



**Villamanta Disability Rights
Legal Service Inc.**

Villamanta Disability Rights Legal Service Inc.



Annual Report 2015 – 2016

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Legal Service Inc.**

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Villamanta Disability Rights Legal Service Inc. Staff Members



Villamanta Disability Rights
Legal Service Inc.

Deidre Griffiths	Principal Solicitor & Executive Officer (5 days per week)
Greg Lesson	Casework Lawyer/Policy & Law Reform Worker (4 days per week)
Viv Avery	Casework Lawyer (3 days per week)
Darrell Harding	Accounts Administrator/Personnel/Special Projects (3 days per week)
Sue Wolter	Paralegal Worker (4 days per week)
Viv Nicol	Administration Worker (3 days per week)
Naomi Anderson	Casework Lawyer (3 days per week)

ACKNOWLEDGEMENTS

Villamanta Disability Rights Legal Service Inc. is part of the Australian Network of Disability Advocacy Services funded by the Australian Government. We thank our funder, the Department of Social Services.

Villamanta also thanks Deakin University for its positive collaboration and generous support in providing us with a home at Deakin's Geelong Waurin Ponds campus.



Australian Government

Department of Social Services



Annual General Meeting MINUTES	Wednesday 25th November, 2015 5.00 p.m. Villamanta Disability Rights Legal Service Inc. Building ib, Level 4, Deakin University, Waurin Ponds Campus, 75 Pigdons Road, Waurin Ponds Vic., 3216
1. Welcome	Philip Clarke, Chairperson, welcomed everyone to the meeting and handed over to Deidre Griffiths, Executive Officer, who read out the list of apologies and asked for any further apologies.
2. Present	<p>Committee Members: Philip Clarke (Chairperson), Amanda Milleur (Deputy Chairperson), Andrew Hill (Secretary), Neville Porter & Barb Machnyk (support person), Hank Wyllie, Michele Tucker and Rebecca Smith.</p> <p>Staff: Deidre Griffiths (Executive Officer), Viv Nicol (Minutes), Viv Avery (Villamanta Lawyer), Darrell Harding (Accounts Administrator) and Sue Wolter (Para-legal)</p> <p>Volunteers: Joshua Avery</p>
3. Apologies	<p>Committee Members: Kathryn McBride (Treasurer)</p> <p>Staff Members: Greg Leeson (Villamanta Lawyer) and Naomi Anderson (Villamanta Lawyer)</p> <p>Law student volunteers: Katherine Taylor, Brydee Hodgson, Lachlan Crowe and Claire Pardanis.</p> <p>Other apologies: Georgie Alford (volunteer lawyer), Jan Ashford - CEO - Communication Rights Australia, Kylie Parkyn (past volunteer), Deb Verdon – Grampians Disability Advocacy, Senator George Brandis - Attorney General – Leader of the Government in the Senate, Marlene Ebejer – Law Lecturer & Legal Internship & Placement Coordinator – Deakin University Law School, Leah Katieva – CEO - Rights, Information and Advocacy Centre (RIAC), Ingrid Hindell – Board Member – Barwon Disability Resource Centre (BDRC), Carol Okai – Executive Officer - Barwon Disability Resource Centre (BDRC), Professor Jane den Hollander - Vice Chancellor – Deakin University, Sarah Henderson MP, Beryl Power and Claire Humble – Leo Cussen.</p>
4. Confirmation of Minutes of Previous Meeting	<p>Motion: <i>That the minutes of Villamanta Disability Rights Legal Service Inc.'s Annual General Meeting held on Wednesday 24th September, 2014, be accepted.</i></p> <p>Moved: Andrew Hill Seconded: Darrell Harding Carried.</p>

<p>5. Chairperson's Report</p>	<p>Philip Clarke Chairperson, invited everyone to read his report in the Annual Report. Philip commended Deidre and staff for the exemplary way the re-location was handled. Philip also thanked Deakin University for their generosity in providing Villamanta with office space and entering into a collaborative arrangement with Villamanta providing practical placement opportunities for Deakin law students. Philip also thanked and congratulated committee members and volunteers for their work and commitment throughout the year.</p> <p>Philip also noted that during the course of the year there had been a few changes to the Committee, seeing the departure of Lauren Matthews, Chairperson and Peter Landers, Treasurer. Philip formally thanked them both for their valued contribution to Villamanta over numerous years.</p> <p>Philip noted we have recently had two new people join our Committee of Management, namely Michele Tucker and Rebecca Smith, whom he welcomed and thanked.</p> <p>Philip congratulated staff, committee members and volunteers on the great results achieved in the recent service audit and noted that the feedback reported by constituents was excellent and all very positive.</p> <p>Motion: <i>That the Chairperson's Report be accepted.</i></p> <p>Moved: Sue Wolter Seconded: Darrell Harding Carried</p>
<p>6. Executive Officer's Report</p>	<p>Deidre Griffiths, Executive Officer, invited everyone to read her report in the Annual Report. Deidre gave a brief overview of the year's work and thanked all the staff, Committee Members and volunteers for their great work in a particularly challenging year. Deidre also thanked Philip for his part in Villamanta's re-location to Deakin University and thanked Deakin University for making us so welcome</p> <p>Deidre noted the great work the casework team have done throughout the year, with many excellent results for constituents. Deidre also noted the change to staff with the departure of Trish Jardine, Telephone Advice Service worker and Ben von Einem, lawyer, and acknowledged them both for their service to Villamanta. She particularly thanked staff and family/friends of Villamanta for their enormous contribution to the task of re-location.</p> <p>Deidre noted that Naomi Anderson, lawyer, had joined Villamanta in the role of casework lawyer and that she also responds to the advice line, as do all other staff members.</p> <p>In summing up, Deidre thanked staff, Committee Members and volunteers, for a great job done by one and all, as reflected in the results of the service audit.</p> <p>Motion: <i>That the Executive Officer's Report be accepted.</i></p> <p>Moved: Deidre Griffiths Seconded: Darrell Harding Carried</p>

7. Treasurer's Report	<p>As Kathryn McBride, our newly appointed Treasurer, was an apology, Darrell Harding, Accounts Administrator, referred to the Treasurer's Report in the Annual Report and provided a brief overview of Villamanta's financial situation. Darrell noted that this year had been another challenging one as our funding was once again subject to an indexation pause. Darrell thanked Kathryn McBride for her support. Philip commended Darrell on the good financial outcomes.</p> <p>Motion: <i>That the Treasurer's Report be accepted.</i></p> <p>Moved: <i>Darrell Harding</i> Seconded: <i>Amanda Millear</i> Carried</p>
8. Appointment of Auditor	<p>Motion: <i>That Devenny Payne, Taxation and Business Services, again be appointed as Villamanta Disability Rights Legal Service Inc.'s Auditor for the 2015/2016 financial year.</i></p> <p>Moved: <i>Darrell Harding</i> Seconded: <i>Sue Wolter</i> Carried</p>
9. Election of Committee Office Bearers/Ordinary Members	<p>Philip noted, as there were not more nominations than positions available and the existing office bearers have indicated they are happy to continue, the following motions were put forward:</p> <p>Motion: <i>That Philip Clarke be re-elected as Chairperson.</i></p> <p>Moved: <i>Hank Wyllie</i> Seconded: <i>Andrew Hill</i> Carried</p> <p>Motion: <i>That Andrew Hill be re-elected as Secretary.</i></p> <p>Moved: <i>Philip Clarke</i> Seconded: <i>Sue Wolter</i> Carried</p> <p>Motion: <i>That Kathryn McBride be re-elected as Treasurer.</i></p> <p>Moved: <i>Philip Clarke</i> Seconded: <i>Neville Porter</i> Carried</p> <p>Motion: <i>That Amanda Millear be re-elected as Deputy Chairperson.</i></p> <p>Moved: <i>Philip Clarke</i> Seconded: <i>Andrew Hill</i> Carried</p> <p>Motion: <i>That the following Ordinary Committee Members be elected:</i></p> <p>Neville Porter Hank Wyllie Rebecca Smith Michele Tucker</p> <p>Moved: <i>Philip Clarke</i> Seconded: <i>Hank Wyllie</i> Carried</p> <p><i>4 vacancies remain</i></p>
10. Other Business	<p>Deidre Griffiths presented Committee of Management Members and Barb Machnyk, Neville's support person, with a small token of Villamanta's appreciation.</p> <p>Philip thanked everyone for attending and invited people to stay for something to eat and drink.</p>
11. Close meeting	<p>The meeting closed at 5.25 p.m.</p>
12. Next meeting	<p>Date of next Committee of Management Meeting: Wednesday 24th February, 2016 at 4 p.m. at Villamanta</p> <p>Date of next Annual General Meeting - to be advised.</p>

About Villamanta Disability Rights Legal Service Inc.



Villamanta Disability Rights
Legal Service Inc.

Our Mission

Villamanta is a Community Legal Service operating throughout the state of Victoria on disability related legal and justice issues. Our focus is on intellectual disability.

Villamanta's mission is to protect and advance the rights of Victorians who have a disability, by advising, informing and representing them and acting as an advocate on disability related legal and justice issues.

Our Vision

Villamanta's vision is to be recognised as a leading provider of legal and justice related services for people who have an intellectual disability and through our work, significantly contribute to creating an environment in Victoria in which people who have a disability, are acknowledged, recognised and respected equally with other Victorians and do not face discrimination.

Villamanta provides these free services to people who have a disability:

- ◆ **Telephone information, advice and referral service**
- ◆ **Legal assistance on disability related issues**
- ◆ **Community legal education**
- ◆ **Policy and law reform**

Some of these services are also provided to people who do not have a disability who are involved in supporting people with disabilities. Villamanta also sells books on disability related legal issues.

Villamanta Disability Rights Legal Service Inc. is committed to the rights of people who have a disability. Villamanta believes people who have a disability have a right to be treated in ways that are fair and reasonable, and which result in opportunities, freedoms, and a standard of living that are equal to those existing for people who do not have a disability.

Villamanta aims to make it possible for people who have a disability to use the law to ensure that their legal rights are recognised and acted upon by others.

"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has"

Margaret Mead

Committee of Management Members



**Villamanta Disability Rights
Legal Service Inc.**



Kathryn McBride is the Treasurer of Villamanta's Committee of Management and was the Chairperson from 2011 to 2013. Kathryn is the Co-ordinator of Care Services at the City of Greater Geelong.

She holds a Graduate Diploma of Education, and recently completed a Master of Professional Accounting.

Kathryn has a rich experience in leadership and management of service provision for people with disabilities and a commitment to innovation and improvement opportunities in this field.



Andrew Hill is the Secretary of Villamanta's Committee of Management. Andrew is a lawyer who is a partner in the Geelong law firm, Birdsey, Dedman and Bartlett. Andrew has extensive board and committee of management experience. He has over 40 years experience in Commercial law, Property law (Rural, Commercial and Residential), Wills and Estates and Powers of Attorney. He is a keen fisherman and oarsman and enjoys golf and gardening.

Andrew is a former Convenor of Barwon Region Youth Affairs Network, Committee member of Geelong & District Day Nursery, Secretary of Villamanta Disability Rights Legal Service, member of Geelong Legacy and Corio Bay Rowing Club. Andrew is a former President of Geelong District Nursing Service and Geelong Community Health Service and a former Board Member of Barwon Health.



Neville Porter is an Ordinary Member of Villamanta's Committee of Management. Neville has been on the Committee since it started 26 years ago.

Neville is doing a course at Karingal, including reading and writing study. Neville also attends acting classes at Karingal which he has been doing for a number of years, which he really enjoys.

Neville works at St Laurence Paper Services in North Geelong. Neville is good at his job and is a member of the Geelong Football Club cheer squad. "Go Cats!"

Committee of Management Members



**Villamanta Disability Rights
Legal Service Inc.**



Amanda Millear has been a member of Villamanta's Committee of Management since 1995, 21 years. Amanda has held the office of Deputy Chairperson for at least 17 of those years. Amanda is the second longest serving Committee member and longest serving Deputy Chairperson and a person who has a disability. As Deputy Chairperson, Amanda sometimes chairs the bi-monthly committee meetings which she enjoys.

On the 4th of February, Amanda walked into the 3rd floor meeting room at Ross House and there was a 60th birthday surprise party for her. Lots of her colleagues and friends were there. There was a Star Trek cake which blew her off the planet. Deidre Griffiths was there representing Villamanta. Amanda received lots of cards and presents. Amanda said to herself "That came out of left field".

Amanda says: *"Villamanta is a unique service being one of the first organisations to have people who have a disability on their Committee of Management and everyone gets a say."*

Amanda reminds us not to use jargon words and to think about other people's needs at meetings. When she hears a jargon word she always asks for plain English and the meaning of the word.

Amanda attended the 2016 "Having a Say" Conference and likes to represent Villamanta at the Conference, which she did for the tenth time. The "Having a Say" Conference shows that people who have a disability have an important role to play in the community about learning and doing new things.

Amanda says Villamanta is always on the lookout for new members and new Committee of Management members. People who have a disability are encouraged to join Villamanta. Membership is free.

Amanda has a big interest in the law and human rights and legal issues for people who have a disability. Amanda has been involved in the disability movement since 1980 and was part of the first self-advocacy group in Victoria and has been a very powerful self-advocate over the many years she has been involved in the disability sector. Amanda is familiar with and has used both State and Federal laws in many legal matters.

Amanda would like to give a big thank you to all the staff, volunteers and other Committee Members for their hard work and commitment to Villamanta.

Amanda hopes you have enjoyed reading her Deputy Chairperson's Report and looks forward to the year ahead. Amanda also barracks for the mighty Cats. Go, Go, Go!

Committee of Management Members



**Villamanta Disability Rights
Legal Service Inc.**



Hank Wyllie is an Ordinary Member of Villamanta's Committee of Management. Hank has been a disability advocate since about 1990 after acquiring his disability at age 35. Following intensive rehabilitation spanning over two years, after his release from three hospitals, he decided to dedicate his formerly physically active life to assisting other people who have disabilities to access the community, as is their right.

Having communication impairment did not deter him, as he became actively involved in various committees.

On a national level, Hank was on the Board of the Australian Communication Exchange for two years and on the Standing Advisory Committee on Disability Issues, a sub-committee of the Australian Communications Consumer Action Network (ACCAN).

Hank is currently on the National Relay Service National Advisory Committee.

Because of his interest in improving or creating awareness of the difficulty of people who have little or no speech, he sought many ways of communication by telephone or telecommunications via the phone and internet and was on TEDICORE (the voice of Australia's peak organisations of people with disabilities on telecommunications) and the Telstra Disability Access Forum, among other influential bodies.

Hank now works on a casual basis for Scope to promote its Communication Access Symbol and talks to people about accessible communication, via his communication device and limited speech, to assess businesses and organisations to help make their premises Communication Accessible and obtain the Symbol. These only represent a few of his interests.

Hank has a keen interest in advocacy and rights of people with disabilities, which is why he chose to join the Villamanta Disability Rights Legal Service Committee of Management, to share his thoughts and ideas to assist Villamanta's excellent record of achieving results.



Michele Tucker is an Ordinary Member of Villamanta's Committee of Management. Michele completed her Bachelor of Arts/Bachelor of Laws (Honours) degrees at Deakin University in Geelong in 2007. Michele is a sole practitioner, practising varied areas of law. Michele is also a casual academic at Deakin Waterfront and Deakin Burwood, lecturing Business Law. Michele is passionate about social justice, wine, her hometown Geelong and the mighty Cats.

Committee of Management Members



**Villamanta Disability Rights
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Professor Philip H Clarke is the Chairperson of Villamanta's Committee of Management. Philip is an Emeritus Professor of Law at Deakin University, an education consultant and the principal of Corporate Compliance Australia Pty Ltd. Previously he was Deakin University's Deputy Vice-Chancellor (Academic) (2009-2010), Pro Vice-Chancellor International (2008-2009), Dean of the Faculty of Business and Law (1999-2008) and the inaugural Head of the Deakin Law School (1993-1999). As Deakin University's Foundation Professor of Law he was instrumental in establishing and developing its law degree program.

Professor Clarke is an Australian lawyer who is a graduate of the Universities of Western Australia and Auckland. He has extensive teaching experience at the Australian National University, Monash University and Deakin University and has published texts in the fields of Competition Law, Contract Law and Consumer Protection.

Professor Clarke has experience of the law reform process through working as the Director of the Western Australian Law Reform Commission and as a consultant on competition law to the Asian Development Bank. He is a former editor of the *Australian Business Law Review*.



Rebecca Smith is an Ordinary Member of Villamanta's Committee of Management. Rebecca is a Registered Nurse who has worked in a variety of settings over her 25+ year career, with a focus on quality and community care. Her educational achievements are completing a Bachelor of Social Science (Human Services), Graduate Diploma in Human Resource Development, Fellow of the Australasian Association of Quality in Healthcare (AAQHC) and most recently, completing the Leaders For Geelong program in 2015. Her current role is Quality Manager, Villa Maria Catholic Homes.

Our volunteers



**Villamanta Disability Rights
Legal Service Inc.**



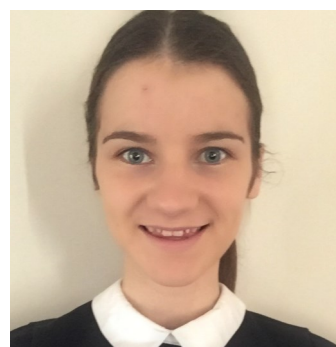
Rohan Hulonce
Law Student/Intern



Rebecca McNally
Law Student/Intern



Clare Hovey
Law Student



Brydee Hodgson
Law Student



Joshua Vanderleest
Law Student



Ming Kalanon
Law Student/Intern

Our volunteers



**Villamanta Disability Rights
Legal Service Inc.**



Aleksander Dukovski/Intern
Law Student



Jemma Wilson
Law Student



Dr Julie Clarke - Associate Professor
Deakin Law School



Georgie Alford
Lawyer



Trevor Horsley
Lawyer



Olga Gridina
Lawyer

Chairperson's Report



**Villamanta Disability Rights
Legal Service Inc.**



It is my pleasure to present the Committee of Management's Chair report for 2015-2016. Following a year of change and renewal in 2014-15, this year can be characterised as one of consolidation and quality enhancement. As noted in last year's report, for a nominal rental, Deakin University has generously agreed to provide Villamanta with accommodation on its Waurn Ponds campus. This saw the Service move into that accommodation in the second half of 2015, a move the Executive Officer and our staff managed with great efficiency and aplomb.

Consequently, despite the dislocation necessarily involved, this was achieved without appreciable disruption to the representation provided for Villamanta's clientele and will enable it to work on their behalf into the future at levels consistent with those in the past. In this regard, the continued support of Deakin University's Vice-Chancellor, Professor den Hollander, and other Deakin staff, is gratefully acknowledged.

An element of its consolidation with Deakin is that Villamanta will provide Deakin law students with the opportunity to undertake the Law School unit, MLL351 *Legal Internship*, and professional experience placements. As well as providing students with valuable practical experience, this expands Villamanta's capacity to assist its clients and carry out its other responsibilities. The contribution to its work made by Law School volunteers is also gratefully acknowledged.

Coinciding with its Deakin consolidation, Villamanta pursued a number of measures designed to enhance the quality of its work. Its Risk Management Sub-Committee, chaired by Hank Wylie, kept the Strategic Plan under review and reassuringly reports that Villamanta is on track to meet (at least) most of its targets. This Plan will be revised in the coming year to cover the next triennium. The Committee of Management also reviewed its obligations, and those of individual members, under the Associations Incorporation Reform Act 2012 to ensure full compliance. And Villamanta's web site was rejuvenated to make it more accessible and useful to the public and most importantly, to existing and potential clients. On behalf of the Committee, I would like to thank Dr Julie Clarke for the work she carried out in designing, populating and establishing this site.

Villamanta's core responsibility is to provide disability related legal services to people with a disability, particularly those whose disability is intellectual in nature. This includes carrying out legal work, providing advice and referral services, undertaking community education and engaging in policy and law reform initiatives. As in the past, these activities were undertaken during the current year in an exemplary manner. That this was so, was evidenced by the Service Audit of Villamanta undertaken by SAI Global in October. This reported that Villamanta met all of its customer, statutory and regulatory requirements and recommended not only that its certification continue, but that it be upgraded 'to the National Standards for Disability Services'.

Chairperson's Report



**Villamanta Disability Rights
Legal Service Inc.**

It is hardly surprising, therefore, that the results of Villamanta's client satisfaction survey for the period 1 April 2014 to 31 March 2016 showed that 95% of respondents rated its service as Good, Very Good or Excellent. This survey was also accompanied by numerous expressions of gratitude to individual members of staff and even one donation!

Finally, the Committee of Management's own membership survey showed equally high levels of satisfaction, although it did identify a small number of areas in which improvement could be made; these will be attended to in the coming year.

The budgetary concerns which occupied the Committee in previous years were ameliorated by Villamanta's move to Waurin Ponds and our Treasurer, Kathryn McBride, now reports that our finances are in good order. However, Villamanta remains almost entirely dependent on a single source of funding (that provided by the Australian Government through the Department of Social Services). As this is provided only on an annual basis and without due allowance for inflation, long term planning must be undertaken cautiously.

In conclusion, I extend my gratitude to the other members of the Committee for their support during the year and for the industry and the commitment they have displayed. Amanda Millea has continued to be a very active Deputy Chair, Kathryn McBride and Andrew Hill have served with distinction in the important roles of Treasurer and Secretary, Hank Wyllie and Neville Porter have contributed to the important work of the Risk Management sub-committee (Hank as its Chair) and Rebecca Smith and Michele Tucker have brought to the Committee practical wisdom and experience. In short, Committee members continue to make valuable and complementary contributions to its work and through it, to the operation of Villamanta generally. The services it provides are better for their advice and assistance. I wish also, on behalf of the Committee, to acknowledge the skill and commitment of Villamanta's professional and administrative staff led by our Executive Officer and Principal Solicitor, Deidre Griffiths. Without them, the Service would not function as effectively as it does, thereby putting at risk the rights and interests of those it serves. We owe them all our gratitude. To you all – thank you and best wishes for the future.

Professor Philip Clarke
Chairperson

Executive Officer & Principal Solicitor's Report



**Villamanta Disability Rights
Legal Service Inc.**



2016 has been another very busy and productive year for Villamanta Disability Rights Legal Service Inc. Our Committee of Management members, staff and volunteer workers have continued to work tirelessly to ensure that Victorian people who have a disability receive timely, high quality legal advice, representation and justice.

Villamanta's free telephone advice, information and referral service (Free call 1800 014 111) – the gateway to Villamanta – once again provided assistance to many callers.

We also provided legal casework and community legal education for people who have a disability and did policy and law reform work on several important issues. Our lawyers also presented training on disability rights topics to others in the community and we sold some publications on disability related topics. More information about the work Villamanta staff members and volunteers did during 2015-16 is given throughout this report.

Villamanta is funded by the Australian Government through the Department of Social Services under the National Disability Advocacy Program (NDAP), as part of the Australian Network of Disability Advocacy Services. We are extremely grateful to our funder for their grant of funding which enables us to provide legal advice and advocacy to Victorian people who have a disability. We also receive ongoing benefits from improved practices through our successful annual participation in the Quality Assurance audit against the National Disability Services Standards. The audit process aims to measure how we are working against the disability services standards and improve the way our agencies are run and the way the NDAP is delivered.

We also benefit from participating, along with our colleague community legal centres throughout Australia, in the annual CLCs Professional Indemnity Insurance cross-check process.

We have settled into our premises at Deakin University's Geelong Waurn Ponds campus and continue to be extremely grateful to Deakin University for providing us with this accommodation. We continue to provide practical training opportunities to Deakin Law Students which we believe will better equip them for the workplace and also increase their knowledge about the circumstances and legal rights of people who have a disability. We fully expect that these students will become ambassadors for disability rights throughout their legal careers.

We have continued to work collaboratively with various advocacy and other organisations, networks and individuals to achieve positive results, both for individual clients and at a systemic level, on numerous important issues. We greatly appreciate the collaboration, co-operation and support of these organisations and their workers and believe it greatly benefits our clients and constituents.

Executive Officer & Principal Solicitor's Report



**Villamanta Disability Rights
Legal Service Inc.**

We appreciate the continuing good communication and consultation between our funder and agencies in the advocacy sector, particularly those in the National Disability Advocacy Program (NDAP), which helps advocacy organisations to carry out their important work in a stable environment. We continue to work with our funder, along with other NDAP agencies, to further improve the program.

Villamanta's highly skilled, professional, caring and dedicated workers have worked tirelessly throughout the year to achieve the rights and empowerment of people who have a disability and disability-related legal or justice issues. We have received very positive feedback from clients and constituents that tells us that Villamanta's work is greatly appreciated and is helping to improve the lives of many people who have a disability.

Our volunteer program continues to be very active. Our volunteers, including many law students among others, are extremely generous with their time and contribute many and varied types of experience and skills. We thank them all for their great contribution to Villamanta's work which greatly benefits our clients and constituents.

Our 2015-16 volunteers include our Committee of Management members: Amanda Millear (Deputy Chairperson), Neville Porter, Andrew Hill (Committee Secretary), Kathryn McBride (Treasurer), Hank Wyllie, Rebecca Smith, Michele Tucker and Philip Clarke (Chairperson). Some of our committee members received support from Barbara Machnyk, whom we farewelled during the year, and we thank Barbara for her generous support of Villamanta over several years. Villamanta thanks all our volunteers for their great contributions and hard work.

This year our volunteer workers included Lawyers Georgie Alford, Naomi Anderson, Trevor Horsley and Olga Gridina, and Law Students Jasjit Manpotra, Zoe Fatouros, Lachlan Wood, Katherine Taylor, Jemma Wilson, Rosary (Claire) Pardinis, Brydee Hodgson, Aleksander Dukovski, Ming Kalanon, Tori Dyson, Clare Hovey, Rebecca McNally, Rohan Hulonce, Grace Inness and Christopher Clarke. They have made a huge contribution to Villamanta's work. We also thank Julie Clarke of Deakin University's Law School and Philip Clarke for the much appreciated work they did to update Villamanta's website.

We would also like to thank various private lawyers and barristers and our colleagues at the other community legal centres and at Victoria Legal Aid, for providing our clients and us with *pro bono* advice and support. We also thank our colleagues, the staff of the Federation of Community Legal Centres (Victoria) and of the National Association of Community Legal Centres (NACLC), the members of Disability Advocacy Victoria Inc. (DAV Inc.), other advocacy organisations, the staff and members of the Disability Advocacy Network Australia (DANA), of the Disability Advocacy Resource Unit (DARU), the Self Advocacy Resource Unit (SARU), VCOS and the Law Institute of Victoria (LIV), for all of their valuable work, collaboration and support.

Executive Officer & Principal Solicitor's Report



**Villamanta Disability Rights
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Our thanks also go to Phil Grace, of Grace Information Technology, who once again provided Villamanta with much appreciated and prompt support and assistance with our computer system. We also thank Rohan Mitchell of 1024 Pty. Ltd. for support with our IVO data base and Stephen Davies of Pagination Pty. Ltd. for support with website and printing.

This year we have continued to observe an increase in education and school integration-related problems for children who have a disability and we have worked, often in collaboration with others, to try to assist these families. We are particularly concerned about the inappropriate use of restraint and seclusion for school children who have a disability and will work to end this completely unacceptable practice. We note the introduction of a position of Principal Practice Leader (Education), reporting to the Senior Practitioner (Disability) in the Office of Professional Practice (DHHS), as part of the Special Needs Plan for Victorian schools, and will be interested to see any positive impact this may have on this extremely unacceptable problem.

Villamanta continues to work on the ongoing situation of disadvantage of parents who have a disability who are involved in the Child Protection system, and we try to achieve some improved outcomes for these clients and their children. We also continue to be gravely concerned about the appalling instances of abuse of people living in supported accommodation and in other institutional settings, and to work on this extremely serious issue.

We also continue to work for people who have an intellectual disability and who are involved in the criminal justice system. Our publication *People who have an Intellectual Disability and the Criminal Justice System*, which is a guide for people working in the criminal justice system with clients who have an intellectual disability, continues to be in demand. This year we jointly produced a publication, with psychologists from Diverge Consulting and others, to assist people who are involved in the justice system who have an ABI (acquired brain injury), *People with acquired brain injury and the Victorian justice system: Rights and resources*. We also participated in associated forums on ABI.

This year we continued to observe and assist our clients to learn about, understand and use the complaints and monitoring systems set up under the Victorian *Disability Act 2006*. We will continue to monitor and critique the effects of this Act and its systems, particularly in relation to people who have an intellectual disability. We will also monitor the use of the Disability Services Commissioner as the complaints body for Victorian National Disability Insurance Scheme (NDIS) participants.

The progressive roll-out of the National Disability Insurance Scheme (NDIS) throughout Victoria is another growing area of immense interest to many of our clients. Villamanta has been closely observing, with many others, the development of the scheme, and assisting people to learn about and to navigate the new system. We continue to work together with other disability advocacy and legal service provider colleagues – particularly through VicDAN (Vic Disability Advocacy Network) (formerly the Barwon Disability Advocacy Network (BDAN)) – to critique the scheme and transitions, and to try to work out ways of coping with the associated increase in demand for advocacy assistance.

Executive Officer & Principal Solicitor's Report



Villamanta Disability Rights
Legal Service Inc.

The NDIS project is extremely big and immensely important to people who have a disability. Given its scale, it is not surprising that there have been some teething problems. Although remaining optimistic, Villamanta has already seen evidence of some people struggling to cope with the new system and others finding them self worse off than they were before. Nonetheless, over the past year we have been pleased to see continuing improvement in communication between NDIA staff and advocacy organisations, with the NDIA being more willing to engage in a positive manner with advocates, and we have committed to contributing to some further training, which is to be provided by VicDAN members, to NDIA staff.

We will continue to monitor and critique the NDIS system as it evolves and extends to cover the rest of the state and the country, and to assist people who are trying to access the system for desperately needed services. We will also continue to monitor and comment on the ways in which the NDIS system interfaces with the existing DHHS system, how the necessary transitions take place and the problems that arise from these processes, and how they may best be solved. Most importantly we will continue to advocate in relation to the development of safeguards and protections for people who have a disability in the context of the NDIS, which must ensure that Victorians do not end up with less protection than they previously had. We particularly note the vital importance of retaining the rights that Victorians have under the *Charter of Human Rights and Responsibilities*.

Despite the advent of the NDIS, Villamanta notes that there continues to be a huge shortfall in many areas of disability services, including accommodation, support to live in the home, day placement, support for children who have a disability and their families in education and in the general community, and access to advocacy support, to name only some. One of the greatest problems is insufficient housing and we note the connection between this major problem and the over-representation, and also re-offending, of people who have a disability in the criminal justice system.

There is still a long waiting list of thousands of people who have an intellectual disability who desperately need appropriate supported accommodation to be built and provided for them. Similarly, there are still many Victorian people living in institutions who wish and should be enabled to *live in the community* with appropriate levels of support. Although some progress is being made there is still a great deal more to be done.

Villamanta, along with many others, hopes that the full roll-out of the NDIS, over the next three years, combined with progress in other vital areas, will finally help to bring about the reality of **people who have a disability being treated in ways that are fair and reasonable and having opportunities, freedoms and a standard of living that are equal to those of people who do not have a disability** – basic elements of both the Victorian State and the Australian National Disability plans and strategies.

Deidre Griffiths
Principal Solicitor & Executive Officer

Executive Officer & Principal Solicitor's Report



**Villamanta Disability Rights
Legal Service Inc.**

Objectives of all Villamanta's Programmes

- To prevent abuse, discrimination or negligent treatment of people who have a disability
- To promote and enhance the rights of people who have a disability
- To encourage people who have a disability to make informed choices
- To increase economic and social participation for people who have a disability in the community
- To assist people who have disabilities to participate equitably in community life
- To increase the knowledge and understanding of people who have a disability, their families and carers about the rights of people who have a disability
- To recognise, value and include families and carers, wherever possible and appropriate, in the support system for people who have a disability
- To improve communication between people who have a disability and other members of the community

Policy & Law Reform Report



**Villamanta Disability Rights
Legal Service Inc.**



Deidre Griffiths
Executive Officer &
Principal Solicitor

The aims of our Policy & Law Reform work:

Villamanta does Policy & Law Reform work to try to bring about good changes and improvements to laws and policies that affect people who have a disability.

Annual performance indicators

Carry out Policy & Law Reform work on issues of serious concern to people who have a disability.	Situations to be monitored and reviewed and feedback obtained to measure changes.
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Greg Leeson
Casework & Policy &
Law Reform Lawyer

Villamanta Disability Rights Legal Service Inc. carries out much of its Policy & Law Reform work through its active involvement in the Federation of Community Legal Centres (Victoria), the Disability Law Committee of the Law Institute of Victoria and their working groups, Disability Advocacy Victoria Inc. (DAV Inc.), which is the peak body for independent disability advocacy in Victoria, and the Victorian Legal Assistance Forum.

During the reporting period Villamanta was involved in the following activities that included policy and law reform:

Disability Advocacy Victoria Inc. (DAV Inc.) and Disability Advocacy Network Australia (DANA)

Villamanta continues to be an active member of DAV Inc. (formerly known as VDAN), attend network meetings and is a member of the DAV Inc. Board. DAV Inc. has active involvement in the development and management of the Victorian Disability Advocacy Resource Unit (DARU), funded by the Victorian Department of Health and Human Services to provide resources to advocacy organisations.



Viv Avery
Casework Lawyer



Naomi Anderson
Casework Lawyer

Policy & Law Reform Report



**Villamanta Disability Rights
Legal Service Inc.**

Villamanta collaborates with DAV Inc. members to contribute to policy and law reform work on important systemic issues. DAV Inc. was also involved in establishing the DANA (Disability Advocacy Network Australia), the national peak body for independent disability advocacy, which actively contributes to policy and law reform work on behalf of, and with input from, its member organisations. In addition to various other areas of policy and law reform, DAV Inc.'s members continue to monitor the application of the Victorian *Disability Act 2006* and the work of the Disability Services Commissioner, and the evolving NDIS. Along with other members of the DAV Inc. and DANA networks Villamanta continues to work on important issues of policy and law reform as they arise.

Law Institute of Victoria's Disability Law Committee

Villamanta also participates in policy and law reform work through the Law Institute of Victoria's Disability Law Committee and its working groups.

Recent issues worked on by the committee include: the implementation of the National Disability Insurance Scheme (NDIS), the Victorian Law Reform Commission's review of the Guardianship legislation and the government's response and draft legislation, the review of the National Disability Advocacy Framework, the responses to the various government inquiries into abuse of people who have a disability in institutions, the Mental Health system, the Victorian Equal Opportunity and Human Rights Commission's consultations regarding the development of a Disability Access Bench Book for judicial officers, and the restraint and seclusion of children in Victorian schools.

Federation of Community Legal Centres (Vic.) Villamanta participates in policy and law reform work undertaken by the Federation of Community Legal Centres (Vic.) and its working groups. This often includes many of the same issues as are worked on by the Law Institute of Victoria's Disability Law Committee and DAV Inc. members (see above).

Villamanta's publication on people who have an intellectual disability and the criminal justice system Villamanta has again widely distributed its publication *People who have an Intellectual Disability and the Criminal Justice System - A Guide and Educational Tool for People working in the Criminal Justice System: Judges, Magistrates, Court Staff, Lawyers, Advocates, Police and Corrections Workers*, funded by the Victoria Law Foundation.

This guide aims to provide a better understanding of the issues for people who have an intellectual disability to those working in the criminal justice system and help to ensure that people who have an intellectual disability are provided with the best possible and most appropriate treatment and assistance.

People with Acquired Brain Injury (ABI) and the justice system

Villamanta is a co-author of the recent publication produced by a consortium of organisations with expertise and experience relating to people who have an Acquire Brain Injury (ABI), led by not-for-profit psychologists group Diverge Consulting. The book, which was launched by the Public Advocate, is a resource to assist people to support and work



appropriately with people who have an ABI who become involved in the justice system.

VICPOL Disability Portfolio Reference Group

Villamanta is represented on the VICPOL Disability Portfolio Reference Group which meets regularly and provides an opportunity for exchange of views, advice and information regarding the interaction of the Victorian Police Force with people who have a disability.

Victoria Legal Aid (VLA) Access to Justice initiative

Villamanta has been actively involved in stakeholder forums organised by Victoria Legal Aid to improve access to justice for Victorian people, in particular those who have a disability and continues to collaborate with VLA in furthering this project.

Human Rights Charter (Victoria)

Along with the Federation of Community Legal Centres, Villamanta continues to monitor the implementation and use of the Victorian *Human Rights Charter*. Villamanta's lawyers continue to use Charter arguments in their casework matters whenever possible.

A Bill of Rights for Australia/Human Rights Framework & National Disability Framework

Villamanta, in collaboration with many of its colleague organisations, continues to lobby for the introduction of a national Charter of Human Rights for Australia despite the Australian Government's extremely disappointing decision not to adopt such a charter. Villamanta will continue to monitor and comment upon the Human Rights Framework which the government opted for instead of a charter. This year it contributed to a Round Table in relation to a review of the National Disability Framework.

Shut In Campaign

Villamanta is a participant in the Shut In Campaign, coordinated by People With Disability Australia, aimed at ending the institutionalisation of people who have a disability. The Campaign points out that although there has long been a commitment by governments in Australia to provide community-based accommodation services to people with disability, over time this commitment has decreased to the point where a number of governments have redeveloped old institutions and provided congregate models of care to people with disability. This is in breach of governments' obligations under the *Convention on the Rights of Persons with Disabilities* to which Australia is a signatory.

Child Protection Legislation

Villamanta continues to actively monitor the Victorian Child Protection legislation, in particular, aspects of it which are likely to be detrimental to parents who have a disability.

The Victorian State Disability Services Legislation – The *Disability Act 2006*

Villamanta continues to monitor and give input regarding the application of the *Disability Act 2006* and where appropriate will pursue desired amendments. Villamanta continues to educate constituents about the system and assist them to access it.

Policy & Law Reform Report



Villamanta Disability Rights
Legal Service Inc.

The Disability Services Commissioner

The Disability Services Commissioner, appointed under the *Disability Act 2006*, is the main point for complaints from Victorian people who have a disability about disability services. Villamanta continues to support constituents to learn about and use the complaints system. Villamanta has met with Commission staff on a number of occasions and provided feedback on how the legislation and system are working and shall continue to do so. It will also lobby for appropriate improvements to the system. Villamanta has supported a number of clients to access the Commissioner's complaints system during the reporting period. The Commissioner is currently the complaints body for Victorian people wishing to complain about disability services that are funded under the NDIS.

The Office of Professional Practice (previously called the Office of the Senior Practitioner)

Villamanta continues to monitor the work of the Office of Professional Practice (previously called the Office of the Senior Practitioner, another position set up under the *Disability Act 2006*). The Office, within the Department of Health and Human Services (DHHS), brings together the former Offices of the Principal Practitioner (child protection and youth justice) and the Senior Practitioner (Disability).

The Senior Practitioner (Disability) is generally responsible for ensuring that the rights of people who are subject to restrictive interventions and compulsory treatment are protected, that appropriate standards are complied with in relation to restrictive interventions and compulsory treatment, and best practice followed by disability service providers.

We also note and will observe with interest the work of a new position of Principal Practice Leader (Education), which has recently been established in the Victorian Department of Education, as part of a Special Needs Plan for Victorian Schools, reporting to the Senior Practitioner (Disability). This person will work exclusively with the Department and schools to foster best practice approaches and oversee the use of restraint and seclusion in Victorian government schools. We hope that this will go some way towards addressing the appalling situations which many children who have a disability are currently experiencing in the Victorian education system.

The Office for Disability

Villamanta continues to have ongoing involvement with the Victorian Office for Disability and its work to bring about a "whole of government" approach to disability issues in Victoria.

The Review of the Victorian Guardianship and Administration Legislation

Villamanta took an active part in the Victorian Law Reform Commission's review of the laws in Victoria about Guardianship and Administration. These laws are very important to our constituents because they can be used to take away people's rights to make their own decisions. We will monitor the implementation and effect of the new legislation when it eventually comes into effect.

Policy & Law Reform Report



**Villamanta Disability Rights
Legal Service Inc.**

The National Disability Insurance Scheme (NDIS) and the National Disability Insurance Agency (NDIA)

The commencement of the NDIS has been extremely heartening to all those who campaigned for it for so long. However, there are problems in what is happening for some applicants &/or participants in the scheme.

During the year Villamanta continued to work collaboratively with its advocacy and legal sector colleagues, as it has done since the start of the Victorian launch of the NDIS in the Barwon Region, to familiarise ourselves with the new system and assist constituents to understand, access and navigate it. We will continue to do so during the full roll-out of the NDIS to the rest of Victoria which began in July, 2016 and is due to be completed by July 2019. Regular meetings of VicDAN (VIC Disability Advocacy Network) (formerly Barwon Disability Advocacy Network (BDAN)), consisting of disability advocates and legal service providers, including beneficial ongoing communication and information exchange with NDIA staff, will continue to assist us in this work. We will continue to monitor and provide feedback during the state-wide roll-out. This will include providing suggestions and lobbying if/where necessary for amendments to the legislation and its accompanying regulations, policies and procedures.

Inclusive Education Alliance

Villamanta is an active member of the Inclusive Education Alliance which is facilitated by STAR and is a group of individuals and organisations from the education and disability advocacy fields, committed to the promotion of “Inclusion for all” in the education of students with disability in Victorian education. We continue to see many cases of students with a disability *not* receiving the appropriate support required for them to be truly included in their school. Shockingly, we also continue to have reported to us many instances of children being subjected to restraint and seclusion which is highly traumatic to the children involved and is a flagrant and an outrageous breach of their Human Rights.

A potentially more positive development for school children who have a disability has been the appointment, as mentioned above, as part of the Special Needs Plan for Victorian Schools, of a dedicated professional called the Principal Practice Leader (Education), to work with schools and the Victorian Department of Education, to improve management of challenging behaviours in government schools. They will report to the Senior Practitioner (Disability) (set up under the Disability Act 2006), and will work exclusively with the Department of Education and schools to foster best practice approaches and oversee the use (and hopefully the eventual abolition) of restraint and seclusion in Victorian government schools. Villamanta and our like-minded colleagues are following the implementation of this position with great interest.

Other Policy and Law Reform matters

During the year Villamanta also provided input to a number of research projects and forums on various systemic issues which should result in valuable policy and law reform that will benefit people who have a disability.

Policy & Law Reform Report



**Villamanta Disability Rights
Legal Service Inc.**

These included a Round Table in relation to the review of the National Disability Advocacy Framework, a Victorian Department of Justice Disability Stakeholders' Forum in relation to a review of the State Disability Plan, the development by the VEOHRC and the Judicial College of Victoria of a Disability Access Bench Book, a Department of Justice Round Table in relation to Powers of Attorney legislation reforms, a Deakin University Forum regarding Safeguarding Research Policy and Practice, a SCOPE/DHHS Safeguarding Project and several Melbourne Social Equity Institute & University of Melbourne Law School projects aimed at improving the situations of people who have a disability.

Deidre Griffiths

Principal Solicitor & Executive Officer

Casework Report



Villamanta Disability Rights
Legal Service Inc.

Annual Performance targets for casework

1. Undertake casework about disability related legal issues	Minimum of 40 active files per year
2. Resource telephone advice in relation to queries about the law	Review of legal resources manual. Available to the advice service staff as needed. Regular meetings with advice service staff for provision of on-going training.
3. Supervise the telephone advice provided	Review of all contact records.

Casework Report

1. Undertake casework about disability related legal issues – a minimum of 40 active files per year.

During the period 1/7/15 to 30/6/16, 69 new casework files were opened and 76 files were closed.

A total of 37 files remained open at the end of the period.

A breakdown of issues covered in the files still open at 1st July, 2016 is as follows:

Note - Issue type may exceed number of files as some clients have more than one issue.

Priority area: Advancing the rights of people who have their finances managed by administrators, including State Trustees Ltd.

6 files relate to this area.

Priority area: Advancing the rights of people for whom applications are made to restrict those rights through the appointment of guardians.

5 files relate to this area.

Priority area: Advancing the rights of people to have accommodation / service/ access to services/quality of service that meet their needs and conform with the principles of the Disability Act 2006

6 files relate to this area.

Casework Report



Villamanta Disability Rights
Legal Service Inc.

Other matters still being dealt with at 1st July, 2016 relate to:

Abuse/Neglect (1), Harassment (1), Criminal Law (7), Duty of Care/Negligence (2), Finances (3), Forensic Leave (1), Health (3), Housing/Tenancy (1), Intervention Orders (5), Administration (1), Power of Attorney (1), Recreation, Social or Family (1), Supervised Treatment Orders (2), Transport (1), Victim of Crime (other than sexual offence) (1), Victim of Sexual Offence (1), Vulnerable/Isolated (1) and Wills (3).

Of the 76 casework files closed in the period, results were as follows:

Priority area: Advancing the rights of people who have their finances managed by administrators, including State Trustees Ltd.

Matters of administration are extremely important to many of our clients as Administration Orders, which are made by the Victorian Civil and Administrative Tribunal's Guardianship List, can severely restrict a person's freedom to make their own choices and decisions about their finances, property and in some cases, their legal affairs. Sometimes there is a less restrictive way of dealing with the issues affecting our clients. Because of this it is important that the person has access to legal advice and representation when administration orders are being considered. In some instances the orders can be of benefit as they can provide authority that helps family members, or other support people, to get things done for our clients. Sometimes clients need help to communicate with their administrator and get their views and wishes heard.

15 matters related to this area.

In these cases we investigated, advised, liaised and negotiated on behalf of clients in relation to whom application for appointment of an administrator had been made to the Guardianship List of the Victorian Civil & Administrative Tribunal (VCAT). Where necessary, we represented clients at VCAT hearings ensuring that their views and wishes were clearly communicated to the Tribunal and that, if orders were made, they were the least restrictive possible under the circumstances and were fully understood by our clients.

Outcomes: in most of these cases orders were made in line with our clients' wishes and administrators were removed or replaced with ones who were more acceptable to our client. In various cases we negotiated with administrators to achieve satisfactory outcomes. In four cases administrators were changed to one of our client's choice. In one case we assisted our client to recover funds from a previous administrator. In one matter the application was withdrawn. In another matter the application was dismissed. In one matter the order was revoked and our client regained control of their finances. In one matter an administration fee was waived. Three clients were provided with information and advice that empowered them to resolve their issue themselves.

Casework Report



Villamanta Disability Rights
Legal Service Inc.

Priority area: Advancing the rights of people for whom applications are made to restrict those rights through the appointment of guardians

Matters of guardianship are extremely important to many of our clients as Guardianship Orders, which are made by the Victorian Civil and Administrative Tribunal's Guardianship List, can severely restrict a person's freedom to make their own choices and decisions about many aspects of their daily life.

Sometimes there is a less restrictive way of dealing with the issues affecting our clients. Because of this it is important that the person has access to legal advice and representation when guardianship orders are being considered. In some instances guardianship orders can be of benefit as they can provide authority that helps family members, or other support people, to get things done for our clients. Sometimes clients need help to communicate with their guardian and to get their views and wishes heard.

7 files related to this area.

In these matters we investigated, advised, liaised and negotiated on behalf of clients for whom applications had been made to the Guardianship List of the Victorian Civil & Administrative Tribunal (VCAT) for the appointment of a guardian. We represented our clients at Tribunal hearings, ensuring that their views and wishes were clearly communicated and were fully understood by our clients, and negotiated with relevant parties.

Outcomes: most of these cases resulted in appointments of guardians acceptable to our clients; in some cases orders were revoked. One application was dismissed; one was withdrawn. In one matter an order was made which led to better supports being put in place for our client.

Priority area: *Advancing the rights of people to have accommodation/ service/ access to services/quality of service that meet their needs and conform with the principles of the Disability Act 2006*

Issues of accommodation and services are extremely important to our clients. They affect many of our clients and often relate to the most basic issues of their day-to-day lives, including where they live, how they are treated there, what services they access outside of their accommodation, including day placement, health and other services. If things go wrong in any of these areas of our clients' life, their life can be an ongoing misery for them until something is done to fix the problem(s).

Issues encountered include negligence/breach of their duty of care by service providers, injury to our clients, exposure to physical and/or psychological abuse, lack of services, insufficient, inadequate or inappropriate services – sometimes no services at all.

Casework Report



Villamanta Disability Rights
Legal Service Inc.

27 files related to this area.

In many of these cases we investigated, advised, liaised and negotiated with relevant parties in relation to service plans and accommodation and services issues where service providers were failing to provide appropriate accommodation and/or services.

Where required, we represented clients at meetings, conciliations, mediations or hearings. In some cases we advised and assisted clients to access the conciliation process of the Disability Services Commissioner, under the *Disability Act 2006*. Some satisfactory outcomes resulted from the Disability Services Commissioner's conciliation process.

Issues included: problems around access to appropriate disability support services, access to accommodation services, issues with a not-for-profit service provider regarding failure to invoice, failure to provide appropriate accommodation, need for support services, unjustifiable increase in accommodation charges, forced relocation from supported accommodation, issues with landlord failing to comply with legal requirements, advocacy around care planning with service provider, debt issue with service provider, admission to aged care with insufficient transition and supports in place, unacceptable conditions in community residential unit, eviction of client from disability accommodation, discrimination in accommodation, dispute over residential tenancies bond.

Outcomes included: access gained to appropriate support services, access achieved to accommodation services, issues resolved with not-for-profit service provider regarding failure to invoice client, issue of unjustifiable increase in accommodation charges resolved, issue of relocation from supported accommodation resolved, issues with landlord failing to comply with legal requirements addressed, care planning completed with service provider, debt issue with service provider resolved, admission to aged care with insufficient transition and supports in place addressed, unacceptable conditions in community residential unit rectified, eviction of client from disability accommodation addressed, issue of discrimination in accommodation addressed, client advised in relation to dispute over residential tenancies bond.

Other matters:

Fully or significantly satisfactory outcomes were also achieved in the following other matters:

Abuse/Neglect – 3 files; Bullying and Harassment – 1 file; Capacity and Consent – 1 file; Child Protection/Parents who have a Disability – 5 files; Confidentiality/Privacy – 1 file; Criminal Law – 7 files; Duty of Care – 1 file; Family Law – 2 files; Finances (including subsidies/entitlements) and Contract/Consumer Issues – 2 files;

Casework Report



Villamanta Disability Rights
Legal Service Inc.

Health – 3 files; Housing and Tenancy – 4 files; Intervention Orders – 10 files; NDIS Complaints – 5 files; Local Government decision – 1 file; Personal Injury – 3 files; Restrictive Interventions/ Behaviour Support Plans/ Treatment Plans/ Supervised Treatment Orders/ Restraint and Seclusion – 7 files; Physical Access – 1 file; Powers of Attorney – 2 files; Victim of Crime (other than sexual offence) – 1 file; Victim of Sexual Offence – 2 files; Vulnerable and/or isolated – 2 files; Wills/Estates/ Trusts – 4 files; Forensic Leave – 3 files; Coroner’s Inquiry – 1 file.

***2. Resource telephone advice in relation to queries about the law
Compile and review a legal resources manual. Be available to the
advice service staff as needed. Hold regular meetings with advice
service staff for provision of ongoing training.***

Villamanta’s lawyers provided legal advice to staff members working on the free advice, information and referral service about legal matters, on an as needed basis.

We have continued to update our Legal Resources Manual.

Staff meetings and one-on-one meetings provided regular opportunities for staff to raise systemic issues in relation to the advice, information and referral service. Specific staff training needs are provided for on an ongoing basis. Lawyers undertake compulsory professional development to increase their knowledge and comply with professional indemnity insurance and legal practice requirements.

***3. Supervise the telephone advice & referrals. Regularly review all IVO
(client database) records where legal advice was provided and
ensure the IVO database is operating effectively.***

The supervision and review system is operating effectively.

Casework Report



**Villamanta Disability Rights
Legal Service Inc.**

Casework Team



Deidre Griffiths
Executive Officer/Principal Solicitor



Sue Wolter
Para-legal Worker



Greg Leeson
Casework Lawyer



Viv Avery
Casework Lawyer



Naomi Anderson
Casework Lawyer

Community Legal Education



**Villamanta Disability Rights
Legal Service Inc.**

The aims of our Community Legal Education work :

- Help increase the access of people with disabilities to the community and participation in community life
- Increase people with disabilities' knowledge and understanding of their rights so that they can exercise their rights as citizens
- Encourage people with disabilities to make informed choices
- Improve communication between people with disabilities and other members of the community
- Promote the understanding of the rights of people with disabilities in the Australian Community

Annual Performance Indicators

Present workshops/talks about rights of people who have a disability, using a community development model.	Workshops to be reviewed and evaluated.
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This year Villamanta Disability Rights Legal Service Inc. participated in fourteen community legal education (CLE) activities in both metropolitan, rural and regional centres throughout Victoria, including sessions for groups, presentations at conferences and distribution of materials, including a total of approximately 600 people. Most of these sessions were for people who have a disability living in Victoria. A number were for people assisting people who have a disability and some were for other members of the community, to extend the community's knowledge of disability rights and related issues, with the aim of advancing the full inclusion in the community of people who have a disability.

Participants included advocates, lawyers, clients, field workers, police, allied health professionals, disability service providers, TAFE, university and high school students, special school students, employees of Australian Disability Enterprises, corrections and justice system workers, academics, researchers, community organisations (including their board members), disability support workers, carers, parents, staff of open employment services and other members of the community.

The main topics covered were: disability rights, Your Rights Your Choices, Human Rights, wills, administration, powers of attorney, guardianship, capacity and consent, "Thinking about the Future", special trusts, Carers' rights, care recipients' rights in future planning, Duty of Care/Dignity of Risk for direct care workers, Working with People who

Community Legal Education



**Villamanta Disability Rights
Legal Service Inc.**

have an Intellectual Disability in the Criminal Justice System, People who have an Acquired Brain Injury and the justice system, Child Protection & Parents who have a Disability, clients' rights in regard to Police interviews/fingerprinting, court processes, Independent Third Persons' program, clients' rights regarding interactions with Public Transport Authority authorised officers, communicating with people who have cognitive impairment, and the work that Villamanta does.

We continue to use a community development approach when providing community legal education. Sessions are delivered in a way that makes sure that people who have a disability can participate to identify and discuss issues of importance to them. This also provides Villamanta with valuable input about issues that are affecting people who have a disability, to inform our casework and policy and law reform work. Using the community development approach to community legal education empowers people to work for positive social change on both a personal and a community level. A variety of topics is often discussed during each session. Community Legal Education sessions, like all of Villamanta's work, are based on a Human Rights foundation. The training we provide looks at issues, such as Duty of Care/Dignity of Risk, from the perspective of people who have a disability.

We also distributed material to numerous community organisations and a number of disability expos and conferences, informing them about Villamanta's various services, including education and training.

Publications

The Villamanta publication, *Your Rights Your Choices*, especially written to let people who have an intellectual disability know about their legal rights, is distributed free at our CLE sessions. Numerous copies have been distributed across Victoria this year. The substantial cost of producing this important material is an ongoing challenge for Villamanta.

Our publication, *People who have an Intellectual Disability and the Criminal Justice System*, which is a guide for people working in the criminal justice system, and was funded by a grant from the Victoria Law Foundation, continues to be distributed. It is available free on-line on Villamanta's website, or can be ordered and purchased in hard copy. This year we worked with Diverge Consulting's psychologists and others to produce a new publication, also funded by the Victoria Law Foundation, to assist people who have an Acquired Brain Injury (ABI) who become involved in the justice system. *Acquired Brain Injury and the Victorian Justice System: Rights and Resources* is published by Inkshed Press Pty. Ltd. and is available on Villamanta's website. A number of other Villamanta publications are also available for purchase from Villamanta.

"Having A Say" Conference 2016

Villamanta was represented by Villamanta's Deputy Chairperson, Amanda Millear, at this year's very successful annual *"Having a Say"* Conference, organised by VALID, which was held in Geelong in February, 2016. We also participated in Deakin University's *Reintegration Puzzle Conference* with the theme "Disability and Incarceration: Multiple Disadvantage and the need for Individualised support".

Telephone Advice Service Report



**Villamanta Disability Rights
Legal Service Inc.**

Villamanta provides a statewide, free Telephone Advice, Information and Referral Service five days per week from 1 pm — 3 pm.

The aims of our Telephone Advice, Information & Referral Service:

Villamanta provides a Telephone Advice Information & Referral Service to ensure that people who have a disability are able to know their rights and get access to the services they need.

Annual performance targets :

Provide a toll free number.	Staffing of toll free number each work day from 1.00 p.m. to 3.00 p.m.
Provide callers with information about disability related legal issues over the phone and in writing.	Provision of information designed to maximise choice and empowerment of people with disabilities, over the telephone &/or written (via mail, fax, email, or referral to our website)
Provide callers with a referral service to generic services.	In order to provide efficient / effective referrals: maintain and continue to develop knowledge of specialist & generic services throughout Victoria
Provide advocacy to constituents.	Advocate/liase on behalf of constituents where appropriate: Referral to Villamanta Disability Rights Legal Service Inc. legal casework services or other advocacy services where necessary
Provide constituents with access to legal advice.	Referral to Villamanta casework lawyers or other specialist lawyers where appropriate

Telephone Advice Service Report



**Villamanta Disability Rights
Legal Service Inc.**

This year Villamanta's Telephone Advice Information & Referral Service free-call advice line (1800 014 111) continued to be in great demand. The advice line is open each weekday from 1.00 – 3.00pm (10 hours per week).

The number of issues dealt with via our Telephone Advice Service in 2015-2016 was 626. The Telephone Advice Service responds to an extremely diverse range of enquiries and requests. The issues that people call us with are often complex, and can require some untangling; people can be very unhappy, stressed, distressed, or angry about something which has happened, or worn down from trying to battle difficult situations without assistance.

Many calls are long, and can involve working with the caller to become clear on what the issues are, and what would resolve the situation for them, as this differs from person to person. Villamanta staff aim to empower people with the information and confidence to advocate for themselves where that is possible; we also link people with appropriate advocacy or supports where appropriate. Very often we are able to give people more options than they thought likely. We give information around the law and practical advice on dealing with situations, including those where the law is not the best solution.

Only a small proportion of callers' issues require specifically legal advice; of these, some are taken on by Villamanta's lawyers as casework matters. Although in our legal casework we work only on disability-related legal issues, mainly for people who have an intellectual disability, people often call Villamanta's Advice Line about other issues. Sometimes this means that although we can often offer some information or advice, giving the best possible service means providing tailored referrals to other organisations which have more specific expertise on the issue.

Villamanta often receives calls from people who think that because they have a disability, we will act for them. We then need to explain that our work is only on *disability-related* legal issues - we are not a segregated legal service! Many of these callers have been referred to us by other organisations; we then contact the organisation to clarify our role, in an attempt to minimise the frustration people experience when being sent from organisation to organisation to no avail.

Nearly all of Villamanta's staff members answer the advice line. We are constantly increasing our knowledge in all relevant areas, and participating in training and professional development, so that we can continue to provide the best service possible.

Villamanta's internal web-based Telephone Advice Service Manual provides a resource which enables us to advise and refer callers more effectively. Constantly updating, expanding and refining the manual is very time consuming, and we are extremely grateful to our wonderful volunteers for assistance with this.

Telephone Advice Service Report



**Villamanta Disability Rights
Legal Service Inc.**

Telephone Advice Service volunteers are also invaluable in assisting to document calls, and record statistics, in our tailored electronic database "Ivo" (named after the patron saint of advocates and lawyers).

Villamanta workers continue to strive to give our callers the best service possible, and are pleased to be able to make a positive difference to the lives of people with a disability and those around them.

Please see the following graphs for more information.

Deidre Griffiths, Viv Nicol and Naomi Anderson



Deidre Griffiths
Principal Solicitor &
Executive Officer

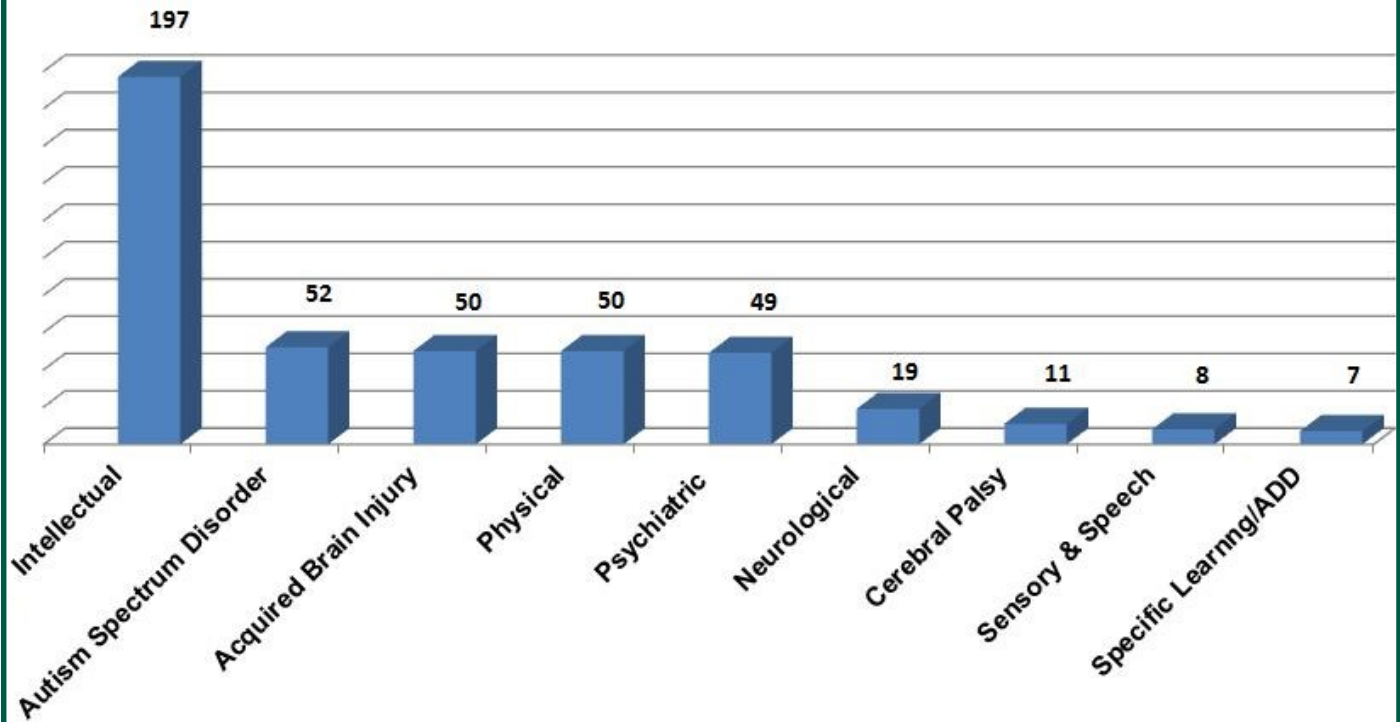


Viv Nicol
Administration Worker

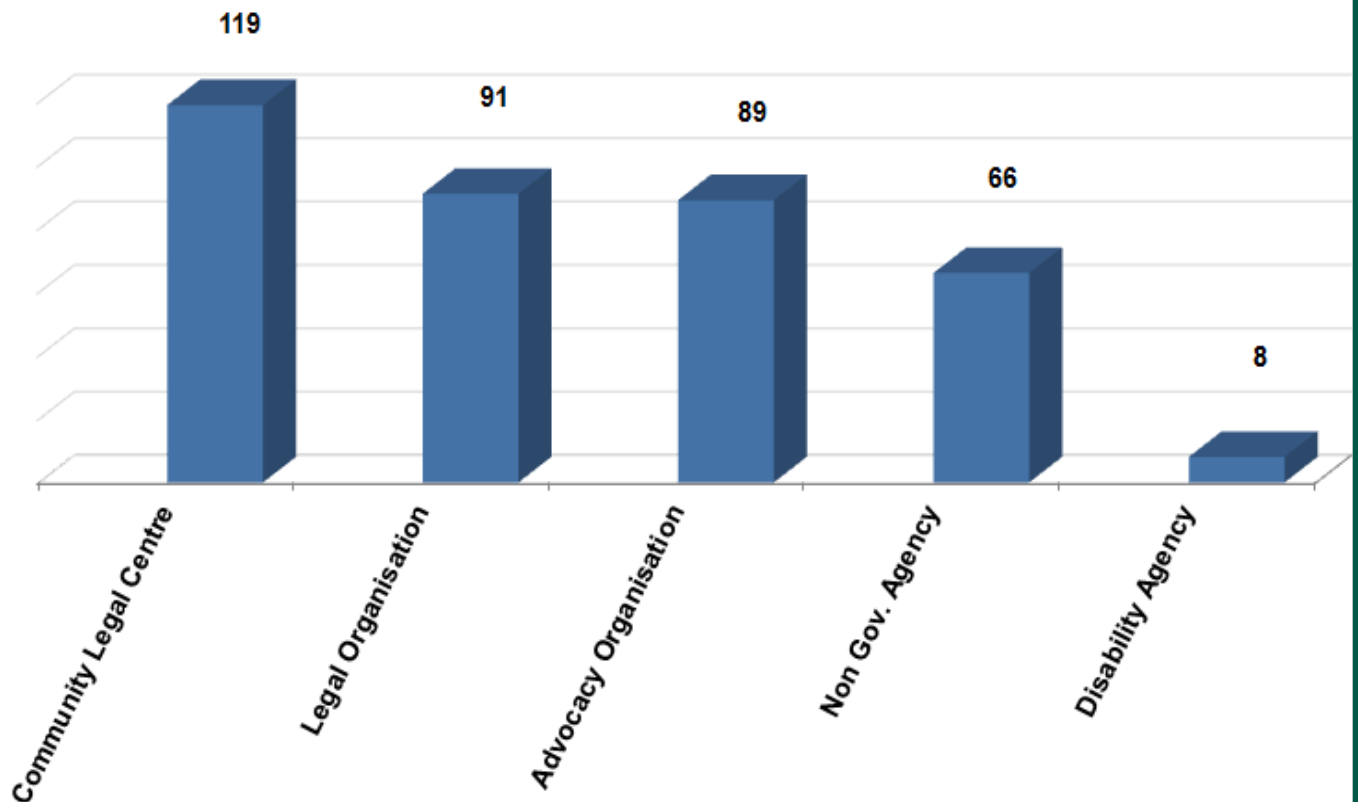


Naomi Anderson
Casework Lawyer

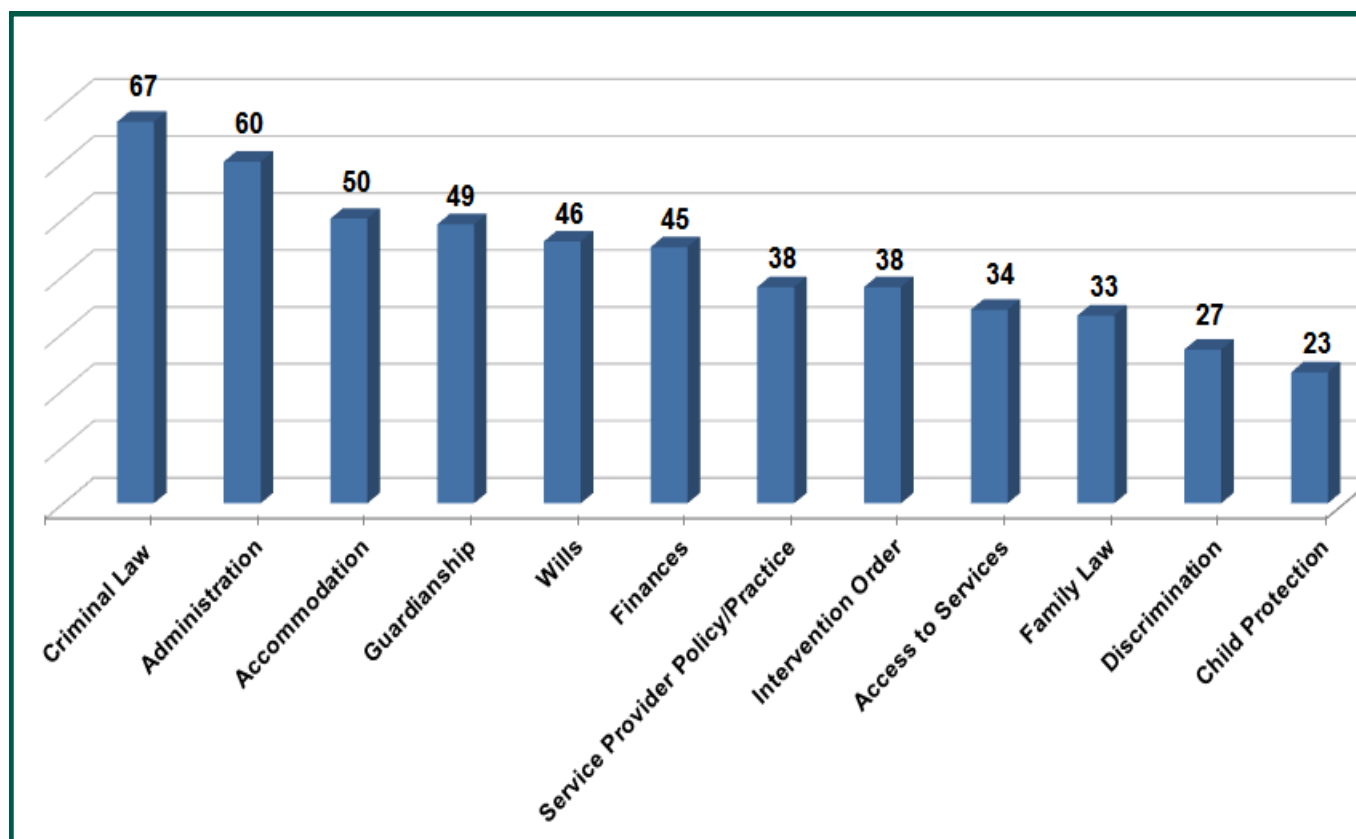
Primary disability of people who call us, or of people we get calls about



Who we refer people to

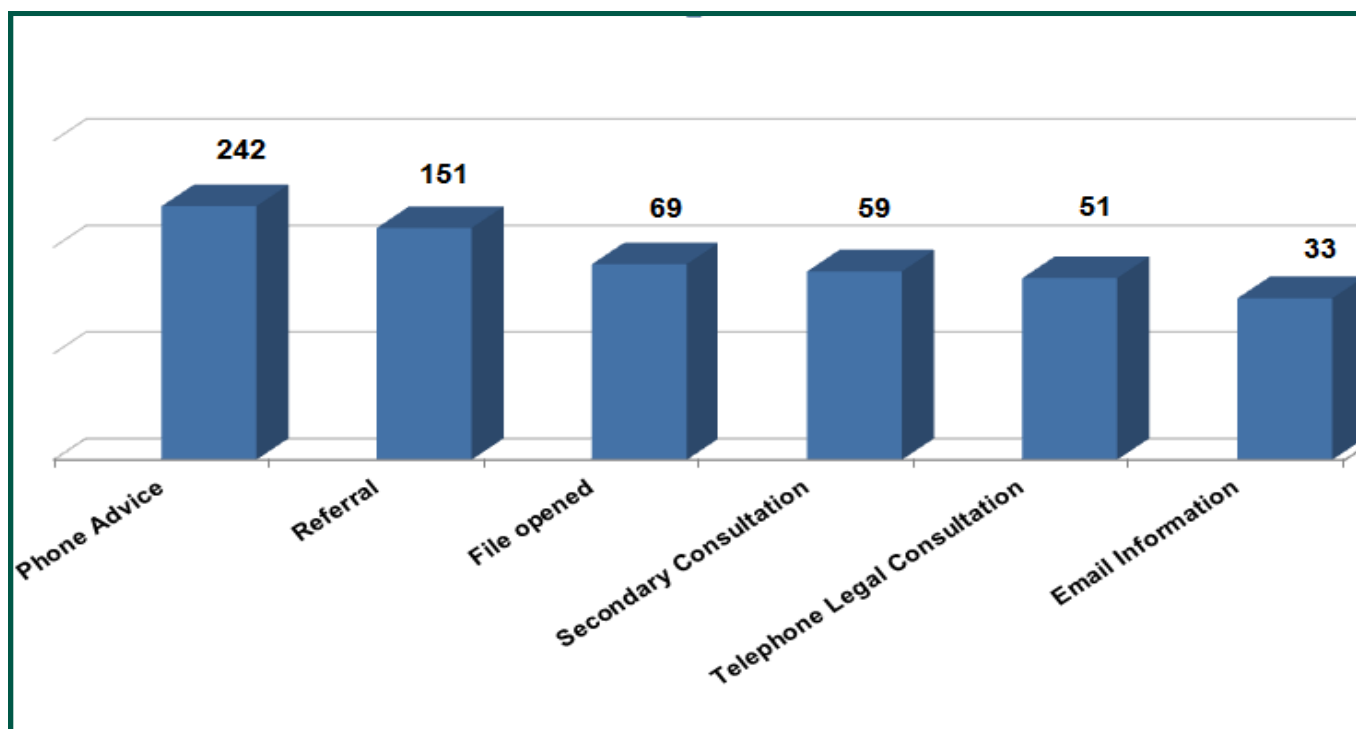


Types of issues people call us about *(Very often a combination of several issues)*



Other issues: Bullying & Harassment, Capacity & Consent, Civil Law, Confidentiality & Privacy DHHS Complaint, Education, Human Rights, Living Support, Mental Health, NDIS Complaint, Personal Injury, Physical Access, Power of Attorney, Respite, Statutory Obligations, Recreation, Social or Family, Supervised Treatment Order, Transport, Victim of Crime, Victim of Sexual Offence, Vulnerable and/or Isolated and Welfare Rights.

What action did we take? *(There are often several actions for one caller)*



Financial Statements



**Villamanta Disability Rights
Legal Service Inc.**

Villamanta Disability Rights Legal Service Inc.

Income and Expenditure Statement

For The Year ended 30 June 2016

	Notes	2016 \$	2015 \$
Income			
Grants - Recurring		500,870	496,760
Sales of Publications		-	75
Miscellaneous Income		2,280	8,181
Total Income		503,150	505,016
 Gross Profit from Trading		 503,150	 505,016
 Expenditure			
Administration Costs		8,514	8,826
Bank Charges		-	-
Consultancy Fees		9,542	6,870
Depreciation - Motor Vehicles		5,547	5,547
Library		190	629
Memberships of Other Organisations		4,476	4,354
Motor Vehicle Expenses		10,139	9,646
Office		14,286	21,778
Occupancy		42,949	44,772
Publishing		-	1,798
Staff Training		420	615
Telephone		5,911	6,204
Wages		409,726	397,778
Total Expenditure		511,701	508,816
 Other Income			
Interest Received		8,915	11,139
Total Other Income		8,915	11,139
 Profit /(Loss) before Income Tax	2	 365	 7,338

*The accompanying notes form part of these financial statements.
These financial statements should be read in conjunction with the attached.*

Financial Statements



Villamanta Disability Rights
Legal Service Inc.

Villamanta Disability Rights Legal Service Inc.

Balance Sheet

For The Year ended 30 June 2016

	Notes	2016 \$	2015 \$
Current Assets			
Cash and Cash Equivalents	3	327,753	300,658
Trade and Other Receivables	4	1,844	333
Inventories	5	-	-
Total Current Assets		329,598	300,991
Non-Current Assets			
Property, Plant and Equipment	6	23,554	32,098
Total Non-Current Assets		23,554	32,098
Total Assets		353,152	333,088
Current Liabilities			
Trade and Other Payables	7	4,249	1,623
Provisions	8	103,228	86,155
Total Current Liabilities		107,477	87,778
Total Liabilities		107,477	87,778
Net Assets		245,675	245,310
Equity			
Retained Profits		245,675	245,310
Total Equity		245,675	245,310

The accompanying notes form part of these financial statements.

Financial Statements



**Villamanta Disability Rights
Legal Service Inc.**

Villamanta Disability Rights Legal Service Inc.

Notes to the Financial Statements

For The Year ended 30 June 2016

	2016	2015
	\$	\$
2 Profit	365	7,338
Expenses		
Employee Benefits Expense	409,726	397,778
Depreciation and Amortisation	5,547	5,547
Bank Charges	-	-
Telephone	5,911	6,204
Other Expenses	90,516	99,287
	511,701	508,816
3 Cash and Cash Equivalents		
Petty Cash	365	365
Cash Management Accounts	36,881	12,320
Cheque Accounts	3,313	8,439
Sandhurst Mortgage Fund Account	287,194	279,534
	327,753	300,658
Reconciliation of Cash		
Cash and Cash Equivalents	327,753	300,658
	327,753	300,658
4 Trade and Other Receivables		
Current		
Provision for GST	(349)	333
Trade Debtors	2194	-
	1,844	333
Total Trade and Other Receivables	1,844	333
5 Inventories		
Current		
Inventory	-	-
	-	-

Financial Statements



Villamanta Disability Rights
Legal Service Inc.

Villamanta Disability Rights Legal Service Inc.

Notes to the Financial Statements

For The Year ended 30 June 2016

	2016	2015
	\$	\$
6 Property, Plant and Equipment		
Plant and Equipment		
Motor Vehicles	36,982	36,982
Less Accumulated Depreciation & Impairment	(15,255)	(9,708)
	<u>21,727</u>	<u>27,274</u>
Office Furniture & Equipment	-	15,970
Less Accumulated Depreciation & Impairment	-	(15,970)
Prepayments	1,827	4,823
	<u>1,827</u>	<u>4,823</u>
Total Plant and Equipment	23,554	32,098
Total Property, Plant and Equipment	<u>23,554</u>	<u>32,098</u>
7 Trade and Other Payables		
Current		
Trade Creditors	4,249	1,623
Total Trade and Other Payables	<u>4,249</u>	<u>1,623</u>
8 Provisions		
Current		
Villamanta Social Club	1,413	339
Provision for Long Service Leave	76,949	66,834
Provision for Annual Leave	24,866	18,982
	<u>103,228</u>	<u>86,155</u>
9 Reconciliation of Net Cash Provided		
By Operating Activities to Net Profit/(Loss)		
Net Profit	365	7,338
Depreciation	5,547	5,547
Stock Write-Off	-	1,742
(Increase)/Decrease in Trade Debtors	(1,511)	165
(Increase)/Decrease in Inventory	-	1,749
(Increase)/Decrease in Other Assets	2,996	2,744
Increase/(Decrease) in Provisions	17,073	(19,064)
Increase/(Decrease) in Payables	2,626	779
Net Cash from/(Used In) Operating Activities	<u>27,096</u>	<u>1,000</u>

These notes should be read in conjunction with the attached Compilation Report.



Villamanta Disability Rights Legal Service Inc.

Notes to the Financial Statements

For the Year ended 30 June 2016

1. Summary of Significant Accounting Policies

(a) Basis of Preparation

The financial statements are special purpose financial statements prepared in order to satisfy the financial reporting requirements of the Associations Incorporation Act (*). The committee has determined that the association is not a reporting entity.

The financial statements have been prepared on an accruals basis and are based on historic costs and do not take into account changing money values or, except where specifically stated, current valuations of non-current assets.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, deposits held at call with banks, other short term highly liquid investments with original maturities of three months or less.

(c) Provisions

Provisions are recognised when the association has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

(d) Employee Benefits

Provision is made for the association's liability for employee benefits arising from services rendered by employees to the end of the reporting period. Employee benefits have been measured at the amounts expected to be paid when the liability is settled, plus related on-costs.

(e) Property, Plant and Equipment

Property, plant and equipment are carried at cost, independent or committees' valuation. All assets excluding freehold land, are depreciated over their useful lives to the association. Leasehold improvements and office equipment are carried at cost less, where applicable, any accumulated depreciation.

(f) Inventories

Inventories are measured at the lower of cost and net realisable value. Cost of inventory is determined using the first in first out basis and are net of any rebates and discounts received.

(g) Revenue and Other Income

Revenue is recognised when the amount of the revenue can be measured reliably, it is probable that economic benefits associated with the transaction will flow to the entity and specific criteria relating to the type of revenue as noted below, has been satisfied. Revenue is measured at the fair value of the consideration received or receivable and is presented net of returns, discounts and rebates. All revenue is stated net of the amount of goods and services tax (GST).

These notes should be read in conjunction with the attached Compilation Report.



Villamanta Disability Rights Legal Service Inc.

Notes to the Financial Statements For the Year ended 30 June 2016

Sale of Goods

Revenue is recognised on transfer of goods to the customer as this is deemed to be the point in time when risks and rewards are transferred and there is no longer any ownership or effective control over the goods.

Interest Revenue

Interest is recognised using the effective interest method.

(h) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). In these circumstances, the GST is recognised as part of the cost of acquisition of the asset or as part of an item of the expense.

Receivables and payables are stated inclusive of the amount of GST receivable or payable.

The net amount of GST recoverable from, or payable to, the ATO is included with other receivables or payables in the statement of financial position.

Villamanta Disability Rights Legal Service Inc.

Statement of Cash Flows

For The Year ended 30 June 2016

	2016	2015
	\$	\$
Cash Flows from Operating Activities		
Receipts from Customers	501,639	505,016
Payments to Suppliers and Employees	483,458	515,155
Interest Received	8,915	11,139
Net Cash Inflow from Operating Activities	27,096	(1,000)
Net Increase/(Decrease) in Cash Held	27,096	(1,000)
Cash and Cash Equivalents as at 1 July 2015	300,658	301,658
Cash and Cash Equivalents as at 30 June 2016	327,753	300,658

These notes should be read in conjunction with the attached Compilation Report.

Auditor's Report



**Villamanta Disability Rights
Legal Service Inc.**



devenny payne
TAXATION & BUSINESS SERVICES

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134 Main Street, Bacchus Marsh VIC 3340
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Melbourne VIC 3004
enquiries@devennypayne.com.au
www.devennypayne.com.au

Auditor's Report

I have audited the financial statements for the Villamanta Disability Rights Legal Service Inc. as set out in the Balance Sheet, Income and Expenditure Statement, Statement of Cash Flows and notes thereto for the year ended 30th June, 2016.

My audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance as to whether the financial statements are free of material misstatements. My procedures included examination, on a test basis, of the evidence supporting the amounts and other disclosures in the financial statements, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial statements are presented fairly in accordance with accounting standards and other mandatory professional reporting requirements.

Audit Opinion

The audit opinion expressed in this report has been formed on the above basis. In my opinion, the financial statements present fairly in accordance with applicable accounting standards and other mandatory professional reporting requirements., the financial position of Villamanta Disability Rights Legal Service Inc. as at 30th June 2016 and the results of its operations for the year then ended.

John Payne FCPA
Devenny Payne Taxation & Business Services

Treasurer's Report



**Villamanta Disability Rights
Legal Service Inc.**

VILLAMANTA DISABILITY RIGHTS LEGAL SERVICE INC.

STATEMENT BY MEMBERS OF THE COMMITTEE

The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In the opinion of the committee the financial report comprising the income statement, balance sheet, statement of cash flows and notes thereto:

1. Presents a true and fair view of the financial position of Villamanta Disability Rights Legal Service Inc. as at 30 June 2016 and its performance for the year ended on that date.
2. At the date of this statement, there are reasonable grounds to believe that Villamanta Disability Rights Legal Service Inc. will be able to pay its debts as and when they fall due.

This statement is made in accordance with a resolution of the Committee and is signed for and on behalf of the Committee by:

Kathryn McBride - Treasurer)

Dated this 9th day of September, 2016

TREASURER'S REPORT FOR THE YEAR ENDED 30 JUNE 2016



Kathryn McBride
Treasurer



Darrell Harding
Accounts Administrator

