



JusticeNet<sup>SA</sup>

**ANNUAL REPORT 2020**

## **ACKNOWLEDGEMENT OF COUNTRY**

In the spirit of reconciliation, JusticeNet SA acknowledges the Traditional Custodians of country throughout Australia and their 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 Kurna people.

# OUR STATEMENT OF PURPOSE

To improve access to the justice system for vulnerable and disadvantaged South Australians through partnerships with pro bono lawyers.

# OUR IMPACT

## 2020 SNAPSHOT

**564** PEOPLE ASSISTED

**7955** PRO BONO HOURS

**\$2,386,500** PRO BONO VALUE

**45** PEOPLE HOMELESS OR AT RISK OF HOMELESSNESS

**392** SELF-REPRESENTED LITIGANTS

**127** REFERRALS TO PRO BONO LAWYERS

# WHO WE ARE

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JusticeNet SA is an independent, not-for-profit legal service for South Australians who cannot afford a lawyer or get the legal help they need elsewhere.

## **We help when no one else can.**

Our legal 'safety net' is powered by a network hundreds of the best lawyers from South Australia and interstate who volunteer their time pro bono. With their support, we help vulnerable South Australians with civil law problems to obtain access to justice. We also help community and charitable organisations, as well as Northern Territory residents via our Federal Courts Self-Representation Service.

We provide three services for South Australians who have run out of options: **Pro Bono Connect** is our referral service connecting individuals and charitable organisations with lawyers who can help them resolve their civil law problems.

Our **Self-Representation Service** provides legal advice and assistance to people representing themselves in the general federal law jurisdiction of the Federal Courts.

**Homeless Legal** is our outreach legal service helping people who are experiencing or are at risk of homelessness

## **OUR FUNDERS & SUPPORTERS**

JusticeNet exists because of the generosity of the lawyers and law firms who support our work. We are funded by membership contributions, government and philanthropic grants, private donations and fundraising events and activities. JusticeNet also acknowledges the substantial in-kind support provided by the University of Adelaide Law School.

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## MANAGEMENT COMMITTEE

Kerry Clark  
**PRESIDENT**

Nick Anderson  
**TREASURER**

Carolyn Mitchell  
**SECRETARY**

Tania Sulan  
**DEPUTY CHAIR**

Alice Graham

Natalia Kasprzyk

Julia Dreosti

Anna Wells

JusticeNet SA is an accredited Community Legal Centre and member of Community Legal Centres South Australia (CLCSA). JusticeNet SA is a member of Pro Bono Access Australia, the national network of pro bono legal services.



# FROM THE PRESIDENT & EXECUTIVE DIRECTOR



**Kerry Clark**  
**PRESIDENT & BARRISTER**

It is our pleasure to present this twelfth annual report to our members on JusticeNet's activities and achievements during the course of the past year.

The year came in two halves, pre-COVID-19 and post-COVID-19 and JusticeNet was not alone in feeling the impact of the pandemic across every facet of our organisation, staffing, service delivery and financial. A lot changed, virtually overnight.

Through the turmoil of 2020, the commitment of our pro bono network to access to justice has been a constant. We



**Tim Graham**  
**EXECUTIVE DIRECTOR**

take this opportunity to thank all of our members and supporters for their contributions during the course of the year.

It seems like a life time ago, but the second half of 2019 was characterised by significant changes to service delivery, including the end of one service and the establishment of another. In August 2019, JusticeNet closed our State Courts Self-Representation Service. After six years providing free legal advice and legal task assistance to thousands of South Australians self-representing in the Supreme and District Courts, the service closed due to a lack of funding.

In October 2019, JusticeNet launched

'Homeless Legal', our new outreach legal service designed to close the gap in accessible legal help for people experiencing or at risk of homelessness. Homeless Legal commenced outreach in mid-January 2020 at two outreach sites, the Hutt Street Centre and Catherine House, with the support of MinterEllison and Dentons Fisher Jeffries.

Less than 8 weeks later, Homeless Legal's outreach program was suspended in the face of the worsening public health situation. Physical distancing measures restricted access to our community partners. JusticeNet staff (and much of pro bono network) commenced working from home. For the balance of the financial year, assistance was provided to clients by telephone. We thank our legal partners for providing telephone appointments during that time.

JusticeNet's Federal Courts Self-Representation Service also experienced seismic changes in the face of the pandemic. It transitioned to a telephone and email only service. Significantly, the Commonwealth Government's temporary changes to Bankruptcy law also meant that there were no new bankruptcy and insolvency matters from mid-March. At the same time, however, there was a surge in applicants seeking advice concerning unfair dismissal, JobKeeper and General Protections issues. The Self-Representation Service will be busy over the months and years ahead to meet significant demand from clients in the bankruptcy, insolvency and fair work areas. The Commonwealth Attorney

-General's Department recently confirmed five-year funding to 2025.

JusticeNet's referral service, Pro Bono Connect, saw a modest increase in referral numbers over the course of the year. In December 2019, Pro Bono Connect had launched an online application form, and in early 2020 released a second form for asylum seekers applicants. While these procedures were put in place to enhance efficiency and access to the service when Pro Bono Connect was operating in a resource constrained environment, they helped the service to operate during the lockdown period.

## **ACKNOWLEDGEMENTS**

JusticeNet is fortunate to have the generous support of many individuals and organisations. See pages 11-13 of this report. Particular thanks to the University of Adelaide Law School, our Principal Corporate Partner, for providing accommodation on the university campus. Thanks also to JusticeNet's volunteer Management Committee, for their guidance and strategic counsel. During the year, the Management Committee bid farewell to Sarah Dunn and Catherine McMorrine, and welcomed Natalia Kasprzyk from Southern Justice Centre and Tania Sulan, Chief Investment Officer, Omni Bridgeway.

Finally, a special thanks to the hundreds of lawyers who donate their time and expertise to support our work during these uncertain times.

# PRO BONO CONNECT

## 2020 SNAPSHOT

Pro Bono Connect is JusticeNet's pro bono referral service for low-income and disadvantaged clients who cannot afford a lawyer or get the legal help they need elsewhere. Pro Bono Connect provides assistance in a wide range of civil law areas including property and tenancy, credit and debt matters, disputes with government and human rights and discrimination.

As a result of a merger of JusticeNet's referral service and Refugee and Asylum Seeker Project in June 2019, Pro Bono Connect also has a significant refugee caseload, including advice and representation for asylum seekers seeking judicial review before the Federal Circuit Court, as well as

**“I received thorough assistance and was treated as a paying client. My lawyer gave me good advice & confidence to pursue my claim. Without his aid, I may not have had the courage to seek justice”**

**~ Pro Bono Connect Client**



**158**

**APPLICATIONS  
FOR ASSISTANCE**



**124**

**PRO BONO  
REFERRALS**

appeals to the Federal Court, and in rare cases, the High Court.

Pro Bono Connect implemented several important operational changes this year, including: two new online application forms, for general applicants and asylum seekers and the 'Pro Bono Resource Centre', an online collection of resources for lawyers who assist with the refugee and asylum seeker matters, which went live in May 2020.

Pro Bono Connect also worked with the Federal Courts to facilitate direct referrals under Federal Court Rule 4.12 for clients whose protection visas have been cancelled under s501 of the Migration Act. The arrangement was put in place to ensure that applicants who were in immigration detention could obtain legal assistance during the COVID-19 pandemic.



## JASON'S STORY

Jason\* lives in public housing in Adelaide's northern suburbs. He was born with an intellectual disability and deafness in one ear. He lived with his mother until she passed away and has been living alone ever since.

When he met Tom, Jason was excited about the prospect of making a new friend. Over the next few months, Jason lent Tom almost \$15,000. This was much of his life savings. Four years later, Tom had not repaid the loan and refused to do so. Jason had no choice but to go to court. However, he couldn't afford a private lawyer and community legal centres were unable to help.

JusticeNet's pro bono lawyers helped Jason bring a claim against Tom in the Magistrates Court. Jason obtained judgment against Tom and has so far recovered half of the money loaned. According to Jason, he had been saving for a holiday in Melbourne when restrictions permit. At age 52, it will be his first ever trip outside South Australia.



## SIMON'S STORY

At 18 years of age, Simon\* had enrolled in a pilot training course with a private flying school. The course consisted of 56 modules, but was delivered as a 'single subject' with a single census date, meaning that within only weeks of commencement, Simon accrued the entire \$93,000 Commonwealth Government VET student loan.

Elizabeth Boxall and Molly Scanlon of Pro Bono Connect directly represented Simon in the AAT with the assistance of pro bono counsel, initially Candida D'Arcy and subsequently Marita Pangallo.

The AAT found that the flying school failed to effectively deliver the course as required, making it impossible for Simon to complete the course and receive his qualification. Simon was entitled to a full refund of his VET FEE HELP debt.

# SELF REPRESENTATION SERVICE

## 2020 SNAPSHOT

JusticeNet's Self-Representation Service (SRS) helps self-represented litigants in the Federal Courts (Adelaide and Darwin registries). The SRS assists with matters commenced, or to be commenced, in the general federal law jurisdiction, including bankruptcy, Fair Work, migration (excluding asylum seekers who are assisted by JusticeNet's Pro Bono Connect), appeals, judicial review, anti-discrimination, and competition and consumer law.

The rapidly changing environment at the onset of the COVID-19 pandemic highlighted the importance of the SRS. As the Federal Courts implemented rapid changes to operations from mid-March, the SRS emerged as a critical point of contact for self-represented litigants. For

**“I can only provide the highest commendation for the service. Consistent communication, empathy when needed, and clear guidance when necessary. Without this service to self-represented litigants available to me, I would have found navigating the federal system impossible and I would have no doubt created more problems in terms of legal process than the legal issues I brought with me. Thank you”**

**~ SRS Client**



**392**

**PEOPLE  
ASSISTED**



**932**

**LEGAL SERVICES  
PROVIDED**

example, the SRS fielded regular enquiries about how to appear in Court by Microsoft Teams or telephone; how to file documents while the registry was closed to face-to-face users; how to swear/affirm and file affidavits while solicitors and Justices of the Peace were not available to take oaths face-to-face, and so on.

The pandemic also precipitated a dramatic shift in workload. Temporary changes to bankruptcy and insolvency laws meant that a traditionally significant caseload evaporated almost overnight. However, the SRS was concurrently flooded with requests for advice coming via the Fair Work Commission's Workplace Advice Service (WAS).

During the course of the year, the SRS provided 133 appointments in Fair Work law including unfair dismissals, JobKeeper disputes, General Protections issues and bullying complaints.



## CHANG'S STORY

Chang\* was involved in a car accident which caused him significant injuries. He lost his job and fell into financial hardship trying to support himself and his teenage son. He was referred to the SRS after receiving a Bankruptcy Notice from a debt collector. The SRS identified that the interest calculations in the Default Judgment against Chang were miscalculated by over \$12,000. The service helped Chang to apply to set aside the default judgment in the Magistrates Court and the Bankruptcy Notice in the Federal Circuit Court and to negotiate a resolution with the creditor. The creditor agreed to have the Bankruptcy Notice and Default Judgment set aside and entered into an agreement whereby Chang would pay a reduced sum following the resolution of his personal injury claim arising from the car accident. The SRS has now referred Chang to a financial counselling service for help negotiating with other creditors.



## ROB'S STORY

Rob\* had been employed by a private bus charter company. He had not been working for the company for very long when it became apparent that it was experiencing financial difficulties. His salary was being paid haphazardly and he never received the amounts that he was supposed to be paid. The company entered into a trading halt and failed to pay Rob's outstanding wages. The SRS assisted Rob to recover his unpaid wages in the Federal Circuit Court. This was quite a difficult task as the individuals responsible for the management of the company were located in three different states and proved elusive to track down. With the help of the SRS, Rob eventually managed to find and serve all of the parties. Rob participated in a court ordered mediation attended by 2 of the 3 respondents. At the mediation, Rob accepted a favourable offer from the other parties and his proceedings were resolved.

# HOMELESS LEGAL

## 2020 SNAPSHOT

In October 2019, JusticeNet officially launched Homeless Legal, a free outreach legal service for people who are at risk of or currently experiencing homelessness.

We established Homeless Legal to address the critical lack of accessible legal help in Adelaide for this highly vulnerable cohort who experience multiple barriers to accessing legal help. The onset of COVID-19 temporarily affected operations but in doing so reinforced the value of our model at connecting with hard to reach clients. During 2020, Homeless Legal operated from two outreach locations, Hutt Street Centre and Catherine House.

**“My friend, Joe, put me onto [Homeless Legal]. I was absolutely rapt with what they’ve done for me. When the judge ruled in my favour I was relieved because I honestly thought it wasn’t going to go my way.”**

**~ Andrew, Homeless Legal Client**



**45**

**HOMELESS LEGAL  
CLIENTS**



**2**

**OUTREACH  
LOCATIONS**



**10**

**VOLUNTEER  
LAWYERS**

The generous support of our law firm partners allows us to provide far more advice and representation services to these individuals than we would otherwise be able to deliver. Homeless Legal currently partners with MinterEllison and Dentons Fisher Jeffries.

The work of Homeless Legal is particularly important because our clients are disproportionately affected by the law – they are twice as likely to experience legal problems as the general population, and three times as likely to have multiple legal problems.

While the pandemic prompted State Government to take decisive and welcome action to temporarily house many hundreds of rough sleepers in Adelaide, looking ahead it seems likely that COVID-19 will add pressure to homelessness services as measures which were introduced to protect people from the impact of the pandemic are scaled back.



### **SAM'S STORY**

Sam\* presented to Homeless Legal at a tipping point in his life. He was facing fines and criminal charges in multiple states while sleeping rough and battling substance abuse. With the support Homeless Legal and his case worker, Sam entered a payment arrangement for his fines that ensured additional fees did not continue to accrue. He was also able to get the legal advice he needed including clarification about how his matters would be dealt with interstate. Sam felt more confident entering a detox treatment facility knowing that his legal matters were under control and that he has someone to assist him with his next steps once his treatment is completed. Importantly, Sam received help at a community centre which was already familiar to him. There was no need for him to attend a foreign – and potentially intimidating – lawyer's office. This also made it easy for his case worker to attend for moral support and to help Sam with follow up actions.



### **MARGARET'S STORY**

Until recently, Margaret\* was locked into a private rental arrangement which was causing her great distress. There were significant maintenance issues at the property which the landlord repeatedly failed to address. These issues were preventing Margaret from feeling safe and comfortable in her own home and were exacerbating her chronic health condition.

Lawyers from Homeless Legal advised her about her options and helped her to apply to the South Australian Civil and Administrative Tribunal to terminate her tenancy, including assisting her to obtain supporting medical evidence. Margaret succeeded in having her tenancy terminated and has now moved into more suitable accommodation.

2020

JUSTICENET SA PRESENTS...

# VIRTUAL WALK FOR JUSTICE

TUESDAY 19 MAY 2020

## \$48,091 raised 355 WALKERS

### TEAM

LIPMAN KARAS

\$10,604

### STUDENT TEAM

ADELAIDE UNIVERSITY  
LAW STUDENTS SOCIETY

\$3220

### INDIVIDUAL

PETA SPYROU

\$1050

Thank you to this year's distinguished guests, including our esteemed Ambassadors, His Excellency the Honourable Hieu Van Le AC, Governor of South Australia and Deputy Premier and Attorney General, Vickie Chapman MP.

### PROUDLY SPONSORED BY



THE LAW SOCIETY  
OF SOUTH AUSTRALIA

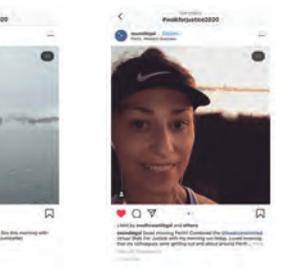
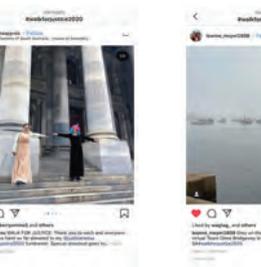
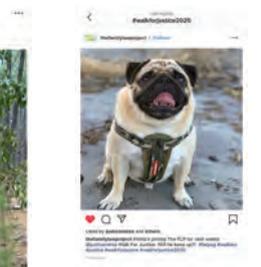
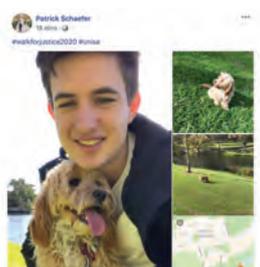
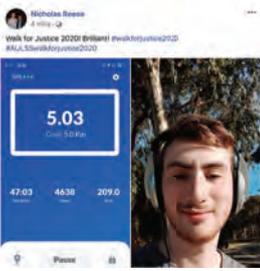


THE UNIVERSITY  
of ADELAIDE



The College  
of Law





# FRIENDS OF JUSTICENET

Friends of JusticeNet make a monthly tax-deductible donation to support the work of JusticeNet SA. The contribution made by our Friends of JusticeNet provides us with reliable income that helps us plan effectively and deliver services more efficiently.



## FRIENDS OF JUSTICENET AMBASSADOR THE HON. ROBYN LAYTON QC AO

“For those in our community who cannot afford a lawyer, legal problems can have far-reaching consequences on their dignity, well-being and financial security. I know how important it is to have expert legal advice, and I am proud of the work done by the members and supporters of JusticeNet to assist those who cannot afford legal advice or representation. As a ‘Friend of JusticeNet’, I

know that I am helping to ensure the long-term future of this service. I encourage you to join me in making a monthly donation that will assist JusticeNet to continue its important work in facilitating access to justice in South Australia.”

## THANK YOU OUR GENEROUS DONORS IN 2019 / 2020

Trevor Atkins  
Ruth Beach  
David Bleby  
Kieren Chester  
Janet Cheung  
James Crisp  
Jennifer Duncan  
Frank Eberhard  
Dianne Gray  
Dianne Gray  
Dianne Greasly

Rose Lagoon Williamson  
Robyn Layton QC AO  
Christopher Legoe QC AO  
Karen Lehmann  
Nick Linke  
James Marcus  
Susana Matute  
Shaun Mercer  
Sarah Millbank  
Patrick Morgan  
Greg Parker

Gillian Schach  
David Sedorkin  
Edward Shorne-Holden  
Debra Spizzo  
Paula Stirling  
Cameron Villarosa  
Renato Vosso  
Gillian Walker  
Caroline Warner  
Andrew Williams

# HOMELESS LEGAL DONOR CIRCLE



A visionary group of individuals who support the work of Homeless Legal. Their generous support, allows Homeless Legal to help some of the most vulnerable in our community.



## HOMELESS LEGAL PATRON THE HON. JOHN SULAN QC

The Honourable John Sulan QC has led a distinguished legal career. He has worked as a prosecutor locally and overseas, served as a Judge of the District Court of South Australia from 1997 to 2003 and Justice of the Supreme Court of South Australia from 2003 to 2016. In April 2019, John was appointed South Australia's Reviewer of the Independent Commission Against Corruption (ICAC). John is

recognised for his commitment to promoting multiculturalism and religious tolerance. He received a Governor's Multiculturalism Award in 2013. He is a member of the Festival Centre Foundation Board and the Judging Panel for the Governor's Annual Multicultural Awards. He is also Chair of Westside Lawyers, a community legal centre based in Hindmarsh.

# THANK YOU

## OUR HOMELESS LEGAL DONOR CIRCLE

### FOUNDING AMBASSADORS

Kieren Chester

Tom Cox QC

Julia and Marcus Dreosti

Chris and Kate Gray

Assoc. Prof. Bill Griggs AM

Christopher Legoe QC AO

Skip Lipman

Mark Livesy QC

Tom and Kate McFarlane

Alice Rolls

Josh Simons

John and Ali Sulan

Tania Sulan & David Bentley

James & Tiffany Young

### HOMELESS LEGAL MEMBERS

Mr Sam Abbott QC

Mr Arturo Dal Chin

Mr Ben Doyle

Mr Nick Floreani

Mr Carey Goodall

Mr Thomas Gray QC

Mr Andrew Harris QC

Mr Brian Hayes QC

Mr Alan Lindsay QC

Mr Mark Hoffman QC

Mr Brendon Roberts QC

Mr Ian Robertson SC

Mr Jonathon Wells QC

Mr Dick Whittington QC

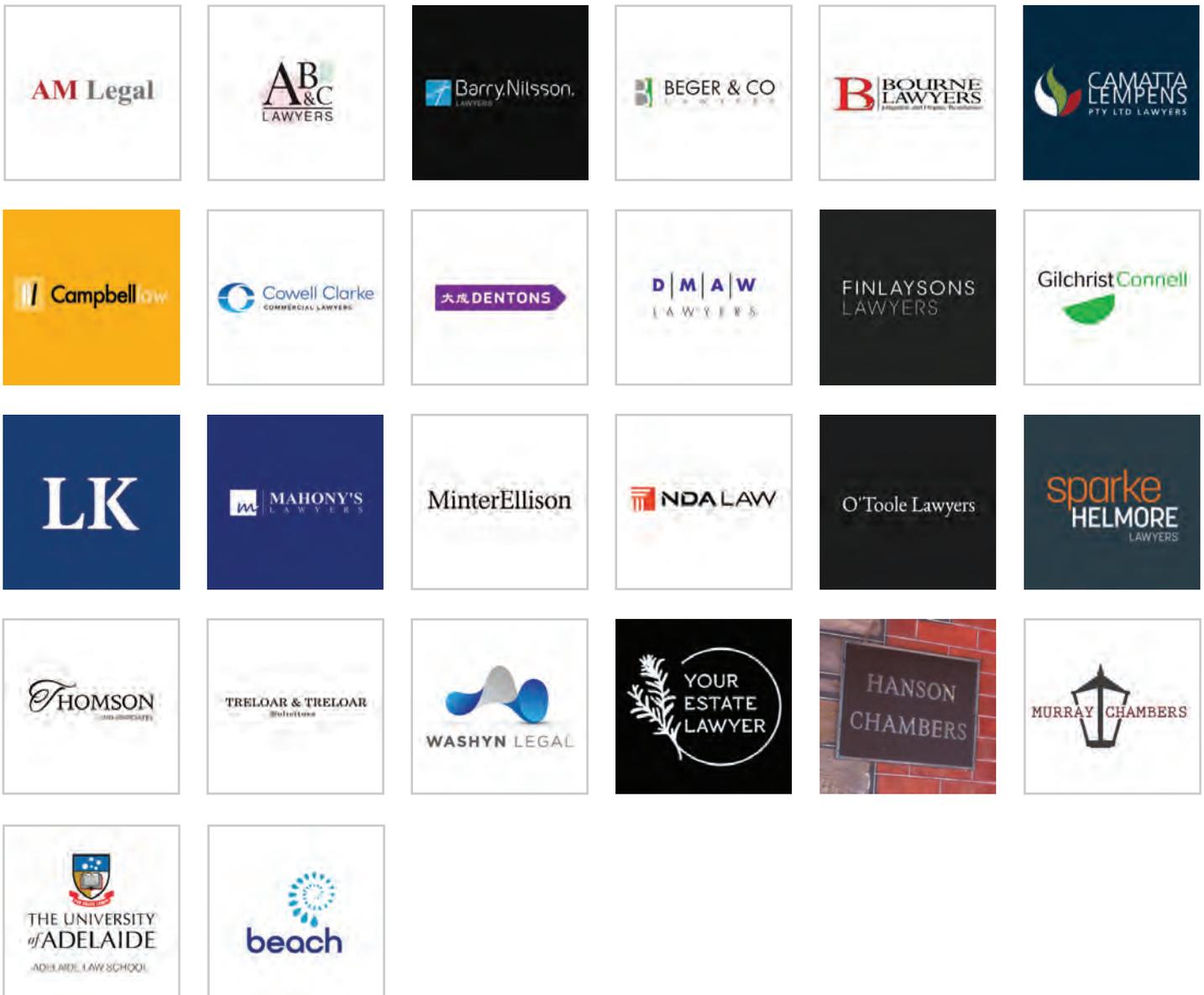
# THANK YOU

## TO OUR MEMBERS & SUPPORTERS



Our members are essential to the success of our services.

### CORPORATE MEMBERS



### LIFE MEMBERS

Cathrynne Lester

Patrick North

# INDIVIDUAL MEMBERS

Carolyn Mitchell  
Neville Morcombe QC  
Martin Anders  
Tim Graham  
Alison James  
Margaret Kelly  
The Hon Margaret Nyland  
Jonathan Wells QC  
Alex Reilly  
George Stathopoulos  
Tom Kidman

Kerry Clark  
Tania Sulan  
Hongmi Yun  
Lesley Hastwell  
Peter McClusker  
Geoff Muecke  
Despina Anagnostou  
Nicholas Salagaras  
Michael Wait  
Simon Bourne  
Gillian Walker

Alison Adair  
Rachael Gray QC  
Ruth Beach  
Nicholas Linke  
Josephine Battiste  
Katherine Eaton  
Leanne Larosa  
The Hon John Sulan  
Ms Penny Wright

## PROJECT FUNDERS



## MAJOR DONORS



## CORPORATE PARTNERS



### PRINCIPAL CORPORATE PARTNER

Support from the University of Adelaide Law School was instrumental to the establishment of JusticeNet SA in 2009. The Law School continues to support JusticeNet to this day as our Principal Corporate Partner.



## EVENT PARTNERS



# THE TEAM

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## STAFF

Tim Graham  
EXECUTIVE DIRECTOR

Jacqui Nuske  
ADMINISTRATOR

## FEDERAL COURT SELF REPRESENTATION SERVICE

Angela Hastings  
MANAGING SOLICITOR

Cassandra Altmann  
SOLICITOR

## PRO BONO CONNECT

Phoebe Richards  
MANAGING SOLICITOR

Molly Scanlon  
MANAGING SOLICITOR  
(Maternity leave)

Cassandra Altmann  
SOLICITOR

## HOMELESS LEGAL

Zoe Lewis  
MANAGING SOLICITOR

## VOLUNTEERS & INTERNS

JusticeNet is supported by committed volunteers including law students, recent graduates and retired and career-break lawyers.

# TREASURER'S REPORT



## Nick Anderson

**B.Acc, CA, MAICD**

JusticeNet recorded an operating profit for the year ended 30 June 2020 of \$171,688, largely resulting from Government support during COVID-19 (Jobkeeper and Cash Flow boost).

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 a newly established donor circle, together with generous support from the Day Family Foundation and Lipman Karas, has been a step forward for the organisation. The long term support from the Commonwealth 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 in-kind support from members and project partners. Particular thanks must go to the University of Adelaide Law School which provides accommodation for JusticeNet in the Ligertwood Building, Cowell Clarke and Lipman Karas.

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 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 lay ahead.

It is gratifying to note that the support of our members remains strong. On behalf of the Management Committee, I acknowledge the generosity 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](http://www.justicenet.org.au).

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

# CONTACT JUSTICENET

## PRO BONO CONNECT

General civil law and refugee & asylum seeker assistance

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

## Postal address

JusticeNet SA  
Ligertwood Building  
University of Adelaide SA 5005

## HOMELESS LEGAL

Legal help targeting homelessness

(08) 8313 0014  
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 only

## SELF REPRESENTATION SERVICE

Help with civil law matters in the Federal Courts

(08) 8410 2280  
1800 283 661 (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



[www.justicenet.org.au](http://www.justicenet.org.au)