



# Annual Report 2015.

**Youth** legal service.

Defending young people's rights



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# About us

Youth Legal Service is a not-for-profit organisation providing accessible and free legal and financial counselling services for young people across Western Australia.

Youth Legal Service is recognised across Australia as an authority on youth law reform. The organisation has developed key partnerships with organisations across the globe and uses international best practice to provide recommendations and solutions for politicians, government departments and key legal decision makers.

Youth Legal Service is also a 'go to' organisation for youth legal issues with the media, providing regular proactive public comment.

## Our vision

We envisage every young person in Western Australia being able to exercise their legal rights and responsibilities.

## Our mission

We aim to inspire a greater desire and improved capacity in our legal service clients to manage their future. Through our legal and financial education programs, as well as our financial counselling services, our goal is for our clients to be informed and supported to make better choices.

## Our values

- **Dignity:** respecting and valuing the uniqueness and rights of every young person.
- **Compassion:** caring, serving and empathising.
- **Integrity:** being professional and true to our principles.
- **Justice:** being represented and heard.

## Our clients

Youth Legal Service focuses service delivery on meeting the legal needs of young people under 25 years of age, families and carers of young people in need of legal assistance, and those working directly with children and youth who are important to the needs of young people.

## Strategic intentions

Youth Legal Service seeks to fulfil its vision, service charter and strategic direction by offering:

- Legal services to all young people in Western Australia;
- Financial counselling services to young people in metropolitan Western Australia;
- Community legal education on youth issues; and
- Policy and law reform activities.

## Office hours

Monday to Friday, 9am to 5pm.

## State-wide legal advice line

Young people living in rural, regional and remote areas can access legal advice via our state-wide legal advice line – 1800 199 006 – for the cost of a local phone call, during office hours.

## Acknowledgements

Youth Legal Service depends on the support of our funders and sponsors to ensure that we can achieve our strategic intentions of providing legal services, financial counselling, community legal education, and policy and law reform for the young people of Western Australia.

Our special thanks go to our valued sponsors: Anglicare WA and YMCA Perth.

We also gratefully acknowledge the support of our funders: the WA Department of the Attorney-General; the WA Department for Child Protection and Family Support; the Federal Department of the Attorney-General; the Public Purposes Trust; Lotterywest; and the Legal Contribution Trust.

## Grant income

Our grant income for the 2014/15 financial year is as follows:

Funding source	Funding purpose	2014/15
Recurrent Commonwealth Community Legal Centres funding	Legal operations	\$94,483.64
One off Commonwealth funding	Legal operations	\$79,000.00
Recurrent State Community Legal Centres funding	Legal operations	\$253,156.00
Recurrent Department of Child Protection and Family Support funding	Financial counselling	\$193,527.27
Legal Contribution Trust	Education operations	\$71,000.00
Public Purposes Trust	Outreach operations	\$180,000.00
Lotterywest	Legal needs research	\$39,225.00
Lotterywest	IT upgrade	\$32,041.76
Lotterywest	Strategic planning	\$30,000.00
<b>Total funding and grants</b>		<b>\$972,433.67</b>

# Our board

Board members for the 2014/15 financial year:



**Kate O'Brien**  
Chairperson  
B Juris (Hons), LLB,  
CELTA



**Robert Marando**  
Deputy Chairperson  
BES, LLB



**Eileen Newby**  
Treasurer  
CA (New Zealand),  
CPA, MAICD



**Jennie Burns**  
Board member  
Dip Bus Mgt, Cert IV  
Training & Assessment,  
Cert Children's Services



**Lorraine Francis**  
Board member



**Nicki Morrison**  
Board member  
GAICD



**Jackie Musk**  
Board member  
LLB (Hons), BA  
(Hons)



**Linda Savage**  
Board member  
BA (Hons), LLB, MA,  
GAICD, Cert Bioethics

# Our staff

Staff members for the 2014/15 financial year:

**Cheryl Cassidy-Vernon** Director

B Soc Sc, MSA

Cheryl joined Youth Legal Service in 1999. Previously, she was Director of the Social Justice Centre at the University of Notre Dame and has many years experience in managing social welfare programs. She is also on the Board of the Western Australian Council of Social Services.

**Sally Dechow** 2IC/Principal Solicitor

LLB, LLM, Grad Dip Forensic Science

Sally completed her law degree in 1990. She worked in private practice for 5 years before joining Youth Legal Service. She then worked at the Mental Health Law Centre for a period before returning to Youth Legal Service in 2012. Sally was appointed as Principal Solicitor in 2013.

**Phillip Kelly** Senior Criminal Solicitor

BA, LLB

Phillip was admitted to practice in 1991. From 1992 to 1996 he was Principal of his own firm. He has since worked as Senior Associate in several private law firms and as Senior Solicitor and Counsel at the Mental Health Law Centre. Phillip joined Youth Legal Service in 2013.

**James Woodford** Solicitor

BA, LLB

James worked in various fields of law before entering private practice. He currently runs his own legal practice while also working as a Solicitor for Youth Legal Service on a contract basis.

**Adam Hammond** Solicitor

BA, LLB

Adam commenced articles with the Office of the Director of Public Prosecutions (WA) in 2011 and was admitted to practice in the Supreme Court of Western Australia and High Court of Australia in 2012. Adam joined Youth Legal Service in 2013.

**Hadassah Crossley** Financial Counsellor

Dip Comm Services (Financial Counselling), Dip Bus Mgt

Hadassah is an accredited Financial Counsellor. She joined Youth Legal Service in 2011. Hadassah is also very active as a volunteer in the not-for-profit sector, undertaking welfare work and regularly volunteering for St John Ambulance.

**Helen Butcher** Communications Officer  
BA Comm Stud (Hons), Grad Dip Design

Helen has worked as a Project Officer at the University of Western Australia, in various capacities at the Edith Cowan University IT Services Centre and as a Graphic Designer at Nature Play WA. She joined Youth Legal Service in 2013.

**Sharon Newman** Senior Administration Officer  
Cert III Business (Legal Administration), Cert IV Legal Studies

Sharon joined Youth Legal Service in 1992. In addition to her legal administration duties, Sharon assists the Financial Counsellor as the Financial Counselling Case Support Officer.

**Krysten Leopardi** Legal Administrator  
Assoc Dip Business Management, Desktop Publishing

Krysten comes from an extensive background in desktop publishing, software training, administration and support in the legal, accounting, merchant banking and resource industries, both locally and in London. Krysten joined Youth Legal Service in 2014.

**June Singh** Accountant  
B Acc Sci (Hons)

June has worked as an Accountant in the not-for-profit sector since 2000. She has extensive experience in the provision of accounting services. June joined Youth Legal Service in 2014.

**Millar Johns** Cleaner

Millar joined Youth Legal Service in March 2014 to provide part-time assistance with office cleaning. He is currently studying Commerce at Curtin University, and has worked in retail sales previously.

# Report from our Chairperson



Not a year goes by without challenges for Youth Legal Service. This year I report good news and bad news.

First the bad news. There were unprecedented cuts to funding. As a result YLS was forced to make several positions redundant. Of particular concern was the unexpected cancellation of funds for financial counselling. A united campaign by not for profit organisations against the funding cuts was unsuccessful. YLS had no alternative but to cease its popular and much needed financial counselling service which had run since 2004. YLS had to turn away young people with financial problems brought about by unemployment, lack of parental advice, homelessness or just plain youthful inexperience.

YLS also had to reduce its legal service. One fulltime and two part-time positions were made redundant.

Now for the good news. Despite the funding cuts, YLS staff have almost achieved their operational targets. You will see from this annual report that our financial counsellor far exceeded the work target set in the operational plan, which demonstrates the need for a financial counselling service for young people.

The Director has worked with YLS lawyers to identify those areas of greatest need so that our resources are well spent. The Principal Solicitor's Criminal Injuries Compensation practice is one of those areas. In particular, applications for compensation by young victims of sexual abuse have increased. I thank Jessica Peake, a restricted year practitioner, who has volunteered to assist Ms Dechow with these applications. YLS will continue to explore other volunteering opportunities.

Regrettably, the demand for legal advice and representation far exceeds the resources of YLS to meet it.

With a grant from Lotterywest the Director has engaged a fund raising organisation to advise on and implement a fund raising strategy. It is clear that YLS cannot continue to rely on the traditional sources of funding, especially from governments. YLS must adapt to this changing environment.

YLS has met the compliance imperatives set by the ACNC although it is still unclear whether this body will be viable into the future. Further, the Incorporated Associations Bill 2014 has been introduced into State Parliament and awaits consideration by the Upper House. YLS already complies with most of the provisions of this Bill in its present form but if the Bill becomes law, YLS and all incorporated associations will be required to amend their Rules.

There are many people to thank for their efforts in making YLS a force for good for young people who face involvement with the justice system. First, I thank YLS staff who have not lost their enthusiasm to help young people despite the funding cuts and the pressure of increased workloads. I thank our two sponsors, Anglicare and the YMCA for their continuing support including their recommendations for positions on the Board.

I make special mention of the pro bono legal advice received from Jackson MacDonald and Minter Ellison on certain matters. Their community spirit in their support of YLS and their expertise enabled the Board to deal with complex decisions in a timely and well-informed way.

Cheryl Cassidy-Vernon, the long standing Director of YLS continued her excellent leadership of the organisation. I thank the Board members of YLS who have guided YLS through the unexpected challenges facing YLS this year.

I end by reporting that we made much progress on the Strategic Plan but had to rethink our priorities in light of the funding cuts and reduction in staff. The Strategic Plan will be rolled out in early 2016.

**Kate O'Brien**



# Report from our Director



The 2014/15 financial year was challenging for Youth Legal Service with cuts in the financial counselling program resulting in redundancies, news of the discontinuance of financial counselling past 30 September 2015 and cuts to legal service funding scheduled for 2015/16.

The Service remained on task despite:

- Increasing demand for services;
- Growing numbers of disadvantaged people; and
- Increasing complexity of funding and regulatory processes.

There are many challenges still to be faced, given the not-for-profit sector is the fastest growing sector of the Australian economy and community legal services are funded 75% by government. Nevertheless, the Service has much to celebrate, including:

- Many outstanding achievements in court;
- Increased uptake of our legal advice line;
- Re-affirmation of our accreditation status;
- Implementation of new file review processes;
- Outstanding work in our financial counselling program;
- New fact sheets and workshop materials;
- Completed law reform projects;
- Revised recruitment processes;
- Delivery in the near future of the Youth Legal Needs report; and
- The expected completion of our strategic plan.

To move Youth Legal Service along its evolutionary journey we need to create a sound strategic development plan that provides a practical step-by-step methodology for setting the direction of the Service. The need for an ongoing endowment fund is clearly evident and we warmly welcome donations and sponsorships to ensure that our essential services remain open to young Western Australians.

Additionally, we have considered the themes emerging from the strategic planning to date and have concluded that there must be short term pain for long term gain, whereby we ensure that we have the necessary supports and skillsets in place to address the themes. Namely:

- Raising our public profile;
- Recognising that young people have special needs;
- Planning for long term sustainability of Youth Legal Service;

- Making education and preventative activities more dominant; and
- Contributing more to policy and law reform activities.

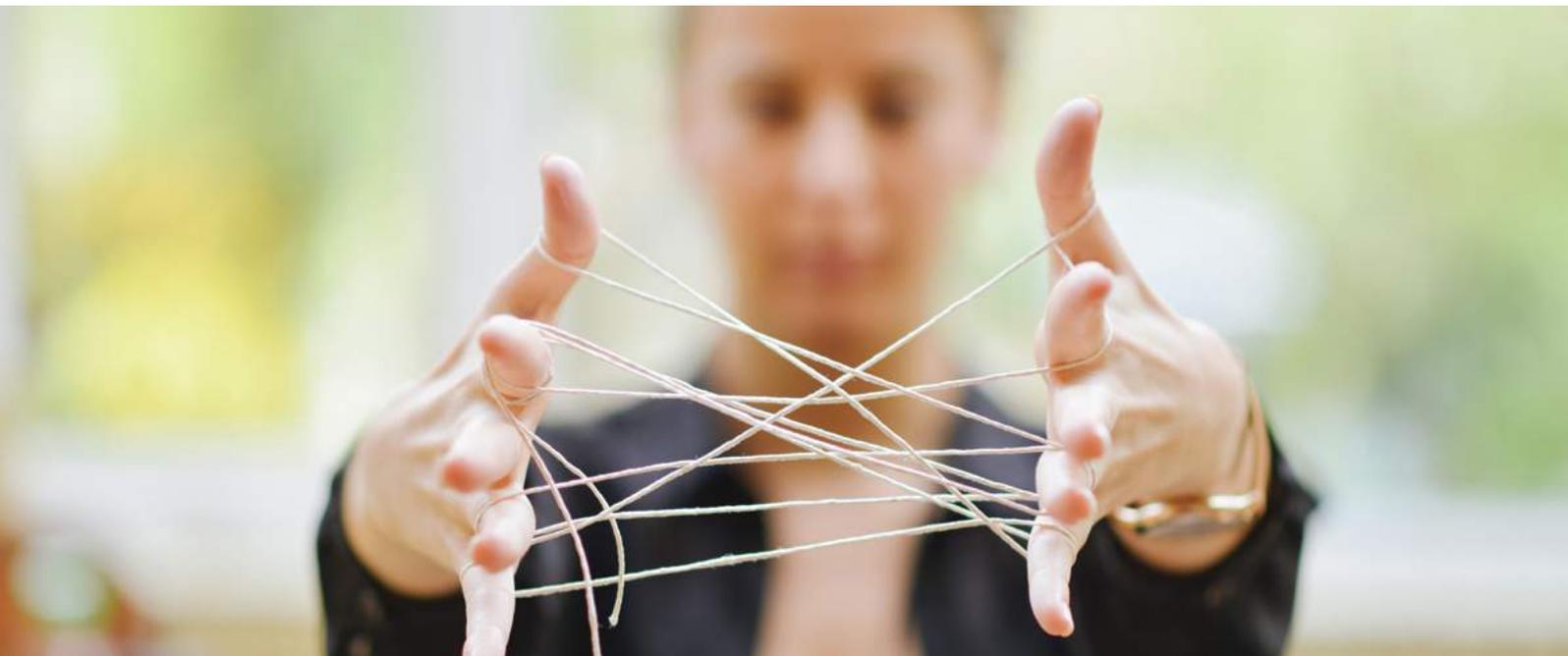
To the Board of Youth Legal Service, I extend my gratitude for your hard work and commitment, especially our hardworking Chairperson, Kate O'Brien.

To the staff of Youth Legal Service I express my thanks for your continued work and endeavour that ensures our clients receive a quality service experience.

We approach the new financial year with great optimism as we bed down our plans for increasing our visibility, and planning a sustainable future.

**Cheryl Cassidy-Vernon**





## Our services

### **Legal services**

Statewide legal information and legal advice, advocacy and legal representation within metropolitan courts for young people under 25 years of age.

### **Financial counselling services**

Free and confidential services to young people under 25 years of age who are experiencing financial hardship and reside within the Perth metropolitan area.

### **Community legal education**

A quality community legal education program that increases awareness amongst young people, and those that work with young people, of their rights and responsibilities.

### **Policy and law reform**

Participation in public policy discussion on youth legal issues and access to justice for young people in Western Australia.

### **Program administration and management**

Infrastructure to enable administration and management of service delivery, including planning for new programs, management of financial, human and office resources.

# Legal services

Youth Legal Service provides free legal advice to young people under 25 years of age residing in Western Australia.

Young people living in rural, regional and remote areas can access legal advice via our state-wide legal advice line – 1800 199 006 – for the cost of a local phone call, during office hours.

Youth Legal Service provides a legal advice and casework service to young people living in the Perth metropolitan area.

Youth Legal Service provides advice and casework as follows:

- Criminal matters
- Credit and debt matters
- Civil law matters (minor claims only, up to \$10,000)
- Motor vehicle accidents
- Contract law
- Criminal injuries compensation
- Violence and misconduct restraining orders
- Leaving home
- Spent convictions
- Appealing criminal convictions





## Specific priorities

The specific priorities identified for the 2014/15 financial year were:

1. To perform legal representation within the scope of our service agreements.
2. To demonstrate compliance with internal YLS Policy and Procedures and the Legal Profession Act.
3. That all legal practitioners actively participate in the legal advice line service provision.

## Criminal matters

Youth Legal Service provides legal advice on all criminal matters and traffic offences for young people under 25 years of age for offences within Western Australia.

Legal representation in courts within the Perth metropolitan area is limited by our capacity and current funding contracts. Youth Legal Service's first priority is to provide legal representation to those appearing in the Children's Court and then, as resources permit, those over 18 will be granted representation at the discretion of the Director.

It is important to note that we have experienced a significant shift in our client demographic this year with 27% of our clients aged under 18 years of age and 73% aged 18-24 years.

## Civil matters

As a consequence of redundancies relating to the funding cut to our financial counselling program, our civil law capacity was diminished this year. We concentrated our civil law work on criminal injuries compensation claims and appeals, as these are on the increase and our experience is that the majority of clients who have been victims of crime are extremely vulnerable.

## Civil law matters

There has been a focus on domestic violence this year by politicians and the media which is long overdue. Youth Legal Service is involved with both sides of the coin. While the criminal section may represent perpetrators charged with physical and sexual assault against girlfriends and spouses, the civil section may be assisting victims of both physical and sexual assault either by way of Violence Restraining Order applications, Criminal Injuries Compensation applications or both.

Our casework shows that it is not uncommon for boys as young as 15 to be physically attacking their girlfriend on a regular basis, and this will escalate if the girlfriend tries to end the relationship, resulting in serious injuries to the girl. Our casework also suggests that some young people living in violent relationships are parents and that violence often occurs in full view of their children.

When accessing hospital emergency records for the purpose of compiling Criminal Injuries Compensation claims, we have found that the injuries over time are often numerous, although it may only be one assault incident that is reported to Police. Often this will be because that assault occurred in public. One young girl had been physically assaulted so many times by her boyfriend that when he smashed her nose she did not bother attending the emergency ward, preferring to rest and recover at home. Needless to say she now has a lot of problems breathing and a very unsightly crooked nose.

Our civil caseload at any one time ranges between 40 and 60 Criminal Injuries Compensation files being prepared on behalf of clients. Of these approximately 70 per cent will be young female victims of sexual abuse which took place when they were a child or young girls/women who were victims of ongoing domestic violence. Other files tend to be for boys/young men injured from an attack by another boy/young man. This is consistent with statistics of violence in our society.

## Compensation awards – Case studies

When an award is made by the Assessor of Criminal Injuries Compensation to a victim of crime, most victims are happy with the award. This is not because the awards being made are high and clients have a windfall, but rather because it is a recognition that they have suffered as a result of the crime. This goes a long way towards their healing process, enabling them to move on with their lives.

An important component of the compensation award is factoring in an amount that the victim will be able to access in the future for treatment, such as money for counselling or special trauma treatment which they could not otherwise afford.

Occasionally, the award is too low. If the client is of the opinion that the award is too low, this may have a detrimental effect on their ability to move on and impairs their healing.

The following case studies represent two Criminal Injuries Compensation awards we appealed this year.

### Case study one

When Bronte\* was aged between 4 and 6, she was sexually abused by two different people. One offender was a male family member and the other was a male neighbour aged 63. By the time Bronte was aged 9 she was displaying inappropriate behaviour, both at school and at home, as a result of the sexual offending against her. She needed to be constantly supervised and required specialised psychological treatment to deal with the impact of the sexual abuse.



Bronte received two Criminal Injuries Compensation awards that were too low. The Service sought to appeal the awards. We were fortunate to access the expertise of Mr Martin Cuerdin, who agreed to be Counsel in the Appeal. By the time the Appeal was heard, Mr Cuerdin had been appointed Senior Counsel, so we were very privileged to have an SC arguing the matter on behalf of the client.

The result of the Appeal was as follows:

Assessor's Compensation Award	Judge's Compensation Award
Against relative	Against relative
\$20,000 general damages	\$20,000 general damages
\$1,200 future psychological treatment	\$7,500 future psychological treatment
Against neighbour	Against neighbour
\$30,000 general damages	\$125,000 general damages
\$1,200 future psychological treatment	\$15,000 future psychological treatment

\*not her real name or image

### Case study two

John\* was the victim of a home invasion when he had just turned 19. Three men armed with weapons broke into a house where John was present and began to attack all the occupants. John was slashed with a machete and had a pole broken over his head.

The attack caused extensive injuries to his head and arms and he spent a long time in hospital recovering from these injuries. He was left with extensive scarring to his head and arms and suffered severe Post Traumatic Stress Disorder, resulting in four voluntary admissions to psychiatric hospitals for treatment over the next two years.



The results of the Appeal were as follows:

Assessor's Compensation Award	Judge's Compensation Award
\$28,000 general damages	\$45,000 general damages
\$0 future economic loss	\$50,000 future economic loss
\$0 future psychological treatment	\$5,000 future psychological treatment

N.B. The award was reduced from \$100,000 to \$75,000 as \$75,000 is the maximum John could receive under the Act.

\*not his real name or image

### Demand for services

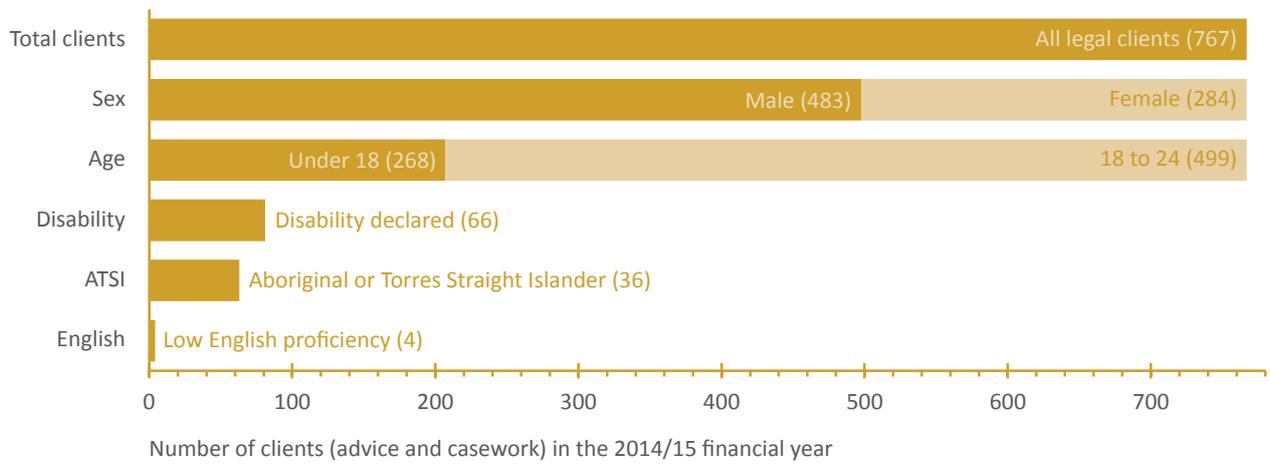
Unfortunately, due to funding cuts and a high demand for our services, we have been unable to take on any new civil matters for a number of months, thereby turning away a large number of vulnerable young victims who desperately need legal services.

## Top legal problem types

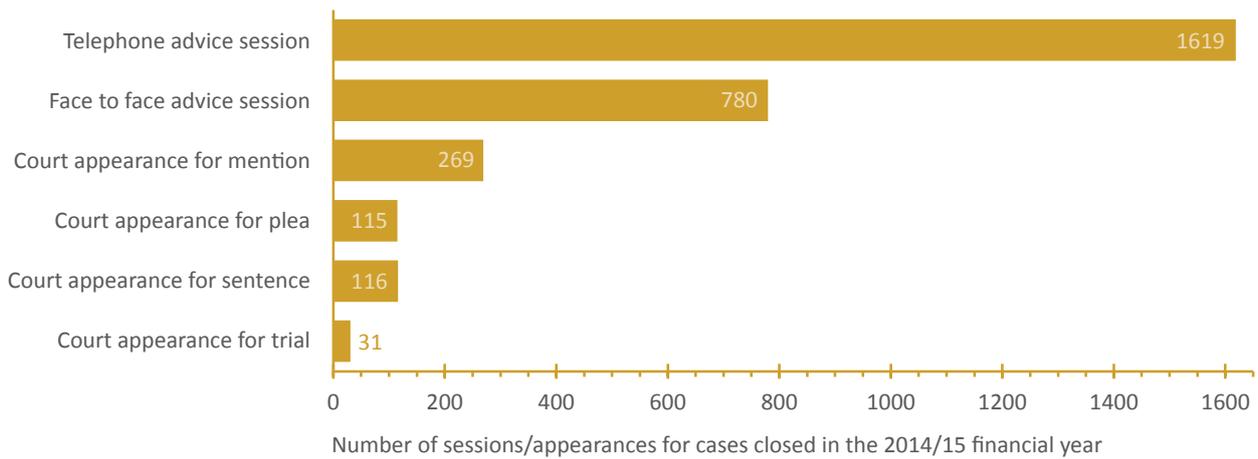
The top legal problem types we responded to by way of information, advice or casework in the 2014/15 financial year are as follows:

Problem type	Number	Proportion (%)
Miscellaneous offences	206	16.9
Credit and debt owed by client	203	16.7
Road traffic matters	124	10.2
Acts intended to cause injury	97	8.0
Theft and related offences	74	6.1
Miscellaneous legal problems	63	5.2
Injuries compensation	59	4.9
Motor vehicle accident	49	4.0
Property damage	47	3.9
Illicit drug offences minor	44	3.6
Other civil	43	3.5
Violence restraining orders	40	3.3
Unlawful entry / burglary / break and enter	30	2.5
Robbery / extortion	25	2.1
Sexual assault offences	21	1.7
Deception (fraud)	19	1.6
Social security offences and related offences	19	1.6
Illicit drug offences major	13	1.1
Civil contracts	13	1.1
Fines enforcement	12	1.0
Motor vehicle other	12	1.0

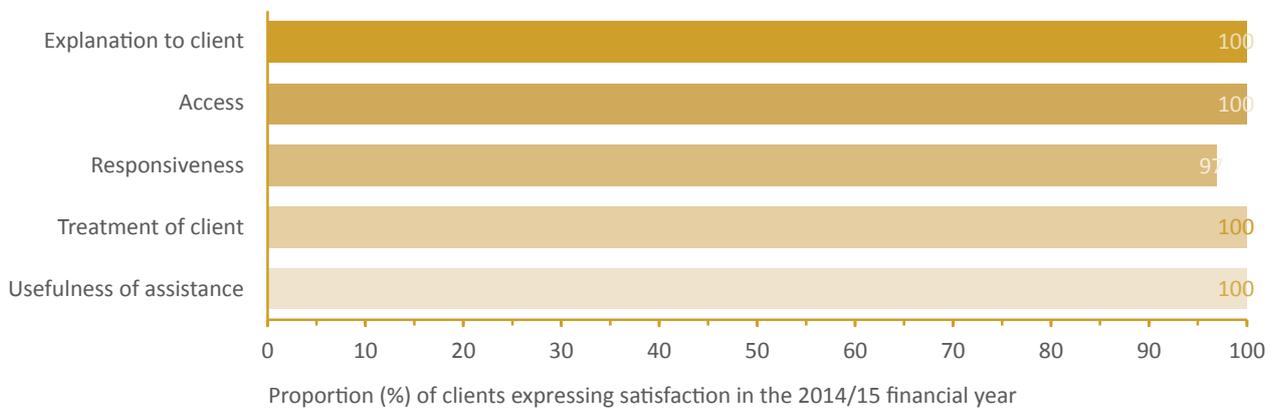
## Legal service client demographics



## Legal service casework activity



## Legal service client satisfaction



Ana\* was 21 years old when she was stopped by Police, who found that her driver's licence had expired and her car was unlicensed. She was told not to drive until she had renewed her licence and registration. Twenty minutes later Police saw Ana driving once again and signalled for her to stop. She continued driving and then accelerated in an attempt to escape Police. She drove down a few streets at high speed before stopping. She was arrested and charged with several offences, including Reckless Driving (to escape pursuit by Police), which carries a mandatory term of imprisonment if convicted.

Ana came to Australia with her mother and siblings as a child refugee. She had been disowned by her family, partly because she temporarily converted from Islam to Christianity and partly because she left two arranged marriages. She was subjected to domestic violence in both her marriages and family life. Ana has a long history of mental illness, including Bipolar Affective Disorder and Post Traumatic Stress Disorder.

Shortly after interviewing Ana, our solicitor made a request to the court to have the matter referred to the Specialised Treatment and Referral Team (START) Court, due to her mental state at the time of the incident. This request was granted and Ana engaged with the START Court processes, making significant progress in her mental health and motivation.



\*not her real name or image

Despite her progress, Ana's matter could not continue to be dealt with by the START Court because of the mandatory imprisonment attached to the Reckless Pursuit charge. Our solicitor made submissions to Police Prosecuting to downgrade the charge to Dangerous Pursuit on the basis that it was not in the public interest to pursue the more serious charge. He submitted that Ana was making progress but that her condition would deteriorate if imprisoned and that a defence of Unwilled Act pursuant to s.23A of the Criminal Code was likely to be successful. Ana was prepared to plead guilty to all charges if the Reckless Pursuit charge was downgraded. Police Prosecuting decided not to downgrade the charge and the matter was listed for trial.

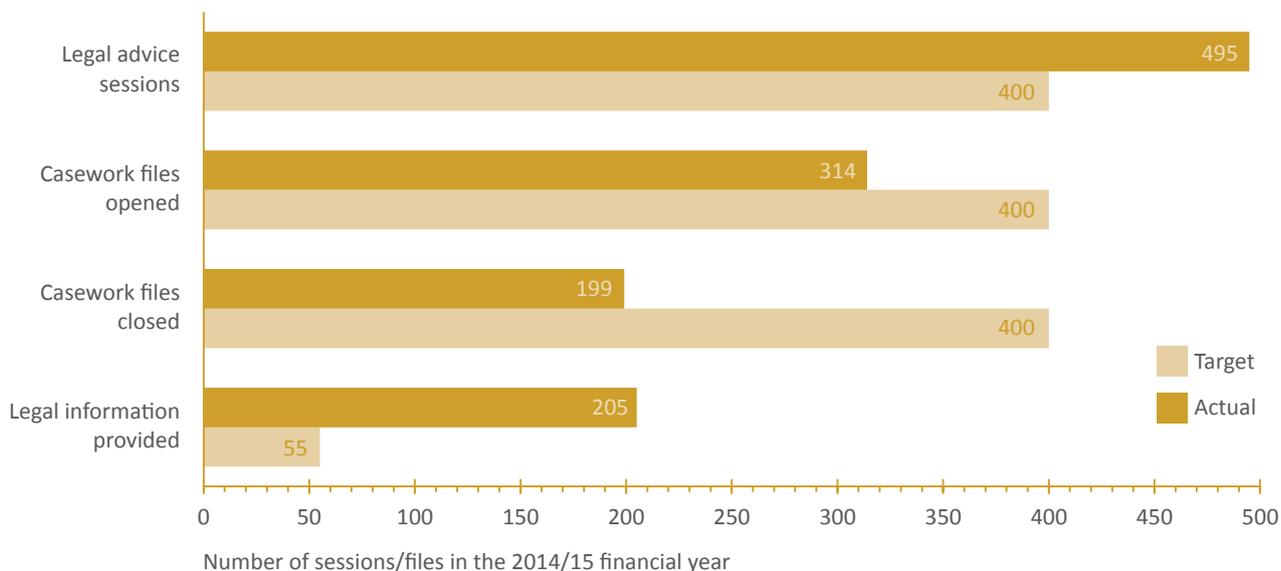
Shortly before the scheduled trial, the Police Prosecutor who was assigned the trial brief reviewed our submissions and came to the view that, given Ana's mental health and the short duration of the chase, it was not in fact in the public interest to pursue the Reckless Pursuit charge. The Reckless Pursuit charge was downgraded and Ana subsequently pleaded guilty to all charges. She was sentenced to several fines as well as multiple periods of disqualification from holding a driver's licence.

Ana has since obtained employment and continues to engage with mental health services. This positive progression would have been compromised if she had been imprisoned, and is directly attributable to the determination of our solicitor to have the matter dealt with via the START Court.

## Commonwealth and State Community Legal Service funding

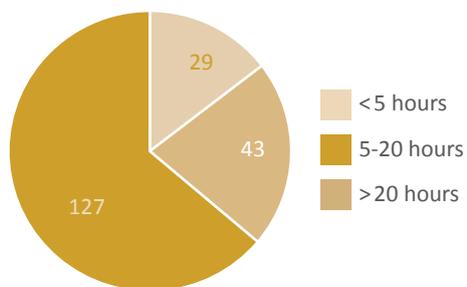
Youth Legal Service delivered the following legal services in the 2014/15 financial year via Commonwealth and State Community Legal Service funding:

### Legal services provided



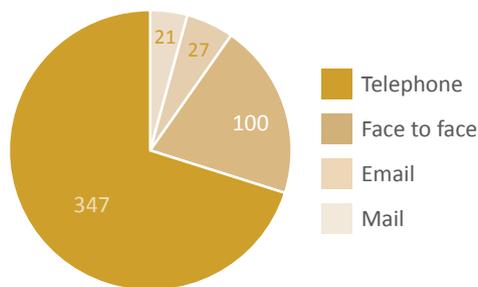
### Casework duration

By number of closed files

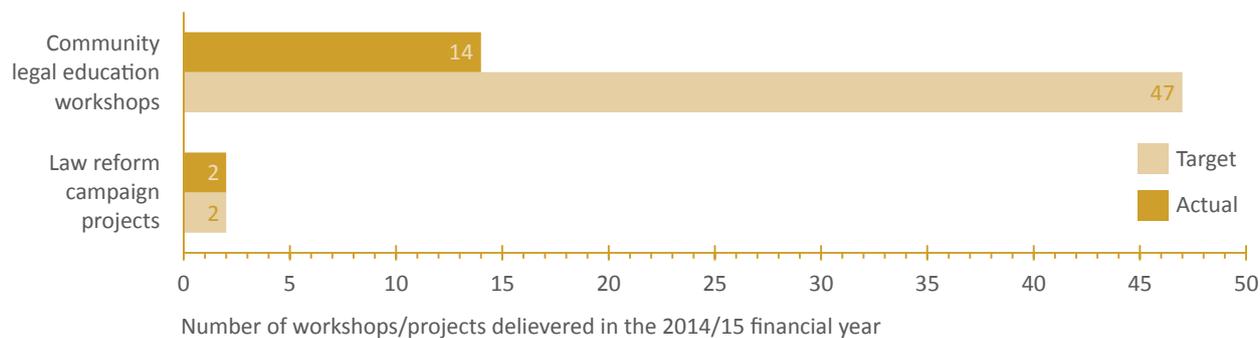


### Legal advice type

By number of advice sessions



### Non-casework delivered



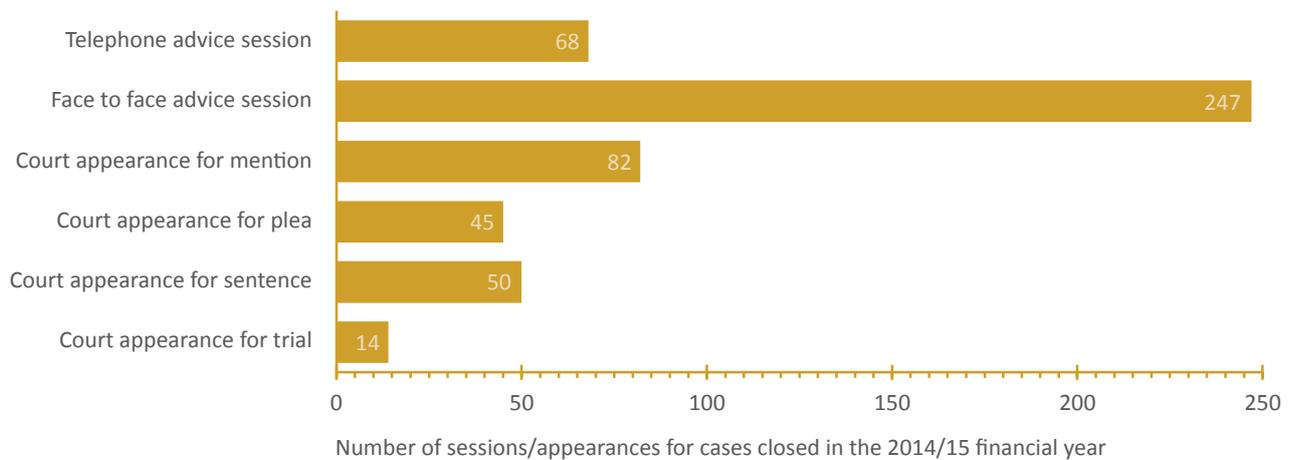
## Public Purposes Trust funding

Youth Legal Service is funded by the Public Purposes Trust (administered through the Law Society of Western Australia) to provide the following important outreach projects.

### North East Metropolitan Project

Provides a community legal service including legal advice sessions, court representation and community legal education to young people in the local government areas of Joondalup, Wanneroo, Swan, Bassendean, Mundaring and Kalamunda.

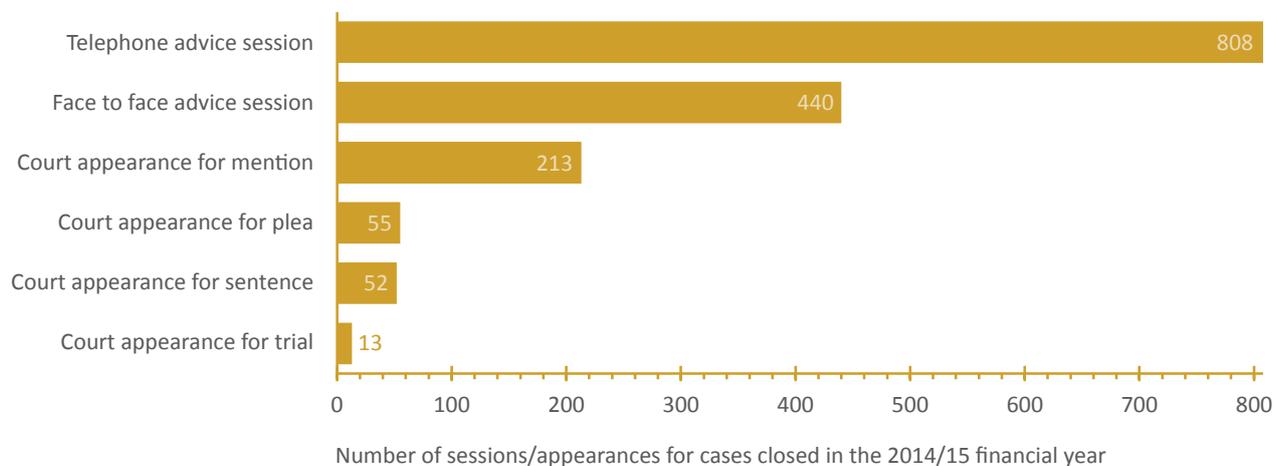
#### Casework activities



### South East Metropolitan Project

Provides a community legal service including legal advice sessions, court representation and community legal education to young people in the local government areas of Armadale, Gosnells, Canning, Belmont, East Fremantle, Fremantle, Melville, Cockburn and Rockingham.

#### Casework activities



## Our progress

In relation to the specific priorities identified for the 2014/15 financial year:

**1. To perform legal representation within the scope of our service agreements.**

Service agreements obligations have been met although casework statistics are slightly down on targets, this reflects the significant change in client demographics and the impact of specialist courts such as Drug Court, START and Lynks whereby we are obliged to keep files open for longer periods of time whilst the client complies with the court imposed regimes. Going forward, this will be factored into our target progression planning as well as taking account reduced capacity resulting from funding cuts.

**2. To demonstrate compliance with internal YLS Policy and Procedures and the Legal Profession Act.**

We gained our accreditation with the National Association of Community Legal Centres (NACLC) which is an important achievement. In gaining this accreditation our policy and procedures were assessed against standards developed by NACLC (which take into account local professional requirements) as well as checking for compliance with the NACLC Risk Management Guide. We are accredited for a 3 Year period, at the expiration of this period we will be re-assessed.

**3. That all legal practitioners actively participate in the legal advice line service provision.**

We adopted new procedures this year for advice line staffing with all legal practitioners being rostered on the advice line. We will review the roster in the near future to take account of reduced capacity arising from funding cuts.

# Financial counselling services

Youth Legal Service provides a complete financial counselling service to young people under 25 years of age whereby individuals and families are better informed and resourced with personal skills that avert the risk of financial crisis, or are supported to recover from financial crisis and resourced to enable them to better manage their future financial situations.

Youth Legal Service works with clients to achieve:

- Improved knowledge and skills to manage current financial situation.
- Reduction in creditor pressure.
- Access to all financial entitlements.
- Avoidance of eviction and or homelessness.
- Referrals to appropriate social support services.
- Continuation of essential services (utilities etc).
- Retention of personal goods.
- Avoidance of legal action.
- Improved knowledge and skills to better manage future financial situations.

Our financial counselling services are funded by the Western Australian Department for Child Protection and Family Support.

Youth Legal Service employs the following strategies to deliver its financial counselling service:

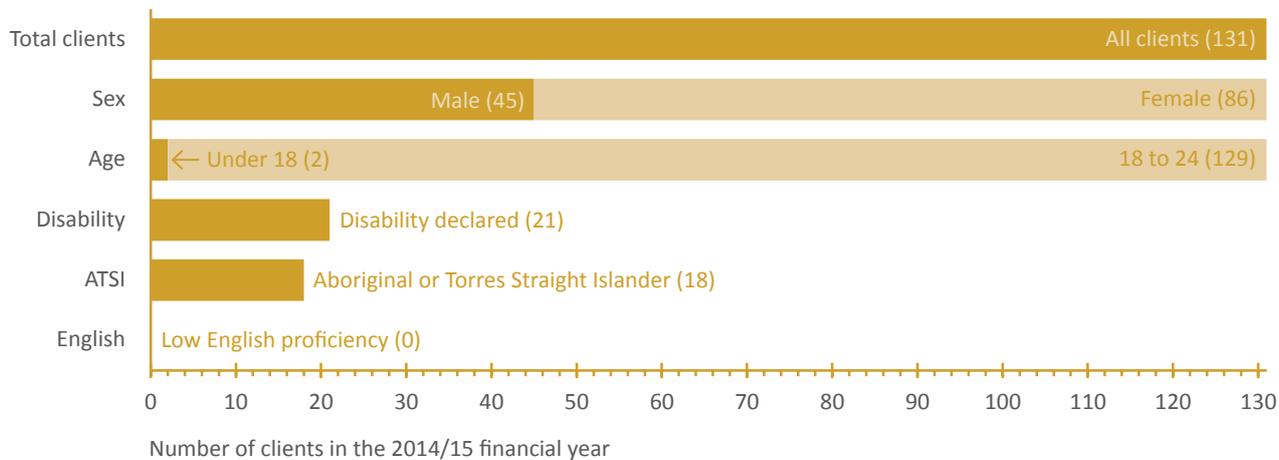
- Assessment of financial situations.
- Accessing all relevant financial entitlements.
- Advocacy and negotiation.
- Case management, preferably on a face to face basis.
- Financial/budgeting management plans
- Information.
- Networking.
- Participation in the Hardship Utilities Grant Scheme.
- No interest loans.
- Referral and linking clients with utility providers and other services.
- Community education and development (offered in group settings), as resources permit.

## Specific priorities

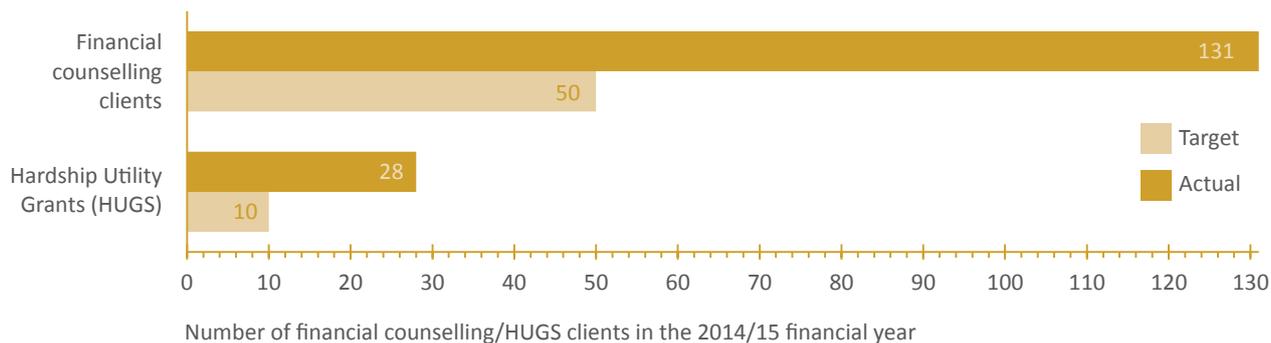
The specific priorities identified for the 2014/15 financial year were:

1. Complete financial counselling activities in a timely manner, whereby files are kept to manageable levels.
2. Delegating Hardship Utilities Grants applications to the Case Support Worker.
3. Maintaining accreditation with the Financial Counselling Association.
4. Investigating alternative delivery models for intake and budgeting activities.

## Financial counselling client demographics

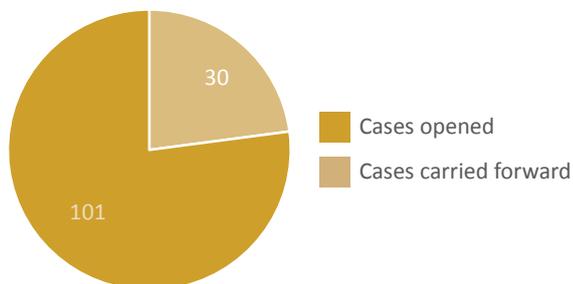


## Financial counselling services provided



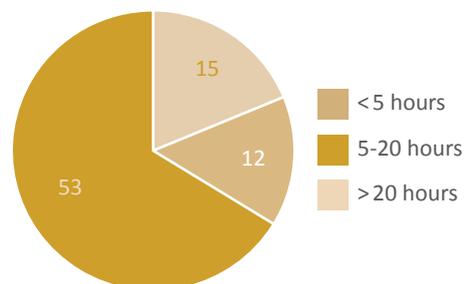
### Cases worked on

In the 2014/15 financial year

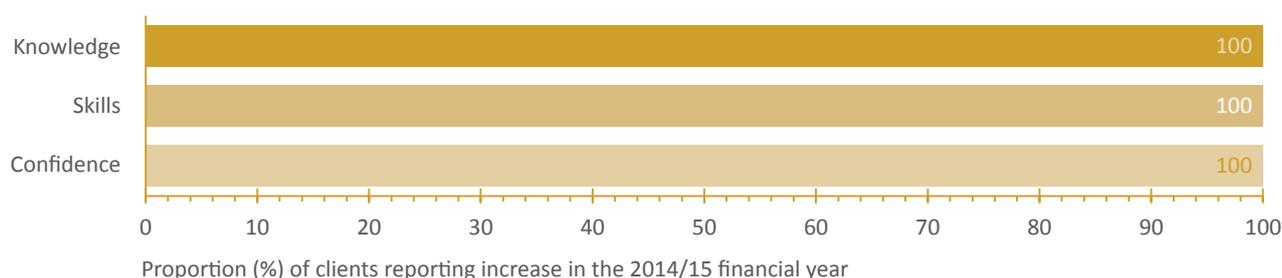


### Casework duration

By number of closed files



## Financial counselling clients: knowledge and skills improvement



### Our progress

In relation to the specific priorities identified for the 2014/15 financial year:

**1. Complete financial counselling activities in a timely manner, whereby files are kept to manageable levels.**

At times we carried far too many cases, as we were reluctant to waitlist clients. Our aim is to see the client within a week of them contacting the Service, as we believe that the longer they wait the more likely it is that they will not deal with the mounting debt issues.

**2. Delegating Hardship Utilities Grants applications to the Case Support Worker.**

This was successfully implemented and greatly relieved the pressure on the accredited Financial Counsellor.

**3. Maintaining accreditation with the Financial Counselling Association.**

Achieved.

**4. Investigating alternative delivery models for intake and budgeting activities.**

Little progress was made on this due to heavy caseload. However, seven fact sheets were developed and are now available on our website.

With the discontinuance of financial counselling funding past 30 September 2015 and given that we carried forward 51 case files, we are no longer taking referrals into the program. Our efforts at the moment are directed towards implementing a satisfactory exit strategy and ensuring that all clients have an action plan that they can utilise themselves or alternatively take with them to a youth support agency for further assistance.

Susan\* came to Youth Legal Service as a 22 year old seeking assistance with her financial matters. She had been making reasonable money as an exotic dancer, but was forced to stop working due to mental health issues. She had been diagnosed with bipolar disease, complex post-traumatic stress disorder and attention deficit disorder and her psychiatrist strongly advised against returning to work until her mental health improved. During previous bad patches, Susan had used savings to manage financially, but she had depleted her savings and accrued substantial debt.

Our financial counsellor assisted Susan to prepare a budget and supported her in negotiating affordable payment plans for her smaller debts. Susan had entered into a number of small contracts during manic episodes. A letter from her psychologist explaining her mental state at the time proved helpful in these negotiations.

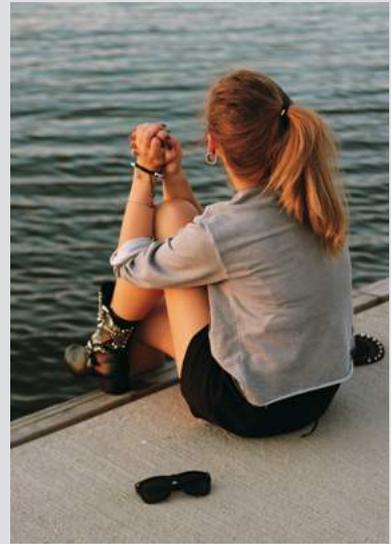
Susan had a sizeable income tax debt that had been outstanding for a couple of years. Our financial counsellor assisted Susan to make an application for the release of her tax debt on the basis of serious financial hardship. This application was approved.

Our financial counsellor outlined a number of options for dealing with Susan's primary debt – a \$50,000+ personal loan at one of the major banks. On Susan's instructions, our financial counsellor proposed a long term instalment plan of \$50 per fortnight, with all interest frozen. The bank refused the hardship application on the basis that Susan would not be able to resume minimum repayments in the foreseeable future. The bank indicated they would resume their debt collection activities.

Shortly after, our financial counsellor was advised by a Senior Hardship Officer at the bank to re-apply for long term hardship. This application was refused on the basis that the payment plan was unsustainable due to Susan's irregular work hours, even though she had been making payments of \$50 per fortnight for some time.

When presented with her options, Susan elected to lodge a complaint with the Financial Ombudsman Service, requesting the bank review their decision because she had demonstrated she could afford the proposed payment plan. Shortly after the bank agreed to a payment plan of \$50 per fortnight for twelve months with interest frozen.

The successful negotiation of affordable payment plans for all her debts reduced Susan's stress levels and enabled her to focus on improving her mental health. She is progressing well.



\*not her real name or image

# Community legal education

## Specific priorities

The specific priorities identified for the 2014/15 financial year were:

1. To review education materials for currency and relevance.
2. To develop new materials on emerging issues.
3. To implement a review system for education materials.
4. To maintain an internal calendar of education events.
5. To develop new workshops on fines enforcement, duty of care, and sexting.

## Our progress

In relation to the specific priorities identified for the 2014/15 financial year:

- 1. To review education materials for currency and relevance.**
- 2. To develop new materials on emerging issues.**
- 3. To implement a review system for education materials.**

Our primary focus for 2014/15 was to review all existing education materials and to construct new factsheets. I am delighted to report that 30 legal factsheets are now available on the website.

Additionally we have developed 7 fact sheets for financial matters which are now available on the website. Whilst this does not adequately compensate for the loss of the financial counselling program, it does at least provide some useful information for young people struggling to manage their debts.

Our next major education campaign will be 'Don't Sign Anything' for which we are seeking funding in the coming year. Financial literacy and competency for young people are important strategies to prevent young people unwittingly falling into debt and, as a consequence, having legal action taken against them.

We completed 14 education workshops against a target of 35 workshops, which is a satisfactory result given the large number of casework files that have been in operation over the year, as well as our focus on development of fact sheets. We have re-vamped our youth worker training program, including some new workshops, which is exciting going forward. A number of workshops are scheduled for August 2015 and others will roll out later in 2015.

No regional legal clinics or workshops were completed as we do not currently have any specific funding for regional work other than the telephone legal advice line. However, the new workshops and fact sheets provide good material for regional work, in addition to legal clinics, should we be able to secure funding.

- 4. To maintain an internal calendar of education events.**

A calendar was set up and is maintained by the Communications Officer.

**5. To develop new workshops on fines enforcement, duty of care, and sexting.**

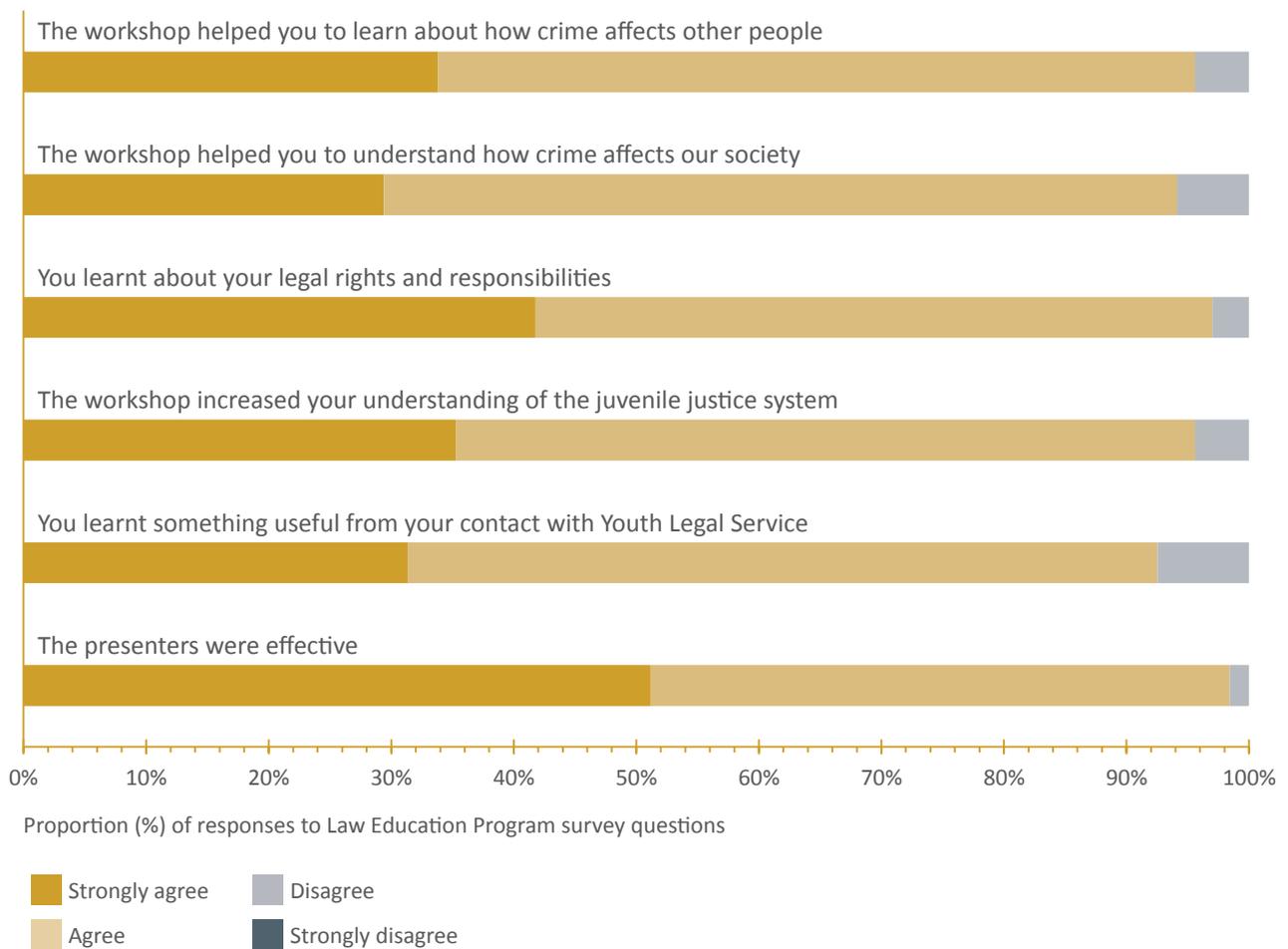
New workshops have been developed on fines enforcement and duty of care. Workshops on youth legal issues, arrest, public space, young people as victims of crime and drug and alcohol laws have been re-vamped. These workshops will roll out in the first half of the 2015/16 financial year. Sexting issues will be developed in the 2015/16 financial year.

Lastly, fines enforcement processes are not widely understood in the community and we will be providing workshops outlining these processes in 2015.

## Law Education Program

Youth Legal Service offers a Law Education Program as a diversionary option available to Police, the Children’s Court, Juvenile Justice Teams and school-based police.

### Evaluations for 2014/15 financial year





### Comments for 2014/15 financial year

#### Young people referred by Juvenile Justice Teams:

He knows his stuff.

I thought it was going to be boring but it wasn't. :)

Explained thoroughly. Made points clear.

Straight up with words.

This program should reach out to schools to educate a wider audience.

#### Parents/guardians who accompanied a young person:

There were a few things I didn't know and it was a friendly atmosphere.

Just to get young people to respond positively is an achievement.

Friendly and understanding. Not judgmental.

Friendly, informative, professional.

On point and light.



## Policy and law reform

### Specific priorities

1. To complete 2 law reform policy projects/campaigns.
2. To provide regular submissions to government and the media on youth legal issues.
3. To explore and define YLS's role in the youth legal research arena.

### Our progress

In relation to the specific priorities identified for the 2014/15 financial year:

- 1. To complete 2 law reform policy projects/campaigns.**

4 projects were completed during the year.

We also reviewed some of our policy positions with some progress made as follows:

## Existing policy positions

Policy position	Date adopted	Action required
Young people and public space	21 July 2003	To be reviewed once other task completed. Position still relevant.
Young people and restraining orders	18 August 2003	To be reviewed once other task completed. Position still relevant.
Young people and train fines	18 August 2003	To be reviewed once other task completed. Position still relevant.
Youth curfews	18 August 2003	To be reviewed once other task completed. Position still relevant.

## Implied policy positions

Policy position	Details	Action required
Mandatory sentencing (home burglaries)	Implied position dates back to 1999 Senate & Constitutional References Committee Human Rights (Mandatory Sentencing of Juvenile Offenders) Bill 1999.	Principles remain relevant, however, at the time the only mandatory sentencing applicable was home burglary. The range of offences attracting a mandatory sentence has changed with Assault Public Officer, Reckless Pursuit and applications to have someone listed as a sex offender.  Working group will develop policy positions that reflect the implications of each type of mandatory sentence and offence.
Naming of young offenders	The paper prepared at the time of the Prohibited Behaviour Orders Bill (30 July 2009) provides a firm basis from which to develop a policy position (set of principles).	Working party to draft a policy position for board approval.

## Proposed policy positions

Policy position	Details	Actions
Use of tasers on young people	Working party agreed that a policy position would be useful, however, Sexting and Mandatory Sentencing positions are a higher priority.	
Sexting / sex offender reporting	This is increasingly figuring in the work of YLS. Whilst a policy position is desirable, priority will be to develop up to date information on the prevalence of this and the consequences of sexting for young people. Working party agreed that there seems to be a knowledge gap about the current state of play as to sexting and other practices of young people. Any policy position must reflect the time and culture that young people live in and should advocate in terms of protecting young people.	The Law Reform Report, Nov 2012 – New Voices, New Laws, a joint report by Legal Aid NSW, UNSW, NCYLC, will assist to develop a policy position.
Mandatory sentencing (reckless pursuit)	Implied position dates back to 1999 Senate & Constitutional References Committee Human Rights (Mandatory Sentencing of Juvenile Offenders) Bill 1999.	
Mandatory sentencing (assault public officer)	Implied position dates back to 1999 Senate & Constitutional References Committee Human Rights (Mandatory Sentencing of Juvenile Offenders) Bill 1999.	
Young people / children in immigration detention	Working party agreed that a policy position would be useful, however, Sexting and Mandatory Sentencing Positions are a higher priority, because there are other agencies working in this space who are better placed to comment.	

**2. To provide regular submissions to government and the media on youth legal issues.**

**Media activities**

Date	Topic	Publication
10 September 2014	WACOSS Cost of living (interviewed our client)	ABC News
23 October 2014	Response to the Police Commissioner calling for more to be done for families of young offenders	Channel 9
5 November 2014	Sexting and young people	ABC South West radio interview
8 June 2015	Discontinuance of financial counselling	Media release

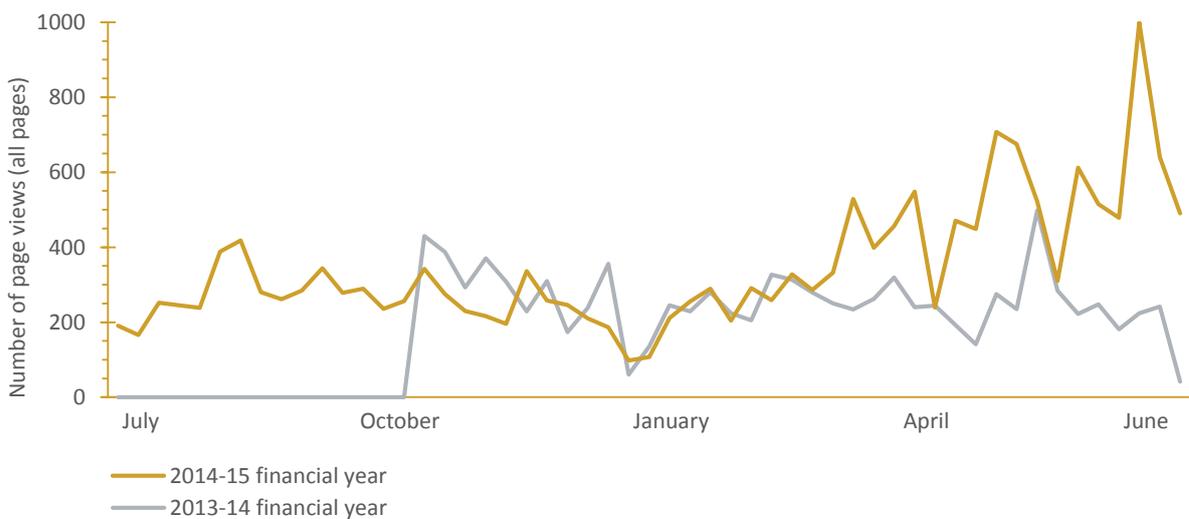
**3. To explore and define YLS’s role in the youth legal research arena.**

**Website**

Our revamped website is enjoying some heavy traffic:

- Number of web sessions: 8,602 (73% within WA)
- Number of page views: 18,319
- Number of unique visitors: 7,223

**Total page views in the 2014-15 financial year, compared to the previous year**



## Most visited pages in the 2014-15 financial year, compared to the previous year

Most visited pages	1 July 2014 - 30 June 2015		15 October 2013 - 30 June 2014	
	Page views	Average time on page*	Page views	Average time on page*
All pages	18,319 (avg. 50 per day)	01:30	9,725 (avg. 37 per day)	01:01
1. Home	7,814	01:17	3,788	01:03
2. Fact Sheets	1,931	02:26	222	00:56
3. Contact	1,805	01:32	1,272	01:22
4. Legal assistance	1,701	01:18	1,339	01:19
5. About Us	841	01:03	659	01:02
6. Financial counselling	529	01:01	434	00:41
7. Education	505	00:41	619	00:31
8. Professional development	496	02:41	N/A	N/A
9. Useful Links	311	02:32	N/A	N/A
10. Membership	243	01:16	362	00:43

\* The time a visitor spends on each page is calculated by measuring the time between clicking on one page and another. If the visitor only visits one page it will be recorded as 00:00 regardless of the actual duration of their visit. This affects the 'average time on page' statistic.

### Remarks

- The number of page views (hits) has been consistently higher in the first half of 2015.
- Page view statistics do not necessarily demonstrate meaningful engagement with the website.
- Page view statistics for the contact page do not accurately reflect the number of people who contacted Youth Legal Service as a result of viewing our website because our phone number is clearly visible on all pages. Only those looking for additional contact details need visit the contact page.
- The time spent on the fact sheets page refers to the initial index page that lists all the available fact sheets. Time spent looking at each individual fact sheet is gathered separately.
- It is highly likely that many visitors to the home page and contact page are simply looking for contact details. The relatively short duration of visits to these pages could well indicate that visitors are able to decide to contact us and locate our phone number with ease, which is a desirable outcome.

## Most viewed fact sheets in the 2014-15 financial year

Most viewed fact sheets	Views and downloads
Fact sheet index page	1,931
All individual fact sheets	2,081 (average 9 per day)
1. What age can I leave home?	232
2. Age of consent and sexual behaviour	191
3. What age can I leave school?	146
4. Alcohol laws	124
5. What age can I go to prison?	103
6. What age can I terminate a pregnancy?	97
7. What age can I consent to my own medical treatment?	96
8. What age can I get a tattoo or brand?	89
9. What age can I get a body piercing?	86
10. What age can I get married?	79

### Remarks

- Our updated fact sheets were made available on November 19, 2014 after about a year with no fact sheets on the website.
- Page view statistics have been collected since the fact sheets were made available, however we did not start measuring downloads until January 20, 2015.

### Defining our research role

We have made some inroads in this area with our Senior Criminal Lawyer presenting at an international conference and the finalisation of our youth legal needs research report.

# Sustainability

## Specific priorities

1. Devise new data instruments to provide data for strategic planning.

## Our progress

In relation to the specific priorities identified for the 2014/15 financial year:

- 1. Devise new data instruments to provide data for strategic planning.**

The new statistical regime was implemented and amended during 2014/15. Still some fine tuning to occur to meet the needs of staff and Board.

Other outcomes to fulfil this strategy include:

### Networking

Activity	Role undertaken
Inspectorate of Custodial Services	The Director is a serving member of the Community Advisory Group
Corrective Services	The Director is a serving member of the Corrective Services Consultative Group
DCP Partnership & Leadership Forum	The Director participated in the forum during 2014/15
Homelessness Connect	The Service was a participant in the Homelessness Connect Project 2014
Defence for Children International UN Convention on the Rights of the Child	The Director was appointed to the International Social Service Children's Rights Australia Reference Group
Western Australian Council of Social Services (WACOSS)	The Director was elected to the Board of WACOSS for a two year term commencing November 2013, this term expires at the next AGM
Children's Court Interagency	YLS staff participate in the regular interagency meetings.
Community Legal Centre Association (WA)	Staff have become regular participants in the new quarterly meetings. Our 2IC/Principal Solicitor presented a paper on Criminal Injuries Compensation Appeals
Youth mental health and offending	Our Senior Criminal Lawyer has been selected to give a presentation at the Young People and the Law – international approaches to care, corrections and intervention – International Conference in Prato, Italy, 21-23 September 2015. We have approached the Ian Potter Foundation for assistance with costs. This is a fabulous opportunity to showcase our work on an international stage.



We have a 100% staff retention rate for 2014/15 financial year, save for the redundancies made in September 2014 in response to a funding cut.

We re-visited our recruitment procedures to include a pre-appointment Employment Declaration. Jackson MacDonald provided a pro-bono opinion on the Declaration, at year's end I can report that the opinion is in the hand and the Declaration will be amended to comply with the advice and will be implemented for 2015/16 Financial Year.

## Legal Needs Research

A substantive project was undertaken during the year to assist the Service to plan for its future:

The research project – Access to Justice for Young People in Western Australia: Identifying legal needs, pathways and factors that enable or disable young people to exercise their legal rights and responsibilities – got underway.

This substantive project is being funded by Lotterywest and the research is being completed by Dr Dot Goulding of Curtin University. The report date has been extended to 31 August 2015 to allow for some additional interviews.

# Report from our Treasurer

This year the organisation achieved an income surplus compared to a deficit for the previous year. However, most of the surplus is attributable to a grant received for the replacement of computer equipment and the cost of this equipment will be written off over four years.

As expected with a service organisation, employee costs were the largest item of expenditure for the past year and these will continue to be our most significant item of expenditure for the current financial year.

Our balance sheet remains strong and our cash reserves at 30 June 2015 are slightly higher than those at the 2014 financial year end. These reserves continue to provide us with a small amount of income, but while interest rates are low, interest received is not a material contributor to our revenue streams.

The challenge for the current year will be to maximise the services delivered while ensuring that the organisation remains financially sound. Expenditure will need to be reduced wherever possible to match any reduction of funding. This challenge is one facing many organisations both in profit and not for profit worlds.

**Eileen Newby**



# Financial statements

## Income statement for the year ended 30 June 2015

	2015	2014
	\$	\$
<b>Revenue</b>		
Funding and grants	992,434	840,223
Other income	44,614	17,801
Capital grant for IT equipment	63,454	–
Interest earned	7,948	13,907
<b>Total revenue</b>	<b>1,108,450</b>	<b>871,931</b>
<b>Expenditure</b>		
Audit	3,030	2,897
Bank charges	444	480
Consultancy	9,869	–
Depreciation	26,923	12,294
Disbursements	2,077	913
Equipment	608	2,662
Insurance	9,461	10,238
Library and memberships	28,741	28,281
Office overhead	35,983	31,548
Rent	74,928	71,312
Repairs and maintenance	3,408	15,319
Salaries	710,553	660,755
Telephone	11,165	12,573
Training	10,371	8,040
Travel and accommodation	46,594	32,791
Loss on disposal of assets	5,506	–
Lotterywest expenditure	75,697	4,150
<b>Total expenditure</b>	<b>1,055,358</b>	<b>894,253</b>
<b>Net (deficit) / surplus for the year</b>	<b>53,092</b>	<b>(22,322)</b>

**Balance sheet**  
as at 30 June 2015

		2015	2014
	Note	\$	\$
<b>Current assets</b>			
Cash and cash equivalents		282,805	260,486
Accrued income		21,084	16,313
Prepayments		2,462	15,845
<b>Total current assets</b>		<b>306,351</b>	<b>292,641</b>
<b>Non-current assets</b>			
Property, plant and equipment		69,631	32,283
<b>Total non-current assets</b>		<b>69,631</b>	<b>32,283</b>
<b>Total assets</b>		<b>375,982</b>	<b>324,924</b>
<b>Current liabilities</b>			
Trade and other payables		14,887	36,213
Provision for annual leave	2	23,579	17,785
Provision for long service leave	2	21,148	–
<b>Total current liabilities</b>		<b>59,614</b>	<b>53,998</b>
<b>Non-current liabilities</b>			
Provision for long service leave	2	12,265	19,915
<b>Total non-current liabilities</b>		<b>12,265</b>	<b>19,915</b>
<b>Total liabilities</b>		<b>71,879</b>	<b>73,913</b>
<b>Net assets</b>		<b>304,103</b>	<b>251,011</b>
<b>Accumulated funds</b>			
Balance at the beginning of the year		251,011	273,333
Add surplus / (deficit) for the year		53,092	(22,322)
<b>Total members' funds</b>		<b>304,103</b>	<b>251,011</b>

**Statement of cash flows**  
for the year ended 30 June 2015

	2015	2014
	\$	\$
<b>Cash flows from operating activities</b>		
Receipts from grants and funding agreements	1,079,420	849,783
Payments to suppliers and employees	(998,396)	(877,745)
<b>Net cash flows (used in) / provided by operating activities</b>	<b>81,024</b>	<b>(27,962)</b>
<b>Cash flows from investing activities</b>		
Interest received	6,347	9,693
Acquisition of property, plant and equipment	(65,049)	–
<b>Net cash flows (used in) / provided by investing activities</b>	<b>(58,702)</b>	<b>9,693</b>
<b>Net (decrease) / increase in cash and cash equivalents</b>	<b>22,322</b>	<b>(18,269)</b>
Cash and cash equivalents at beginning of financial year	260,483	278,752
<b>Cash and cash equivalents at end of financial year</b>	<b>282,805</b>	<b>260,483</b>



## Notes to and forming part of the financial statements for the year ended 30 June 2015

### Note 1

#### Statement of significant accounting policies

These financial statements are a special purpose financial report prepared in order to satisfy the financial reporting requirements of the organisation, pursuant to the constitution of the organisation and the requirements of the Association Incorporations Act of WA. The committee has determined that the organisation is not reporting an entity.

The statements have been prepared in accordance with the requirements of the following applicable accounting standards and other mandatory professional reporting requirements:

AASB 102	Inventories
AASB 110	Events Occurring After Reporting Date
AASB 118	Revenue
AASB 119	Employee Benefits
AASB 1031	Materiality
SAC 1	Definition of the Reporting Entity

No other applicable accounting standards or mandatory professional reporting requirements have been applied.

The financial statements are prepared on an accrual basis. They are based on historic costs and do not take into account changing money values or, except where specifically stated, current valuation of non-current assets. The accounting policies adopted are consistent with those of the previous year.

#### Going concern

The financial statements have been prepared on a going concern basis, which contemplates continuity of normal activities of the organisation. The ability of the organisation to continue as a going concern will be dependent upon the continued receipt of grants from the State Government of Western Australia.

#### Principal activities

The principal activity is to:

- Provide free and confidential legal services, which include legal information and legal advice, advocacy, and representation in the Children's Court.
- Help young people, carers, and workers develop their understanding of the law and how it works.
- Undertake research, and campaigning for law reform, in areas that affect young people.

## Plant and equipment

Plant and equipment are included at cost. All fixed assets are depreciated over their estimated useful lives commencing from the time the asset is held ready for use.

## Superannuation

Staff superannuation has been paid in accordance with the requirements of the Superannuation Guarantee Charge legislation and is paid to complying funds.

## Funding/grants in advance

All grants are brought to account as income when received, unless they relate to future years in which case they are recognised as income in the year expended.

They appear in the Balance Sheet as a liability – Funding in Advance.

	2015	2014
Funding / grants in advance	nil	nil

## Note 2

### Employee Entitlements

The amounts expected to be paid to employees for their pro-rata entitlement to annual leave and long service leave are accrued annually at current pay rates, having regard to period of service. The amounts provided for as a current liability at 30 June 2015 are as follows:

Provision for annual leave	\$23,579
Provision for long service leave	\$21,148

The amounts provided for as a non-current liability at 30 June 2015 are as follows:

Provision for long service leave	\$12,265
----------------------------------	----------

The amount owing for sick leave at 30 June 2015, which is not accrued in the accounts is \$29,425.



Youth legal service.

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