil Law Service
- helped 66 clients in the Consumer Law Service



- opened 18 administrative law matters
- provided training for volunteers involved in these services, for CLCs, not-for-profit organisations and the profession at large.

Our newest service, the **Self-Representation Civil Law Service (SRCLS)**, is showing that our confidence in its establishment was warranted. For the first time, there is systematic help for people who cannot afford representation in civil cases in the Supreme and District Court trial divisions and in the Court of Appeal. This is a service that has not been provided before. In all free civil law services, the hardest assistance to find is representation. LAQ provides or funds representation in only a few civil law areas. Most community legal centres can only provide representation in their areas of specialisation and in occasional test cases. *Pro bono* representation is an important addition, but there are limits to what the profession can provide, particularly in litigation, because of factors such as legal and commercial conflict, capacity, availability and cost.

The SRCLS is another example of where real partnerships can make a difference. Here, the courts, private firms and barristers and QPILCH, with annual Government funding of only \$117,000, can cooperate to significantly increase access to justice.

The SRCLS fills a real and growing gap. To the poor and disaffected, who cannot afford the high costs of litigation, self-representation is the only option open to litigate their causes. While not all the clients of the SRCLS have public interest issues, their inability to access the legal system is an issue of concern to all lawyers. The value of the SRCLS cannot be underestimated and it has the potential, as a pilot program, to be rolled out to other centres, and for other legal services to increase their litigation expertise in partnership with the private profession, and importantly to promote access to justice for the poor.

I want to acknowledge the vital ingredients in all these initiatives if it is not already clear. These programs:

- would not be of such high quality without the strong commitment of the private profession
- would not be sustainable without Government's commitment to funding its coordination
- would not be so relevant and effective without the support of the host agencies and other partners, and
- would not be so efficient and comprehensive without dedicated and talented staff members.

I trust this report truly reflects the generous and invaluable contributions by our members and the many others who support QPILCH and its work.

Projects, programs and events during 2007-08

More detailed project reports are provided for readers' information later in this report. Here, several points are worthy of special mention.

The **Self-Representation Civil Law Service** commenced under the excellent stewardship of **Erin Thomas**, and with the oversight of a Reference Group chaired by **Mr Martin Moynihan AO QC**. The operating policies and procedures were quickly put in place and the first services were offered from December 2007. This new service is part of the *accessCourts* initiative that was launched by the Attorney-General in December 2007. I acknowledge **Allira Thompson**, who has filled the crucial role of the SRCLS paralegal since inception, and new solicitor/coordinator **Judith Douglas**, for their dedicated service.

The **Refugee Civil Law Clinic**, a partnership with **Corrs Chambers Westgarth**, was launched by the Chief Justice on 12 September 2007. I thank Corrs for their leadership on this initiative.

From March 2008, we were privileged by the offer of a permanent secondment to QPILCH by **Corrs Chambers Westgarth**. Solicitor **Karen Kearney** was the first secondee. The position will be rotated every six months. This is an extremely valuable resource that enables QPILCH to take on considerably more work and to back fill positions that are usually unfilled because of our resource limitations.

The **Homeless Persons' Legal Clinic** continues to expand, with a new HPLC established in Townsville thanks to the hard work of **Sue Garlick**. It was launched by Senator Ursula Stephens and the Honorable Mike Reynolds MP. Other highlights for the HPLC include the preparation of a submission to the Commonwealth Government's Green Paper on Homelessness, a decision by the Court of Appeal in *Rowe v Kemper* on the use of police move-on powers, and the continuation of funding from the Queensland Department of Communities to keep this necessary service operating. I welcome the new HPLC coordinator **Andrea de Smidt**. QPILCH has been fortunate to find such safe hands to coordinate this vital service for the homeless.

The **Public Interest Research Clinic** through the University of Queensland commenced in second semester 2007, supervised by **Andrea Perry-Petersen**. Andrea joined QPILCH in July 2007 to supervise the PIRC and to coordinate our training programs and has brought a wealth of knowledge about the not-for-profit sector to QPILCH.

The **Law Walk for Justice** was held for the first time on 19 May 2008. Led by the Chief Justice and the Attorney-General, the walk in Brisbane coincided with walks in Sydney, Melbourne and London. Over \$8,000 was raised for QPILCH's disbursement fund, a fund to help pay for expenses such as filing fees and expert reports incurred in pro bono casework.

Cristy Dieckmann, who took over the role of services coordinator in January 2008, organised the Law Walk and once again supervised the Griffith University *Public Interest Lawyering* clinic in first semester 2008. I also acknowledge Cristy's excellent coordination of our **student volunteer program** and the students who helped us.

The fifth **Public Interest Address** was held at the Customs House on 29 August 2007 with guest speaker **Emeritus Professor Ian Lowe AO**, president of the Australian Conservation Foundation.

The year ahead

QPILCH's application to LPITAF to **coordinate pro bono services** (not just public interest ones), was successful and will begin in October 2008. Based on a model developed by VicPILCH, we will provide a one-stop shop for all pro bono referrals, reducing duplication and misdirection of referrals for free legal services, reducing referral fatigue and benefitting firms by providing a filter for pro bono referrals and a brief to reduce preparation time.

This next stage in our development has also been funded by the Attorney from LPITAF and with contributions from the Bar Association and the Queensland Law Society (QLS). We have proposed since 2004 that QPILCH coordinate pro bono referrals generally, not just public interest matters, coordinating pro bono applications currently referred by the QLS and Bar Association. This project will bring all pro bono referrals under one roof, ensuring coordination and reducing duplication. It will operate in the same way as our public interest referral system, where QPILCH will assess the application for legal merit and prepare a brief for referral of meritorious cases to a

private practitioner located closest to the client. This will aid firms which might want to help in a matter but are unsure of its merit and reduce their workload by gathering material information. Any firm or barrister in Queensland can participate in this scheme (i.e. they need not be members of QPILCH).

This project will be coordinated with QPILCH's re-activated rural, regional and remote project, which involves partnering rural and regional firms with better resourced national firms to assist with local pro bono initiatives.

QPILCH's expansion has stretched our administrative resources, so once these new projects have been bedded down, we will spend time in coming years in consolidating all our activities such as:

- completing a full evaluation made possible with help from **Allens Arthur Robinson** and our Public Interest Research Clinic;
- following up on legal policy issues that have arisen from our work, such as the recent Court of Appeal decision in *Rowe v Kemper* conducted by the HPLC and costs and other issues arising from the SRCLS;
- respecting and acknowledging the priorities of our members; and
- generally ensuring that we are using our resources in the most effective and efficient way for the benefit of Queenslanders who cannot obtain legal aid or afford private representation.

QPILCH's current premises have been sold and so we are looking for new office space, hopefully a little larger to cope with our extra programs and services. Market rent in the city is beyond our budget, so we have been working hard to find an alternative in the city fringe, but we may need to move as early as January 2009.

Also in this coming year, we hope to promote corporate involvement in QPILCH's work.

I have been very heartened by the new **members** who have recently joined QPILCH.

Finally, we are developing a mediation service to complement the SRCLS. There has been considerable interest from our members and others to support this service.

Special acknowledgments

I thank the **Chief Justice of Queensland, the Honourable Paul de Jersey AC**, our patron, for his public support throughout the year and the **Attorney-General and Minister for Justice, the Hon Kerry Shine MP** for financial support from LPITAF for the Self-Representation Civil Law Service and for funding for QPILCH's public interest coordination services through the Community Legal Service Program. This support clearly recognises the role government has in supporting pro bono coordination and acknowledges QPILCH's hard work.

I thank the **Minister for Communities, the Hon Lindy Nelson-Carr MP** for renewed funding support of the Homeless Persons' Legal Clinic. This vital funding has permitted the HPLC to operate for another year.

I thank all **QPILCH members**, whose names grace the cover of this report, for their great pro bono contribution to legal services and their support for individuals and groups who would otherwise be denied legal assistance. Their continuing commitment to QPILCH is proof of the strength of their professionalism.

I thank the many other members of the judiciary and profession who have helped out and supported us in many ways, from kind words to advice to donations and assistance.

I thank the **students** who are involved in the clinical programs and who volunteer at QPILCH and the **university law schools** that support them.

I thank the **QPILCH staff** members who have worked with dedication, imagination and enthusiasm. Special mention must be made of **Michael Carey** who left the HPLC to work for the Commonwealth Government and **Erin Thomas** who worked tirelessly to establish the SRCLS and left to broaden her career.

Finally, I thank my fellow **committee members** who have given great commitment and added such depth to QPILCH decision-making.

Joanne Rennick
PRESIDENT

TREASURER'S REPORT

I present as Treasurer the audited financial report for the financial year 2007-2008.

QPILCH remains an organisation that survives on minimal income. We are committed to being financially open and accountable and to making the most of the scarce resources that are available.

In the 2007-08 financial year, QPILCH obtained funding:

- from **membership fees**;
- for core services from the **Community Legal Services Program** administered by Legal Aid Queensland;
- for the Self-Representation Civil Law Service under the **LPITAF** program administered by the Queensland Department of Justice;
- from the **Department of Communities** for the coordination of the Homeless Persons' Legal Clinic;
- from the **Law Foundation Queensland** to provide training;
- from our **university partners** to operate five student clinics;
- from the **Gambling Community Benefit Fund** to buy new equipment.

On behalf of QPILCH, I gratefully acknowledge these funds and thank the generous contributors.

We have applied to the ATO for DGR status and are changing the QPILCH rules to meet ATO requirements. DGR status will increase our ability to attract corporate funding and thus undertake more work for the most disadvantaged clients including the homeless and people experiencing severe financial problems. We thank **Freehills** for its assistance with our submissions to the ATO.

The funding for the coordination of the HPLC remains non-recurrent, though we were successful in obtaining a slight increase in funding this year to employ an administrative support person for the clinics. This will make a big difference to the output of the coordinator, as her administrative load will be reduced. We continue to hope that this funding will eventually be converted into recurrent funding from next year.

A new fundraising initiative in the *Law Walk for Justice* occurred on 19 May 2008. Registration fees and sponsorship monies from some 300 walkers amounted to approximately \$8,500. These funds went into the QPILCH Disbursement Fund, which is used primarily to fund outlays for clients who are accessing pro bono services. Many

thanks to our patron, the **Honourable Paul de Jersey AC**, Chief Justice of Queensland, and other members of the bench who were great promoters of the event, as well as to all the walkers, sponsors and volunteers who made the morning such a success.

Our major cash source for 2007-08 has been membership fees and government funding, and I thank our members and funders for their support. Our major outgoings are wages.

I wish to acknowledge the support of the following other generous donors that have made our services possible:

- **Corrs Chambers Westgarth** for seconding solicitor **Karen Kearney** to support the public interest referral service for 6 months from March 2008. Karen was the first in a rolling plan to have a Corrs graduate in their second or third rotation placed at QPILCH. Karen was an excellent addition to our small team and also found herself filling in for various staff members while they were on leave and so was able to contribute to many different facets of our organisation.
- **Law firms** which have provided staff to attend the Self-Representation Civil Law Service, Refugee Civil Law Clinic and Homeless Persons' Legal Clinics.
- **Law firms and barrister members** who have so readily accepted referrals for pro bono representation.

I thank all supporters and QPILCH staff for their assistance and hard work over the year. I particularly express my appreciation to **Michael Carey** and **Erin Thomas** who both made such fine contributions during the year and who have now left QPILCH to pursue other adventures.

Robert Reed
SECRETARY/TREASURER

2007-08 MANAGEMENT COMMITTEE

EXECUTIVE

Joanne Rennick, President – Partner, MurphySchmidt Solicitors
Hugh Scott-Mackenzie, Vice-President – Barrister
Robert Reed, Secretary/Treasurer – Senior Associate, Minter Ellison Lawyers

COMMITTEE MEMBERS

Andrew Buchanan, Partner, Allens Arthur Robinson (resigned 30 June 2008)
Peter Carne – CEO, Queensland Law Society Incorporated
Tony Denholder – Partner, Blake Dawson
Professor Jeff Giddings – Griffith University Law School
Dan O'Connor – Chief Executive, Bar Association of Queensland Inc
Peter Rosengren – Partner, Deacons (resigned 30 April 2008)
Queensland Association of Independent Legal Services Inc - vacant
Elizabeth Shearer – Director, Civil Justice Services, Legal Aid Queensland
Russell Thirgood – Partner, McCullough Robertson Lawyers (previously a co-opted member and appointed to firm member vacancy from 1 May 2008)

COOPTED MEMBERS

Robyn Wilkinson – Solicitor, Legal Aid Queensland (resigned December 2007)
Peter Rosengren – CEO Insight Group, co-opted member from 1 May 2008
Andrew Buchanan – co-opted member from 1 July 2008

2007-08 STAFF

Name	Position
Katherine Hammond, Priya Dalal, Allira Thompson, Cate Chardon, Katia Vandenbroucke, Anna Poteri, Lulu Ou, Shannan Jarrett.	Law students who work as our administrative assistant (casual job-share position one day per week)
Sue Garlick	HPLC policy (part-time two days per week)
Gayle Gasteen	Knowledge coordinator (part-time two days per week) from January 2006 (currently on six months leave)
Eve Campbell	Internet and publication consolidation (part-time three days per week) from June until September 2008
Andrea Perry-Petersen	Training coordinator and PIRC supervisor (part-time two days per week) from July 2007
Simon Ryder/Parth Shukla	Internet/intranet/PBLi assistance (casual one day per week) Simon, until January 2008, Parth from June 2008
Rochelle Carey	Services coordinator (full-time) from January to September 2007
Catherine Uhr	CLAC supervisor (casual one day per week during semester) from February 2007
Cristy Dieckmann	Services coordinator (full-time) from January 2008
Jackson Waikden-Brown	Administrative Law Clinic supervisor (casual one day per week during semester) from September 2007
Jessica Hodge/Ray Rajguru	Bookkeeper (casual one day per week), Jessica until and Ray from December 2007
Michael Carey	HPLC coordinator (full-time) from July 2007 to January 2008
Andrea de Smidt	Services coordinator (full-time) from September 2007 and HPLC and RCLC coordinator (full-time) from January 2008
Erin Thomas	SRCLS coordinator and solicitor (full-time) from September 2007 to June 2008
Jude Douglas	SRCLS coordinator and solicitor (full-time) from June 2008
Allira Thompson	SRCLS paralegal (part-time three days per week) from October 2007
Karen Kearney	Secondee solicitor from Corrs Chambers Westgarth (full-time) from March to September 2008
Tony Woodyatt	QPILCH coordinator (full-time)

REFERRAL SERVICES

In 2007-08 there were a total of 212 written applications for assistance to QPILCH. A total of 62 applications that met the public interest and legal merit tests were referred to our member firms and barristers.

Referrals were down in 2007-08 despite receiving more applications for assistance. A further 16 referrals were attempted, of which ten were not taken up, three were withdrawn and three were referred for internal assistance. However, we were also more rigorous in our assessments, rejecting more that do not meet our public interest, merit and means guidelines. Other matters were referred internally to our clinics or to other legal service providers that could provide the appropriate assistance.

Most referrals to QPILCH are from community legal centres, Legal Aid Queensland.



law firms and community organisations. Other referrals are from the Ombudsman and government departments including the Office of Fair Trading, the office of the Attorney-General, MPs, the Legal Services Commission and the Queensland Law Society

The applications for assistance tend to be complex matters that require detailed and lengthy scrutiny. In cases which are not referred because they lack legal merit, we spend considerable time in providing detailed reasons why their case cannot be taken further, in the hope that applicants will have a full understanding of the legal hurdles they face

	07-08	06-07	05-06	04-05	03-04	02-03	01-02	Total
Applications	212	204	200	197	76	111	50	1050
Referrals	62	86	77	64	46	40	17	393

A sample of referrals finalised during 2007-08

The following list represents a small sample of cases assisted by members and closed during the year.

Not-for-profit organisations

Minter Ellison Lawyers provided advice to a community accommodation provider with respect to their possible criminal liability if dangerous drugs were brought onto their premises, general police powers and record-keeping requirements.

Corrs Chambers Westgarth assisted two different not-for-profit organisations by drafting a constitution, incorporating a company limited by guarantee and applying for deductible gift recipient status to the Australian Taxation Office.

Holding Redlich assisted a not-for-profit agency with their leasing and insurance arrangements.

McCullough Robertson Lawyers assisted a not-for-profit organisation which was seeking legal advice in relation to the amendment of their Constitution and conflict of interest policy.

Barrister **David Keane** assisted a community legal centre representing an individual in a choice of law matter. Detailed legal advice was provided regarding the appropriate jurisdiction in which to commence his claim.

Allens Arthur Robinson advised a not-for-profit organisation in the areas of tenancy and privacy.

Deacons advised a not-for-profit agency on their leasing arrangements.

Individuals

Blake Dawson assisted an applicant in a mobile homes dispute.

DLA Phillips Fox assisted an applicant with an anti-discrimination dispute with a government department.

Brian Bartley & Associates assisted the residents of a mobile home park in relation to a development approval.

Cooper Grace Ward Lawyers assisted an applicant in defending a defamation proceeding against them.

Shine Lawyers assisted an applicant in reaching a settlement in relation to an anti-discrimination claim brought by them.

Quinn & Scattini Lawyers and barrister **Tony Macklin** assisted an applicant seeking to defend a claim brought against them by a law firm for unpaid legal fees where the applicant had not engaged the law firm for its services nor executed a client agreement.

Ebsworth & Ebsworth assisted an applicant with settling an anti-discrimination complaint against a government department.

MurphySchmidt Solicitors and barrister **Karen Williams** assisted applicants seeking to appeal a decision by the Guardianship and Administration Tribunal to appoint the Adult Guardian as the guardian for their son.

Miller Harris Lawyers assisted an applicant to obtain satisfaction of a judgment debt.

Nathan Lawyers assisted an applicant to reach a satisfactory settlement in an anti-discrimination dispute with a government department.

Research and publications

Clayton Utz updated the limitation schedule (see our website) which provides a resource for CLCs to assist in checking important limitation periods. They also checked the refugee and immigration limitation schedule that had been prepared by the Refugee and Immigration Legal Service.

Freehills assisted QPILCH in seeking a ruling on Deductible Gift Recipient status from the ATO and in amending our rules.

Cristy Dieckmann – services@qpilch.org.au

HOMELESS PERSONS' LEGAL CLINIC

2007-08 has been a busy year of growth and activity for the HPLC. Continued funding from the Queensland Department of Communities has supported the ongoing employment of a full-time Coordinator and a part-time Policy and Clinic Expansion Officer to enable the development of HPLC services. A funding increase, approved at the end of the financial year, will allow for the employment of a much needed part-time administrative assistant.

The HPLC would like to thank all **volunteer lawyers**, **participating law firms** and our **host agencies** for their continued support and efforts in ensuring the legal and human rights of homeless people are recognised and respected.

2007-08 statistics

From 1 July 2007 to 30 June 2008, the HPLC opened 268 new files, bringing the total number of HPLC clients to 1477 since the Clinic's inception in December 2002. As at 30 June 2008, the following clinics were operating:

Clinic	Participating Firms / Organisations
Mission Australia Café One	Minter Ellison Lawyers Freehills
Brisbane Homelessness Service Centre	MurphySchmidt Solicitors Blake Dawson
Salvation Army Pindari Men's Hostel	Clayton Utz
Salvation Army Pindari Women's Hostel	DLA Phillips Fox
Red Cross Night Youth Café	Mallesons Stephen Jaques
Anglican Women's Hostel	Allens Arthur Robinson



HART 4000	Allens Arthur Robinson
4AAA Kiosk	McInnes Wilson McCullough Robertson Lawyers
Mission Australia Pathways to Prevention Kyabra Phone Clinic	Minter Ellison Lawyers
Toowoomba HPLC, The Basement	Clewett Corser Drummond Murdochs Lawyers David Burns & Co Condon Charles Walkers Solicitors Shannon Donaldson Province Lawyers Hede Byrne & Hall The Advocacy and Support Centre
South Townsville Drop in Centre	Ruddy Tomlins Baxter Boulton Cleary Kern Bevan and Griffin Chris Mills Wilson Ryan Grosse
Townsville Women's Centre	Roberts Nehmer McKee NQ Women's Legal Service ATSI Women's Legal Service NQ Indigenous Family Violence Legal Outreach Unit
Queensland Youth Service	Townsville Community Legal Service Purcell Taylor

73% of HPLC clients are male and 27% female. This gender breakdown reflects the demographic of homelessness generally and has remained fairly consistent since the Clinic's inception. The areas of law which persons attending the Clinic required assistance with in 2007-08 remained static, with the four main areas of assistance required being: criminal 24%; family 13%; housing/tenancy 8%; and fines/debt 13%.

In addition to the top four areas of legal need, the HPLC assisted clients with a range of other matters, including employment law, guardianship and administration, personal property, bankruptcy, social security and criminal compensation matters.

HPLC casework

The HPLC had a significant success on June 27 this year when the Queensland Court of Appeal ruled in favour of one of its clients who had been charged for contravening a move-on direction and obstructing police. The Court of Appeal held that the direction and the client's subsequent arrest were unlawful. The client's case has great significance for advancing policy work in relation to the exercise of move-on powers, and the enforcement of public space laws more broadly. The HPLC acknowledges the contributions of **Minter Ellison Lawyers**, and counsel **Peter Callaghan SC** and **Shaun Gordon**, and **Jean Dalton SC** and **Kerri Mellifont**, who assisted without fee on behalf of the client through the Magistrates, District and Appeal courts.

Otherwise, the Criminal Law List (CLL), established in 2005-06, has operated on an albeit quieter scale compared to previous years. The continued generous support of the **Queensland Bar** for this initiative is greatly appreciated.

HPLC training

As part of its ongoing professional training and development program, the following CLE activities were organised by the HPLC in 2007-08. The HPLC acknowledges and thanks the participating law firms who hosted and/or presented papers, thereby increasing the knowledge and capacity of all HPLC lawyers to assist our clients:

MONTH	HOST FIRM	TOPIC
August 2007	Mallesons Stephen Jaques	HPLC Induction/Refresher session
September 2007	Minter Ellison Lawyers	Commonwealth Ombudsman
March 2008	Minter Ellison Lawyers	HPLC Induction/Refresher session
March 2008	Clayton Utz	Assisting clients with insurance matters: implementation of a standardised approach to 3 rd party property claims, presented by Denis Nelthorpe, consumer representative of the General Insurance Code of Practice Compliance Committee
April 2008	MurphySchmidt Solicitors	State Penalties Enforcement Registry Presented by SPER training team
May 2008	DLA Phillips Fox	Assisting clients with Consumer Law issues: debt, property repossession and the Consumer Credit Code, presented by Catherine Uhr, Legal Aid Queensland

Policy and advocacy

Homelessness Green Paper

The Federal Government's Green Paper on Homelessness, *Which Way Home?*, was released at the biannual Homelessness Australia Conference in Adelaide on 22 May 2008. The Green Paper highlighted the Queensland HPLC and its regional branches, along with its counterparts in New South Wales, Victoria and South Australia, as an innovative response to homelessness.

The HPLC Coordinator and Policy and Expansion Officer attended the Homelessness Australia Conference, and the HPLC submitted its response to the Green Paper on 27 June 2008. The HPLC response was informed by client experiences and focused on best practice in early intervention and prevention, the negative impact of Queensland public space laws and the importance of funding specialist networked services. QPILCH is thankful to **Minter Ellison Lawyers** and **McCullough Robertson Lawyers** for their assistance in preparing the response.

Homeless Court Connect

The HPLC contributed to Homeless Court Connect, a peer mentor project focused on providing training and support for people who have experienced or are experiencing homelessness to assist in breaking the cycle of homelessness-related crime. QPILCH staff and HPLC volunteer lawyers delivered 3 public speaking workshops, 5 legal 'toolbox talks' and 1 skills-based training workshop on resume and letter writing to the project's participants.

Homeless Connect

On 28 May 2008, the HPLC attended the Brisbane City Council initiative, Homeless Connect, assisting 15 clients, some existing, some new, on the day. QPILCH is grateful to the contribution of participating firms who provided lawyers to staff the HPLC stand.

Clinic expansion

The Toowoomba clinic, the first regional HPLC in Australia, was officially opened by a representative from the **Department of Communities** and **Ms Megan Mahon**, the



QLS President on 25 September 2007.

Three Townsville clinics were added to the regional HPLC complement this year and were officially opened on 8 May 2008 by **Senator Ursula Stephens**, Parliamentary Secretary for Social Inclusion and the Voluntary Sector, and the Honourable Mike Reynolds, MP. Eight **private firms** and three **community legal centres** staff the clinics, which, although in their infancy, are becoming quickly recognised as a key service within the community.

Efforts to re-start a Gold Coast HPLC have continued. In November 2007, the HPLC presented at the QLS Convocation, to promote the HPLC to District Law Associations. In June 2008, the Homeless Policy and Clinic Expansion Officer attended the AGM of the Gold Coast District Law Association, where the Chief Justice strongly commended the HPLC to local practitioners. Copies of the HPLC resource 'Why Do Homeless People Need a Lawyer?' were distributed to attendees, and a total of 7 small firms have committed to the project. The HPLC also has the support of both Gold Coast law schools and the Legal Services Department of the Gold Coast City Council. QPILCH is currently seeking the involvement of some larger Gold Coast firms, which will permit establishment of a sustainable service.

Andrea de Smidt – hplc@qpilch.org.au and **Sue Garlick** – homelesspolicy@qpilch.org.au

REFUGEE CIVIL LAW CLINIC

Staffed by volunteer lawyers from **Corrs Chambers Westgarth** and hosted by the **Multicultural Development Association** at South Brisbane, the RCLC has had a very productive and successful first year. QPILCH is grateful to Corrs Chambers Westgarth, all volunteer lawyers, and the Multicultural Development Association for their ongoing support of the RCLC.

The RCLC operates every second Monday afternoon and generally schedules between two to four client appointments per session. Longer appointment times are scheduled to account for the incorporation of interpreter services during these sessions.

Since inception in August 2007, the RCLC has assisted 38 clients. The areas of law which persons attending the Clinic have sought assistance with include: debt; administrative; insurance; consumer/trade practices; criminal; and family; of which consumer/trade practices is the most common.

The RCLC is coordinated by the HPLC Coordinator and RCLC lawyers participate in the ongoing professional training and development program of the HPLC. For details of the Continuing Legal Education sessions presented this financial year to RCLC lawyers, please see the training section of the HPLC report.

The RCLC Coordinator is working with RCLC lawyers to ascertain areas of need for policy development and will be implementing legal education in the same vein as the HPLC for the RCLC's clients and the caseworkers who support them.

Andrea de Smidt – hplc@qpilch.org.au

SELF-REPRESENTATION CIVIL LAW SERVICE

The SRCLS was established in October 2007 and became operational from January 2008. The first financial year has been very productive and, based on feedback received from key stakeholders, extremely successful. The SRCLS operates from the Brisbane Law Courts Complex employing two staff members, a solicitor and paralegal,



and volunteer solicitors from 12 law firms, providing free advice to self-represented litigants in civil law matters.

The SRCLS wishes to express its appreciation to the Queensland Government and in particular, the Attorney-General, the **Hon Kerry Shine MP**, who has funded the scheme since its inception.

Establishment of policy and procedures

The establishment of the SRCLS was based on best-practice research undertaken by QPILCH and the Queensland University of Technology in 2006-07 and on a similar initiative established at the Royal Courts of Justice in London by the Citizens Advice Bureau.

The SRCLS acknowledges the remarkable work of **Erin Thomas**, its first employed solicitor, who prepared the comprehensive policies and procedures required in order to replicate the London model in Queensland. The procedures put in place by Erin have ensured the immediate success of the service and a smooth and efficient transition as operations commenced.

2007-08 clients and statistics

In its first seven months, from December 2007 to June 2008, the SRCLS received applications for assistance in 86 matters, referred primarily from within the courts or from other solicitors or community legal centres. The vast majority of those applications were from clients who had insufficient financial resources to engage a solicitor to act on their behalf, with 94% of clients indicating that they had an annual income of \$60,000 or less. Although still in its infancy, the SRCLS has clearly demonstrated the need for a service of its kind to provide procedural and pleading assistance to litigants.

The applications received covered a wide range of disputes, which reflects the diversity of clients that were assisted. Some of the main areas of law included:

- Debt recovery (14%);
- De facto property adjustment (13%);
- Negligence (8%);
- Defamation (6%);
- Wills and estates (6%), and
- Planning and environment (5%).

The service assists clients via one hour appointments conducted either by the SRCLS' own solicitor, or by volunteer solicitors from a panel sourced from 12 member firms. Clients were assisted with a variety of procedural steps, from drafting originating processes, to negotiating settlements and preparing for trial.

A total of 160 hours of free appointments were held between January 2008 (when operations formally commenced) and June 2008. Of those appointments, 100 hours were conducted by volunteer solicitors. The SRCLS is grateful to its member firms who conducted appointments on a pro bono basis over the first 6 months of operation:

- Allens Arthur Robinson
- Blake Dawson
- Brian Bartley & Associates
- Clayton Utz
- Cooper Grace Ward
- Corrs Chambers Westgarth
- Deacons
- DLA Phillips Fox
- Mallesons Stephen Jaques
- McCullough Robertson Lawyers
- Minter Ellison Lawyers

- MurphySchmidt Solicitors

While the commitment is not onerous, with each firm's contribution between five and 12 hours in the period, the results have been outstanding.

Although many clients were well-entrenched in litigation by the time they sought the assistance of the SRCLS, one third (26 of 86) of the applications received sought assistance in commencing proceedings in court. The majority of those clients (81%) have not gone on to commence proceedings by the end of August 2008.

Court of Appeal service

The SRCLS also manages a distinct Court of Appeal service (CASRCLS) which provided intensive assistance to self-represented litigants involved in Court of Appeal proceedings. In total, 4 applications for assistance fell within this jurisdiction and assistance ranged from obtaining counsel's advice on prospects to full representation.

The CASRCLS was supported by a small number of retired solicitors and barristers. We thank our first retired practitioner, **Mr Lex MacGillivray**, for his extensive work on several cases, one of which, with **Gary Coveney** of Counsel, resulted in a successful outcome in the Court of Appeal.

It is hoped that the Court of Appeal service will generate even more interest amongst semi-retired and retired practitioners in the future to ensure that Court of Appeal litigants are able to continue to receive an extra level of assistance.

Training

The SRCLS was keen to ensure that it provided its volunteer solicitors with training and professional development which supported the special role they would play in discrete task assistance to self-represented litigants. The training program was made possible by the generous support of member firms who offered to host seminars for the service. The program was also supported by some of Brisbane's foremost experts in litigation and managing querulous litigants.

Event	Speaker & topic
February 2008	<i>Induction training</i> Hosted by Blake Dawson and DLA Phillips Fox Speakers included The Honourable Martin Moynihan AO
March 2008	<i>Managing querulous and vexatious litigants</i> Hosted by Allens Arthur Robinson Presented by Dr Grant Lester, Forensic Psychiatrist
April 2008	<i>Drafting series: applications and affidavits</i> Hosted by Deacons Presented by Gary Coveney, Barrister-at-law
April 2008	<i>Information session for Litigants in Person</i> Hosted by the Queensland Courts Presented by Tony Woodyatt
May 2008	<i>Drafting series: pleadings</i> Hosted by Deacons Presented by Paul Freeburn SC
June 2008	<i>Drafting series: affidavits</i> Hosted by McCullough Robertson Lawyers Presented by Michael Hodge, Barrister-at-law
July 2008	<i>Drafting series: notices of appeal</i> Hosted by Mallesons Stephens Jacques Presented by Damien O'Brien, Barrister-at-law

We thank all presenters and hosts for their assistance.

Judith Douglas – selfreps@gpilch.org.au and Allira Thompson – selfrepsadmin@gpilch.org.au



TRAINING

With financial support from the **Queensland Law Foundation** and building on work done in the previous financial year we have continued to implement QPILCH's training agenda.

Training activities have focused on seminars for members of the profession, especially in areas known as poverty law, and issues facing not-for-profit organisations. In addition, four on-line training modules on anti-discrimination law, practical legal ethics, guardianship and administration tribunal, and practice management and business skills are nearing completion. The online modules were primarily designed for CLC lawyers in rural and regional areas.

Professional seminars

Public interest and pro bono lawyering involve practice areas which are often different from those most commonly dealt with by member firms. Accordingly, in conjunction with the Bar Association of Queensland, QPILCH has hosted professional seminars attended by a total of 120 participants, on topics including "Disability and the Law", the Children's Services Tribunal and the Adult Guardian. We thank the Bar Association of Queensland and those who have chaired and presented at these seminars, namely Dan O'Gorman SC, Julian Porter, Mary Kenny, Mark Plunkett, Bernadette Smith, Catherine Moynihan, Damian Bartholomew, Julie Ford, Trish Hanly, Jacoba Brasch and Dianne Pendergast.

Not-for-profit training

We have identified a need for education and training for not-for-profit organisations whose staff are often on the front line providing information and support to the community. In conjunction with experts, QPILCH has delivered informative seminars addressing legal health issues of not-for-profit organisations. By enhancing governance and improving procedures, not-for-profit organisations can improve their community services.

This high quality legal information has been delivered in an interactive way by expert barristers and solicitors at low cost to participants, with the aim of alerting participant organisations to issues which are important for their legal "health".

Between December 2007 and June 2008, six seminars in Brisbane and two in Cairns provided information to not-for-profit members and employees on topics including the Associations Incorporation Act 1981 (Qld), corporate governance, financial and risk management, employment and discrimination law. Over 150 attendees have benefited from presentations from Heather Watson, Michael Anastas, Bob Shead, Sophie Devitt, Dr Max Spry, Paul Hardman, Rachel Drew and Belinda Morandini.

In reporting to, and in seeking ongoing funding from the Law Foundation, it is important that QPILCH can clearly articulate the need for this training and the benefit to the profession. For this reason and as part of QPILCH's overarching commitment to evaluating and improving its services we obtain evaluations for each seminar. As a learning organisation we are constantly updating our internal documentation regarding the "how to" of arranging such training, and look forward to continuing both professional training and the not-for-profit seminar series in 2008-09.

We thank the sponsors and presenters for participating in the professional seminars and training for not-for-profit organisations. Their input is valued as demonstrated by the positive feedback of the participants.

Andrea Perry-Petersen – training@qpilch.org.au



KNOWLEDGE MANAGEMENT

Over 2007-08, QPILCH has completed the review of its policies with the assistance of **Noveen Thrower of Allens Arthur Robinson**. The new policies were approved by the Management Committee in June 2008. We thank Noveen for her guidance and Allens for their great support with this project.

In addition, we have completed a strategic plan for the period 2008-2011, forming the basis of our work over the next three years.

We have also finalised a new precedent system, to ensure that the best work is captured and is available for all staff, volunteers and others who need access to quality documents. We thank **Eve Campbell** for her fine work.

Gayle Gasteen – knowledge@qpilch.org.au

STUDENT PROGRAMS

Public Interest Lawyering clinic

The Griffith Law School clinic again operated in first semester 2008. **Cristy Dieckmann** supervised six senior law students who were involved in case assessment, presenting seminars on topics concerned with public interest and related issues and in preparing draft fact sheets about time limits in civil litigation.

QPILCH benefitted from the enthusiasm and dedication of the students, whose work assisted us in keeping up with the increasingly complicated applications for assistance through the referrals scheme.

Public Interest Lawyering students in Semester 1 2008:

Camille Smith-Watkins
Sarah North
Nikki Wawryk
Denva Poyntz
Katherine Matyja
Jack Chen

We thank Griffith University's **Zoe Rathus** for her ongoing support for this clinic and the students who participated in 2008.

Cristy Dieckmann – services@qpilch.org.au

Administrative Law Clinic

The Administrative Law Clinic, a joint project of QPILCH and **Bond University**, moved comfortably through its third year of operation under the supervision of **Jackson Walkden-Brown**, a solicitor who also lectures in Administrative Law at Bond University.

Over the past year, the Bond students have been working very hard on a number of interesting and challenging administrative law cases. There are currently more than 20 active files. Examples include: judicial review applications to the Queensland Supreme Court and Federal Court; non-judicial review applications to tribunals such as the Social Security Appeals Tribunal, the Guardianship and Administration Tribunal, and the Administrative Appeals Tribunal; an appeal against deportation of a prisoner on character grounds; a number of matters involving reviewing decisions of the Children's Services Tribunal; and various social security disputes. The students are also working on a group research project in preparation for developing a section of the QPILCH website dedicated to administrative law. This involves drafting summaries of recent

Supreme Court decisions pertaining to the *Judicial Review Act 1991* (Qld), as well as putting together an annotated version of the legislation.

Worthy of special mention, the Clinic successfully assisted an applicant in responding to the Department of Immigration and Citizenship's notice of intention to cancel the applicant's visa on character grounds. The applicant's family migrated to Australia from Turkey when he was 2 years old. He committed numerous offences in Australia, many whilst under the influence of drugs. Whilst in prison the applicant received the notice from DIAC that the Minister was considering cancelling his visa. The ALC drafted lengthy submissions on behalf of the applicant to DIAC, stating why the Minister should exercise his discretion and not deport the applicant. The applicant has been released from prison and has been notified that DIAC does not intend to cancel his visa.

Thanks are extended to **Mark Plunkett SC** and **Darryl Rangiah SC** for allowing students to visit their chambers. Both barristers have a wealth of knowledge and provided the students with valuable insights into the realities of dealing with administrative law litigation. Students also benefitted greatly from other experienced guest speakers such as **Geoffrey Airo-Farulla** (Deputy Commonwealth Ombudsman), **John Stannard** (Welfare Rights), **Mathew Holmes** (Partner at MurphySchmidt Solicitors), **Maria Rinaudo** (ATSILS), **Matilda Alexander** (Prisoner's Legal Service), and **Bernie McCabe** (Administrative Appeals Tribunal).

Administrative law review mechanisms lie at the core of a representative democracy, and the students became aware that the mechanisms available to underprivileged Australians are often limited and complicated. They enjoyed themselves thoroughly and gained a real appreciation of the importance of their work at QPILCH.

ALC students semester 2 2007	ALC students semester 1 2008	ALC students semester 2 2008
Darcy McCallister	Joseph Ross	Geoff Lewis
Diana Charabin	Amanda Mason	Ryan Baker
Shao Ma	Naomi Davis-Riddle	Christina Marina
Georgie McArthur	Ashley Goobanko	Alexandra Mason
Gabrielle Kwan	Katrina Low	Mika Talreja
Samir Patel	Alun Hashim	Katie Barabanova

Jackson Walkden-Brown – adminlaw@qpilch.org.au

HPLC clinical subject

From January to June 2008, the HPLC again co-supervised a clinical legal education subject in partnership with **Dr Tamara Walsh** from the **TC Beirne School of Law**. Six law students from the University of Queensland Law School gained an appreciation of the operation of the law as it relates to members of Brisbane's homeless community by undertaking a one day per week semester-long placement at QPILCH and participating HPLC law firms. The students this year were:

Helen Missen
Wylie Nunn
Eamonn Katter
Rumin Gao
Toby Corsbie
Georgina Collins

The subject was once again a great success and will be repeated in first semester 2009.

Andrea de Smidt – hplc@qpilch.org.au

Consumer Law Advice Clinic

Once again the CLAC, under the supervision of **Catherine Uhr**, assisted a large number of clients with credit and debt problems. The outcomes from this service are always heartening.

From first semester 2009, this clinic will move to the new consumer law service at Caxton Legal Centre.

We thank **Paul O'Shea** and **Professor Ross Grantham** of the **TC Beirne School of Law** for their continued support of this service and the following students for their enthusiasm and dedication.

CLAC students semester 2 2007	CLAC students semester 1 2008
Wendy Armstrong	Shelly Nakamura
Briana Cumming	Vince Ladewig
Sarah Outerbridge	Giorgia Papa-Morini
Claire Schneider	Karen Meng-Juin Ko
Emily Mayberry	Samantha Taylor
Michael Zheng	Thomas Li

Catherine Uhr – consumer@qpilch.org.au

Public Interest Research Clinic

To further QPILCH's research and publications agenda, the Public Interest Research Clinic commenced in July 2007 in conjunction with the **TC Beirne School of Law** at the University of Queensland.

This clinic provides students with insight into issues such as socio-legal research, legal publications, legal knowledge management, legal training, evaluation and plain English drafting. The first group of students worked on factsheets for the SRCLS, which will be uploaded to the Resources section of the QPILCH website. The factsheets covered topics such as 'Cause of Action', definitions of standing, loss, injury and damage and information about evidence, tribunals and courts. It is hoped that as well as being available to the public, the factsheets will assist volunteer lawyers in our SRCLS.

The second group of students worked on "kits" to assist people appearing in the Children's Services Tribunal and professional guidelines to the Guardianship and Administration Tribunal which are yet to be settled by our members before being distributed more broadly.

PIRC students semester 2 2007	PIRC students semester 1 2008
Andres Mykkeltvedt	Erin Hanson
Alexandra Lees	Shivakani Kumarathash
Elizabeth Young	Kate Nankivell
Allira Thompson	Emily Cotteril
	Paul Kettle
	Samantha Taylor

Andrea Perry-Petersen – training@qpilch.org.au

Interns

QUT intern Semester 1 2008

Myles O'Sullivan (semester 1 2008)

Griffith PLT 2007-08

Rachel LaBlack (Summer 2007/08)

Rebekah Jessup (Winter 2008)

College of Law

Monique Ulrick-Hunter (Summer 2007/08)

Volunteers

We thank the following dedicated and hardworking volunteers who freely gave their time to research and assess applications for assistance.

Melinda Cave

Eric Halden

Bing Wang

Katherine Hammond

Brendan Hall

Rebekah Mannion

Nayanisha Samarakoon

Adam Stevenson

Kathryn Badger

Wendy Armstrong

Jessica MacDonald

Jessica Howley

Michael Stein

Camille Anderson

Pamela Garabed

Angela Phillips

Tamie Ong

Jo Sampford

Priya Dalal

Loren Jefferies

Eddie Wood

Sean Houston

Hope Henderson

Jee Hamlyn-Harris

Jessica Larson

Liz Conlon

Dipak Patel

Trisha Pagliaro

Cristy Dieckmann – services@qpilch.org.au



PITCHER PARTNERS

**Queensland Public
Interest Law
Clearing House
Inc.**

Special Purpose Financial
Report for the year ended
30 June 2008

**QUEENSLAND PUBLIC INTEREST LAW CLEARING
HOUSE INC.**

***SPECIAL PURPOSE FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2008***

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PITCHER PARTNERS

**Queensland Public
Interest Law
Clearing House
Inc.**

*Special Purpose Financial
Report for the year ended
30 June 2008*



PITCHER PARTNERS

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INDEPENDENT AUDIT REPORT TO THE MEMBERS OF QUEENSLAND PUBLIC INTEREST LAW CLEARING HOUSE INC.

Scope

The financial report and committee's responsibility

The financial report comprises the balance sheet, income statement, accompanying notes to the financial statements, and the Management Committee's declaration for Queensland Public Interest Law Clearing House Inc (the association), for the year ended 30 June 2008.

The Management Committee of the association are responsible for the preparation and true and fair presentation of the financial report in accordance with the Associations Incorporation Act 1981. This includes responsibility for the maintenance of adequate accounting records and internal controls that are designed to prevent and detect fraud and error, and for the accounting policies and accounting estimates inherent in the financial report.

Audit approach

We conducted an independent audit in order to express an opinion to the members of the association. Our audit was conducted in accordance with Australian Auditing Standards in order to provide reasonable assurance as to whether the financial report is free of material misstatement. The nature of an audit is influenced by factors such as the use of professional judgement, selective testing, the inherent limitations of internal control, and the availability of persuasive rather than conclusive evidence. Therefore, an audit cannot guarantee that all material misstatements have been detected.

We performed procedures to assess whether in all material respects the financial report presents fairly, in accordance with the Associations Incorporation Act 1981, including compliance with Accounting Standards and other mandatory financial reporting requirements in Australia, a view which is consistent with our understanding of the company's financial position, and of its performance as represented by the results of its operations and cash flows.



We formed our audit opinion on the basis of these procedures, which included:

- examining, on a test basis, information to provide evidence supporting the amounts and disclosures in the financial report, and
- assessing the appropriateness of the accounting policies and disclosures used and the reasonableness of significant accounting estimates made by the Management Committee.

While we considered the effectiveness of management's internal controls over financial reporting when determining the nature and extent of our procedures, our audit was not designed to provide assurance on internal controls.

Independence

In conducting our audit, we followed applicable independence requirements of Australian professional ethical pronouncements.

Audit opinion

In our opinion, the financial report of Queensland Public Interest Law Clearing House Inc is in accordance with:

(a) the Associations Incorporation Act 1981, including:

- (i) giving a true and fair view of the association's financial position as at 30 June 2008 and of its performance for the year ended on that date; and
- (ii) complying with Accounting Standards in Australia and the Associations Incorporation Act 1981; and

(b) other mandatory financial reporting requirements in Australia.

Pitcher Partners

PITCHER PARTNERS

R J St Clair

Partner

Brisbane, 30 September 2008

**QUEENSLAND PUBLIC INTEREST LAW
CLEARING HOUSE INC.**

Management Committee Statement

In the opinion of the Management Committee -

- (a) The financial report, as set out on pages 5 to 9 , presents fairly the Association's financial position at 30 June 2008 and its performance, as represented by the results of its operations and cash flows, for the year ended on that date, in accordance with Australian Accounting Standards, mandatory professional reporting requirements and other authoritative pronouncements of the Australian Accounting Standards Board; and
- (b) At the date of this statement there are reasonable grounds to believe that the Association will be able to pay its debts as and when they fall due.

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



(President)
Ms Joanne Rennick



(Secretary/Treasurer)
Mr Robert Reed

Brisbane, 30 September 2008

**QUEENSLAND PUBLIC INTEREST LAW
CLEARING HOUSE INC.**

Balance Sheet

As at 30 June 2008

	Note	2008	2007
		\$	\$
Current Assets			
Cash	2	148,088	149,904
Receivables	3	11,626	9,328
Prepaid expenses		426	-
Total Current Assets		<u>160,140</u>	<u>159,232</u>
Non-Current Assets			
Furniture & equipment	4	53,902	42,738
Total Non-Current Assets		<u>53,902</u>	<u>42,738</u>
Total Assets		<u>214,042</u>	<u>201,970</u>
Current Liabilities			
Creditors & accruals	5	41,811	29,921
Income in Advance		-	67,893
Provision for Employee Entitlements	5	31,518	10,707
Unexpended Grants	6	34,813	28,120
Total Current Liabilities		<u>108,142</u>	<u>136,641</u>
Total Liabilities		<u>108,142</u>	<u>136,641</u>
Net Assets		<u>105,900</u>	<u>65,329</u>
Equity			
Members Retained Funds		105,900	65,329
Total Equity		<u>105,900</u>	<u>65,329</u>

The accompanying notes form part of the financial report.

**QUEENSLAND PUBLIC INTEREST LAW
CLEARING HOUSE INC.**

Income Statement

For the year ended 30 June 2008

	Note	2008	2007
		\$	\$
Revenue			
Membership		60,450	61,600
Grants	7	490,537	335,807
Interest		9,802	2,771
Donations and Fundraising		15,979	30,960
Sundry Income		47,430	9,815
Total Revenue		624,198	440,953
Expenses			
Staff Costs		493,706	343,197
Operating Expenses		91,593	84,145
Total Expenses		585,299	427,342
Operating Surplus (Deficit)		38,899	13,611
Members Funds			
Members funds beginning of year		65,329	51,718
Adjustment prior year		1,672	-
Operating Surplus		38,899	13,611
Members funds end of year		105,900	65,329

The accompanying notes form part of the financial report.

**QUEENSLAND PUBLIC INTEREST LAW
CLEARING HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2008

1. Statement of Significant Accounting Policies

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

The financial report has been prepared in accordance with the requirements of the Queensland Associations Incorporation Act 1981 and the following Australian Accounting Standards:

AASB 1031 Materiality
AASB 110 Events after the Balance Sheet Date

No other applicable Accounting Standards, Urgent Issues Group Interpretations or other authoritative pronouncements of the Australian Accounting Standards Board have been applied.

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

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

a. Revenue

Revenue is recognised in line with the sale of goods, or performance of the service. Grant revenue is recognised in line with the terms of the funding arrangement. Revenue is recorded net of goods and services tax.

b. Fixed Assets

Furniture & equipments are carried at cost less, where applicable, any accumulated depreciation.

The depreciable amount of all fixed assets are depreciated over the useful lives of the assets to the association commencing from the time the asset is held ready for use.

c. Income Tax

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

**QUEENSLAND PUBLIC INTEREST LAW
CLEARING HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2008

	2008 \$	2007 \$
2. Cash		
Cash float	221	65
Cash at bank	147,861	149,839
	<u>148,088</u>	<u>149,904</u>
3. Receivables		
Security Deposit	1,450	1,450
Debtors	10,176	7,878
	<u>11,626</u>	<u>9,328</u>
4. Furniture & Equipment		
Office furniture, at cost	40,409	30,444
Less: accumulated depreciation	(12,693)	(9,058)
	<u>27,716</u>	<u>21,386</u>
Computers, at cost	33,063	27,732
Less: accumulated depreciation	(11,097)	(8,660)
	<u>21,966</u>	<u>19,072</u>
Software, at cost	2,800	2,800
Less: accumulated depreciation	(1,039)	(520)
	<u>1,761</u>	<u>2,280</u>
Motor Vehicle	2,727	-
Less: accumulated depreciation	(268)	-
	<u>2,459</u>	<u>-</u>
	<u>53,902</u>	<u>42,738</u>
5. Creditors and Accruals		
Sundry creditors	3,107	3,750
GST	26,570	19,362
Superannuation	10,181	6,809
Visa Credit Card	1,953	-
	<u>41,811</u>	<u>29,921</u>

**QUEENSLAND PUBLIC INTEREST LAW
CLEARING HOUSE INC.**

Notes to the Financial Statements

For the year ended 30 June 2008

6. Grants Received in Advance

Department of Communities	-	5,553
Special Disbursement Fund	17,033	3,000
Law Foundation - Training	17,780	-
Bond University	-	10,156
Other	-	9,411
	<u>34,813</u>	<u>28,120</u>

7. Grant Income

Department of Communities	126,700	124,322
Department of Justice & Attorney	320,123	184,200
Office of Fair Trading	750	1,043
Other	42,964	26,242
	<u>490,537</u>	<u>335,807</u>

8. Commitments

As at 30 June 2008 there were no mortgages, charges or securities of any description affecting the assets of the Association.

9. Management Committee Members

Management Committee Members during the year were:

Joanne Rennick (President from 12 November 2007)
Hugh Scott-Mackenzie (Vice-President)
Robert Reed (Secretary/Treasurer)
Peter Rosengren (President – resigned 12 November 2007 and became co-opted member)
Andrew Buchanan
Tony Denholder
Peter Carne
Professor Jeff Giddings
Dan O'Connor
Elizabeth Shearer
Russell Thirgood
Robyn Wilkinson (resigned December 2007)

The Management Committee Members do not receive any remuneration for their services.

FINANCIAL CONTRIBUTORS

We thank the following for their financial support in 2007-08:



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