

# Circle Green Community Legal

We help with legal issues

**Humanitarian • Tenancy • Workplace** 

## **Acknowledgement**

Circle Green Community Legal acknowledges the Australian Aboriginal and Torres Strait Islander peoples as the Traditional Custodians of the lands where we live, learn and work, and particularly the Whadjuk people of the Noongar Nation, who are the Traditional Custodians of the land where our office is located.

We acknowledge and respect their continuing culture and the contribution they make to the life of this nation, and we pay deep respect to Elders past and present.

Sovereignty has never been ceded. It always was and always will be, Aboriginal land.

## Our Reconciliation Journey

In April 2022, Circle Green proudly began to develop our first Reconciliation Action Plan (RAP) – our Reflect RAP.

By developing a Reflect RAP, Circle Green commits to implementing several strategic and sustainable actions over 12 months. The RAP will allow our organisation to take meaningful action to advance reconciliation and prepare our workplace for effective reconciliation initiatives in future RAPs.

Circle Green's purpose is **accessible justice** - to create a system, place, and space to ensure a safety net of best practice legal advice, education, and advocacy in our specialist fields.

We can only authentically work to achieve this if we honestly acknowledge our history and engage in reconciliation.

As we develop our RAP in consultation with Reconciliation Australia, we will continue reflecting on how we can meaningfully contribute to change, undertaking actions to strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders, increase our cultural competency internally and support staff and volunteers to participate in their personal reconciliation journeys.

Insights from our RAP Working Group:



#### Who We Are

Circle Green Community Legal is a community legal centre in Western Australia providing state-wide specialist legal services in humanitarian, family and domestic violence, tenancy, and workplace law aimed at assisting people who are otherwise disadvantaged in their access to legal services.

Circle Green Community Legal was formed by a merger of three established and reputable specialist community legal centres in Western Australia: the Employment Law Centre of WA, The Humanitarian Group, and Tenancy WA on 1 October 2020.

Circle Green is the first of its kind to achieve a merger of specialist, state-wide, not for profit, legal practices in Australia.



#### **Our Purpose**

Accessible Justice. To create a system, place, and space to ensure a safety net of best practice legal advice, education, and advocacy in our specialist fields.

#### **Our Values**

#### Fair and equitable

We are committed to creating access to legal advice, education and advocacy so human and social rights can be upheld.

#### Holistic

We deliver wraparound support that addresses people's needs to enable access to justice.

## Collaborate for change

We are stronger together.
We collaborate with our clients, staff, partners, and government. We welcome partners who create better access to justice and permanent solutions.

#### Regenerate

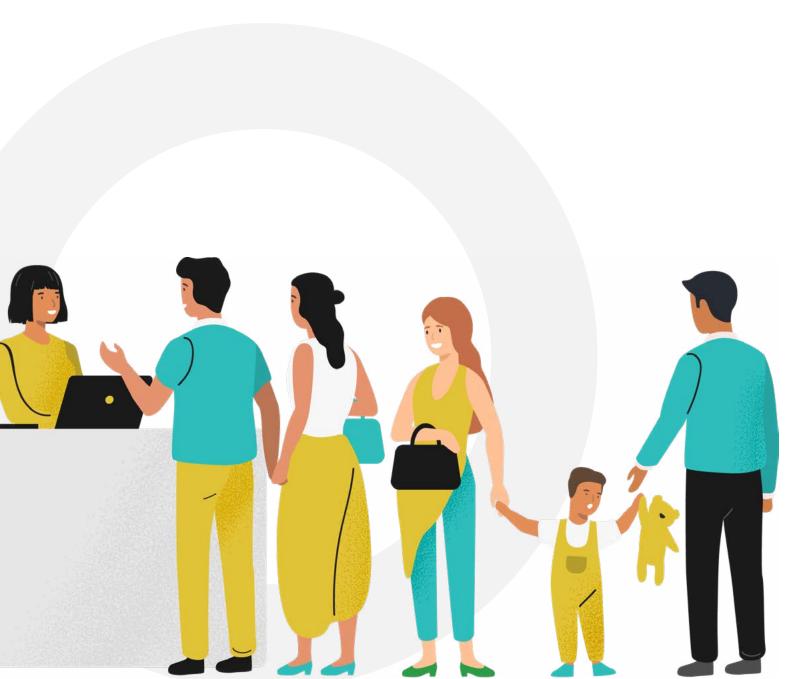
We create a support system for each other so we can create a better world.

## How We Help

We provide legal advice, further assistance, representation, duty lawyer services, outreach, community legal education, and advocacy.

In order to ensure we deliver lasting change in people's lives, our service delivery principles are

- Client focus
- Access to service
- Sustainable
- Accountable
- Flexible and apply discretion
- Strengths based
- Culturally appropriate
- Trauma informed
- Continuous quality improvement
- Staff satisfaction and well-being
- Responsive to community needs and emerging trends



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#### Message from our

#### Chair



Every year we reflect that we, the community legal sector, have never been more needed. While we sat shielded from the worst of COVID here in WA, the impact on those most vulnerable was enormous and with policy decisions that tested the communities appetite for Government control in the workplace, our services went into overdrive. Couple all this with a world lurching from one crisis or conflict to the next, we have been kept on our toes across all areas of our business.

But it is with both pride and respect that I can say it has been a year when the organisation has learnt to thrive. As a larger, more stable Community Legal Centre we have been able to weather uncertainty in funding in some areas of the business as we await Government policy decisions and we have provided our staff with a level of stability and job opportunity that we couldn't have done as three smaller organisations prior to our merger. And this has happened without losing sight of the specific knowledge and skills that sit within each specialist area of humanitarian, tenancy and workplace.

Our strategic planning process identified three critical pillars to continue to grow our impact

- being a best practice, responsive service informed by client need and experience evidenced by data;
- sharing and amplifying our impact as a critical part of the solution for social change; and
- committing to regenerative growth to ensure Circle Green is a sustainable and thriving organisation for both clients and staff

The shift you will see in the coming years is around how we measure our impact to improve service design and communicating that impact to build strong allies across WA and globally. There has never been a more important time for purpose driven organisations who can solve some of the most wicked problems facing society. This should see a continued broadening of our financial base with longer term funding partners, and a range of new partnerships from people and organisations that want to be part of the impact that we are striving for by having more accessible justice for those most in need.

I want to express our immense pride and gratitude to the dedicated and resilient Circle Green partners, volunteers, staff, leadership team and Board of Directors, who are so kindly supported by pro bono partners and funders. Thank you for being a part of the change for a better world and I feel so positive for our future as I step down from the Board in the coming months after over six years of service between The Humanitarian Group and Circle Green Community Legal.

With a sense of hope,

Emma Watton

Chair and Board of Circle Green



#### Message from our

#### **CEO**



Circle Green Community Legal is now firmly embedded in the WA community. We are committed to delivering responsive legal services and advocating for change to improve access to justice for people across WA.

During 2021-22 we experienced unprecedented high demand in our practice areas of humanitarian, tenancy, and workplace law. People seeking legal advice in relation to the Afghanistan crisis; the impact of the tight rental market with rent increases and evictions; and the impact of the mandatory COVID vaccinations on people's employment, facing stand-downs and job loss, together with the growing momentum of Respect@Work.

The Circle Green team forged on responding to this demand, creating new ways to deliver services, engaging with partner organisations, and actively advocating for change to unjust laws, policy, and infrastructure.

It meant Circle Green became a lead agency in several projects including the Workplace Respect Project; the Family & Domestic Violence Temporary Visa Pilot Project; the Afghanistan Evacuee Humanitarian Response in Western Australia; and the Make Renting Fair Campaign to name a few.

A highlight to end 2021 was the WA Tenancy Conference hosted by Circle Green Community Legal in partnership with Evolve Events in November 2021.

This year Circle Green also embarked on several organisationally strategic projects.

We proudly commenced our Reconciliation Action Plan Reflect journey and committed to implementing a range of reconciliation initiatives in our workplace starting in 2022.

We also created an outcomes measurement framework, achieved the Community Legal Centre's Australia Phase 3 National Accreditation, transformed our website, and expanded our office infrastructure.

Our stellar team of 42 staff (33.3 FTE), 66 volunteers, and 10 secondees have assisted 4,170 clients, provided 12,763 services, delivered 95 community legal and education activities, contributed to 61 law reform activities, and participated in 230 stakeholder engagements.

We look forward to working with the Circle Green Community Legal team to continue serving the WA community; sharing the stories, sharing the impact, and sharing the outcomes achieved for clients and community in the coming year.

With gratitude,

Sara Kane

CEO of Circle Green

## 4,170 Clients assisted

[ 10,550\* Individuals assisted ]

#### **Our Clients**



63% Identify as female



8% Under 25



**5.5%** 65 years and over



**71%** Experiencing financial disadvantage



**4%** Identify as Aboriginal or Torres Strait Islander



**18%** CaLD background/ Main language not English



**8%** Living in Rural, Regional and Remote areas



**19%** Living with disability



**5%** Experiencing homelessness



**4%** Experiencing family and domestic violence (Family)



**9%** Experiencing family and domestic violence (Civil and Criminal)

#### **Our Services**

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**7,234** Referrals and information provided



4,912 Legal advices



200 Legal tasks



**46** Non-legal support services



208 Duty Lawyer services



9 Court/Tribunal services



**154** Representation cases



**95** Community legal education and education activities



**61** Law and legal services reform activities



**230** Stakeholder engagement activities

## Measuring our Impact

In 2021-22, Circle Green commenced an evaluation and outcomes measurement project to develop an Outcomes Measurement Framework to understand client needs and experiences, inform service design and delivery, and determine the impact of services on our clients. We gathered initial outcome insights and intend to pilot data collection mechanisms in 2022-23.

#### **Objectives**

- Provide best practice legal advice to clients
- Advocate for clients who could not otherwise receive legal help
- Deliver legal education sessions for members of the community
- Refer clients to appropriate services to best service their needs

#### **Outcomes**

Improve access to justice; knowledge of legal matters & issues; client confidence in dealing with legal issues.

- 1. Access to justice
- 2. Expectations
- 3. Knowledge and understanding
- 4. Empowerment
- 5. Holistic
- 6. Satisfaction



#### **Access to Justice**

Clients have increased access to justice, to information on their legal issue, capability to obtain legal help, seek advice early, legal issue prevented, receive the right service from the right place

Access to Justice is Circle Green's key strategic focus.

Circle Green invests significant financial and human resources in the intake and triage stage of our service model to respond to as many inquiries for legal assistance as possible.

Our varied intake model demonstrates our commitment to accessible justice. People can request access to our services online via webforms, telephone, in-person, and outreach.

In 2021-22 Circle Green received and

responded to

7,147 online requests for legal assistance in relation to workplace and tenancy issues.

We provide in-person intake where the client has accessibility issues affecting their ability to engage with our service online or by telephone.

We provide free access to interpreters where needed.

#### Clients:

Client stated that the service we provide is amazing and that the fact that she could receive advice in her first language was a relief and made her feel supported.

Been amazing, didn't expect to get any help and has been so nice to get the call. Easy and super helpful.

#### **Expectations**

#### Clients understand what to expect from the service

Circle Green has a step-by-step process of what to expect when contacting our service on our website.

We communicate with our clients at each step of their intake and triage process and regularly seek feedback on their experience to help inform our service delivery.

We sought lived experience input in the design of the Circle Green website and will create a Lived Experience Advisory Panel to inform the Workplace Respect Project.

Further, we will be inviting clients to join a Lived Experience Group to review and inform our overall service design.

#### Clients:

All the information that I need. All I could ask for.

Thank you very much. You have exceeded my expectations with the time you have put in. You were very conscientious

#### **Knowledge and Understanding**

Clients have more knowledge about legal matter and processes; understand the legal issue; know options for resolving; and where to go for help

Circle Green invests in upskilling staff to provide more comprehensive advice and further assistance to clients, including drafting documents, preparing court paperwork and negotiating with other parties.

#### Clients:

Covered everything clearly; communicated what I needed to know and in a way that I have a clear direction as to next steps to take.

I know now where to go and what to do.

You have helped me so much! Really got me on the right track.

All the information that I need. All I could ask for.

Fantastic service, everything has been really clear. My situation is a lot less confusing now.

#### **Empowerment**

Clients confidently make informed decisions and take action

Clients often share they are more empowered after receiving comprehensive legal advice. Clients report they have increased confidence to implement the legal advice.

#### Clients:

Client said "Thanks so much for all your help" and said that after receiving the advice, "I feel a bit stronger" and "I've got some direction now."

Satisfied with advice - will attempt to negotiate with landlord about rent reduction.

Very grateful I got someone to talk to. You made me feel a bit better.

I was looking for confidence and guidance, and you really gave me that.

#### **Holistic**

Clients receive targeted and appropriate referral pathways to and from other support services

Circle Green receives referrals from community and support workers enabling us to work together to provide legal and nonlegal support services without the client having to re-tell their circumstances.

Circle Green provides case management support for our clients with complex legal and non-legal matters. We provided **46 support services in 2021-22** including accessing emergency accommodation, food, childcare, and household items.

We hope to enhance this offering in 2022-23 with the engagement of a Case Worker in partnership with Ruah Community Services.

#### Client:

You were lovely to deal with and willing to help in between a grumpy baby and not everyone is able to handle that as well, and I appreciate it.

#### Satisfaction

Clients feel listened to and feel understood, and are satisfied with the service received

Circle Green invited clients who had received workplace (95%) and tenancy (5%) related legal advice to participate in a feedback survey.

The purpose of the survey was to enable Circle Green to gauge levels of client satisfaction, identify client pain points, and obtain any other feedback deemed relevant by the client.

84%

of clients were very satisfied with our service 16% were satisfied

#### Clients:

I was blown away with the service. [Staff member's name] was phenomenal.

Very professional and informative and very thorough.

Honestly, you went above and beyond. It was great. All the interviews are all on time, the people in the office were great with the emails.

Very impressed; timeliness of communications and follow up has been excellent.

#### **Impact**

Client went on to pursue further action

Client received a favourable outcome after pursuing further action

A family reunion client credits Circle Green with making his "dream come true."

#### Client:

"Only God almighty can reward [Circle Green] and all her staff for the incredible support they gave me and my family and made it possible for us to be together again.



#### **Our Service Areas**

### **Humanitarian**

Circle Green Community Legal provides professional and accessible legal migration advice, assistance and education to people new to Australia from Culturally and Linguistucally Diverse (CaLD) backgrounds who are otherwise disadvantaged in their access to legal services. Our Humanitarian service works to empower vulnerable people in a way that embraces diversity and strengthens communities.

#### How we help

We help **CULTURALLY & LINGUISTICALLY DIVERSE** people with:

- Protection visas (permanent and temporary)
   These visas are issued to people outside of their home country who cannot return home because they are at risk of persecution or serious human rights' violations.
- Family and domestic violence
   We assist permanent and temporary visa holders
   experiencing family violence and assist with
   related legal matters.
- Family reunion

When people are forced to leave their home country due to a fear of persecution or serious human rights' violations, they are often separated from their family who may still be in serious danger. We work with these people to help reunite them with their families.

Specialist immigration legal assistance (general legal and complex matters including modern slavery)
 We work closely with people from culturally and linguistically diverse backgrounds seeking general legal advice and complex matters which are not visa related but intersect with a visa matter.

#### Community Legal Education

We value an inclusive community where people new to Australia understand their rights and are treated with equality and dignity.

#### **Outreach Services**

#### Asylum Seeker Hub (ASH)

Tuesdays, 2 - 5 pm

The service attends the Asylum Seeker Hub (ASH) at Riverview Church in Burswood together with other services to provide migration advice to asylum seekers and refugees.

## Detention Advice Line (DAS)

Thursdays, 1 - 3 pm

We provide assistance for people in prison or detention with migration, visa cancellation and asylum seeker matters.

Callers include detainees from Yongah Hill, Perth Immigration Detention Centre and WA prisons.



#### **Our Humanitarian clients**

This year, our Humanitarian team assisted people from 59 different countries. The top 14 countries of origin were:

**Afghanistan** Democratic Myanmar Republic of **Eritrea** Iraq the Congo **Ethiopia** Malaysia India Sri Lanka Somalia **Syrian Arab** Iran Venezuela Republic **Pakistan** 

## Afghanistan Humanitarian Response

Circle Green assisted those who were evacuated from Afghanistan via Kabul airport in August 2021 or subsequently and arrived in Australia on a Temporary Humanitarian Concern visa (sub class 449) to resolve their temporary visa status. Most of this cohort were able to apply for a permanent Refugee and Humanitarian visa (sub class 201) which involved strict application timeframes. Others required advice or assistance to finalise visa applications lodged before their arrival in Australia.

## We have assisted over 200 evacuees to become permanent residents since the Home Affairs application process began February 2022.

The Australian Government has committed to everyone who has arrived in Australia from Afghanistan under this process that their uncertain visa status will be resolved by the end of November 2022. The Humanitarian team with the support of a secondee from Norton Rose Fulbright are well placed to meet this deadline with only a few clients waiting to be granted their permanent visa. We have assisted many of those separated from their immediate family members to apply to be reunited under our Family Reunion service.

It has been a difficult and often confronting challenge for the team to support our clients many who were further traumatised by the evacuation process. However, the swift resolution of many refugees' visa status is a wonderful example of what can be achieved with a co-ordinated and collaborative between specialist legal migration services, Home Affairs, and local settlement services, like the Red Cross.

#### **Fatima's Story**

Fatima\* came to Circle Green in the weeks following the fall of Kabul to the Taliban in August 2021. She sought help for her siblings who were in Kabul.

Her entire family worked in the Afghan National Police (ANP), or Afghan National Army and her eldest brother worked in the anti-Taliban taskforce.

Despite the challenge of navigating continuous and rapid changes to processes and essential information, Circle Green assisted Fatima in lodging visa applications for her family and requested urgent review through the Department of Foreign Affairs and Trade (DFAT) and her local Federal Member of Parliament.

Fatima's brother managed to leave Afghanistan and is living as a refugee in another country. Unfortunately, the Kabul airport bombing effectively put an end the airport evacuations before Fatima's other family members were granted visas to allow them to leave. Circle Green assisted Fatima to respond to multiple requests for further information to progress her application. We hope Fatima's family will be able to join her in Australia soon.

## 40th Anniversary of the United Nations Voluntary Fund for Victims of Torture



The United Nations Voluntary Fund for Victims of Torture (UNVFVT) celebrated its 40th anniversary in 2021-22. The Humanitarian team has received grants from the fund since 2004. As part of the UNVFVT celebrations, Circle Green was invited to submit a profile and message from our organisation and a survivor who we have assisted. This was published on the UNVFVT website with 40 other grantees.

In the past year, Circle Green was able to help 451 other victims of torture, made possible due to the financial support of the United Nations Voluntary Fund for Victims of Torture.

### 40th anniversary of the United Nations Voluntary Fund for Victims of Torture

Share (7 0 6





#### Krishna Somers Humanitarian Settlement Project

Our family reunion work is named after the late Dr Krishna Somers who, as someone who had fled conflict himself, had a special interest in supporting legal assistance to refugees, asylum seekers and victims of human rights abusers, as well as dispersed migrant issues. The need to provide family reunion assistance and our ability to respond has never been more compelling considering the number of humanitarian crises over the last year and this bequest has allowed us to respond to this increased need.

Since our borders have re-opened, our team prioritised 'split family' applications for Afghans granted a permanent humanitarian, sub class 201, visa and for people resettled via UNHCR, the UN Refugee Agency.

#### **Daria's Story**

Daria\* was experiencing family and domestic violence from her partner who was also the sponsor of her Partner visa. She was being helped by Multicultural Women's Advocacy & Support and was concerned that if she separated from her partner, she would be required to leave Australia, the place where she had lived for over 10 years, had established friends and was successful in building a career.

Circle Green provided Daria with advice and her visa options which empowered her to enact her safety plan and separate from her partner. Circle Green advised her regarding her ability to apply and obtain a Family Violence Restraining Order and represented her with the Department of Home Affairs to obtain permanent residency under the family violence provisions.

Daria was successful in obtaining permanent residency and is living safely in Australia.

#### **David's Story**

David\* was a crew member of a freight ship.

There is a civil war in his home country, and he is from an area in the middle of the conflict.

David's father was a politician and was killed in 2021 due to this. Subsequently, David received a death threat as his eldest son.

Circle Green assisted
David to lodge a
protection visa and are
representing him for
his application for a
permanent protection
visa.

Applications are currently taking a long time to process. Circle Green will help David engage with other support services during this time.

\*Client's real names have not been used in case studies. We have withheld our clients' identifying details to protect and respect their confidentiality.

#### **Emerging Trends**

- Responding to the Afghanistan humanitarian crisis dominated our Humanitarian service during 2021-22.
- There was significant pressure towards the end of financial year to exhaust the unallocated humanitarian visas available. Following the large number of permanent humanitarian visas granted to the Afghan cohort there is a new surge in demand for family reunion. This is for immediate family members who were separated during the evacuation process and extended family members.
- Circle Green welcomes the government's pre-election commitment to dismantle the temporary protection framework as well the government support of major legislative and policy reform for temporary visa holders within the visa framework.
- We continued to engage as a key stakeholder with the Department of Home Affairs regarding priority areas of reform.
- Increase in queries from people recently arrived in all areas of our service since the full opening of the international and Western Australian borders occurred in April 2022.
- Increased awareness of immigration issues impacting temporary visa holders within the Family and Domestic Violence (FDV) networks. We increased non-legal engagement with support services during this period to advise how best to assist clients in this cohort.
- Heightened scrutiny of citizenship applications through technology and cross-referencing information by the Department of Home Affairs. This led to more complex and adverse information being presented to applicants from CaLD backgrounds and predominantly refugees who, for various reasons, lack documentation from their home country.



## **Tenancy**

Circle Green provides legal services to residential tenants across Western Australia including a state-wide telephone advice service, further assistance and casework, and a duty advocacy service at the Perth Magistrates Court. As the Central Resource Unit of the Tenant Advice and Education Services program, we deliver community legal education and professional development activities for lawyers and tenancy advocates and lead law reform advocacy on behalf of the WA Tenancy Network.

#### We help people living in:

- Private rentals (renting through real estate agent or private landlord)
- Public rentals (renting through government housing department – the Housing Authority)
- Community housing (renting through community housing provider or specialist housing provider)
- Boarding, lodging or other accommodation
- Long-stay caravan parks

#### We help with issues including:

- Bond disputes
- Rent increases
- Break lease enquiries
- Termination or eviction from rental properties including advice on court process
- Maintenance and repairs
- Privacy, safety, and security in rental properties

#### How we help:

### Statewide Telephone Advice Service

Legal advice provided to residential tenants, boarders, lodgers, and long-stay caravan park residents.

#### **Further Assistance and Casework**

Discrete and ongoing advocacy, negotiation, and representation for eligible tenants.

#### **Duty Advocacy Service**

Advice, advocacy, and limited representation for tenants at the Perth Magistrates Court on Wednesdays and Thursdays every week.

#### **Community Support Worker Hotline**

Legal and technical advice to tenant advocates, tenancy lawyers, and other community workers who work with and support tenants.

#### **Community Legal Education**

#### Law reform and advocacy



#### Impact of moratorium and rental stress

In response to the COVID-19 pandemic the State Government introduced a moratorium on rent increases and most evictions from rental properties. The moratorium ended in March 2021. As expected, this was followed by significant rent increases at most rental properties, and a considerable upswing in the numbers of residential tenancy agreements being terminated by landlords during 2021-22.

It was a time of uncertainty for all stakeholders in the rental market. Through this period, Circle Green helped tenants to navigate the changed landscape through provision of legal advice and by producing fact sheets about the end of the moratorium.

It was hoped that this change in the rental market would be a brief anomaly before a return to the 'status quo'. However, for more than a year now, rents have persistently increased at very high speeds, and the rental vacancy rate has remained at record lows. Western Australia is experiencing simultaneous crises of rental affordability and rental supply.

It has been saddening to hear the experiences of our clients through these rental crises. Tenants that, prior to these crises, had relatively secure tenure – for example, those with high incomes living under fixed term lease agreements – now often find themselves unable to assert their rental rights for fear of being required to vacate, and having to compete for the few rental properties available. Tenants that do not have high incomes are now often priced out of the rental market. They are left with no accommodation options and often face homelessness.

As a provider of legal assistance to tenants, one of Circle Green's main roles is to advise tenants of the options they have to resolve their legal problems.

During this rental crisis, the options we can offer our clients are usually severely limited.

There is no clear or fast path to increasing the state's net supply of rental accommodation. There appears to be consensus across the housing industry in favour of building new housing stock, including social housing stock. However, shortages in the building industry mean that any meaningful increases in new housing stock will take years to come to fruition. Further, increasingly, owners of residential properties prefer utilising their properties in the lucrative short-stay holiday accommodation market, rather than in the longer-term residential rental market.

Through this rental crisis, Circle Green will continue to advocate strongly for reform of Western Australian residential tenancy laws, and for our individual clients.





#### [Tenancy Advice Line]

#### Johnathon's Story

Johnathon\* sought help from Circle Green because he received a without grounds termination notice, requiring him to give up vacant possession of his rental property in 60-days.

Johnathon was completely shocked when he received the notice and didn't know what to do. He had been living in his rental property for three years and did not have anywhere to move to when the notice was due to expire.

Circle Green advised Johnathon that the notice of termination does not in itself terminate his tenancy agreement.

Johnathon was relieved to know that he did not have to move out on the date set out in the notice and left the appointment with an understanding of his rights to continue living in the property, and the correct process the lessor must go through to validly terminate the agreement and carry out an eviction.

#### [Duty Advocacy Program]

#### **lan's Story**

lan\* presented at court with the understanding that the Housing Authority was seeking to terminate his residential tenancy agreement. He understood that the Housing Authority had, for some time, taken issue with the state of cleanliness of the property. He did not have any documents with him and did not have anywhere to move to if evicted.

Circle Green advised Ian on several different grounds that the Housing Authority might seek to rely on to terminate his residential tenancy agreement, and some arguments he might use to seek that the agreement is not terminated.

Circle Green assisted Ian to negotiate with the Housing Authority, where it became clear that the Housing Authority's main issue was the state of cleanliness of the property and Ian having a history of methamphetamine use.

The Housing Authority agreed that termination orders would be suspended to give the client time to enter a rehabilitation program and would offer Ian new housing upon completion.

Ian was grateful for the advice and was given some contact details to arrange entering a rehabilitation program. He went together with the Housing Authority into the hearing to make orders by consent.

#### [Community Support Worker Hotline]

#### Silvia & Mei-Ling's Story

Silvia\*, a community support worker at a women's refuge, wanted to know how her client, Mei-Ling\*, could find out whether she was listed on a Residential Tenancy Database (RTD).

Mei-Ling had been on a tenancy agreement with her violent ex-partner who had damaged the premises. The lessor had successfully applied to court to terminate the lease for damage. Mei-Ling had not left a forwarding address because of fear that her expartner would find her again. She was concerned about her potential to secure a rental in future.

Circle Green advised that Mei-Ling could contact the real estate agent, or Silvia could do so on her behalf, explaining why she didn't leave a forwarding address, and give one now (e.g. c/o the women's refuge or PO Box), and ask if she is listed on any database.

Silvia was satisfied and grateful, knowing she could ask for further advice from Circle Green regarding application for listing removal if required.

#### **Emerging Trends**

- The continued impact of a tight rental market and housing crisis in 2021-22 resulting in tenants unable or unwilling to enforce other rights due to the threat of eviction without grounds.
- Increase in boarding and lodging arrangements and people living in other tenuous and insecure arrangements, many of which are unprotected by the current legislation.
- Through summer months, an increase in the number of people seeking legal advice about adequate cooling, including obligations around air conditioners, the energy efficiency of rental properties, and health-related concerns with overheating.
- Through winter months, an increase in the number of people seeking legal advice regarding mould, leaks and inadequate insulation.
- Negotiating with private lessors and agents in relation to the gaps in the provisions of the Family and Domestic Violence protections in the Residential Act, tenants are not further victimised as result of poor practices.
- Increased need for systemic advocacy in relation to a range of public housing issues, including policies around historic debts, income eligibility, and conduct of matters at court by the Housing Authority in the context of model litigant obligations.

<sup>\*</sup>Client's real names have not been used in case studies. We have withheld our clients' identifying details to protect and respect their confidentiality.

## Workplace

Circle Green is the only community legal centre in WA which has a specialist workplace law practice that provides state-wide employment and workplace discrimination law services to non-unionised vulnerable and disadvantaged WA workers.

Our workplace law services include legal advice, case work, advocacy, and education on state and federal employment and workplace discrimination laws.

Circle Green has first-hand experience and expertise in providing legal assistance across a range of laws and jurisdictions to help vulnerable WA workers address workplace discrimination.

## We help people who have issues at WORK including:

- Unfair dismissal
- General protections
- Unlawful termination
- Redundancy
- Forced resignation
- Suspension and stand down
- Discrimination and equal opportunity
- Sexual harassment
- Workplace bullying
- Occupational safety and health
- Employment contracts
- Unpaid wages or underpayment
- Unauthorised deductions
- Minimum conditions of employment
- Misleading conduct in relation to employment
- Sham contracting

#### How we help:

#### **Telephone Advice Service (TAS)**

Free and confidential 30-minute telephone advice appointments.

High-quality, tailored legal advice on rights and options.

This is the most common type of workplace legal assistance we offer.

#### **Evening Legal Service (ELS)**

Our Evening Legal Service operates after hours on Tuesday evenings and offers 45-minute appointments by telephone or in person by volunteer / pro bono lawyers who have considerable experience in workplace law.

#### **Extended Advice Service (EAS)**

We also provide extended 1-hour appointments for more complex or serious workplace issues delivered by telephone, videoconference, or in person.

#### Legal casework

Further legal assistance with preparing legal letters, claim forms, and other documents. Legal casework services are targeted at low-income workers with meritorious matters.

#### Legal representation

Legal representation with legal claims or processes and disputes. Our legal representation services are targeted at low-income workers with meritorious matters.

Priority areas include workplace sexual harassment and sex discrimination, state system employees, serious breaches of the National Employment Standards / general protections.

#### Information and referrals

Free legal information and referrals including:

- Referrals to other legal and non-legal services;
- Online resources on common workplace law issues and claims;
- Private solicitor list of workplace lawyers who assist WA workers; and

 Helpful links to other workplace related services.

## Community Legal Education

Law Reform and Advocacy



## Partnering with the Western Australia Industrial Relations Commission and Industrial Magistrates Court

Commission and Court facilitated conciliation remains an important tool for the early resolution of legal issues in workplace laws. These processes reduce the burden on overworked judicial and quasijudicial bodies while also increasing access to justice for individuals who might struggle with the complexity and cost of a final determinative hearing.

In 2021-22, Circle Green continued to partner with the Western Australia Industrial Relations Commission (WAIRC) to deliver information sessions to applicants and respondents at the WAIRC to help them prepare for conciliation conferences.

These sessions provide a level of comfort for apprehensive participants but more crucially, they emphasise the value of early settlement and increase the likelihood of a resolution to their dispute, effecting a discontinuance of the matter and the preservation of WAIRC resources.

We focus on conciliation but also briefly cover legal content, to help flag potentially unmeritorious claims, and particularly those that might have been lodged in the wrong jurisdiction. The presentations also conclude by providing avenues for legal advice to

participants. This helps avoid baseless claims but also assists participants to improve the quality of their claims, with both processes increasing the efficiency and cost effectiveness of the WAIRC.

The realities of COVID-19 necessitated that these sessions be available online. Circle Green and the WAIRC worked together to seamlessly continue the sessions in hybrid format – with participants given the option to participate in-person, online or over the phone. The online option is likely to remain post-pandemic to increase accessibility to potential participants with mobility issues, in remote locations or who otherwise might struggle to attend in person.

The program was also expanded, for the first time, from the WAIRC to the Industrial Magistrates Court (IMC). These IMC sessions are to have a similar focus as those conducted in the WAIRC. They will prepare parties for pre-trial conferences before the Clerk of the Court in relation to unpaid minimum entitlements claims; and employee protection claims (after the commencement of state industrial relations reforms).

#### COVID-19 workplace impact and response

Circle Green experienced very high demand for our workplace law services in relation to COVID-19 vaccinations from October 2021 to March 2022, as state public health directions requiring WA workers to be vaccinated to attend certain worksites were announced, implemented, and then deadlines came into effect. Workers who remained unvaccinated were often unable to attend work and faced stand down / suspension or dismissal by employers if they failed to comply.

Circle Green continued to develop its service delivery model to create efficiencies allowing us to absorb the additional demand generated by COVID-19.

Pro-bono resources were also leveraged to manage overflow where necessary. In December 2021 and January 2022, Circle Green engaged five law firms (Herbert Smith Freehills, Corrs Chambers Westgarth, Mills Oakley, MDC Legal and Adept Legal Solutions) to provide pro bono legal assistance to clients to meet increased demand from workers for legal advice in relation to workplace COVID-19 vaccination requirements. In total about 25 pro bono referrals were made, which helped manage incoming demand during a busy period.

Appointment wait times were kept below two weeks, despite increased demand due to COVID-19 vaccination workplace mandates (compared to four-to-five-week appointment wait times during some periods in early 2021).

Legal staff developed expertise rapidly in relation to novel and emerging COVID-19 employment law issues. Internal professional development and the updating of our internal knowledge resources allowed for disparately absorbed expertise to be disseminated over the whole team.

#### **Workplace Respect Project**

Circle Green is the lead agency delivering the Workplace Respect Project which is a Commonwealth Government-funded response to the Respect@Work Report.

The 2020 Respect@Work report revealed 33% of people in the workforce had experienced sexual harassment between 2013 and 2018, with women, young workers, Aboriginal and Torres Strait islander people, LGBTQI workers, workers with disability, migrant workers, and CaLD workers disproportionately experiencing sexual harassment at work.







**87%** 

of clients seen by Circle Green for workplace sexual harassment during this period were female. More than 49% of clients were under 35

More than **25%** came from a CaLD background.

In 2022, Circle Green successfully onboarded a Project Manager and Project Support Officer. Alongside project staff, a diverse group of nine Lived Experience Advisory Panel (LEAP) members has been selected as a key mechanism to provide valuable expertise and unique, intersectional insight into project resources in development.

The Workplace Respect Project seeks to achieve the following outcomes:

- Prevalence and nature of workplace sexual harassment and discrimination in Western Australia is identified, understood, and monitored.
- Legal advice and support services are integrated, responsive, and delivered for people experiencing workplace sexual harassment and discrimination.
- Increased community, workplace, legal profession, and individual knowledge of, and skills to respond to workplace sexual harassment and discrimination enabling safe and meaningful workplaces.
- Sex discrimination and workplace legislation that protects workers and fosters safe workplaces.



#### **Project Objectives**

- Identifying current or emerging legal need
- Developing responsive intake pathways
- Delivering legal advice and legal assistance services
- Developing pro-bono resources
- Capacity building within the legal assistance sector
- Undertaking project outcomes measurement

#### Key achievements and progress

- Undertook scoping activities to inform our community education and training activities.
- Developed and delivered legal training on sexual harassment, discrimination, and gendered violence at work.
- Engaged Curtin University to undertake a literature review to inform bystander training development.
- Engaged the University of Western Australia's Centre for Social Impact to undertake legal need research and conduct project evaluation.
- Engaged and collaborated with a range of stakeholders to promote consistent and mutually reinforcing messaging regarding workplace sexual harassment and discrimination.
- Provided world class legal assistance to people experiencing workplace sexual harassment and discrimination.

#### **Next Steps**

In the next financial year, the Workplace Respect Project will focus on:

- Developing and launching a Workplace Respect Project webpage.
- Formally onboarding and regularly meeting with Lived Experience Advisory Panel members.
- Developing and delivering Bystander Intervention training and resources.
- Continuing to assess and respond to the training needs of other community legal centres and Nongovernmental Organisations (NGOs).
- Delivering community legal education (particularly in regional areas).
- Collaborating with CLCs and other NGOs for greater impact.

#### Sally's Story

Sally\* was pregnant and living in employer-provided accommodation when her workplace became subject to a public health direction requiring COVID-19 vaccination. Sally was hesitant to get vaccinated in the early stages of her pregnancy due to the risk of miscarriage, but her employer told her that she would be dismissed if she wasn't vaccinated by the relevant deadline.

Sally contacted Circle Green seeking advice on her rights and options in these circumstances after being referred by the Fair Work Commission. Sally was concerned about being left without a job and homeless while pregnant if she didn't comply with the vaccination direction by the deadline.

Circle Green provided Sally with clear, pragmatic telephone advice in relation to the vaccination direction and potential dismissal, as well as an urgent internal referral to Circle Green's Tenancy team. Sally also received advice on her tenancy rights in the event that her employment was terminated. Sally stated she was very satisfied with the service she received from Circle Green.

#### **Martine's Story**

Martine\* worked as a permanent fulltime employee at a large charitable organisation. She had received her first two COVID-19 vaccinations in line with public health directions for her workplace. However, Martine had just been diagnosed with a serious medical condition about a month before she was required to receive a third booster dose.

She wanted to get specialist medical advice prior to getting this vaccination and informed the employer of her circumstances, including providing a letter from her GP recommending this course of action. Martine requested to take unpaid leave until she could get specialist medical advice. The employer initially agreed, but after a week of unpaid leave, the employer dismissed Martine via email.

Martine was told about Circle Green's Workplace law services by a friend. Circle Green provided Martine with a telephone advice service appointment on her rights and options in the circumstances. Martine was very satisfied with Circle Green's advice and indicated it had helped her navigate her workplace issue.



#### **Dariush's Story**

Dariush\* is an employee from a culturally and linguistically diverse background, who arrived in WA on an employersponsored temporary skilled migration visa with his dependent partner. When he arrived, his role and employment conditions were different from what was agreed in his employment contract. Dariush was directed to work in a factory and required to perform unskilled manufacturing and labouring tasks. The employer also asked Dariush to pay back some of his wages to cover their costs of bringing him to WA and asked for his passport. When Dariush refused, he was subjected to verbal harassment and intimidating behaviours by the employer.

Dariush feared for his safety when he decided to approach Circle Green for assistance. Circle Green's Workplace and Humanitarian streams immediately recognised several indicators of human trafficking and modern slavery, so were able to work together to assist Dariush in relation to his workplace and migration rights and options. Circle Green also provided the client with information and referrals in relation to modern slavery and human trafficking, including community support services available.

#### **Emerging Trends**

- COVID-19 vaccination workplace mandates were a key issue for employees in 2021-22 including, employer directions, stand downs, dismissals, discrimination, compliance, and rights.
- More workers experiencing workplace sexual harassment wanted to take legal action to address this issue compared to prior periods.
- Many workers sought advice on their right to flexible working arrangements during COVID-19 lockdowns, post-vaccination mandates and emerging out of the pandemic.
- Significant increase in resignation-related issues, reflecting what was coined by media outlets as 'the great resignation'. Many workers faced retaliatory action after resigning such as employers withholding termination entitlements and seeking to prevent workers pursuing new opportunities by taking action to enforce unreasonable contractual restraints.
- A higher proportion of workers than usual felt forced to resign their employment or that they were being constructively dismissed by their employer many due to COVID vaccination mandates.
- Vulnerable WA workers continued to need legal advice on their employment contracts especially worker who were unsure if they were employees or independent contractors after recent High Court decisions and media attention in this space.
- Workers continue to experience wage theft issues with underpayments and not receiving minimum entitlements.
- Over a third of workers Circle Green assisted in this period were in insecure work, such as casual or fixed / maximum term employment.
- The dual system of employment laws in WA is consistently a source of confusion for many workers in Western Australia.
- Long awaited state industrial relation law reforms came into effect on 20 June 2022 and significantly changed the landscape for state system employees. Circle Green continues to help WA workers to understand and navigate the new laws.
- 45% of workers accessing Circle Green's Workplace services indicated they had little to no understanding of workplace law in WA.

<sup>\*</sup>Client's real names have not been used in case studies. We have withheld our clients' identifying details to protect and respect their confidentiality.

## **Community Legal Education**

## **95** Community Legal Education and community education activities



In 2021-22, Circle Green provided tailored community legal education, training, and support to a range of groups including:

- Migrant workers and recently arrived migrants
- Temporary Protection Visa (TPV) and Safe Haven Enterprise visas (SHEVs), and Bridging Visa holders who arrived in Australia by boat
- People who were preparing for conciliation in the Western Australian Industrial Relations Commission or pre-trial conferences at the Industrial Magistrates Court
- Members of the WA Tenancy Network
- Vulnerable tenants or tenant groups
- Staff of other community legal centres, community services, not-for-profit organisations, and government agencies
- University law students
- Advocates and lawyers

While legal advice services continued largely uninterrupted by the COVID-19 pandemic, community legal education (CLE) delivery became difficult, particularly in relation to culturally and linguistically diverse communities, where online training is often not engaged in and is of limited effectiveness.

Circle Green used this natural break to pivot our CLE priorities towards the development of publications and particularly our online resources. This has proven to be a useful redirection of resources, given the unusually large amount of novel legal developments over the year, in relation to both legislation and case law.



#### New and expanding publications and resources:

- 29 Tenancy fact sheets, template letters and sample forms
- 6 plain English Tenancy related fact sheets
- 20 Workplace fact sheets
- 8 Workplace information kits
- A digital Q & A resource on COVID 19 vaccinations for WA workers
- Information resource for New Zealand Citizens Living in Australia: Pathway to Permanent Residency



## Set of Q & As on COVID 19 - vaccinations for WA workers

Circle Green developed a new digital education resource in the format of a "Q and A", called "COVID vaccination: Q&As for WA workers", which is available on the Circle Green website.

This type of resource answers simple questions that potential clients would have, avoiding the need for legal advice and freeing up legal advice services for more complex issues. To facilitate this efficiency, potential clients are asked to consider the resource as well as relevant government websites, as part of our intake process. The resource also provides information to a broad range of employees and employers who would otherwise be ineligible for our legal advice services.



Our "COVID vaccination: Q&As for WA workers" webpage received over **2,211** visits since its launch.

## WA Tenancy Conference 2021

#### **Reflecting and Reimagining**

The 2021 WA Tenancy Conference was held over two days on the 18 and 19 November at the Bendat Community Centre in Wembley, located close to the beautiful Njookenbooroo Lake on Noongar Wadjak country. The conference was hosted as a partnership between Circle Green Community Legal and Evolve Events, with the support of Lotterywest. The theme for 2021 was 'Reflecting and Reimagining', reflecting on the previous 12 months in WA tenancy law, and looking into the future. The conference was an interesting and engaging event which brought together a diverse range of people including lawyers, advocates, academics, government officials, consultants, and people with personal lived or living experience of renting in Western Australia. It provided a fantastic opportunity for discussion on emerging issues and collaboration about important tenancy issues and possible reform.

Day one of the conference kicked off with an incredible Welcome to Noongar Keiermulu by Noongar elder, Aunty Marie Taylor. We had speakers from a diverse range of backgrounds including Commissioner Gary Newcombe

(Commissioner for Consumer Protection) and the Hon. Amber-Jade Sanderson (then Minister for Environment, Climate Action, Commerce and Health) – both presentations involved a hearty Q and A session at their conclusion. Joanna Worthington, a housing and mental health advocate, had an impactful presentation on the lived experience of homelessness.

On day two, Dr Kylie Cripps (Senior Lecturer in the Law Faculty at the University of NSW) led an informative session about Indigenous family violence and housing, which provided many of the lawyers and advocates with specialist professional development knowledge. We had a robust plenary panel discussion with Alice Pennycott (Circle Green), Nick Mathieson (Anglicare WA), Iris Thomas (DMIRS), Trish Owen (lived experience advocate) and David Modolo (REIWA) exploring the longer-term impacts resulting from the COVID-19 pandemic. The Hon. Dr Bradley Pettitt MLC (Member for the South Metro region) provided a closing address at the end of the second day and summed up the sentiments of the conference perfectly.

The conference provided a wonderful opportunity to educate, collaborate, and explore tenancy-related issues in Western Australia, with many delegates reporting that they are likely to utilise the information, tools and resources gained at the conference in the future.



Noongar elder, Aunty Marie Taylor welcoming us to her country at the 2021 Tenancy Conference.



Tenancy and COVID-19 - what have we learnt? - Plenary panel discussion between lived experience advocates and representatives from Circle Green, DMIRS, REIWA, Anglicare WA – (L-R) Emma Watton, Alice Pennycott, David Modolo, Iris Thomas, Nick Mathieson, Trish Owen.



Commissioner Gary Newcombe, Commissioner for Consumer Protection and Sara Kane, Circle Green CEO at the 2021 Tenancy Conference.



2021 Tenancy Conference.



Reimagining Housing First in a Noongar Cultural Context Breakaway session – Noongar Mia Mia.

## **Community Engagement**

#### Website

#### www.circlegreen.org.au

We launched our new website in January 2022, working with DrawHistory (a social impact strategy and design consultancy) and key stakeholders to develop a more accessible and engaging platform.

This significant project included the redevelopment of our three pre-merger organisations' websites into a unified Circle Green website. It involved updating, rebranding, migrating, expanding, and developing an online library of resources across our legal practice areas. We continue to maintain and develop our extensive suite of digital resources, and work is underway to further enhance functionality to improve user experience and accessibility of our website.

- 38,380 people visited the site over 129,000 sessions during the year.
- Our resources were downloaded more than 2,000 times during the period.

## Social and Mainstream Media

We engaged with media across various online, print, radio and TV mediums and featured in news reports in The Guardian, ABC and The West Australian.

We continue to connect with our community on our social media channels.

We grew our social media audience to over

**1,504** followers.













#### **Stakeholder Engagement**

We continued to strengthen relationships with key stakeholders and engage in strategic advocacy.

## In 2021-22, we conducted **230** stakeholder engagement activities.

We actively contributed to several networks and community initiatives working alongside other community legal centres and organisations to create better access to justice and permanent solutions.

- New and Emerging Communities reference group (Equal Opportunity Commission)
- National Association of Tenants Organisation (NATO)
- CLWA Workplace sexual harassment and discrimination sector engagement
- WA Interagency Group in Trafficking and Slavery (IAG)
- Modern Slavery Project Reference Group
- Employment Law Network (ELN)
- WA Refugee and People Seeking Asylum Network (WARPSN)
- Refugee and Immigration National Community Legal Centres (RAIN CLC) network
- Community Legal Education Workers Network
- Refugee Council of Australia Network
- WA Tenancy Network
- Fair Work Commission Workplace Advice Service (WAS) Reference Group



Sara Kane, CEO presenting at the Shelter WA Housing Solutions Summit. Photo from Shelter WA.



Sara Kane, CEO and other CLC staff with Larissa Walters in April 2022 at the WA Family and Domestic Violence Roundtable event.



Circle Green staff and board members at the Walk for Reconciliation at Kaarta Koomba (Kings Park) during National Reconciliation Week 2022.



Circle Green staff and board members with Senator the Hon Michaelia Cash at the Circle Green office in September 2021- (L-R) Rowan Kelly, Emma Watton, Sara Kane, Maria Osman, Elisha Butt, Carmen Acosta, Alice Pennycott.

#### **Community Partnerships**

Circle Green Community Legal is fortunate to work with over 100 partner agencies for referrals, case management, law reform and advocacy, responding to emerging legal and client needs, pro bono, and community legal education.

#### **Building Tenancy Skills – Shelter WA**

Circle Green collaborated on a project led by Shelter WA in partnership with People with Disabilities WA (PWDWA), aimed at building resources to help people living with disability feel more confident about their rights and responsibilities as tenants. Circle Green sat on the advisory group for the project, which was comprised of representatives from a range of services, including government, industry representatives, disability and mental health advocates, housing support providers, and many more.

Circle Green also worked with the lived experience co-design group and a plain English consultant, to redraft some of our existing fact sheets into plain English to improve accessibility. The fact sheets were selected by the co-design

group as those they viewed as most important for tenants with disabilities, based on their own experience as tenants and what they would like to know or have known. These fact sheets will now be published on the Circle Green website in addition to our existing fact sheets.

It was fantastic to work with Dr Donna Turner at Shelter WA as part of this project, and the codesign group are to be commended on a great range of resources and workshops that were developed and rolled out based on their work. We look forward to continuing to work in this space, with a view to expanding the resources and insights gained to develop training and resources for sector workers who assist tenants with disability as part of their work.



## McCusker Centre for Citizenship - University of Western Australia

Circle Green partnered with the McCusker Centre for Citizenship at the University of Western Australia to deliver the Approaches to Wicked Problems unit. The 'wicked' problem was 'modern slavery'. Circle Green engaged a range of project supporters and partners including Mercycare, Sexual Health Ouarters. Association for Services Torture and Trauma Survivors, and IGO Ltd. The research and design thinking achieved by the student's improved knowledge and understanding of the legal issues and remedies in relation to employment law and migration law.



"Thank you for all your support in setting up the Wicked Problems unit. The students all really enjoyed their projects and they've learnt so much! The final outputs have been impressive — some of their options I never would have thought of. I think the project sponsors are also happy with what the students achieved, so overall I think it was a success!"

Dr Catherine Ann Martin, Course Tutor, McCusker Centre of Citizenship

"I thought the presentations were excellenta culmination of the commitment by the individual sponsors for the project working closely with the students. The students were passionate about the issue and learned a lot. Thanks so much for partnering with the Centre to deliver this unit. I hope we can do it again!"

Ms. Michelle Scott, Director, McCusker Centre for Citizenship

#### **Pro Bono Partnerships**

In 2021-22 Circle Green partnered with many private law firms to be able to deliver or extend delivery of legal services.

The Norton Rose Fulbright secondment of three days a week assisted Circle Green respond to the Afghanistan humanitarian crisis.

In December 2021 and January 2022, Circle Green partnered with Herbert Smith Freehills, Corrs Chambers Westgarth, Mills Oakley, MDC Legal and Adept Legal

Solutions Pro-bono to manage the increased demand to our workplace legal practice in relation to the COVID-19 vaccination requirements. In total about 25 pro bono referrals were made, which helped manage incoming demand during a busy period.

Circle Green is also fortunate to regularly partner with Corrs Chambers Westgarth, Tottle Partners, Minter Ellison, and Norton Rose Fulbright with each firm providing secondee lawyers to support our workplace legal practice.









## Law Reform, Advocacy and Campaigns

Our law reform and advocacy work is based on our experience and expertise providing legal assistance services to people who are vulnerable or disadvantaged in our areas of practice, including people who are:

- low-income earners or in financial hardship
- at risk of, or experiencing homelessness
- living with physical or mental disabilities
- women or gender diverse
- pregnant; have dependants and family or other caring responsibilities
- younger or older
- culturally or linguistically diverse
- Aboriginal and Torres Strait Islander
- newly arrived migrants, refugees or asylum seekers
- experiencing family and domestic violence

In 2021-2022, Circle Green Community Legal engaged in **61 law reform and policy activities** including:

- 10 High level research, written submissions and reports to government, parliamentary bodies, or other inquiries
- 6 Letters to government, parliamentary bodies, or other inquiries
- 4 Oral submissions at parliamentary inquiries
- 10 Meeting with Members of Parliament, Ministers, and Advisers
- 31 Collaborating with other stakeholders and participating in working groups

## Law Reform and Advocacy activities:

- Submission to the Senate Education and Employment Committees on the Sex Discrimination and Fair Work (Respect at Work) Amendment Bill 2021.
- Provided evidence at the Senate Education and Employment Legislation Committee inquiry on Sex Discrimination.
- Provided evidence at the Fair Work Amendment Bill and at the Senate Select Committee on Job Security.
- Signatory to a joint letter to all Federal Parliamentarians to take urgent action on the devastating situation in Afghanistan.
- Proposal for a new Federal Government legal assistance program for people seeking asylum, refugees and migrants: A Community Legal Centre Model - IAAS design proposal.
- Federal election 2022 Preventing the exploitation of migration workers: a call for action.
- Signatory to a joint letter calling for a dedicated Commissioner for Aboriginal Children and Young People in Western Australia.
- Submission to the WA Parliamentary Inquiry on the Funding of WA Homelessness Services.
- Submission to the Law Reform Commission of WA on the Review of the Equal Opportunity Act.

## Advocacy for the conversion to permanency for temporary protection visa holders

#### www.weallneedourfamilies.com

The federal government committed to dismantling the 'fast track' visa process and ending temporary protection. This commitment has not yet been upheld, there continues to be engagement from the federal government stating they will make significant announcements by the end of the year. The delay is disappointing and distressing to those subjected to the unfair fast track process who continue to live in limbo about their future in Australia and have restrictions on their ability to travel and reunite with family.

Circle Green continues to advocate alongside our partners and within our local and national networks to ensure the federal government uphold their pre-election commitments.

MAKE

#### Make Renting Fair WA

In 2019 and 2020 Consumer
Protection (under the
Department of Mines,
Industry Regulation and
Safety) commenced the process of reviewing tenancy laws in Western Australia.

Consultations were carried out throughout the first half of 2020 and Tenancy WA was pleased to make two significant submissions. At that time, the Make Renting Fair campaign, a collaboration between Tenancy WA, Shelter WA, WACOSS, Tenants Action Group WA (TAGWA) and Anglicare WA, made significant contributions to both the formal submissions, and the wider community conversation around renters' rights and tenancy law reform.

Unfortunately, because of the COVID-19 pandemic and emergency legislation regarding residential tenancies in WA, the review necessarily was put on hold for a period.

In early 2022 this process began to progress again and following the release of some further information from Consumer Protection (DMIRS), we understood that this review and initial proposals were being prepared and awaiting inprinciple approval from Premier and Cabinet.

Members from the original Make Renting Fair alliance decided to reconvene the group and relaunch the campaign to continue and grow the conversation around the importance of tenancy law reform and protections for tenants. This was especially relevant in the current market, where vacancy rates continued to be incredibly low since the end of the moratorium on evictions, and rent prices continued to increase (both for new tenancies, and for tenants on their existing agreements).

The Make Renting Fair alliance, now made up of representatives from Circle Green, Shelter WA, WACOSS, Anglicare WA, and tenants who were part of TAGWA, commenced weekly meetings to plan campaign strategy, and held a successful online relaunch of the Make Renting Fair campaign, which was attended by nearly 60 current and new supporters of the campaign, including housing providers, sector and community workers, industry representatives, and other interested community members.

Following this, the Make Renting Fair alliance had significant media coverage, and wrote to local, state, and federal government Members, seeking to meet and provide a briefing on the campaign and the importance of tenancy law reform. To date, the Alliance has had nine meetings with Ministers and other Members, with several more scheduled in the coming weeks and months.

Our focus throughout this law reform process has been on improving the security of tenure for the one in three people that rent their homes, and more broadly in improving their quality of life and ability to feel at home.

It has also been important for us to communicate the recommendations as moderate and consistent with other jurisdictions, seeking independent research and polling to confirm that the proposed changes were in line with other states and with community expectations.

We look forward to continuing to work with Consumer Protection and Minister Cook, as Minister for Commerce, as we move towards legislating changes to the Residential Tenancies Act in parliament soon.

www.makerentingfairwa.org

#### Other advocacy campaigns we supported:

#### Hands up for Justice

The #HandsUpforJustice campaign is about increasing funding for community legal centres in a sustainable way to positively influence social policy that improves the lives of our community members. Circle Green continued to share the important work and impact of community legal centrals with federal election candidates in the lead up to the 2022 federal election.





#### #LegalHelpMatters

We believe people with a legal problem should be able to get the legal help they need; at the time they need it most. That is why Circle Green joined Community Legal WA (CLWA) in meeting with WA Members of Parliament to commit to sustainable funding for community legal centres.



## Time for a Home #timeforahome

Circle Green Community
Legal supports the release
and resettlement of
refugees and people seeking
asylum in immigration
detention in Australia.



# **Projects**

# Family and Domestic Violence Temporary Visa Pilot Project

The Women's Safety Summit 2021 led to the funding of a pilot project to assist women on temporary visas obtain legal migration advice as well as other legal assistance. The funding was provided to centres in each state and territory to assist in assessing the scope of when uncertain visa status intersects with people experiencing violence. As this area of work is a significant part of Circle Green's Humanitarian service, we developed a working relationship with Northern Suburbs Community Legal Centre to assist victims of family violence under the pilot.

We are also contributing to the wider conversation about the lack of protection within our visa framework for victims of family violence to advocate for significant overdue law reform of the Migrations Regulations 1994 (Cth) to better respond and support visa holders who experience family violence.

# Family and Domestic Violence Legal Health Check

The Family and Domestic Violence (FDV)
Legal Health Check helps agencies supporting
survivors of FDV to identify legal problems early
and refer them to an appropriate community
legal service.

Getting legal help before problems escalate makes a positive difference to people's lives, increasing access to justice and creating better legal, social and wellbeing outcomes.

Circle Green partnered with several community legal centres to deliver Legal Health Check training to 34 organisations and agencies ranging from WA police units, hospital and community health teams, emergency accommodation and refuge workers, state government departments, not-for-profit community support agencies, and migrant and refugee support organisations within the metropolitan and regional areas.





## Governance

### **Our Board**

**Emma Watton** 

Chairperson

**Dave Robinson** 

Vice Chairperson

**Cecily Court** 

Secretary

Nina Wild

Treasurer

**Tim Dymond** 

**Bob Horstman** 

Maria Osman

Lamis Sabra

**Board Members** 





## Strategic Plan 2022-2025

The Circle Green Board and leadership workshopped and refined the organisation's strategic focus areas for 2022-2025 with three intersecting core areas of: best practice service delivery, sharing our impact, and regenerating our organisational capacity.

#### **Best practice service**

Provision of data-informed client-centric practice of high quality, accessible, responsive, collaborative, and integrated legal services.

# Visible social impact

Amplify our organisation as a critical piece of the solution for creating social change in people's lives and in sector-wide legal reform.

#### Regenerative growth

A sustained, thriving organisation that grows in its capacity to change lives through strong governance, a valued and well-equipped workforce, and a broad financial base.

### **National Accreditation Scheme**

Circle Green achieved Phase 3 and renewal of Accreditation and Certification under the National Accreditation Scheme in December 2021. The National Accreditation Scheme is a sector-led accreditation and certification process for community legal centres across Australia. It recognises good practice in the delivery of community legal services, provides a quality assurance process, and promotes a culture of ongoing continuous quality improvement.

# **Our People**

## **COVID-19** response

Like many organisations this year, Circle Green has experienced the impacts of COVID-19 on our workforce and service delivery. We proactively anticipated, responded, and implemented government and health requirements, such as COVID-19 vaccination and booster worksite access requirements, implementing skeleton and hybrid working arrangements, increased office cleaning, and adapting service delivery models to enable our service to remain open. We continued service delivery to the WA community despite these COVID-19 impacts.

### Recruitment

The recruitment and engagement of experienced lawyers has been challenging this year due to the competitive employment market. Despite this, Circle Green has attracted and trained a stellar workforce achieving great outcomes for clients and the community.

### **Our Leadership**

Sara Kane

**Chief Executive Officer** 

Elisha Butt

Principal Lawyer - Workplace

**Carol Child** 

Corporate Services Manager

**Alice Pennycott** 

Principal Lawyer - Tenancy

Katy Welch

Principal Lawyer – Humanitarian



#### **Our Staff**

At 30 June 2022, Circle Green employed **42 people** (33.3 FTE).

**Danielle Arntzen** 

Lawyer

Zoë Barham

Lawyer

**Madeleine Brown** 

Senior Lawyer

**Daniel Bruce** 

Lawyer

**Sally Burston** 

Finance Officer

**Stuart Caporn** 

**Tenant Advocate** 

Elisha Butt

Principal Lawyer - Workplace

Nadia Cuschieri

Legal Administrative Assistant

**Carol Child** 

Corporate Services Manager

**Aoife Daly** 

Legal Administrative Assistant

**Taylor Ford** 

Legal Administrative Assistant

Michael Geelhoed

Senior Lawyer

Heidi Guldbaek

Project Manager

Kendra Hagan

Senior Lawyer

**Sarah Herford** 

Lawyer

**Leanne Hill** 

Migration Agent

Chris Hogg

Office Coordinator

**Sarah House** 

Intake and Triage Officer

Muneira Jibril

Legal Administrative Assistant

**Jamie Jongeling** 

Workplace Advocate

Sara Kane

**Chief Executive Officer** 

**Paige Landy** 

Lawyer

**Rachel Lendich** 

Administrative Assistant

Louisa-bel (Bella) Mairata

Legal Administrative Assistant

**Stephanie Martin** 

Lawyer

**Rosie Mayers** 

Communication and Engagement

Coordinator

Nursyahirah (Syaz) Mohd Daud

Lawyer

**Inzwie Murapata** 

Senior Lawyer

**Brogan Murphy** 

**Tenant Advocate** 

**April Ooi** 

Workplace Advocate

**Tannaz Pasha** 

Lawyer

**Daniel Pritchard** 

Lawyer

**Alice Pennycott** 

Principal Lawyer - Tenancy

**Martha Rinsma** 

Senior Lawyer

**Nadine Schmid** 

Legal Administrative Assistant

**Cindy Shi** 

Legal Administrative Assistant

**Penny Williams** 

Lawyer

**Katy Welch** 

Principal Lawyer - Humanitarian

**Alexander Wittkuhn** 

Lawyer

Lauren Wright

Lawyer

**Sharna Wood** 

Lawyer

Xin Yu (Elaine) Ye

Legal Administration Assistant

We would like to acknowledge and thank the stellar team of staff who contributed to Circle Green during 2021-2022.

We would also like to extend this gratitude to the staff who finished their employment with us during the year.



#### **Our Volunteers**

THANK YOU to the dedicated **66** volunteers and interns that contributed **5,233.95** hours and their skills to supporting our service and the community we serve.

Circle Green estimates this contribution to be an equivalent value of \$261,697.50 in 2021-22.

**60** volunteers and **6** student interns provided over **5,233.95** hours of critical support in 2021-22.

Tina Ali Seffat Blobin

**Adriana Gough** 

**Savanah Marques** 

**Paige Landy** 

Lisa Ma

**Louisa Gardner** 

**Nadia Cuschieri** 

**Georgina Clarke** 

**Edward Chan** 

**Kavitha Kutty** 

Elisha Kim

**Enoch Dagohoy** 

Shanzae Jehangiri

**Caitlyn West** 

**Lara Wood** 

Louisa-bel (Bella) Mairata

**Haydn Sharp** 

**Annabel Biscotto** 

Alyssa Pido

**Joshua Antoncich** 

**ludd Behr** 

Francesca Timpog

**Olivia Marmion** 

Selina Yu

**Cindy Shi** 

Xin Yu (Elaine) Ye

**Anouscha Green** 

**Brogan Murphy** 

**Taylor Ford** 

**Dan Pham** 

**Alex Chi** 

Mishka Isaacs

Ámara Freeman

**Rachel Tipping** 

Ellis Mccarthy

Maria Villegas

**Shradha Krishna** 

**George Barton** 

Muneira Jibril

**Rachel Lendich** 

Laura Hull

Vanshika Maheshwari

Jack O'Connor

**Angela Hamersley Pattrick** 

**Nicholas Cokis** 

Polina Zhbanova

**Eve Fitzgerald** 

**Helen Do** 

**Nathan Ha** 

**Leanne Russell** 

**Jess Higgins** 

**Caitlyn Sabatini** 

**Dalton Whittle** 

Katya Dharmananda

Jacob Ferrell

Hasina Maskinyar

**Gwynneth Moyle** 

Georgia Blampin

**David Seong** 

Lisa Hando

#### **Volunteers:**

"I believe Circle Green has provided a wonderful workplace for their employees and volunteers to collaborate and provide outstanding support to each other"

"I would absolutely recommend Circle Green to my friends who would like to have experience working at a non-profit organisation to gain diverse workplace skills or who are seeking to gain practical experience to become solicitors."

"Firstly, the amount of interaction you have with clients and the way you are contributing to their lives and helping them. Feeling like was part of the team and having a really good group"

#### **Our Interns**

## **6** student interns

## McCusker Centre for Citizenship interns

Leena Abdul Khaliq Jessica Galley Emma Yutong Wu Michaela Tam Prachin Pant Siti Qistina Aisyah Mohd Ferdus

"My internship gave me a greater understanding of what it is I have learned in the classroom, and the opportunity to apply it to real situations."

"Other things that I have valued most about my internship at Circle Green include, but not limited to, the nice and supportive working environment and the employees and volunteers' commitment to providing an excellent service to the communities in Perth."

#### **Secondees**

Circle Green was honoured to host 10 secondees from partner law firms in 2021-22 contributing 1,303.5 hours, an equivalent value of \$65,175.

THANK YOU to Corrs Chambers Westgarth, Minter Ellison, Norton Rose, and Tottle Partners for the significant support of Circle Green Community Legal.

## **10** Secondees

#### Corrs Chambers Westgarth

Kayleigh McKeith
Felicia Chan

**Keith Henderson** 

#### **Tottle Partners**

Rebecca Wastall Alistair Talbert Melissa Coyne

#### Minter Ellison

**Mike Myers** 

**Connor McCavana** 

#### Norton Rose Fulbright

Alvin Ngo Jarrod Pyne

Keith Henderson – Corrs Chamber Westgarth:

"During my time in the Employment team at Circle Green I had exposure to a range of client issues. Despite having minimal experience in the area, the team supported me and provided me with some great training. I greatly appreciated the time that the friendly team put into assisting me with anything I needed. The experience was fantastic, specifically being able to work with the employee, rather than the employer. This new understanding has certainly remained with me in my own work, where I notice I take a more cooperative approach to resolving employment disputes. Throughout my time, I appreciated the feeling of being able to assist clients who otherwise would not receive any assistance. I hope that Circle Green also benefitted from my assistance, and continues to accept individuals from Corrs.

#### **Our Funders and Donor Partners**

- Australian Red Cross Society
- Community Legal WA
- Department of Mines, Industry Regulation and Safety
- Fair Work Ombudsman
- Department of Justice
- Commonwealth Attorney General's Department – National Legal Assistance Partnership

- Krishna Somers Charitable Trust
- United Nations Voluntary Fund for Victims of Torture
- Public Purposes Trust
- Kane Community Foundation
- Lotterywest

















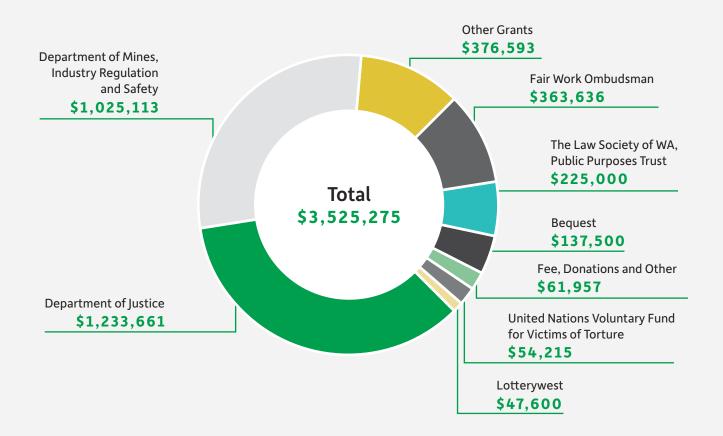




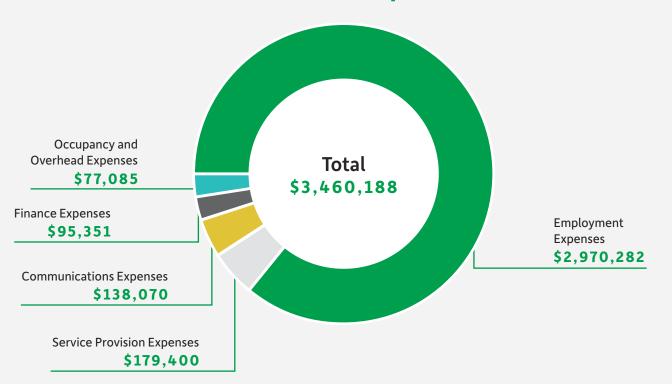
# **Financial Summary**

Profit and Loss	\$ 2022	\$ 2021
Grants	3,325,818	2,265,486
Fees, Donations, Bequests and Other	199,457	110,628
Total Income	3,525,275	2,376,114
Employment Expenses	2,970,282	2,120,595
Other Expenses	489,906	361,719
Total Expenses	3,460,188	2,482,314
	<b>67.00</b>	-106,200
Surplus/Deficit for the Year	65,087	100,200
Financial Position	\$ 2022	\$ 2021
	\$	\$
Financial Position	\$ 2022	\$ 2021
Fixed Assets	\$ 2022 421,673	\$ 2021 374,985
Financial Position  Fixed Assets  Current Assets	\$ 2022 421,673 2,794,570	\$ 2021 374,985 1,695,401
Financial Position  Fixed Assets  Current Assets  Current Liabilities	\$ 2022 421,673 2,794,570 -1,608,627	\$ 2021 374,985 1,695,401 -472,407
Financial Position  Fixed Assets  Current Assets  Current Liabilities  Non-Current Liabilities	\$ 2022 421,673 2,794,570 -1,608,627 -470,743	\$ 2021 374,985 1,695,401 -472,407 -526,193
Financial Position  Fixed Assets  Current Assets  Current Liabilities  Non-Current Liabilities	\$ 2022 421,673 2,794,570 -1,608,627 -470,743	\$ 2021 374,985 1,695,401 -472,407 -526,193
Financial Position  Fixed Assets  Current Assets  Current Liabilities  Non-Current Liabilities  Net Assets	\$ 2022 421,673 2,794,570 -1,608,627 -470,743 1,136,873	\$ 2021 374,985 1,695,401 -472,407 -526,193 1,071,786
Financial Position  Fixed Assets  Current Assets  Current Liabilities  Non-Current Liabilities  Net Assets  Current Year Surplus/Deficit	\$ 2022  421,673  2,794,570  -1,608,627  -470,743  1,136,873	\$ 2021 374,985 1,695,401 -472,407 -526,193 1,071,786

### **Breakdown of Income**



## **Breakdown of Expenditure**





# Circle Green Community Legal

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