

# LAW & ADVOCACY CENTRE FOR WOMEN

ANNUAL REPORT  
2019-20



# CHAIR & CEO'S REPORT

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As the end of the financial year approached in June 2020, Victoria was on the cusp of its deadly second wave of Coronavirus cases. Daily infection rates were growing rapidly, and the comfort we had collectively felt following the moderate first wave seemed increasingly misplaced. The COVID-19 pandemic, and the many consequences that have flowed as a result of this global crisis, have challenged us as communities, as individuals, and as organisations, in ways we could not have imagined before.

From the outset, it has been LACW's priority to ensure that we could continue to deliver critical services to our community's most vulnerable members in ways that ensured the ongoing safety of our clients, staff and colleagues. The challenges this has presented cannot be overstated. From remote working to remote court hearings; juggling family commitments; providing support to individuals already facing immense challenges; having to communicate and build rapport with vulnerable clients without ever meeting them in person - the list goes on.

Yet we have risen to these challenges. We have worked tirelessly both internally and with many stakeholders from the courts, prisons and support sector to develop policies and work practices that would enable our work to continue, and to reach the most marginalised members of our community. And we have done this with the usual persistence and perseverance that we demonstrate in all areas of our work.

# CHAIR & CEO'S REPORT CONT...

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In looking back on this year, it is also important to remember our achievements in the pre-pandemic world.

In November 2019 we moved into our new premises in Pelham Street, Carlton, once again co-located with the Centre for Innovative Justice (CIJ) at RMIT University. The transformative power of this move in improving client experiences, empowering our staff to work comfortably and efficiently, and further solidifying our relationship with the CIJ has been immense. We have also welcomed new staff into our growing organisation, as we have pursued new funding opportunities on the back of our increasing reputation and reach.

As always, we are grateful to the grant makers, pro bono partners, donors and supporters who have helped make our work possible. To our staff, who have demonstrated the true meaning of resilience, perseverance and adaptability, we have the utmost admiration. And most importantly, to our clients – we thank you for continuing to place your trust in us to walk alongside you in forging pathways out of the justice system.

## **DIANE MCDONALD**

Chair



## **ELENA PAPPAS**

Chief Executive Officer



# PRINCIPAL LEGAL OFFICER'S REPORT

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When reflecting on this previous year, it is honestly difficult to know where to start. It is trite to say that it has been a year like no other, and has brought many to the brink of their endurance limits. Yet in some ways, it has represented a continuation, albeit in a drastically exaggerated form, of the underlying challenges that many members of our community have always faced.

A common sentiment expressed in the early stages of the pandemic was that COVID-19 as a disease does not discriminate. And while it is true that everyone in Australia has been effected in some way by this crisis, we know that, like any crisis, it is marginalised members of our community that are hardest hit. Whether through poorer health outcomes, insecure work, insecure housing or economic repercussions, the COVID-19 pandemic has exacerbated pre-existing fissures and inequalities in our society. For our clients in particular, this has meant greater exposure to the risk of family violence, in particular in the context of extended lock-downs, isolation from community supports, even greater barriers to connecting with children in out of home care, a dramatic reduction in the availability of counselling and rehabilitation services, and lengthy delays in court proceedings.

# PRINCIPAL LEGAL OFFICER'S REPORT CONT...

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Yet the pandemic has also provided us, as a society, with an opportunity to reflect on what had become our 'business as usual' and to question how we may be doing things better. In particular, it calls on us to re-imagine how the justice system responds when women present with multiple, complex needs, and to question the current reliance on prisons, particularly in the context of remand.

Recognition of the risks posed by COVID-19 to vulnerable people in custody, coupled with delays in court proceedings, has led to a dramatic reduction in the number of women held in prison in Victoria, in large part due to a greater number of bail applications being successfully made. We must now seize on this opportunity to respond in a way that will continue to reverse the trend of women's over-incarceration. We must work across the entire justice system to embed holistic, gender-specific and trauma-informed approaches, that provide real opportunities for rehabilitation and reconnection with family and community. This will lead to better outcomes not only for each individual, but for our society as a whole.

**JILL PRIOR**

Principal Legal Officer



# ORGANISATION OVERVIEW

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## Our Vision

That any woman in Victoria, regardless of their means, can access exceptional legal and support services that will create the opportunity for change in their lives.

## Our Mission

To provide holistic, wrap-around legal and case management services that divert women facing criminal charges from further criminalisation, and link them with the support they need to forge pathways out of the justice system.

## Our Goals

- To interrupt the trajectory that sees disadvantaged women enter and remain in the criminal justice system.
- To provide greater access to justice, and access to services that will break the cycle of disadvantage and offending for women in need.
- To combat the increasing incarceration rates and criminalisation of women in Victoria.

## Why is LACW Needed?

- LACW is the only legal service in Victoria whose primary focus is to provide specialised, gender-specific advice and representation to women facing criminal charges.
- In the past decade, women have been the fastest growing demographic in Victoria's prison system.
- Women are a minority within the justice system, and are therefore being dealt with by systems and practices that are not responsive to their needs.

*Many women share common, gendered pathways into the justice system. These include greater experiences of trauma, victimisation, family violence and mental ill-health. A majority are mothers and carers. A service for women that understands and addresses these issues by taking a gender-specific, trauma-informed, wrap-around approach, is better placed to interrupt the trajectory that would otherwise see these women enter and remain in the criminal justice system.*

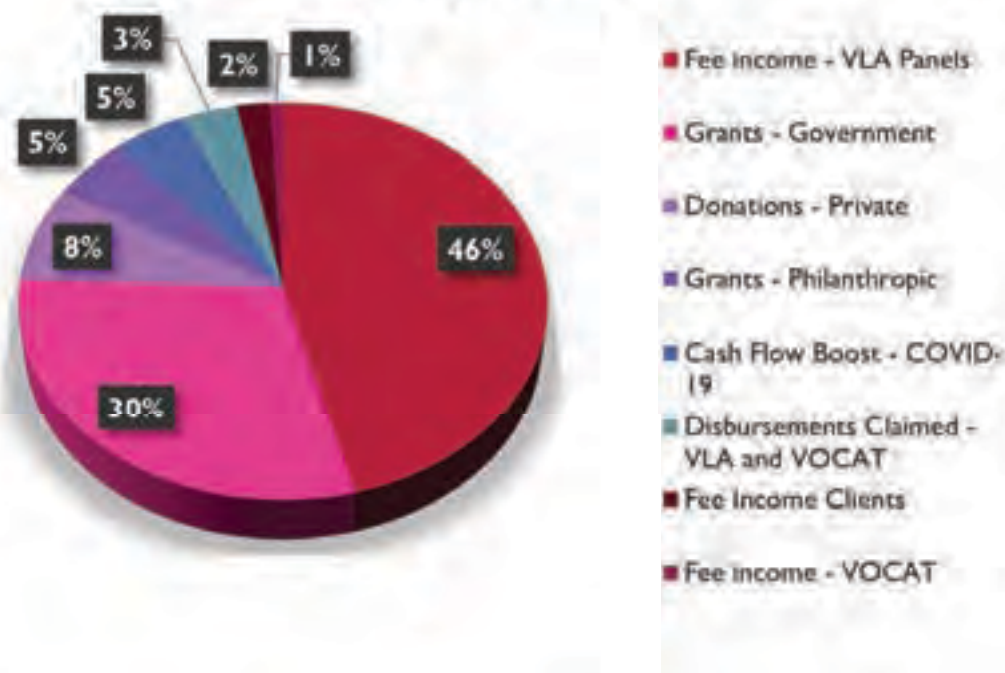




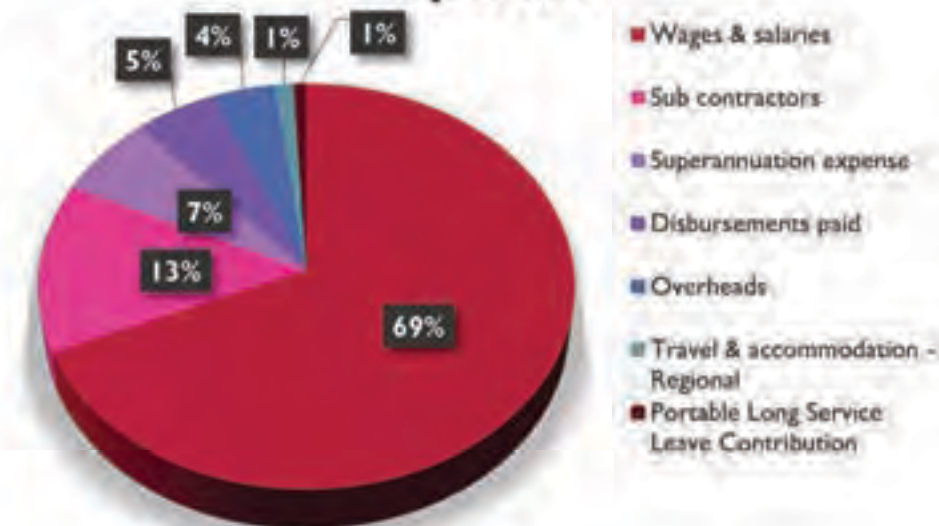
# FINANCIAL OVERVIEW

Below is a summary of LACW's income sources and expenses for the 2019-20 Financial Year. For more information, please see our attached Audited Financial Report.

## Funding Sources



## Expenses



# OUR IMPACT

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**700**

Women assisted since we opened our doors in 2016

**333**

Women assisted with new matters in 2019-20

**126**

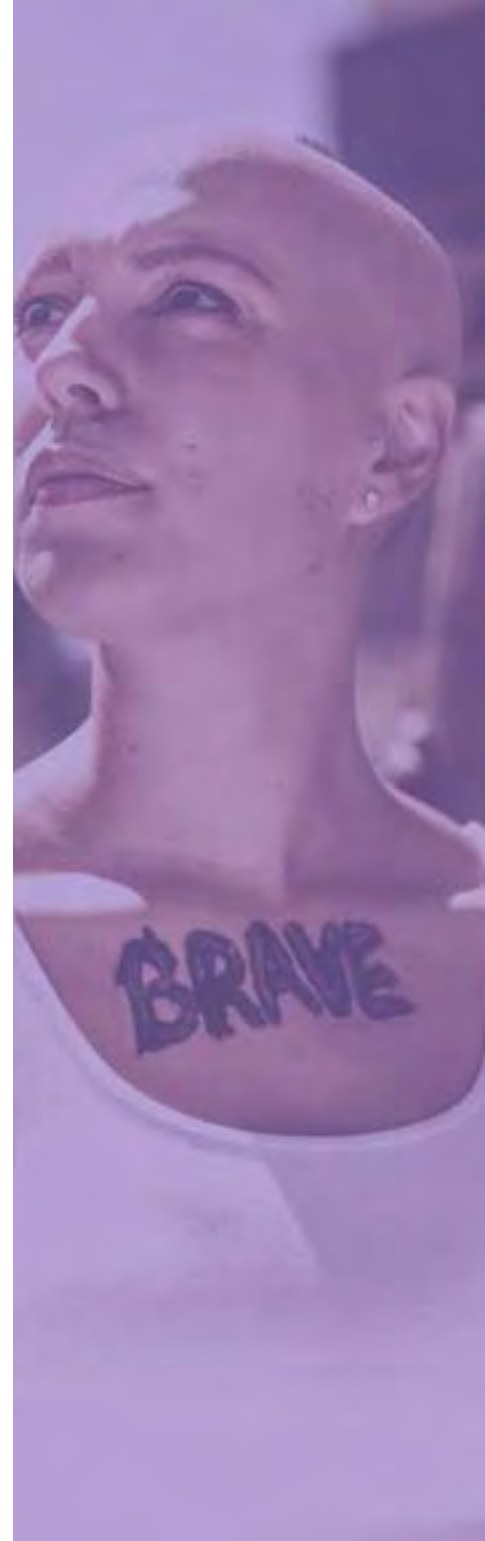
Women assisted who would not have had ongoing legal support without LACW

**1024**

New legal matters opened in 2019-20

**1850**

Total legal matters worked on in 2019-20



# OUR CLIENTS

**57%**

Are victim/survivors of family violence

**30%**

Identify as Aboriginal or Torres Strait Islander women



# OUR COVID-19 RESPONSE

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When COVID-19 first hit, LACW was quick to react to ensure that our clients still received the essential support they needed from our organisation while ensuring that services were delivered in a COVID-safe way.

This included:

- Transitioning our practice to one where our staff could safely and reliably work from home;
- Utilising technology to enable staff to work and communicate with clients off-site;
- Advocating for the implementation of COVID-19 safe practices across the courts, prisons and wider service sector that would reasonably balance the risks posed by COVID-19 against the welfare needs of our clients;
- Attending regular stakeholder meetings with all levels of government and members of the legal sector;
- Advocating for legislative and policy reform to ensure that the most vulnerable of our clients were not left behind in the Government's COVID-19 response.

*In May we received a grant from the Australian Communities Foundation's National Crisis Response fund to provide emergency relief services, including accommodation and additional case management, to clients impacted by COVID-19. Combined with funding we receive from the Magistrates' Court fund, this has enabled us to pay for emergency accommodation for women at risk of homelessness, and provided food vouchers and transportation to our clients in need.*

# OUR COVID-19 RESPONSE CONT...

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The risk of COVID-19 entering the prison environment presented a particular concern for our clients, many of whom have pre-existing health conditions that would make them more susceptible to complications from the virus. The implementation by the government of protective quarantine for all people received into the prison system, which in effect subjected newly remanded people to 14 days of solitary confinement, proved particularly onerous for the women we work with, especially where they had histories of victimisation, trauma and mental health issues. Other restrictions put in place in response to the risk posed by COVID-19, in addition to the delays caused across the entire court process, made custody particularly onerous for those on remand.

In response, we redoubled our efforts to ensure vulnerable clients were not held on remand prior to their legal matters being dealt with. From the start of Victoria's state of emergency on 16 March 2020 to 30 June 2020, we ran 55 bail applications, with an 83% success rate.

*It is accepted that, on the material in the affidavit of [the LACW] solicitor, it is open to find that there are exceptional circumstances justifying a grant of bail.*

*I am satisfied that the delay in the final hearing of the charges the subject of the present application is now likely to be such, and the hardship of incarceration (particularly under present conditions) for her is such, that there is a real risk that, if [LACW client] is not released on bail forthwith, she will end up spending more time in custody than any prison sentence that might be imposed were she convicted of all the charges she faces. This is all the more compelling a proposition when it is recognised that several of the offences charged would not warrant imprisonment in any event, and the respondent, in carefully considered submissions, concedes that a non-custodial sentence is the more likely disposition.*

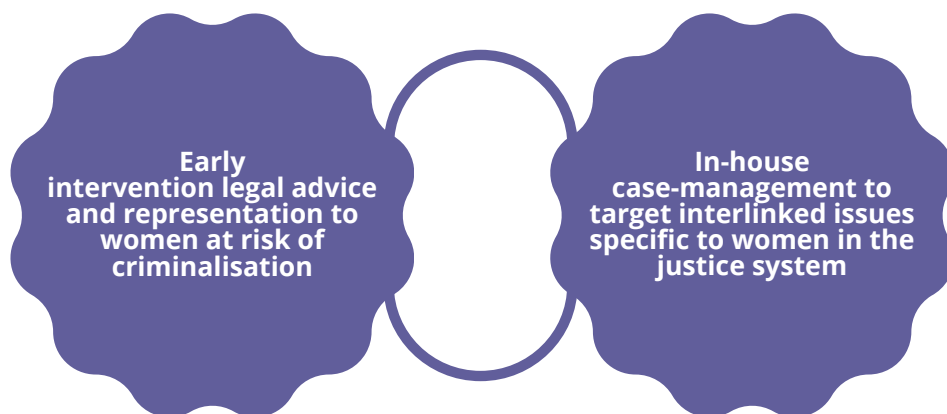
Justice Croucher, Supreme  
Court of Victoria, in granting  
bail to one of LACW's clients  
[2020] VSC 206  
23 April 2020

# OUR PROJECTS

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## Pathways out of the Justice System

LACW's Pathways out of the Justice System project provides wrap-around legal and social support to economically disadvantaged and vulnerable women who have been charged with criminal offences, providing them with targeted, specialist legal representation and in-house case management services to address the causes of their offending and disadvantage.



Funded through a combination of philanthropic and government grants, LACW's Pathways out of the Justice System project has been bolstered through funding under the State Government's Integrated Services Fund (ISF), administered by the Federation of Community Legal Centres, to provide a seconded Social Worker from RMIT's Centre for Innovative Justice to work along side LACW's lawyers in providing integrated legal and social support to our clients. The ISF project built on the existing relationship between LACW and CIJ which involved co-location, collaboration on research and policy work and the hosting of RMIT students within LACW.

The ISF funding has enhanced and extended this relationship by enabling LACW and CIJ to collaborate in the delivery of services on the ground, facilitating the sharing of expertise, resources and knowledge to the greater benefit of individual clients and our organisations.



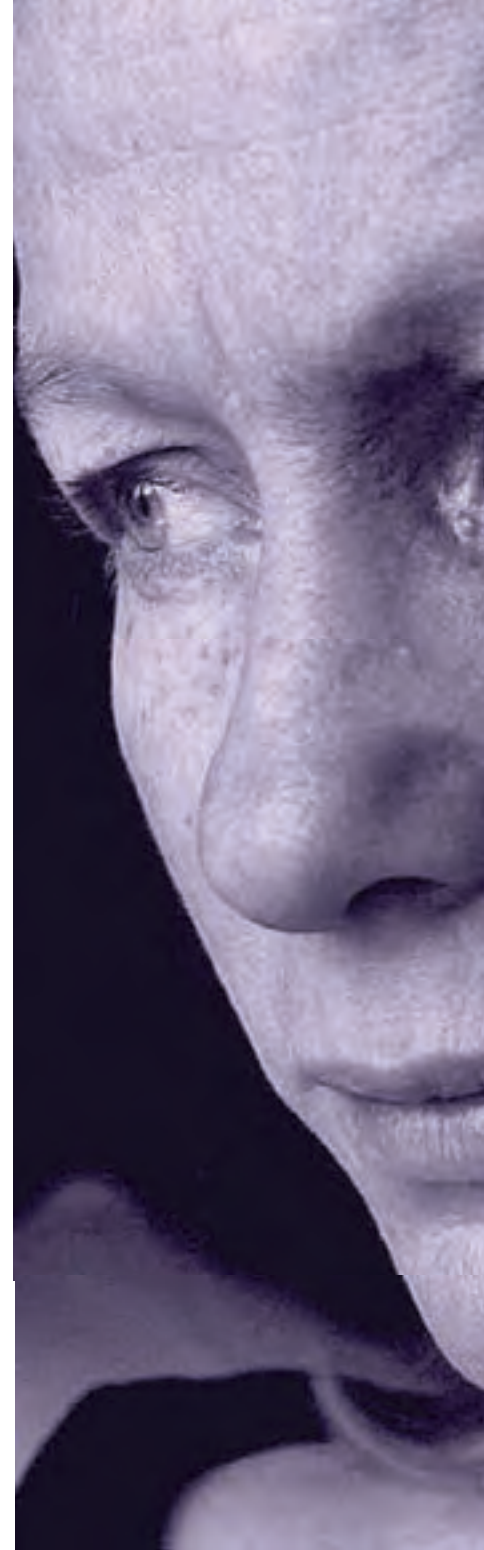
## OUR PROJECTS CONT...

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### Pathways out of the Justice System: Focus on Family Violence

With funding through the State Government's Community Legal Centres Assistance and Family Violence funds, LACW continues to support women where they have been incorrectly identified as the primary aggressor in family violence incidents. Very often, this is the first contact they have had with the criminal justice system, making them ineligible for legal aid. LACW is able to work with these women to understand their complex histories as victim/survivors of family violence and how this has impacted on the matters before the court, and gather the necessary materials to successfully challenge charges laid and orders sought by the police.

LACW has built on relationships with other organisations working in this area to provide a comprehensive, sector-wide response to the problems faced by victims/survivors of family violence when they intersect with the criminal justice system. LACW is one of a number of project partners working with the Flemington and Kensington Community Legal Centre and Flat Out Inc on their Policing Family Violence: Changing the Story project, which drives collaborative, sector-based advocacy for family violence law reform and police accountability.



## OUR IMPACT: CASE MANAGEMENT

**79** Women were provided with case management support

- 55 were provided with ongoing intensive case management
- 34 were supported in accessing alcohol and other drug treatment
- 49 were supported in accessing mental health supports
- 29 were supported in relation to housing/homelessness
- 85% identify as victim/survivors of family violence
- 35% identify as Aboriginal or Torres Strait Islander women



# OUR PROJECTS CONT...

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## Women Transforming Justice

Women Transforming Justice (WTJ) is a two-year pilot project managed by the Fitzroy Legal Service and funded by the Legal Services Board. LACW has worked in partnership with the Fitzroy Legal Service and Flat Out Inc to deliver services to women who have been remanded in custody, with a LACW lawyer providing gender-responsive legal advice and representation, in particular in relation to bail applications, and Flat Out workers providing intensive case management.

## Infringements and Fines

Initially funded by a grant from the Victoria Law Foundation, LACW's infringements and fines clinic assists women to understand, navigate and make applications under the fines/infringements system to have their fines waived on the basis of special circumstances and family violence. We have developed templates and resources to continue to run the clinic beyond the period of the initial grant with a greater utilisation of volunteers and students.

## VOCAT

LACW's Victim's of Crime Assistance Tribunal practice continues to grow, with a focus on women who have themselves had experiences of the criminal justice system and are also victims of crimes, or women who have experienced family violence. We are grateful for the support of Hall and Wilcox who have provided us with a graduate solicitor on a pro bono basis to assist with this important work.





# OUR PROJECTS CONT...

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## Intervention Orders

LACW continues to fill a gap in service provision for women who are identified as respondents in family violence intervention order applications, who have cross-applications made against them or where criminal charges are also associated with the application.

## Policy and Advocacy

LACW has made submissions to the following public inquiries during the year:

- The Royal Commission into Victoria's Mental Health System (July 2019)
- The Inquiry into Homelessness in Victoria (in partnership with the Centre for Innovative Justice, April 2020)
- The Sentencing Act Reform Project (April 2020)

In addition, LACW has featured in the following media publications:

- 'Jill Prior leading a revolutionary legal centre for women,' Natalie Forde, *Queen Victoria Women's Centre*, 5 December 2019
- 'Jamming the revolving door of women in prison, Jill Prior is putting a new spin on Lady Justice,' Hayley Gleeson, *ABC News*, 2 February 2020
- 'A holistic approach to defending women: an interview with LACW's Elena Pappas,' Paul Gregoire, *Sydney Criminal Lawyers*, 13 March 2020



# OUR PEOPLE

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## Our Board

Diane McDonald (Chair)

Jill Prior

Elena Pappas

Fiona Grinwald

Paul Scroope (April 2020)

## Our Steering Committee

Nola Karapanagiotidis

Anoushka Jeronimus

Crystal McKinnon

Terrie Stewart

Tammy Young

## Our Staff

Jill Prior - Principal Legal Officer

Elena Pappas - Chief Executive Officer

Linh Cao - Senior Solicitor

Carmendy Cooper - Solicitor

Asha Zomer - Solicitor

Ashlee McPhail - Solicitor

Ingrid Giles - Solicitor (to February 2020)

Meg Tait - Solicitor (from May 2020)

Kat Ogilvie - Social Worker (RMIT Secondment)

Rafaella Lawrie - Case Manager (to October 2019)

Lisa Chamouras - Case Manager (from December 2019)

Eleanor Ryan - Paralegal (and prior volunteer)

Sarah Abell - Paralegal (and prior volunteer)

Elizabeth McKenzie - Locum Solicitor (from February 2020)

Emma Jackson (Complete Law Support) - Grants Officer



# OUR PEOPLE CONT...

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## Student Placements and Volunteers

LACW was privileged to once again have RMIT Juris Doctor and Social Work students complete placements with us. While we were unable to commence our Juris Doctor placements in Semester 1, 2020 due to COVID-19 restrictions, our Social Work students successfully completed their placements while working from home - a testament to their resilience.

We were grateful to continue our relationship with Hall and Wilcox, who not only provide us with a graduate solicitor to assist in our VOCAT practice, but also provide pro bono IT support and donations.

Our hard working, dedicated volunteers worked with us until we were forced to suspend the program due to COVID-19 restrictions. We look forward to re-engaging with our volunteers once we can return to our office environment.

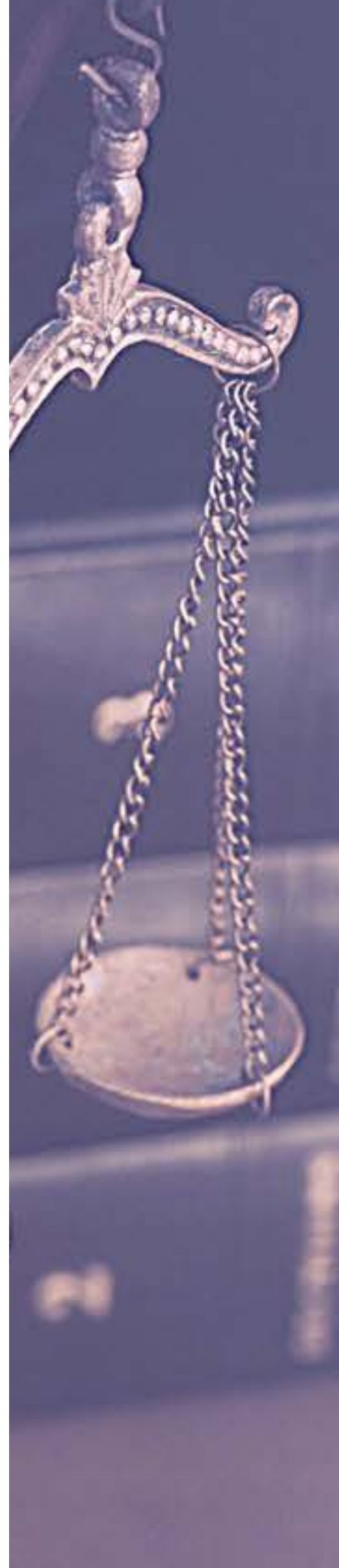
## Our Students

Taryn Garbellini (Social Work)  
Amelia Schiavello (Social Work)  
Louise Grant (Social Work)  
Megan Beatrice (JD)

Billy Hade (JD)  
Lila O'Rourke (JD)  
Brooke Allan (JD)  
Natalie Drenoski (JD)  
Daniel Pistininzi (JD)

## Our Volunteers

Jasmine Ali	Nicole Pereira	Georgia Kaye-Helmut
Gemma Smith	Xenia Rivers	Elisabeth Buchan
Pooja Deewan	Emma Russack	Alice Meredith
Matilda Simpson	Robyn Wall	Christine Boulos
June Uili	Helen Wilson	James Pavlidis (H&W)
Mary Zaky	Aristea Baillie	Maia Joseph (H&W)
Carol Shi	Eliza Stanley	Norberto Rodriguez (H&W)





# OUR SUPPORTERS

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## Justice Dinners - Re-imagined

Our major fundraising event, LACW's Justice Dinners, moved online this year with fantastic results. We were thrilled to have one of Australia's most iconic vocalists, Debra Byrne, perform an exclusive set for us which was enjoyed on-line by our Justice Dinner guests. Alongside Debra we were treated to performances by Jen Cloher, LACW's own volunteer Emma Russack, and VLA's Zoe Broughton who rounded out the night with a brilliant comedy sketch. We are incredibly grateful for everyone who participated in our Justice Dinners this year.

## Major Funders

Victorian Government (administered by the Federation of Community Legal Centres) - Integrated Services Fund  
Victorian Government (administered by Victoria Legal Aid) - Community Legal Centres Assistance and Family Violence Fund  
Victoria Law Foundation  
Collier Charitable Fund  
Australian Communities Foundation

## Pro-bono Partners

Hall & Wilcox  
Arnold Bloch Leibler

## Providers of services and in-kind support

DF IT Solutions  
Stannards Accountants and Advisors  
Native Technology

## To our donors

To the many people who have donated to us, we give our heartfelt thanks. In a year that has challenged us all, your ongoing support and belief in our work means more than ever.





L | A | C | W  
LAW & ADVOCACY  
CENTRE FOR WOMEN

## Contact Details

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Phone: 03 9448 8930

Email: [info@lacw.org.au](mailto:info@lacw.org.au)

website: [www.lacw.org.au](http://www.lacw.org.au)

LACW acknowledges that we operate on Aboriginal country and that sovereignty over this land was never ceded. We acknowledge the traditional owners and custodians of this land, in particular, the Wurundjeri people of the Kulin nations, and pay our respect to their elders past, present and emerging.