

ANNUAL REPORT

2020-2021

ACKNOWLEDGEMENT OF COUNTRY

In the spirit of reconciliation, JusticeNet SA acknowledges the Traditional Custodians of country throughout Australia and their continued connections to land, sea and community.

We pay our respect to their Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

Our Annual General Meeting is held on the traditional lands of the Kaurna people.

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CHANGING OF THE GUARD: A WORD FROM OUR OUTGOING LEADERS



Our 'baby' JusticeNet is now a teenager!

Like any parent, we feel immense pride, privilege and satisfaction having watched the organisation grow from tiny beginnings upon incorporation in September 2008, to where it stands today – an important and well-recognised pillar of the justice sector in this State. We have every confidence that the new leadership team is well placed to steer JusticeNet through the transition to adulthood.

Embarking on something new brought its challenges but it also meant having the freedom to follow a path less travelled. JusticeNet has always been about innovation, collaboration and partnership. On a daily basis we witnessed the skilled contributions of our networks of lawyers change lives for the better.

The JusticeNet family has at least two

KERRY CLARK SC
PRESIDENT 2018-2021
MANAGEMENT COMMITTEE MEMBER
2008-2021

'mums' (Paula Stirling, Kerry Clark), a 'dad' (Tim Graham), a generous aunt and uncle (Carolyn Mitchell, Nick Linke) and wise grandfather (Jonathan Wells QC), but the hard work is done by our staff.

We pay particular tribute to Zoe Lewis and Jacqui Nuske who took on additional responsibilities during the leadership transition this year, and to Angela Hastings and Cassandra Altmann who kept things running smoothly for our clients during a tough year. To our board members, volunteers, donors and pro bono partners. We couldn't do it without you.

Our JusticeNet time has been a fulfilling journey, working with generous and talented people sharing a commitment to the ideals and aspirations of *pro bono publico*. We wish the new leadership every success, here's to the next twelve years and beyond.

TIM GRAHAM
EXECUTIVE DIRECTOR
2009-2021

CHANGING OF THE GUARD: A WORD FROM OUR INCOMING LEADERS





It is fair to say we have both been big fans of JusticeNet SA for a long time.

As both South Australians and lawyers interested in social justice, it has been a joy to observe the impact of JusticeNet SA over the years - not only in work performed but also in fostering a bond between the 'justice triad' of the private legal profession, community legal centres and government.

We are immensely grateful to the passionate work of both Kerry and Tim in creating this opportunity back in 2008. It takes incredible courage and conviction to be a part of starting something as significant as JusticeNet, but even more so to continue in the often thankless world of social justice leadership for such considerable terms.

It has been a privilege to work more closely with the JusticeNet team and observe their passion and commitment

TANIA SULAN PRESIDENT

to the work they do towards the impact contained in the pages of this report.

We look forward to continuing this impact and the legacy of JusticeNet into the future. Given the current state of collective uncertainty, now more than even there is a crucial need for this type of work.

In particular, given our combined background in innovation and economic development, we are eager to demonstrate the sustainability and scalability of pro bono legal assistance and its impact on society as a whole.

Now is an exciting time to explore the growth of interdisciplinary justice practice and awareness of the pivotal effect of legal health on other areas of economic wellbeing. We look forward to expanding the regard for this important work, and its generous supporters, to the public.

REBECCA ROSS CEO

THE TEAM

THE PEOPLE BEHIND JUSTICENET SA



ANGELA HASTINGS



ZOE LEWIS



CASSANDRA ALTMANN



JACQUI NUSKE

THE METHODOLOGY

JusticeNet is an **incorporated association** and registered **charity** providing **access to justice** via a **pro bono clearing house** or **discrete task assistance.**

Access to justice is a basic principle of the rule of law. In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable.

<u>United Nations & the Rule of Law</u>

an organisation that refers
clients to member law firms to
provide legal assistance in
matters which involve marginalised people or public
interest.

from the Latin "pro bono publico" which means "for the public good". In the legal context it generally means the provision of legal services on a free or significantly reduced fee basis, with no expectation of a commercial return

- Australian Pro Bono Centre

alternatively known as 'unbundled services', or 'limited scope representation' - which confines advice or assistance to certain defined tasks, rather than offering the traditional model of full and ongoing legal representation

- Centre for Innovative Justice

CURRENT IMPACT INITIATIVES

INCLUDING SUBCATEGORIES FOR REPORTING PURPOSES IN 2020-21

IMPACT #1

Pro Bono Connect (PBC)

- PBC General
- Refugee Asylum Seeker Project
- Afghanistan Response Clinic

IMPACT #2

Federal Court Self Representation Services (FCSRS)

- South Australia
- Northern Territory

IMPACT #3

Homeless Legal

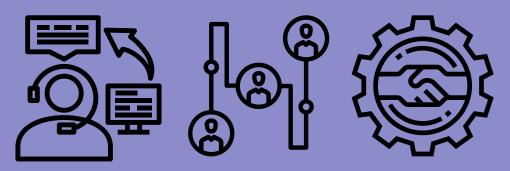
- Hutt Street Centre Clinic
- Catherine House Clinic



PRO BONO CONNECT

Pro Bono Connect (PBC) is the flagship JusticeNet service, taking applications for legal assistance and matching them to a legal service provider or briefing the matter to a private lawyer.

The immense amount of data that comes through the PBC intake channels allows JusticeNet to observe patterns in need. The agility in the model means there can be specialist services such as the Refugee Asylum Seeker Project (RASP) and rapid responses to emerging crises, such as the Afghanistan Response Clinic stood up in a week to provide urgent assistance for Afghan refugees at risk in migration law matters.



191 102

PBC APPLICATIONS PBC REFERRALS

8,833

EST. PRO BONO HOURS

\$2.35M

EST. VALUE

THANK YOU

PRO BONO PARTNERS

Thank you to the committed and kind lawyers embodying the pro bono ethos who took on a JusticeNet brief this year for Pro Bono Connect:

BARRISTERS

Alison James Andrew Tokley QC Audrey Bosboom Brian Hayes QC Candida D'Arcy Chad Jacobi Chris Kummerow David Billington Dr Rachael Gray QC Dr Steven Churches Edward Stratton-Smith Elizabeth Bowering Grant Algie QC Holly Veale Ian Robertson SC James Marcus James Robinson James Roder Jeremy Moore Jillian Eriksen John White Jonathan Wells QC Julia Davey Katherine Eaton Kerry Clark SC Kym Tredrea Lauren Gavranich Leanne Larosa **Lewis Gentry** Marissa Mackie Marita Pangallo Mark Taylor Matoula Makris Michael Foundas

Michael Manetta

Michael Saies Michelle Hamlyn Naomi Keruru Nathan Kennedy Nicholas Cooney Patrick Leader-Elliott Patrick McCabe Paul Charman Peter Barnes Philip Adams Raffaele Piccolo Richard Manuel Robert Katsambis Sarah Newman Simon Blewett Simon Ower OC Stephen McDonald SC Suzanne Mackenzie Ted Guthrie Thomas McFarlane Thomas Rice Timothy Kentish William Mellor

SOLICITORS

Alexandra Douvartzidis
Alyona Haines
Amanda Hughes
Andrea Carver
Andrea Carver
Andrew Duncan
Andrew Nettlefold
Anthony Keane
Anthony Kerin
Ashleigh Allen
Bezmellah Rezaee
Caitlin Surman
Catherine Follett

Catherine Stephens Charlie Belperio Chris Sargent Dan Poole Daniel O'Connor Daria McLachlan David Farrugia Debrah Mercurio Ellen Brown Emma Carnell Franco Camatta Genevieve Freeman Georgia Wells Gilbert Hallahan Greg Finlayson Hannah Rose Henry James James Kearney James Slocombe Jane Cox Jeremy Moore Jeremy Rees Jessica Feast Jo Thomson John Edwards Joseph Monaghan Joshua Schultz Julia Zisos Kai Sinor Katrina Fitzgerald Katy Luey Kavita Bhela Kaye Lai Kristen Poetsch Kylie Dunn Lani Carter

Lisa Calabrese Lisa Jarrett Maddison Harrington Mark Gustavsson Matthew McLean Melanie Lowndes Michael Foundas Michael La Vista Michael Warren Mitchell Simmons Natalia Kasprzyk Nathan Kennedy Nathan Kennedy Nicholas Burnet Nick Linke Nicole Mead Nicole Stockdale Patrick Leader-Elliott Paul Gordon Paul Ingram Paul Ng Ralph Bonig Ric Traini Richard Wood Samuel Beer Sarah Mitchell Sarah Newman Sean O'Flaherty Simon Bourne Susan O'Toole Symoane Mercurio Tanya Smart Tasha Naige Tim Bourne Tim Campbell Tom Noone Tom Rice

JUSTICENET SA PAGE 09

Laura Sowden

JUSTICENET IN PRINT:

The Afghanistan Response Clinic: Helping refugees in crisis

REBECCA ROSS, CHIEF EXECUTIVE OFFICER, JUSTICENET SA

When the Taliban seized Kabul on 15 August 2021, it quickly became apparent that there would be significant implications for Afghans everywhere.

Community services around Australia began receiving enquiries from local Afghans, worried about their own visa situation, their safety and the safety of their family members, still living in Afghanistan.

JusticeNet has had a presence in this important area of work for many years. Since its inception in 2008, JusticeNet has provided assistance in Migration Law matters through its in-house referral service and network of pro bono lawyers. In response to the demand for this assistance, JusticeNet formed the Refugee & Asylum Seeker Project (RASP) in 2012, assisting refugees who arrived in South Australia to seek asylum. Many applied for visas but were refused, spending years in appeals to the various Tribunals and Courts. It was envisioned that this service would sunset as the demand decreased. Nonetheless whether it be for changing factors of war, geopolitics, climate or domestic governance, the demand has continued. JusticeNet's network of pro bono lawyers have assisted hundreds of refugees to seek judicial review and have donated millions of dollars' worth of free legal advice and representation.

When it became apparent that Afghan individuals may have the opportunity to reapply for protection (an option not usually available once a decision to refuse protection has been made), JusticeNet and the Refugee Advocacy Service of South Australia (RASSA) decided to work together to provide assistance in South Australia.

A coalition of staff and board members from JusticeNet SA and RAASA formed on 23 August 2021. It was decided a response clinic would be held to assist with drafting letters to the Minister to reapply for urgent intervention.

Via the Refugee and Asylum Seeker Project, JusticeNet had already provided assistance to many individuals from Afghanistan, particularly in response to the 2013 Australian policy changes relating to asylum seekers. Drawing on existing databases, we were able to quickly contact some of the people who might be eligible to reapply.

On Sunday 29 August JusticeNet and RASSA successfully ran a clinic at the University of Adelaide, who offered their premises for this purpose. From 9am to 12 noon on that Sunday morning the following group came together:

- 12 clients
- 12 lawyers provided by JusticeNet's pro bono network
- JusticeNet SA and RASSA Staff
- 12 accredited interpreters
- A handful of law students and other helpers

Legal and administrative support was donated by JusticeNet staff and members as well as the RASSA team. JusticeNet SA's Zoe Lewis, who was the coordinating lawyer on the day, said: "although it was a lot of work, it was inspiring to see the collaboration and enthusiasm to help".

On the day, JusticeNet's volunteer lawyers provided advice, and in many cases a request letter to the Minister was also completed. The RASSA migration agent, Edel Arvin Chang, agreed to provide the necessary follow up assistance.

JusticeNet SA's administrator/paralegal, Jacqui Nuske, established an online appeal and commented that "it was encouraging to see people respond to the appeal so quickly, even if it was \$5 or \$20, every little bit helped and meant we were able to cover the cost of interpreters for the day". We sincerely thank all our donors who made it possible to provide this critical service at short notice.

While this was a highly successful clinic, the need remains, and our work is far from over.

A dedicated inbox has been established (afghanistan@justicenet. org.au) and is being monitored daily by JusticeNet staff. Enquiries continue to pour in from people within Australia, seeking help to avoid being deported to a devastated Afghanistan. We are also receiving distressed emails from people in Afghanistan wanting help to leave, and



Afghans in Australia who fear for the safety of their family members still in Afghanistan.

JusticeNet is committed to providing a timely response to each and every enquiry and are endeavouring to point people in the right direction wherever possible. We have also established a dedicated page on our website with information which is regularly updated: https://justicenet.org.au//afghanistan

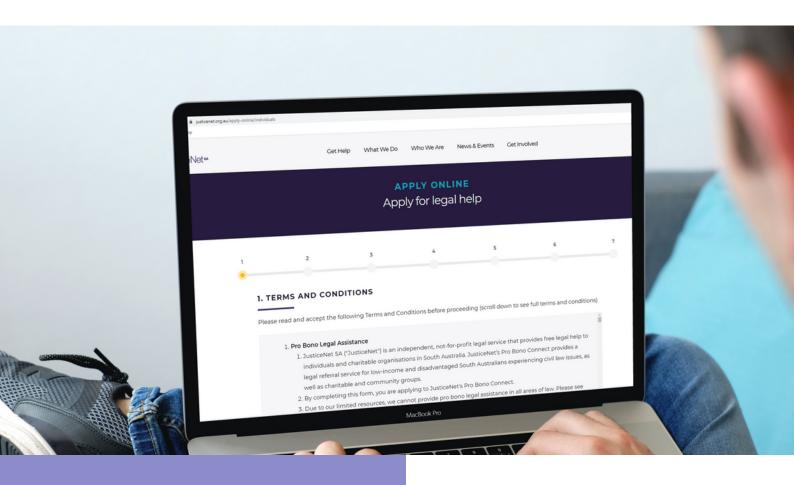
The work of JusticeNet SA's Refugee Asylum Seeker Project (RASP) is largely unfunded. Ideally we hope to employ a fulltime lawyer with experience in this area to answer these queries, compile briefs for our pro bono lawyers and ensure that people in South Australia going through this ordeal are able to get assistance.

To donate to our Afghanistan Response Appeal and RASP more broadly, please visit https://justicenet-afghanistan.raisely.com/

For members of the profession who would like to get involved, we encourage you to visit our website at https://iusticenet.org.au/get-involved. We welcome new members and referral partners, including those wanting to receive referrals to assist refugees and asylum seekers.

A special thank you to the lawyers who volunteered their time at the Afghanistan Response Clinic on Sunday 29 August 2021:

Sam Beer, Thomas Cadd, Kaeli Convey, Catherine Follett, Stephanie Ghellar, Karen Guazzelli, Debrah Mercurio, Sarah Newman, Emily Rutherford, Joshua Schultz, Nadeem Shaki, Mitchell Simmons, Airlie Waterman, and Joseph Wearing. B



PBC ONLINE

BY JACQUI NUSKE

Our new online application form was launched in late 2020 and has had a significant impact on service delivery.

The form incorporates conditional logic, directing applicants and their advocates through an intuitive interface which adjusts according to their selections, presenting customised and accessible information throughout.

The form also serves as a discrete referral mechanism, directing applicants to more relevant community legal services where available.

The form is currently available for individuals, not for profit organisations and refugee applicants.

"it has had a significant impact on service delivery"

In early 2021, in collaboration with the Legal Services Commission, a bespoke instance of the form was rolled out for the exclusive use of LSC service officers; allowing them to refer their clients through a secure access-only portal.

In 2022, JusticeNet aims to expand this offering to Community Legal Centres, and to create a similar application process for our self-represented litigants in the Federal Court.

FEDERAL COURT SELF REPRESENTATION SERVICE

BY ANGELA HASTINGS

The FCSRS continued to experience a very high level of demand during the 2020/2021 reporting year. The Service assisted **368** people and provided **767** legal services including **221** formal appointments.

The effect of the COVID-19 pandemic continued to have a significant impact on the FCSRS, with assistance being provided overwhelmingly in the Fair Work area of law, particularly via the Fair Work Commission's Workplace Advice Service. The continued effects of the COVID-19 pandemic has meant that appointments and client contact has been provided largely by telephone or email.

The FCSRS was delighted to welcome the assistance from Hall & Wilcox in Perth and Darwin and HWL Ebsworth in Adelaide who kindly agreed to provide regular rostered appointments for the Service, particularly in the Fair Work area.

The FCSRS remains grateful for the assistance and support provided by the following participating law firms:

- MinterEllison
- Finlaysons
- Dentons Fisher Jeffries
- Sparke Helmore
- HWL Ebsworth
- Hall & Wilcox (Perth and Darwin offices)
- Cowell Clarke
- Clayton Utz (Sydney office)
- DMAW Lawyers
- Piper Alderman
- O'Toole Lawyers

The FCSRS received invaluable assistance from the College of Law GDLP students during the reporting year, who were instrumental in providing support to the FCSRS staff by taking instructions from Fair Work clients and preparing advices and briefs for the FCSRS's volunteer solicitors.



FCSRS IMPACT SNAPSHOT

THE NUMBERS

368

221

767

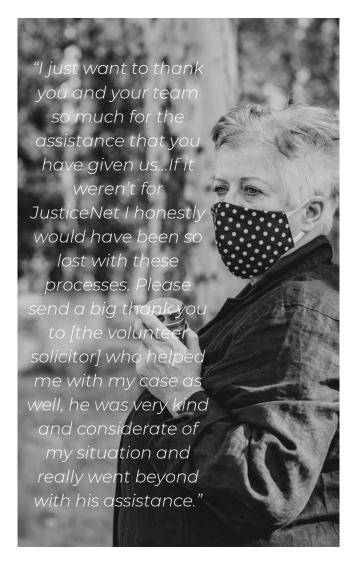
People assisted

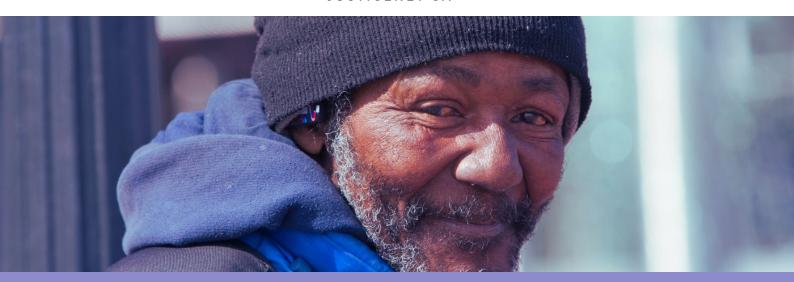
Formal appointments

Legal services

THE PEOPLE

Dana* was the sole director of a company that went into liquidation. She was contacted by one of the company's creditors regarding a debt, and referred the query to the liquidator. It transpired that Dana had signed a personal guarantee in relation to the debt and so was personally liable when her company failed to pay the creditor. The creditor commenced debt recovery proceedings in the Magistrates' Court against Dana. Dana prepared a defence to the claim, but was one day late in filing, by which time the creditor had obtained judgment against her. Dana tried to set aside the judgment, but in the meantime the creditor served Dana with a Bankruptcy Notice based on the default judgment. Dana sought help from the FCSRS. The FCSRS provided Dana with advice and prepared an application to set aside the Bankruptcy Notice for her. Dana was able to negotiate a settlement of the debt with the creditor and her bankruptcy was able to be avoided.





HOMELESS LEGAL

BY ZOE LEWIS

During the last financial year, Homeless Legal assisted clients with 93 matters. We received enquiries about areas of law as diverse as family and criminal, contracts and debts, disputes about wills, victims of crime compensation and personal injury.

Clients were given advice, appropriate referrals, and/or discrete task assistance such as writing a letter or drafting a claim. Our volunteer lawyers from MinterEllison and Dentons Fisher Jeffries provided the bulk of these services.

During this time we also proudly opened our third service, one which is focused on tangibly preventing homelessness by preventing eviction at the South Australian Civil & Administrative Tribunal (SACAT).

Our clients faced eviction applications based on concerns about property condition, inappropriate behaviour towards Housing SA staff or neighbours, or alleged illegal activity at the rented property.

However, for each of them, they were experiencing relevant difficulties such as poor physical/mental health, elder abuse and severe financial hardship.

"our new site is focused on tangibly preventing homelessness by preventing eviction"

We have assisted these tenants in various ways including preparing written submissions and applications for internal review, advising them about evidence to gather, and assisting with practical matters such as helping them access concession rates at SACAT.

Homeless Legal is indebted to the generous support of our funders:

- The Homeless Legal Donor Circle (supported by LK and the Day Family Foundation)
- Impact100 SA
- LK
- The Law Foundation of South Australia.

HOMELESS LEGAL SNAPSHOT

37%

20-67

19%

Enquiries related to criminal law or fines.

Age range of clients facing eviction.

Clients faced landlord/tenant issues.

JOHN'S STORY

John had been living in his property for nearly 20 years. However, Housing SA had recently obtained an order to evict him on the basis of the condition of his property. He accepted that his diagnosed hoarding condition was creating unacceptable clutter but had struggled to address this due to his many physical and mental health issues. He was prepared to make changes but needed more time.

Facing homelessness, he contacted a range of services but no one could help. Just five days after Homeless Legal's first contact with John, we submitted his application for internal review and a stay order. We helped him access the concession rate for his SACAT application and to gather supporting documents about his health conditions to write a statement explaining his circumstances and his efforts to improve the condition of his home. We also helped him to access a non-legal advocate who could support him at the hearing.

SACAT listed an urgent hearing as John's date to vacate was fast approaching. Satisfied that his circumstances had taken a turn for the better, the Tribunal made orders about clean-up plans, financial counselling and other supports but, critically, gave John the gift of time.

Since then, John has been engaging with supports, including a psychiatrist, and making improvements at home. The Tribunal decided to continue monitoring John's situation but ordered that if John continued to make changes, he would be able to stay in his home.

We are eagerly watching John's progress.



REPORT BY THE TREASURER

BY NICK ANDERSON

JusticeNet recorded an operating profit for the year ended 30 June 2021 of \$108,521, largely resulting from increased Grant income. Ongoing Covid-19 support from the Federal Government was also received as in prior years.

The Management Committee has discussed at length the need to continue to engage with non-government organisations and private and public ancillary funds to continue to fund new or existing services where public funding is unavailable.

To this end the support for the Homeless Legal project from the donor circle, together with the generous support of the Day Family Foundation and Lipman Karas, has been a step forward for the organisation. This was capped off with a successful award from Impact 100 in October 2020 for \$100,000. The long term support from the Commonweath Attorney General for the Self-Representation Service (Federal Courts) was another highlight. JusticeNet also acknowledges the significant project funding for our Homeless Legal service provided by the Law Foundation of South Australia.

JusticeNet also received generous inkind support from members and project partners, through the provision of accommodation, meeting rooms, lawyers on secondment, printing and mailing costs, seminar rooms, audit services, IT services and support. Particular thanks must go to the University of Adelaide Law School which provides accommodation for JusticeNet in the Ligertwood Building, Lipman Karas and Cowell Clarke.



The organisation's greatest financial risk remains the same: the absence of stable funding for our core operating expenses and Pro Bono Connect. As in previous years, those essential costs were funded from diverse sources including our fundraising events, member contributions and donations. For this reason, the Management Committee remains cognisant of the real financial challenges that will continue in a post Covid world.

It is gratifying to note that the support of our members and supporters remains strong. On behalf of the management committee, I acknowledge the generosity of all of our members, funders and donors who have invested so much into the organisation over the past year.

A copy of our audited financial reports can be found at www.justicenet.org.au.

Our sincere thanks to Nexia Edwards Marshall for auditing our financial reports on a pro bono basis.

THANK YOU

MEMBERS

At its core JusticeNet is a membership organisation, we extend our thanks to the corporates and individuals who contributed as financial members this year.



✓ Alison Adair

✓ Martin Anders

M Josephine Battiste

✓ Ruth Beach

✓ David Bleby

✓ Italia Block

✓ Simon Bourne

✓ Kerry Clark

○ Nicholas Cooney

✓ Andrew Duncan

✓ Kaz Eaton

○ Graham Edmonds

✓ -Wilson

Scott Evans
Tim Graham
Rachael Gray
Mark Gustavsson
Lesley Hastwell
Reuben Saul Jahnke
Alison James
Margaret Kelly
Tom Kidman
Leanne Larosa
Leah Marrone
James McCusker
Darren McGeachie

Gurpreet Minhas
Carolyn Mitchell
Neville Morcombe
Geoff Muecke
Margaret Nyland
Susan O'Toole
Guilherme Paranhos
- Jardim
Michelle Provatidis
Alex Reilly
Thomas Rice
Stuart Roberts
Larissa Rodrigues

Nicholas Salagaras
Caristia Sanders
John Santich
Cheryl Smith
George Stathopoulos
Tania Sulan
Adrian Tisato
Michael Wait
Gillian Walker
Jonathan Wells
Penny Wright
Hongmi Yun

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THANK YOU SUPPORTERS

JusticeNet would not be possible without our generous supporters providing funding, sponsorship and in kind donations. Thank you for your ongoing support.



























Friends of JusticeNet & Blackwood Hills Circle of Friends

LIFE MEMBERSHIP ANNOUNCEMENT

This year JusticeNet is pleased to announce that Paula Stirling, Tim Graham and Nick Linke have been made honourary Life Members in recognition of their significant service and contributions to our organisation over many years:

- **Paula Stirling** was a driving force in establishing and incorporating JusticeNet, a founding committee member and long-serving President from 2008 2018
- **Tim Graham** was our founding Executive Director (and our very first employee) whose leadership during his tenure 2009-2021 saw us grow from tiny unknown NFP to where we are today
- **Nick Linke** was a founding and long-serving committee member, former Treasurer, generous donor and is a regular pro bono volunteer solicitor

They will join our two existing Life Members, Patrick North and Cath Lester, their membership having been conferred after they asked guests at their wedding to donate to JusticeNet in lieu of gifts.

CONTACT US

www.justicenet.org.au

PRO BONO CONNECT

GENERAL CIVIL LAW AND REFUGEE & ASYLUM SEEKER ASSISTANCE

(08) 8313 5005 (Administration only) admin@justicenet.org.au

POSTAL ADDRESS

JusticeNet SA

Ligertwood Building

University of Adelaide SA 5005

HOMELESS LEGAL

LEGAL HELP FOR INDIVIDUALS FACING HOMELESSNESS

(08) 8313 5005

hlegal@justicenet.org.au

OUTREACH LOCATIONS

Hutt Street Centre

258 Hutt St, Adelaide

(08) 8418 2500

Outreach times:

10am - 12pm Monday

Catherine House

Adelaide

(08) 8232 2282

Outreach times:

by appointment

SELF REPRESENTATION SERVICE

HELP WITH CIVIL LAW MATTERS IN THE FEDERAL COURTS

1800 283 661

(08) 8410 2280 (for callers outside Adelaide)

fcsrs@justicenet.org.au

LOCATION

Level 7, Commonwealth Law Courts Building

3 Angas Street

Adelaide SA 5001

POSTAL ADDRESS

GPO Box 11024

Adelaide SA 5001

