

# Annual Report 2010/2011



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Cover photograph by Johnny Barker



# The WRC Vision

Welfare Rights Centre Inc. is an independent voice for fairness, determined to empower people who are often unheard.



# Strategic Purpose

We focus our services towards bringing about change for the greatest number of people with intent to deliver high impact, high quality services through our three core service models:

## Client Advocacy

- use the *legal system* to address unfairness.
- *engage* with clients to get the most efficient outcome for them.
- invest in the *expertise* of our staff to ensure quality services.

## Community Education

- build capacity of *community workers* so they can advocate for their clients using our knowledge, expertise and support.
- encourage and facilitate participation of *clients* in their own advocacy.
- present solutions to unfairness to other *service system providers*.

## Systemic Advocacy

- pursue client focused, *evidence* based systemic reforms.
- build the evidence base for law reform and social policy development.
- build *strategic alliances* with key stakeholders to pursue fairer systems for clients.

We ensure the governance of the Centre is fair, transparent and accountable whilst:

- operating in a way that eliminates unnecessary risk, and
- managing the resources to ensure ongoing viability of the services.

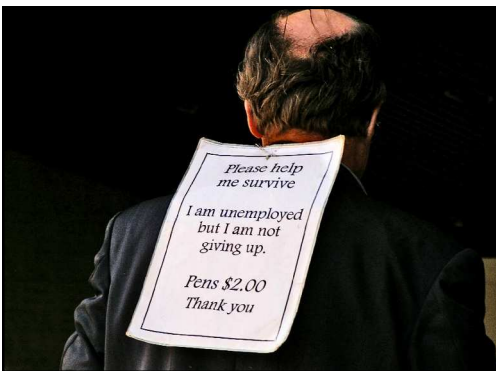
# About the Welfare Rights Centre Inc.

Welfare Rights Centre Inc. is a longstanding not for profit service that offers specialist advocacy and legal services for people with Social Security and Disability Discrimination problems. Whilst this may appear to be a strange combination of services, made even more unique by the fact that the services cover different regions and operates using different service delivery models, both services target the more vulnerable people and use a mix of legal, social work and human service professions to make a difference.

There are more than 800,000 Queenslanders dependent on Centrelink for their primary income source. Over the years welfare policies have become very politicised and as a result the Australian social security system has in effect put recipients into three groups:

- The pensioners, who are often portrayed as deserving.
- The unemployed, who are often portrayed as undeserving.
- Those that get a top up of their earnings or investments.

Of course this is a very simplified analysis of the welfare system as anyone that has had a need to claim would realise that there are multiple payments, all with varying degrees of rules around eligibility and payability.

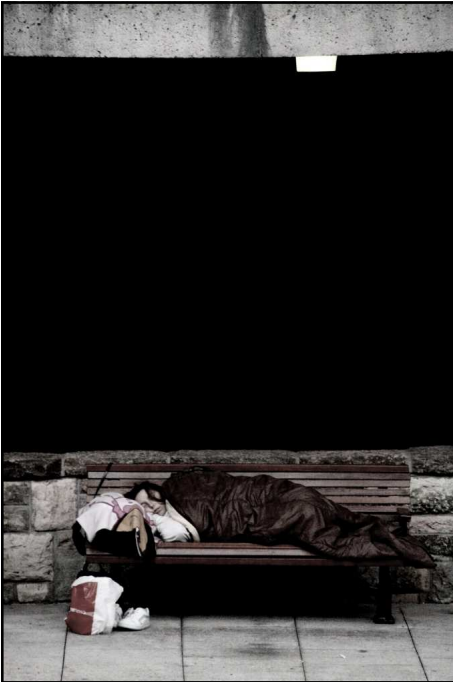


Our intention is to provide support to the most vulnerable people living in Queensland, and having mastered our "interdisciplinary service delivery model" we are now able to pull on the skills and disciplines of a number of professionals to ensure our services are:

- Providing high quality services to clients
- Services are focused on the clients needs
- Our services are both efficient and effective

## *Social Security Services*

The Centre operates a telephone advice service that is available to people living throughout Queensland. This initial service is often delivered by volunteers and students who are supervised by paid staff. Casework services are targeted to vulnerable clients and subject to merit. Representations in the various tribunals and courts can be made.



### *Disability Discrimination*

To date the Disability Discrimination Legal Advisory Service, that operates in the southern half of Queensland, has provided more face to face services and undertaken representation in the various tribunals and courts that cover this area of law. Unfortunately this service has been unviable for the past 2 years and as a result much of the year has been spent reviewing what we can do to ensure we can continue to provide such a valuable service. As this report is written, decisions have been made to change the service delivery model of the Disability Discrimination service so it is in keeping with the rest of the centre. That is a telephone advice service, with targeted clients, being able to have more intensive services delivered by a range of professional staff.

This year we have continued to receive “one-off” money from \*LPITAF, Department of Employment and Industrial Relations and the Commonwealth Attorney Generals which allows the Centre to continue its work

making significant changes for our clients. Throughout this report we have provided case studies that give the reader an insight into our work.

\* Legal Practitioners Interest on Trust Account Funds

### **Case Study**

*When Sandy first presented to the WRC she was very distressed – her partner had died without leaving a will and she was struggling to wind up his affairs. Sandy came to Welfare Rights Centre because Centrelink had told her that she could no longer continue to receive Family Tax Benefit due to the number of her late partner’s outstanding tax returns. The Australian Tax Office indicated to Sandy that she needed to obtain Letters of Administration from the Supreme Court to have authority to deal with the outstanding tax returns. Even if Sandy could get a waiver of the Court filing fee she had no way to afford the advertising necessary to make the application to the Court. A welfare rights worker advocated on Sandy’s behalf and Centrelink agreed that provisions protecting individuals from Family Tax Benefit debts after relationship breakdowns should be exercised in her favour. With the threat of a sizable social security debt gone, Sandy was later able to advocate on her own behalf to the Australian Tax Office to find a way to wind up her late partner’s tax matters without the need to make an application to the Supreme Court.*

# Current Staff

In 2010/2011 there were eleven staff positions at Welfare Rights Centre Inc; four full time and seven part time. However our staff are supported by a growing number of volunteers and students who are acknowledged on pages 22 and 7 respectively of this report.

## **Gail Middleton** - Executive Director

Gail's role in the WRC is to work with staff and the Management Committee to ensure the centre meets its objectives in the most effective and efficient way. Gail has been involved in a wide range of not for profit groups and is focused on working with and standing up for the most vulnerable people in our communities.



## **Patrick Cranitch** - Senior Solicitor

Patrick has been with the WRC for more than 9 years and is now the Senior Solicitor in the client services area. Patrick has almost 30 years legal experience both overseas and in regional Queensland before he joined WRC in 2002. Patrick has a keen interest in human rights law and is passionate about developing new lawyers into the industry.

## **Susan O'Shea** - Solicitor

Susan started with the WRC as a volunteer and when a paid position became available she was a logical choice. Susan's focus is in Social Security. She left the full time position in March and Andrew Davison who was doing locum work at the time took on the position.



## **Bryony Walters** - Welfare Rights Advocate

Having worked at the Centre previously as a volunteer, Bryony returned in 2009 in a full time position following the conclusion of her studies in Law and Psychology. Bryony coordinates the Social Security Telephone Advice Service and manages the volunteers who are working in this area.

## **Larry Laikind** - Disability Discrimination Solicitor

Larry first joined the staff of WRC in 1994 and his focus is on the Disability Discrimination work. He is employed 3 days a week and in this time works tirelessly with vulnerable clients. Larry's first profession was as a dentist, but he developed a significant visual impairment, so returned to university to study Law.



# Current Staff

## **Andrew Davison** - Solicitor

Andrew has been a long term volunteer in the community legal services sector and has been working with WRC clients for a few years. He had been working as a locum but accepted a part time position when Susan O'Shea resigned in January 2011. He is interested in ensuring the legal system is fair and consistently protects people's rights.



## **Georgina Warrington** - Policy/Communications Officer

Georgina has a background in social and community work, with a focus on youth justice. Georgina has been with the WRC for 3 years; initially as an early intervention worker and more recently as a policy officer.

## **Georgina Lawson** - Project Officer

Georgina has worked in community services in the areas of youth and mental health. She is committed to social justice and working on a systemic level to bring about changes that will benefit people who are vulnerable and disadvantaged. In a previous life Georgina worked in film and travelled the world.

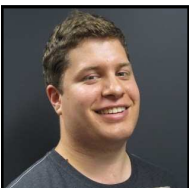


## **Sue McComber** - Financial Administrator

Sue joined the WRC in August 2006 to take on the part time Financial Administrator's role. Sue has a Bachelor of Commerce, majoring in accountancy and has undertaken similar work in a variety of non profit community sector organisations.

## **Nicole O'Keane** - Office Administrator

Nicole has over 15 years experience working as an administrator in the community services sector which has given her the patience to deal with the multiple demands expected of this position. Her competence in this position shines through as she accepts and completes every challenge that we set her.



## **Joel McComber** - Administrative Assistant

Joel is a law student that works with the WRC as an admin officer 1.5 days a week. Having a younger person in the office ensures we are making much better use of the technology that is available to us.



**Teresa Grahame – Social Worker**

Teresa was a previous employee of the WRC, but left to study her PhD in an area associated with single parents and Social Security. When some locum work became available we felt honoured that Teresa was willing to come back. We have since managed to attract Teresa to a new 3 day a week Social Work position.

**Tela Tuqiri - Client Services Trainee**

Tela was the first trainee that the WRC has engaged. Her role was to be the first point of contact for clients but Tela also provided administrative support. Tela completed her Certificate III in Community Services Work whilst with the WRC but left the position when the funding ceased in December 2010. Tela is now working in an employment service.



**Michael Durrand - Casework/Policy**

Michael started as a volunteer at the WRC in May 2010. His particular interest and skill in analysing the impact of legislation on our clients made him a great choice for a locum position that crossed both our client services and policy work.

**Other Casual Staff**

Vera Radisavljevic, Joern Herrmann, Caitlin Cranitch



The Centre has a strong commitment to offer students placements and provides a unique experience for students who want to take on the challenge of working in an interdisciplinary service where the professional practices of human service workers and solicitors are combined to deliver quality outcomes to our most vulnerable clients. Students doing placements through the 2010/11 included;

- Graham Cox (Professional Legal Training)
- Amanda Sinclair (Professional Legal Training)
- Jessica Janssen (Law)
- Lena Lundell (Social Work)

# Treasurer's Report

It gives me a great pleasure to present the Treasurer's Report for the financial year 2010/2011 to members of the Welfare Rights Centre Inc. and our valued sponsors and funding bodies. During the year the Centre continued to deliver a quality service in accordance with our funding obligations whilst also working to ensure the service focused on those clients that are at most risk of falling out of the Australian support systems.

## Financial Result

The Centre's activities were financed primarily by core funding received through the state and commonwealth Community Legal Centres Program. This included:

- Money targeted to Social Security - \$537,770
- Money targeted to Disability Discrimination - \$74,036

Additional one-off money was received through the following sources:

- Outreach work through the LPITAF - \$76,085
- Skilling Queenslanders for Work PIP - \$39,000

Other sources of income, as outlined in the Auditor's Financial Statements were received from; additional one-off government grants, donations, sponsorship, interest, membership fees and sundry income. This additional funding equalled \$49,388. As a result the WRC generated a total of \$776,279 to deliver its services.

The operating result to 30 June 2011 for core funding was a deficit of \$44,902. The Centre is able to meet this deficit by using carry forward funding accumulated in previous years.

The major outlays for the budget continue to be salaries although some operational costs associated with our communication, electricity and travel are expected to rise in the coming years. At this stage it is vital we seek ways to maintain our services without a dependence on government funding.

## Acknowledgements

I would particularly like to acknowledge Sue McComber, Financial Administrator, for all the skills and diligence she brings to her work at WRC. Sue has continually delivered sound advice regarding the financial practices of the Centre.

Further, I would like to thank the Management Committee, Gail Middleton, Executive Director, and Nicole O'Keane, Office Administrator, for their incredible support throughout the year. The efforts of WRC staff, students and volunteers to maximise the benefit of our funding for our client groups throughout the year is also acknowledged and greatly appreciated.

[Continued over](#)

## Treasurer's Report Continued

### **Conclusion**

I draw your attention to the Financial Statements prepared by the Auditor, Mobbs and Company. The Financial Statements have been prepared in accordance with applicable accounting standards and reflect the financial position of the Centre for the year ended 30 June 2011.

**Rachel Watson**  
**Treasurer**

### **Case Study**

*Frank had a 5 year preclusion period but had difficulties negotiating with Centrelink as a result of his acquired brain injury. He was referred to our social worker who is guiding and supporting him through the appeals process. To date he has successfully challenged Centrelink's decision not to accept his claim for a health care card - for which he proved eligible. This model of advocacy where we work with the client so they gain the outcomes will be particularly useful as Frank will need to deal with many other challenges in his life.*

## *Management Committee*

The Management Committee is elected by the members of the Welfare Rights Centre at the AGM. In November 2010 the following people were elected to the 25th Committee of Management:

Lurline Comerford - President  
Scott Wilson - Deputy President  
David Powell - Secretary  
Rachel Watson - Treasurer  
Ann Herriot  
Luke Tiley  
Amanda Lear



# President's Report

## **Committee**

Our small and effective Management Committee met monthly throughout the year and also carried out committee tasks by way of email and telephone. At the last AGM we saw long term committee member Cameron Thomas awarded Life Membership of the Welfare Rights Centre. We wish both Terry Stedman, our previous President and Cameron many thanks for their dedicated work on the Committee.

## **Changes**

2011 has seen the implementation of many changes to the Welfare Rights Centre as we come to grips with the woefully inadequate funding to some of the key elements of our activities. We are very grateful to Executive Director, Gail Middleton for guiding the Centre through the various strategic, budget and organisational processes required to ensure long term viability.

All workers at the Centre have been able to develop their roles to engage with our new focus and we are also fortunate to have a terrific group of volunteers.

The seeds of change were planted in 2010 and throughout 2011 they have been germinating with the assistance of Volunteering Queensland's Golden Guru program. The Gurus recommended taking a more business approach to our services and with the assistance of committee members, workers and volunteers, we focussed our services on people who are more vulnerable, and building community capacity by way of development and education. We also made major changes to our Disability Discrimination Service which had been operating in deficit for decades. Our focus on income security has been bolstered by engaging with Employment Services where many social security issues are emerging.

This has also been carried out by changing our DEEDI service from casework to community capacity building in the Caboolture area. We have been working with Job Futures and developing advocacy in the Employment Service area.

## **Other activities**

As well as our significant internal improvements we were also able to assist in the response to the state's natural disasters. We were fortunate to escape any significant damage and were able to assist in the recovery.

We have also recently relocated. Once again Gail, with the assistance all our wonderful workers and volunteers, was able to find new (and much better) premises, pack and set up a new office in a very efficient operation. Our new location provides a great opportunity to work more closely with other services and we feel fortunate in being able to be among the first occupants of this BCC/Community Services/Social Housing venture. We should also thank Clayton Utz who have assisted the Centre with the untimely notice to leave our

Stones Corner office and the new tenure at the Maida Lilley Community Centre.

Other interesting examples of collaborative work are the interdisciplinary project with University of Queensland and Bremer TAFE training.

Our website has also been launched this year.

### **Our Future**

We anticipate that throughout 2012 the many new directions will be consolidated.

### **Farewell to our Executive Director**

As those of you who have committee experience know, it is imperative that a Director can carry out a wide range of practical, policy, visionary and service activities. Gail has been instrumental in ensuring that the Welfare Rights Centre continues to be relevant in the 21<sup>st</sup> century.

Gail has decided to try her hand at new things in 2012 and we thank her for all her hard work, ideas and dedication as well as a good humoured approach to problems which may have proved to be rather demoralising to others.

In closing I would like to thank all of the workers, volunteers and committee members who make sure that the Welfare Rights Centre is the unique service that it is.

**Lurline Comerford**



# Executive Director's Report

Welfare Rights Centre Inc. (WRC) has a longstanding reputation as an independent voice for fairness empowering the most vulnerable people living in Queensland. We offer specialist information, advocacy and legal services for people having problems with Social Security, Employment Services and Disability Discrimination matters.

Services are delivered in three ways:

- Client Services
- Community Education
- Systemic Advocacy

This section of the annual report will highlight our achievements for the 2010/2011 financial year and will make some comments of what we have learnt. Scattered throughout this report are case studies that reflect the type of work our staff are undertaking.

*We focus our services towards bringing about change for the greatest number of people with intent to deliver high impact, quality services.....*

## **Client Services**

Client services include one or more of the following:

- Information and Referral
- Specialist Advice
- Casework Services (some with representation in tribunals and courts).

In 2010/2011 the centre provided information on 319 issues, gave advice on 1439 matters and worked on 373 cases.

Our client services are primarily provided over the phone. The first step in service delivery is for WRC to diagnose whether matters raised require legal or broader advocacy/support services. Often the problems relate to the fact the client has not been given adequate information and they need to be empowered and encouraged to utilise the internal review and appeals systems that are in place for them. Other people need quite intense support as a result of their social or vulnerability issues. These services could be provided by a solicitor, student and or social worker. The person with the most suitable skill set is allocated the case.

## Social Security

### Casework Trends

The Centre dealt with 332 “social security” casework files during the year, which is a considerable reduction on previous years. With reduction of funding and an increase in operation costs, the staff at the WRC is being downsized. Given we have no control over who (or how many people) seek our services, the mechanism to deal with increasing demand is to cut services to all but the most vulnerable. As our service is now more accessible to the public, the demand for our services stay the same, although there is a growth from the more vulnerable members of the community.

Whilst there is little variation in our clients’ stories the most dominant problem our clients faced this year was again eligibility issues (40%). Overpayments and debts continue to be a problem for clients although it is just 20% of our presenting problems. Rate Reduction issues continue to be reasonably common with 13% of the matters raising this as an issue.

However a new trend seems to be the increasing number of people presenting to the WRC with no income. This was nearly 17% of clients, whereas last year it was as low as 7.5%. Having no income puts people at a significant risk of homelessness and health problems. We are working hard to ensure our services are targeted towards accessing these most vulnerable people as we see significant benefit in getting these clients onto the right welfare payment.

WRC strives to highlight the reality of the government’s social welfare agenda and that an unjust federal social security system can create a bigger burden on the state government.

### Client Profile

Our client profile for people seeking Social Security services continues to be slightly dominated by women that are over 30. The young and some of the marginal groups don’t manage to find their way to our service which gives us constant cause for concern.

#### Case Study

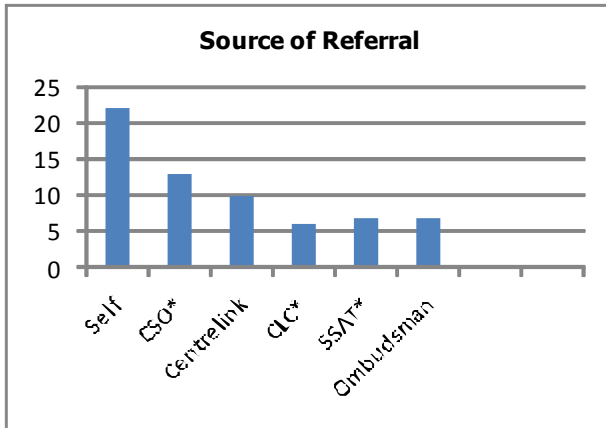
*Gena had a substantial Centrelink debt, but there were unfortunately no prospects on appeal. This led to feelings of shame, anxiety and depression. The social worker provided emotional support for the client, and negotiated with Centrelink for the standard three monthly reviews of withholdings to be deferred for 12 months whilst the client adjusted to the emotional and psychological impact of the decision.*

547 of our clients self-identified as having a disability. 35% of these identify as having a psychiatric conditions, an increase of 6% on last year’s data and follows a growth of 4% from the previous year.

4.8% of our clients identify as Aboriginal or Torres Strait Islander, and once again this is an increase from the previous year but we are keen to find better ways of providing more appropriate services to Aboriginal and Torres Strait Islander peoples.

71% of our clients were born in Australia. Other more common places of birth for our clients included New Zealand 7% and the UK 7%. Another 59 countries of birth were recorded.

Our source of referral remains similar to previous years with most people finding us on their own (22%). The graph below indicates the source of referrals to the WRC.



\* CSO = Customer Service Officer

\* CLC = Community Legal Centre

\* SSAT = Social Security Appeals Tribunal

### Case Study

*Sylvia was forced to cease work to care for her elderly mother. She completed an application form for a Carer Payment and Carer Allowance under the supervision of a Centrelink officer. This form was incorrectly filled in to state that the client did pay private rent and provided details of this, however omitted to answer some of the questions regarding this due to a misreading of the form. Neither the Centrelink officer advising her, nor the officer entering the information into the system noticed this error. This led to the client not receiving her entitlement to Rent Assistance for more than 18 months. The Welfare Rights Centre was able to help her successfully apply for back-pay under the Compensation for Detriment caused by Defective Administration Scheme. This meant that, while there was no longer any legal entitlement to the monies that should have been paid, the client received the same amount to compensate for Centrelink's error.*

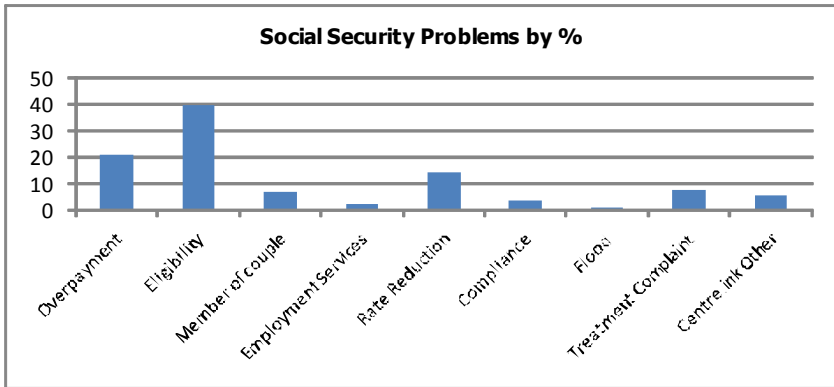
Young people (between 16-24 years = 8%) and people from non English speaking backgrounds (less than 3%) are under-represented in our clients.

Our TAS is developing to provide more robust advice now we have improved our training and induction procedures for volunteers joining the centre.

### Outreach

We had the opportunity to undertake outreach work in homelessness services and in two highly deprived regions in Queensland's South West (Caboolture and Logan). Fortunately this gave us the experience to develop and evaluate outreach servicing – which is in significant demand in a highly regionalised state. Unfortunately the costs of such servicing is too high for our current budget.

The graph below shows the range and extent of social security problems that our clients had.



### Systemic Work

This year, the Centre led or participated in an additional 15 Law Reform projects. Our participation included being elected to the role of Secretary of the National Welfare Rights Network and speaking at a variety of community or policy forums organised through groups including ACOSS and the University of Queensland. With a shift in our focus towards more vulnerable people we have been exposed to some of the more chronic issues that are impacting on Social Security recipients. These issues have been our casework priorities for the 2010/2011 year and have also been picked up in our systemic work. They include:

- Mental Health
- Homelessness
- Zero Income
- Family Violence

### Mental Health

At the beginning of the financial year Georgina Lawson was employed as Project and Research Officer to continue work on the Employment Services Project funded by the Department of Education, Economic Development and Innovation (DEEDI). The focus of this project was amended to examine the barriers to engagement for people with a mental health issue accessing the employment services sector. This shift towards mental health came as a result in the increasing numbers of vulnerable people accessing the Centre who identified as having a psychiatric disability. These clients were struggling to remain engaged in the social security system, especially their employment service. As a result of this work Welfare Rights put in a submission to the House of Representatives Enquiry into Mental Health and Employment in April 2011.

Research into these barriers revealed a system that has significant obstacles to supporting a variety of groups, not only those with mental health concerns. The Welfare Rights Centre believes that people are better off working than on welfare and to demonstrate this

position we decided to invest some time into creating resources which could assist the widest range of people possible to understand the employment services system, which is intended to get our client group into the workforce. To do this we added a separate section dedicated to "Employment Services" to the recently launched WRC website and a suite of 14 Fact Sheets were created and posted on this website to meet this gap of information in the community.

Following the Queensland floods we knew it was going to be difficult to hold onto State Government "one off" money that was delivering advocacy services for matters that fell in the Commonwealths jurisdiction. In order to prepare for a cut in funding we resolved to "mainstream" our advocacy and organised training for all WRC staff (and invited others who work in this area) in the Employment Service System. This training was delivered in collaboration with Jobs Australia, Centrelink, Commonwealth Ombudsman, Complaints Resolution and Referral Service, Department of Education, Employment and Workplace Relations and a number of employment services. The Social Security Telephone Advice Service can now provide employment services advocacy alongside its Centrelink service.

The last of the DEEDI funding was also used to train workers in the community sector in a specific region. Caboolture and surrounding areas were chosen due to the assessed need

in this low socio-economic area and discussions with DEEDI. Preparation for these four training sessions began in February with networking through existing area collaborative groups to assess issues clients of these organisations were facing and the workers' perceived need for training. An online survey was put out to the region to find out what style of training would suit their needs. Training was delivered in July and August.

### **Homelessness**

Our experience of delivering outreach services to those living in refuges and boarding house accommodation uncovered that 75% of the tenants were dependent on the Newstart Allowance, many had been rejected a pension and had little skills or capacity to advocate for themselves. Without the level of income that the Disability Support Pension brings, it is unlikely that these people would be able to gather enough money to move into more independent accommodation. The WRC made a submission to the Queensland Government's Strategy for

### **Case Study**

*As a homeless person Frank was put directly through to the Telephone Advice Service to have his matter sorted as quickly as possible. He explained that he seemed to be receiving \$40 less per fortnight in rent assistance than other men staying at the hostel and he believed this was because Centrelink thought that he was paying for "board" which includes meals rather than lodgings alone. Frank was on the disability support pension because he was 'silly in the head, but he wasn't stupid!'. Frank had approached Centrelink about the issue previously but nothing had changed. WRC was the fifth service he had tried to access assistance from in relation to this issue. With appropriate authority, a WRC advocater made contact with Centrelink to advocate on his behalf. Within hours Centrelink staff had located the paperwork originally submitted by Frank, noted that his claim for rent assistance had been incorrectly coded, rectified the issue and arranged for arrears to be paid to Frank within two working days. Frank said this payment would assist him with the costs of moving into more stable independent accommodation.*

Reducing Homelessness which drew on our casework experience. Some of the recommendations included:

- State wide advocacy and legal services need to be seen as part of the solution for homelessness in Queensland.
- There is a need to build the skills of housing and homelessness workers in the early levels of appeal which make up the Social Security system.

## **Zero Income**

Many of the homeless people we come across are people that are not entitled to a Centrelink payment at all. The most common of these being New Zealanders or those that were on a Compensation Preclusion Period, but through various reasons, often related to alcohol or gambling addictions, are without any assets and not entitled to an income.

This year 17% of our clients presented with no income, compared to last year this figure was only 7%. In part we believe this is because our focus on working with more vulnerable clients is attracting people without income, but it is also a reflection on the gaps that exist in our income security system. Historically New Zealanders could travel freely between New Zealand and Australia without applying for a Permanent Resident Visa and they were entitled to claim social security payments when they were in Australia. However, since 26 February 2001, Special Category Visa's (SCV's) were automatically granted to New Zealand citizens, which permitted them to reside and work in Australia but did not allow them to claim the full range of social security payments unless they were considered to be the holder of a "protected" SCV. The definition of this Visa is set down in legislation.

New Zealand residents do not come to Australia to claim welfare. Most settle into work, buy homes and put their children into school. Unfortunately the recent downturn in the economy and the floods has left many of these people without work, without residency and now without any social security or access to employment services to get them back on their feet.

## **Family Violence**

With an increased focus on family violence the WRC welcomed the Australian Law Reform Commission Inquiry into Family Violence and Commonwealth Laws. We made several submissions to this inquiry which considered a raft of Commonwealth laws and how they impact on people experiencing family violence. After consultation with the Australian Association of Social Workers (AASW) Queensland Branch, WRC responded to two Issues Papers: "Child Support and

## **Case Study**

*James had a \$57,000 debt for an overpayment of Carer Payment but could not comprehend any of the reasons or calculations of the decision maker. He had sought advice from a private solicitor and barrister prior to appealing to the AAT without representation. The AAT referred him to the Welfare Rights Centre due to his reluctance to set a hearing date due to mental illness and lack of understanding of the system. The Centre was able to identify many factual and legal errors in his debt calculation and were able to orchestrate a fair settlement with the Department which represented a \$31,000 reduction in the client's debt as well as a fair and appropriate account for the overpayment.*

Family Assistance” and “Social Security”. Many of our comments and suggestions were quoted in the ensuing discussion paper, *Family Violence – Commonwealth Laws*, released by the ALRC in August 2011. Working in partnership, WRC and the AASW made a joint response to the inquiry Discussion Paper. WRC’s expert knowledge of social security law was complemented by the AASW members’ in-depth understanding of family violence, making for a well-rounded submission. Issues that are of particular concern to WRC’s clients are the lack of consideration of the impact of family violence on member of a couple determinations and the unfairness of debts being raised against the victim of family violence where their fear of retribution prevented them from informing Centrelink accurately about their financial circumstances or living arrangements. The ALRC’s Final Report will be presented to the Attorney General at the end of November 2011.

## Community Education

Whilst a significant proportion of our work provides a service to individual clients, we are also funded to provide community education which includes providing quality information to the community, participating in community forums, drafting publications and articles for newsletters, and linking with key stakeholders. During the year the WRC completed 22 Community Education Projects. Examples include:

- **Website:** The WRC website was launched at the 2010 AGM. This project was overseen by Georgina Warrington who worked meticulously with the web design company Joseph Marks to come up with a quality product. This website is now used as a significant tool to get information into the community.
- **Printed Publications:** The WRC developed three printed publications in the 2010/2011 year including:
  - *Scene and Unseen Photographic Book*
  - *Is it OK to Complain?* – a business card size resource advising people on how to complain about their Employment Service Provider (see below).
  - *Disagree with Centrelink?* - another business card size resource advising people on how to appeal a Centrelink decision (see below).
- **TAFE:** WRC has embarked on a joint project with Bremer TAFE to develop three units for the Certificate IV Community Services Qualification that will skill people in advocating for clients having problems with the social security system. It is anticipated that these units will be delivered nationally once completed and that our service will be given the recognition that it needs by people working with vulnerable client groups and those dependent on fixed incomes.



- UQ Social Work and the Law: In the continuing vein of working with those who are being educated, Georgina Warrington and Teresa Grahame have been appointed by the University of Queensland to deliver the compulsory course "Social Workers and the Law". The WRC is also working with Dr Tamara Walsh from the UQ Law School on the subject of interdisciplinary services in the community services/legal service systems.

## **Disability Discrimination**

The WRC has been providing Disability Discrimination legal advice and advocacy for Queenslanders living in, and south of, Mackay since 1994. It has been a difficult year for this service as the lack of funding reached crisis point and for much of the year the service was under a review to determine how the \$74,000 we received would be best targeted.

The Solicitor working in this area still continued to undertake a significant amount of client work which included:

- 211 advices given
- Worked on 41 cases.

At the end of the 2010/2011 year the outcome of the review was still unclear although there clearly needed to be changes made as the service was operating with a \$12,000 deficit and our endeavours to attract further funding were not working.

## **Client Services**

When reviewing our disability discrimination advice work it became apparent that most of the referrals were coming from the Anti Discrimination Commission of Queensland (ADCQ), (88 matters or 41% of our referrals). The other most common source of referral was "self" with many clients coming back to the service for repeat assistance (18% of clients). In part, this is because of a high level of satisfaction with the service that was given but it is also because there is a very low level of knowledge in the community about the existence of the Disability Discrimination service. Other sources of referral were community service organisations, some of which we work with very closely, as well as other community legal services.

The most common disability discrimination problem presented to the WRC was "Employment", with 119 matters or 56% of the presenting problems. More than half of these referrals came from the ADCQ and the problems would include:

- unfair dismissal
- unfair treatment at work
- return to work programs following injury or illness

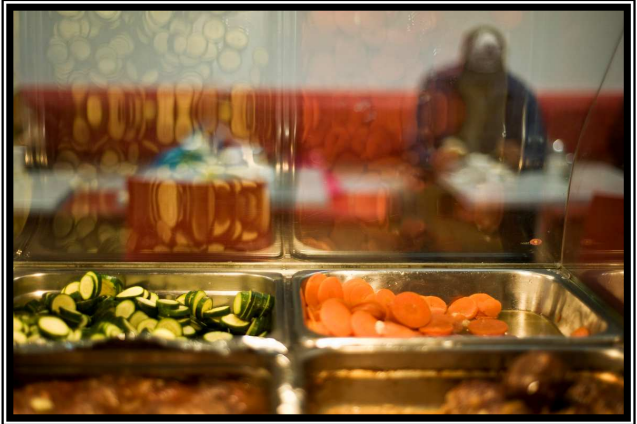
Whilst all of these clients would have received advice, only 6% of them resulted in a casework file being opened, most likely because the client did not meet our casework guidelines.

Advice was also given on Provision of Services: 35 matters, Education: 24 matters and Accommodation: 11 matters.

## Casework

The Centre opened 22 new cases in the year with the majority of the clients self referring, often because they had used the service in the past or because a friend had told them about the service. The ADCQ referred 6 of these cases, the AHRC 2 and Legal Aid Queensland one case.

The area of disability discrimination that the centre worked on predominantly was "access to services" and "employment", both had seven cases each. We opened five cases that related to education.



## Networks

The centre invested staff time to participate in the following networks as a means to have social justice issues addressed systemically or in a strategic and efficient manner. These networks included:

- Australian Disability Rights Network (ADRN) - This is a network comprising all of the DDLAS services in Australia plus a few other organisations. We utilise shared experiences to provide a better service for the community (bi-monthly meetings).
- ADCQ Disability Organisation Network - bi-annual meetings to disseminate information to disability groups and for these groups to share information with the ADCQ and other organisations.
- ADCQ Disability Advocates Network at the ADCQ - bi-annual meetings for information sharing from advocates such as Crown Law, Trade Unions and the Queensland Working Women's Service.
- DLAF - ongoing meetings coordinated by Legal Aid to create some coordination of legal services to people with a disability.

## Community Education

With the restricted budget it has been difficult to plan and deliver community education activities, although there has been a review of the WRC Disability Discrimination Handbook which is available from the Centre in a PDF format.

We are living through interesting times. Our service is dependent on government funding to operate, we have little opportunity to meet the demand or need for our services. We are working to identify productive partnerships that can ensure the work we do is making a greater impact. We need to build stronger relationships with the state government, service providers and government departments with a view to increasing our funding levels through recognition of the value of our work.

In 2010/2011 there were eleven staff positions at Welfare Rights Centre Inc; four full time and seven part time, all supported by a large volunteer program, which has been revamped.

In the coming year WRC will be about consolidating the service delivery model that we have developed, but with a significant reduction in staff. As a result we will focus on:

- The ongoing development of our interdisciplinary service delivery model where both legal and social work skills are utilised to provide quality advice, information, support and advocacy towards the more vulnerable clients with the intent of ensuring they become or remain engaged with the social security system.
- Utilise students and volunteers to increase our capacity to provide services to clients.
- Work collaboratively with other legal and advocacy services to identify referral options for clients that fall outside our target areas.
- Seek alternative and independent funding so we can continue to build the capacity of community services staff to advocate for their clients in the social security system.

**Gail Middleton**  
**Executive Director**



# Volunteers 2010—2011

With a limited staff the Centre has become quite dependent on its volunteers to assist with a variety of tasks, but primarily their role is to provide the first contact service to our clients. During the year the WRC has invested considerable time to ensure we can bring new volunteers on board without the training process putting pressure on existing staff. As a result we have developed a volunteer pathway where all interested volunteers are encouraged to come and observe the work of the Centre and then start with answering the phones, engaging with clients and accurately documenting their contact details and a summary of the presenting problem. This gives them an opportunity to develop a good understanding of the service delivery model at the WRC and it gives us an opportunity to identify who is ready to take on greater challenges that working in the Telephone Advice area requires.

Students have a choice of working in Social Security, which includes employment services or disability discrimination. Once again we have a set of competences clearly documented and when the volunteer meets all the competencies then can progress again into undertaking minor casework.

We also recognise that other volunteers have specific interests and skills, so where possible we try to match them. Examples include the work that Jen Ryan, Jessica Wilson and Josh Rufford had in working on our various communication resources.

Many of our volunteers are also given opportunities to take on paid work; Joern, Lynda, Michael and Vera are all examples.

Our volunteers are recruited through Volunteering Queensland, the law schools and through word of mouth.

Aaron Beh  
Alana Elliot  
Brooke McCracken  
Chia-Yi Kuo  
Claire Davies  
Damien Craven  
David Robinson  
Gabriella Ford  
Jacob Fredericks

James Stedman  
Jessica Wilson  
Jodie Moffatt  
Joern Herrmann  
Katrina Craig  
Kelly Parr  
Leonie Dubbelman  
Lynda Wong  
Mainaaz Oakley

Michael Durrand  
Mike Harris  
Neha Rao  
Paul Flintoft  
Samantha Brown  
Seone Woolf  
Steven Munic  
Trang Le-Huy  
Vera Radisavljevic

# Organisational Members

- Australian Services Union – Queensland Services Branch
- Benarrawa Community Development Association Inc
- Bribie Island and District Neighbourhood Centre Association Inc
- Caboolture Household and Budget Support Services (CHABSS)
- Centacare Cairns
- Consumers Health Queensland
- Gateway Community Group Inc
- Gladstone Regional Council – Community Advisory Service
- James Cook University Student Association
- Queensland Parents for People with a Disability Inc.
- Speaking Up For You (SUFY)
- St Gerard Majella Conference of St Vincent de Paul Society
- Youth and Family Service (Logan City) Inc



# *Individual Members*

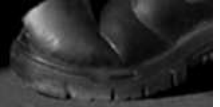
Sam Alexander  
Robin Boyne  
Christopher Caravas  
Garth Catton  
Lurline Comerford  
Patrick Cranitch  
Andrew Davison  
Vickie Dell  
Michael Durrand  
Jacob Fredericks  
David Giles  
Teresa Grahame  
Kathie Grigg  
Ann-Margaret Herriot  
Liz Jeffrey  
Stephen Keim  
John Kindt  
Georgina Lawson  
Larry Laikind  
Amanda Lear  
Trang Le-Huy  
Lena Lundell  
Greg Marston  
Sue McComber

Gail Middleton  
Noel Muller  
Graydon Murdock  
Senator Claire Moore  
Nicole O'Keane  
Bob O'Neill  
Susan O'Shea  
David Powell  
David Robinson  
Mary Ryan  
Paula Soane  
Terry Stedman  
Arthur Thackham  
Ben Thompson  
Luke Tiley  
Atalaite Tuqiri  
Wendy Turner  
Bryony Walters  
Rachel Watson  
Georgina Warrington  
Julie White  
Scott Wilson  
Lynda Wong  
Seone Woolf

# *Life Members*

Alla Craigie  
Daisy Eaton  
Joan Campbell  
Joan Holmwood  
Cameron Thomas

# Notes





# Contact WRC

Welfare Rights Centre Inc.  
PO Box 293 Fortitude Valley QLD 4006

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**Email:** [wrcqld@wrcqld.org.au](mailto:wrcqld@wrcqld.org.au)  
**Website:** [www.wrcqld.org.au](http://www.wrcqld.org.au)

Large print copies and a PDF version of this report are available upon request.

Layout by Nicole O'Keane - 2011

WRC Inc is a charity and classified as a "Deductible Gift Recipient as a Public Benevolent Institution".  
Gifts of \$2 and over to the Centre are 'tax-deductible'.

ABN 67 563 668 353

Photos included in this report have been contributed by:

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Sue Camlin  
Jennifer Ryan

Damien Quick  
Ane Hagen  
Ellen Fromm

