

Villamanta Disability Rights Legal Service Inc.



Annual Report 2016 – 2017



Staff members & acknowledgements	3
Minutes of 2016 AGM	4
About Villamanta Disability Rights Legal Service Inc	7
Committee of Management Members	8
Our Volunteers	12
Chairperson's Report	14
Executive Officer & Principal Solicitor's Report	16
Policy & Law Reform Report	22
Casework Report	28
Community Legal Education Report	34
Telephone Advice, Information and Referral Service Report	36
Financial Statements	41
Independent Auditor's Report	48
Treasurer's Report	49

Legal Service Inc. Staff Members



Villamanta Disability Rights Legal Service Inc.

Deidre Griffiths	Principal Solicitor & Executive Officer (5 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)
Stephen Grainger	NDIS/Casework Lawyer (5 days per week)
Kate McGrath	Casework Lawyer (3 days per week) filling in for Greg Leeson, who is on Long Service Leave

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 campuses.





Annual General	Wednesday 28 th September, 2016
Meeting	5.00 p.m.
MINUTES	Villamanta Disability Rights Legal Service Inc.
	Lakehouse Restaurant
	Deakin University
	75 Pigdons Road, Waurn Ponds Vic., 3216
1. Welcome	Philip Clarke, Chairperson, welcomed everyone to the meeting and read out the list of apologies and asked for any further apol- ogies. Philip asked everyone to introduce themselves.
2. Present	Committee Members: Philip Clarke (Chairperson), Amanda Millear (Deputy Chairperson), Andrew Hill (Secretary), Kathryn McBride (Treasurer), Neville Porter, Hank Wyllie, Michele Tucker and Rebecca Smith.
	Staff : Deidre Griffiths (Executive Officer), Naomi Anderson (Lawyer), Viv Nicol (Minutes), Darrell Harding (Accounts Administrator) and Sue Wolter (Para-legal)
	Volunteers: Ming Kalanon (Law Student/Intern), Georgie Alford (Lawyer)
	Visitors: Merrin McCracken, Deakin University
3. Apologies	Staff Members: Greg Leeson (Villamanta Lawyer) and Viv Avery (Villamanta Lawyer)
	Volunteers: Trevor Horsley (Lawyer) and Olga Gridina (Lawyer)
	Other apologies: Jan Ashford, CEO, Communication Rights Australia, Beryl Power, Grant Boyd, CEO Bethany Community Support Inc., Professor Jane den Hollander, Office of the Vice-Chancellor, Deakin University, Waurn Ponds Campus and Hayley Clarke, Lawyer.
4. Confirmation of Minutes of Previous Meeting	<i>Motion:</i> That the minutes of Villamanta Disability Rights Le- gal Service Inc.'s Annual General Meeting held on Wednesday 25 th November, 2015, be accepted. <i>Moved:</i> Amanda Millear Seconded: Andrew Hill Carried.

 5. Chairperson's Report Philip Clarke, Chairperson, invited everyone to read his report in the Annual Report and provided an overview of his report, thanking Deakin University for their generosity in providing Villamanta with office space, enabling the service to be viable again. Philip also noted the highly successful service audit, seeing Villamanta recommended for an upgrade to the National Standards for Disability Services, the excellent results and very positive feedback from constituents through the client satisfaction surveys and in the area of quality assurance, and the upgrade of our website. Philip thanked Deakin University, Kathryn McBride, Treasurer and Accounts Administrator, Darrell Harding for the improved
Accounts Administrator, Darrell Harding for the improved
budgetary situation. Philip also thanked and congratulated Deidre Griffiths, Executive Officer, Committee Members, staff and volunteers for their dedication and commitment throughout the year.
Motion: That the Chairperson's Report be accepted.
Moved: Philip Clarke Seconded: Amanda Millear Carried
6. Executive Officer's 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 commitment and dedication.
Deidre noted the great work the casework team have done throughout the year, with many excellent results for constituents. One case in particular run by Naomi Anderson, achieved an excellent outcome for a client and systemically, receiving media coverage. Deidre also noted the work done in the area of Policy and Law Reform, Community Legal Education and the Telephone Advice Service.
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.
Deidre stated that if anyone would like further information about Villamanta's work, to please contact her.
Motion: That the Executive Officer's Report be accepted.
Moved: Deidre Griffiths Seconded: Rebecca Smith Carried
 7. Treasurer's Report Kathryn McBride, Treasurer, referred to the Auditor's and Treasurer's Reports in the Annual Report and provided a brief overview of the financial statements and thanked Darrell Harding, Accounts Administrator for his good work. Motion: That the Treasurer's Report be accepted.
Moved: Kathryn McBride Seconded: Andrew Hill Carried

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8. The Model Rules	Philip explained that after a lot of discussion about the implications of changing from our Articles of Association and adopting the new Model Rules, the Committee had decided that to adopt the Incorporated Association Acts' Model Rules was the most sensible and efficient thing to do, especially as we can include Villamanta's "Purpose" in the rules.
	Motion: That Villamanta Disability Rights Legal Service Inc. adopts the Model Rules for an Incorporated Association as its Constitution.
	Moved: Philip Clarke Seconded: Andrew Hill Carried
9. Appointment of Auditor	<i>Motion:</i> That Devenny Payne, Taxation and Business Services, again be appointed as Villamanta Disability Rights Legal Service Inc.'s Auditor for the 2016/2017 financial year.
	Moved: Kathryn McBride Seconded: Andrew Hill Carried
10. Election of Com- mittee Office Bearers/ Ordinary Members	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: Motion: That Philip Clarke be re-elected as Chairperson.
	Motion: That Andrew Hill be re-elected as Secretary.
	Motion: That Kathryn McBride be re-elected as Treasurer.
	Motion: That Amanda Millear be re-elected as Deputy Chairperson.
	Moved: Deidre Griffiths Seconded: Georgie Alford Carried
	Motion: That the following Ordinary Committee Members be elected:
	Neville Porter
	Hank Wyllie
	Michele Tucker
	Moved: Deidre Griffiths Seconded: Darrell Harding Carried
	5 vacancies remain
11. Other Business	Deidre Griffiths presented Committee of Management Members with a small token of Villamanta's appreciation.
	Deidre again thanked all of the Committee Members, staff and volunteers.
	Philip thanked Rebecca Smith, outgoing Committee Member for her commitment. Philip thanked everyone for attending and invited people to stay for something to eat and drink.
12. Close meeting	The meeting closed at 5.30 p.m.
13. Next meeting	Date of next Committee of Management Meeting:
	Wednesday 22 nd February, 2017 at 4 p.m. at Villamanta
	Date of next Annual General Meeting - to be advised.
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Villamanta Disability Rights Legal Service Inc. Annual Report 2016/2017

Legal Service Inc.



Villamanta Disability Rights Legal Service Inc.

Our Mission

Villamanta is a Community Legal Centre 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.

Kathryn is a past member of the Board of Directors of Colac Area Health, Arts Colac, Colac Community Development Association and the Disability Managers Association.



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 27 years ago.

Neville 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!"





Amanda Millear has been a member of Villamanta's Committee of Management since 1995, 22 years. Amanda has held the office of Deputy Chairperson for at least 18 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 Saturday 5th August, 2017 Amanda entered the Art & Costumes Competition at the Austrek Fan Club. She won 2nd prize for 2 of her paintings of Star Trek ships. She was on cloud 10 and was jumping over the moon. The prizes were two movie passes, chocolates and a medallion to wear around her neck. There are photos of this.

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 2017 "Having a Say" Conference and likes to represent Villamanta at the Conference, which she did for the eleventh 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. Groups can present and tell their stories. It was a fun afternoon.

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! There are cats in the Star Trek movies.

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 an advisor for 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 (absorbed by ACCAN) and the former Telstra Disability Access Forum, among other influential bodies.

Hank now works on a casual basis for Scope to train organisations in how to communicate best with people who have little or no speech and to promote its Communication Access Symbol and talks to people about accessible communication using his communication device and limited speech. These only represent a few of his interests.

Hank has a keen interest in advocacy and is an activisit for the 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 of Laws (Honours) Arts/Bachelor dearees 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.





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*.

Our volunteers



Rohan Hulonce Law Student/Intern



Michaela Jakobovic Law Student/Intern



Ming Kalanon Law Student/Intern



Katherine Taylor Law Student/Intern



Jordan Nichols Law Student



Iresha Hendavitharana Law Student/Intern



Ben McCarthy Law Student/Intern



Jemma Wilson Law Student/Intern



Jordan Eitler Law Student/Intern

Our volunteers







Emily Forbes Law Student/Intern



Emily Robinson Law Student/Intern



Stephen Grainger Lawyer



Georgie Alford Lawyer



Trevor Horsley Lawyer



Charuka Samarsekara Lawyer



Olga Gridina Lawyer



Dr Julie Clarke Associate Professor University of Melbourne Law School





Chair's Report

It is my pleasure to present the Committee of Management's Chair report for 2016-2017. Following a period of consolidation and quality enhancement during 2015-2016, this year has seen Villamanta increase its program responsibilities, embrace new staff and adjust to new accommodation arrangements within Deakin University. At the same time, it has ensured that its governance is fit for purpose and has worked to enhance its public interface and the service provided to clients.

Membership

At the outset, I wish to thank the other members of the Committee for their support during the year and for the industry and the commitment they have displayed. As ever, Amanda Millear has been a very active Deputy Chair, Kathryn McBride and Andrew Hill have served with distinction in the important roles of Treasurer and Secretary, Hank Wylie and Neville Porter have contributed to the important work of the Risk Management sub-committee and Michele Tucker has brought to the Committee practical wisdom and experience.

Unfortunately, during the year pressure of other commitments obliged Rebecca Smith to resign; however, as a replacement, we were fortunate in being able to appoint Rohan Hulonce, one of our student volunteers, as a non-voting member. We look forward to working with him and benefiting from the different perspectives he will bring to the Committee.

Program responsibilities

Villamanta has continued to deliver its traditional suite of programs during 2016-2017. These are described in the Annual Report. However, early in 2017 its work significantly expanded when it accepted a funding offer from the Department of Social Services to conduct an NDIS Appeals program. Being asked to undertake this program reflects the high regard in which Villamanta is held and is a great credit to its Executive Officer and staff. It has led to the appointment of Stephen Grainger as an additional solicitor.

Staffing

As noted, the commencement of the NDIS appeals program resulted in the appointment of a new staff member. In addition, Villamanta has been joined by Kate McGrath who replaces Greg Leeson whilst he is on extended leave. On behalf of the Committee, I welcome them to Villamanta. I also pay tribute to the skill and commitment of Villamanta's other professional and administrative staff led by our Executive Officer and Principal Solicitor, Deidre Griffiths. As in the past, without them, the Service would not have functioned as effectively as it has done this year, jeopardising the rights and interests of those it serves. We owe them all our gratitude.



Deakin University

During the year, Villamanta continued to occupy premises provided by Deakin University. Whilst this has involved its office being required to move to (and later this year, from) the University's Waterfront campus, co-location has assisted Villamanta to provide legal internship and professional experience placements for Deakin Law Students. The provision of these placements has been augmented by a professional experience training program developed and delivered by Villamanta's Viv Avery and Naomi Anderson. Through these placements and programs Villamanta provides Deakin law students with valuable practical knowledge and experience, whilst at the same time expanding its capacity to assist its clients. The contribution to its work made by Deakin volunteers is also gratefully acknowledged as is the continued support of the Vice-Chancellor, Professor Jane Den Hollander AO and the Acting Dean of Law, Dr Jenni Lightowlers.

Governance

At its 2016 Annual General Meeting Villamanta adopted the 'Model Rules' for an incorporated association created by the *Associations Incorporation Reform Regulations 2012*. The primary responsibilities of the Committee of Management under these Rules are to manage or direct Villamanta's work and ensure that it complies with the Act and Rules. To do this, the Committee met bi-monthly to review the operation of the Service and its work and to receive reports from the Executive Officer, the Chair and (to monitor its financial position) the Treasurer. The Committee also received regular advice from its Risk Management Sub-committee, reports on occupational health and safety issues and periodically, reports from a staff representative. Also, (thorough the Chair) work began on a new Strategic Plan for 2018-2020 and the Committee is expected to shortly adopt (in response to a request from its members) a statement summarising Villamanta's funding arrangements and responsibilities, and the responsibilities of members under the Rules.

The Risk Management Sub-committee met regularly during the year and reviewed and revised Villamanta's Risks Register and its Critical Activities Calendar.

The Risks Register identifies, quantifies and develops responses to, the risks faced by the Service; the Critical Activities Calendar ensures that it meets, by the due date, all of its critical obligations. In these regards, I wish to especially acknowledge the invaluable contribution of Kathryn McBride. Arrangements such as those described were validated late in 2016 by Villamanta receiving an excellent outcome from its service audit.

Public interface

Finally, the year saw the launch of Villamanta's new website. This has been designed to enhance its public interface and in particular, to make the services it provides more accessible to prospective clients. For her efforts in this regard, we thank one of our volunteers, Dr Julie Clarke.

Professor Philip Clarke Chairperson

Executive Officer & Principal Solicitor's Report



Villamanta Disability Rights Legal Service Inc.



In 2016-17 Villamanta's Committee of Management members, staff and volunteers – including several Deakin University law students and some from other universities, worked tirelessly to ensure that Victorian people who have a disability received timely, high quality legal advice, representation and justice.

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

Villamanta also provided legal casework and community legal education for people who have a disability and did policy and law reform work on several important systemic 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 2016-17 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 very grateful to our funder for enabling 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 eighteen-monthly 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.

This year we received additional funding to assist people to appeal to the AAT against NDIS decisions and we have been progressively developing this area of our advocacy work.

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

We are extremely grateful to Deakin University for providing us with office accommodation. During the year we temporarily re-located from the Waurn Ponds campus to the Waterfront campus, due to renovations. We expect to return to Waurn Ponds later this year. 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. Villamanta lawyers also judged some of Deakin's Moot Court Competition heats. We fully expect that Deakin's law students will become ambassadors for disability rights throughout their legal careers.

Villamanta has 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.

Executive Officer & Principal Solicitor's Report



Villamanta Disability Rights Legal Service Inc.

We appreciate the collaboration, co-operation and support of these organisations and their workers and believe it greatly benefits our clients and constituents. We also 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.

Throughout the year Villamanta's highly skilled, professional, caring and dedicated workers have worked tirelessly 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 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 2016-17 volunteers include our Committee of Management members: Amanda Millear (Deputy Chairperson), Neville Porter, Andrew Hill (Committee Secretary), Kathryn McBride (Treasurer), Hank Wyllie, Michele Tucker and Philip Clarke (Chairperson). Villamanta thanks all our volunteers for their great contributions and hard work.

This year our volunteer workers included Lawyers Georgie Alford, Trevor Horsley, Olga Gridina, Stephen Grainger and Charuka Samarasekara, and Law Students Rohan Hulonce, Rebecca McNally, Ming Kalanon, Jemma Wilson, Clare Hovey, Joshua Vanderleet, Coral Price, Lauren Solomonson, Ailsa Cameron, Tessa Barbary, Kristy Miller, Mae Mactier, Kate Ammitzboll, Ben Pretty, Amy Stagg, Jordan Edwards, Cameron O'Leary, Emily Forbes, Iresha Hendavitharana, Ben McCarthy, Jordan Eitler, Katherine Siotos, Rosary (Claire) Pardinas, Taylah Eastwell, Emily Robinson, Michaela Jakobovic and Jordan Nichols. They have made a huge contribution to Villamanta's work. We also thank Associate Professor Julie Clarke of University of Melbourne Law School for her much appreciated ongoing assistance with Villamanta's website.

We thank our various private law firms and other community legal centres colleagues, and those at Victoria Legal Aid, for providing our clients and us with *pro bono* advice and support. We also thank 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.), VicDAN (Vic Disability Advocacy Network), 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), VCOSS and the Law Institute of Victoria (LIV), for all of their valuable work, collaboration and support.



We also thank Phil Grace, of Grace Information Technology, who once again provided Villamanta with much appreciated and prompt support and assistance with our computer system.

This year Villamanta has continued to observe and comment on various systemic issues affecting people who have a disability. In particular we have noticed continuing 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 continue to work to end this completely unacceptable practice. We noted last year 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 continue to await signs of any positive impact this may have on this extremely unacceptable problem.

We have continued to work on the ongoing situation of disadvantage of parents who have a disability who are involved in the Child Protection system, and to 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 note with particular concern, as the NDIS rolls out across Victoria, some new issues arising for people living in group homes. Specifically, some residents who require more intensive support are being issued by their accommodation services providers with notices to vacate. Some of these clients have lived in their house for many years and it is effectively their home. Behind this concerning trend seems to be a calculation by the service providers that, under the new NDIS scheme, they will not receive sufficient funding to support those residents who require more intensive support. This year Villamanta has represented several clients in relation to these notices to vacate, and will continue to do so, particularly as the ongoing reality is that there is still a huge shortfall in housing accommodation stock and appropriate services, which means that there is nowhere else for these residents to go.

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*, a guide for people working in the criminal justice system with clients who have an intellectual disability, continues to be in demand, as does our joint-publication *People with acquired brain injury and the Victorian justice system: Rights and resources*, produced to assist people who are involved in the justice system who have an ABI (acquired brain injury).

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 (DSC) as the complaints body for National Disability Insurance Scheme (NDIS) participants who have issues with service providers, and observe the use of additional powers given to the DSC by recent amendments to the Act.

The progressive roll-out of the National Disability Insurance Scheme (NDIS) throughout Victoria is a 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 work out ways of coping with the associated increase in demand for advocacy assistance.

The NDIS project is enormous, 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, others finding them self worse off than they were before, and some falling completely between the cracks that are appearing as side effects of the transition to the new system. Nonetheless, 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.

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 appropriate and adequate disability services, including, among others, 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. 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, much more is still required. Villamanta, along with many others, hopes that the completion of the roll-out of the NDIS, over the next two 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, framework and strategies.**

Deidre Griffiths Principal Solicitor & Executive Officer



Some of our staff and volunteers enjoying a welcome lunch



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



Greg Leeson Casework & Policy & Law Reform Lawyer



Viv Avery Casework Lawyer



Naomi Anderson Casework Lawyer

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	Situations to be monitored and
work on issues of serious	reviewed and feedback obtained
concern to people who have a	to measure changes.
disability.	

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.

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



Villamanta Disability Rights Legal Service Inc.

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.

Vic Disability Advocacy Network (VicDAN)

Villamanta is an active participant in VicDAN (formerly Barwon Disability Advocacy Network (BDAN)), a network of disability advocacy organisations and legal service providers, both CLCs and VLA, set up to share and develop members' knowledge and expertise in relation to the NDIS. The network, which meets monthly, held two successful forums during the year.

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. Issues considered by the committee this year included, among others: the implementation of the National Disability Insurance Scheme (NDIS), the restraint and seclusion of children in Victorian schools, the Education and Training Reform Act Regulations, the Crimes Mental Impairment Unfitness to be Tried Bill, disclosure of mental health records, re-instatement of female-only psychiatric wards and community mental health services, the Disability Amendment Bill 2017, the Medical Treatment Planning and Decisions Act, adjustments for unrepresented litigants, patients' rights in relation to the use of electro-shock therapy, and the National Disability Strategy 2010-2020.

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 continues to 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.

It 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 a publication produced by a consortium of organisations with expertise and experience relating to people who have an Acquired Brain Injury (ABI), led by not-for-profit psychologists group Diverge Consulting, written to assist people to support and work appropriately with people who have an ABI who are 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.

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 also 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. This year Villamanta was pleased to join in celebrating the 10th Anniversary of the Senior Practitioner.

We also note and will continue to observe with interest the work of the position of Principal Practice Leader (Education), which has been established in the Victorian Department of Education, as part of a Special Needs Plan for Victorian Schools, reporting to the Senior Practitioner (Disability). It is this person's job to 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 eventually 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 communication with the Victorian Office for Disability, located within the Department of Health and Human Services, 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.

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) 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, 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 report to the Senior Practitioner (Disability) (set up under the Disability Act 2006), and work exclusively with the Department of Education and schools to foster best practice approaches and oversee the use of restraint and seclusion in Victorian government schools. Villamanta and our like -minded colleagues continue to follow 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 of benefit to people who have a disability. These included the VCAT Accessibility Forum, the Legal Help Gateway Reference Group and the "Breaking Down the Barriers" Forum run by the City of Stonnington and St. Kilda CLC.

Deidre Griffiths

Principal Solicitor & Executive Officer



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.

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

During the period 1/7/16 to 30/6/17, 103 new casework files were opened and 115 files were closed.

A total of 35 files remained open at the end of the period.

A breakdown of issues covered in the files still open at 1st July, 2017 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.

1 file relates to this area.

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

4 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

14 files relate to this area.



Other matters still being dealt with at 1st July, 2017 relate to:

Abuse/Neglect (4), Contract/Consumer Issues (1), Criminal Law (5), Duty of Care/ Negligence (2), Equipment and Aids (1), Finances (2), Forensic Leave (1), Health (1), Housing/Tenancy (1), Human Rights (2), Intervention Orders (2), 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 (2).

Of the 115 casework files <u>closed</u> in the period, outcomes 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.

16 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 several cases administrators were changed to one of our client's choice. In some cases we assisted our client to recover funds from a previous administrator. In some matters the application was withdrawn, dismissed or revoked so that our client regained control of their finances. Some clients were provided with information and advice that empowered them to resolve their issue themselves. One matter lead to inappropriate payments to DHHS ceasing. In another matter our client was granted



access to a considerable amount of his money. In another of these matters our client is now managing his own affairs with the assistance of a Supportive Power of Attorney, and making his own decisions.

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.

20 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 to the Tribunal and that if orders were made, they 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. Some applications were dismissed or withdrawn. One application was adjourned to enable appropriate supported accommodation to be considered; the accommodation was accepted and the application for Guardianship was then withdrawn.

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.

25 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 overcharging, failure to provide appropriate accommodation, need for support services, unjustifiable increase in accommodation charges, forced relocation from supported accommodation, notices of temporary relocation, notices to vacate, issues with landlord failing to comply with legal requirements, advocacy around care planning with service provider, debt issue with service provider, unacceptable conditions in community residential units, threatened evictions of clients from disability accommodation, discrimination in accommodation, and abuse and/or neglect of residents in disability accommodation.

Outcomes included: access gained to appropriate support services, access achieved to accommodation services, issues resolved with not-for-profit service provider regarding over charging of fees, issues of relocation from supported accommodation resolved, care planning completed with service provider, unacceptable conditions in community residential units rectified, eviction of clients from disability accommodation addressed, issues of discrimination in accommodation addressed, notice to vacate withdrawn by residential service provider, appropriate accommodation offered to client, more "in home" supports made available, compensation paid to client for inappropriately charged SRS fees, and abuse and/or neglect of clients prevented and negligence and/or crimes victims compensation actions pursued where appropriate.

Other matters:

Fully or significantly satisfactory outcomes were also achieved in the following other matters — 59 files related to these areas:

Abuse/Neglect – 3 files; Bullying and Harassment – 3 files; Capacity and Consent – 1 file; Child Protection/Parents who have a Disability – 3 files; Civil Law – 4 files;

Casework Report



Villamanta Disability Rights Legal Service Inc.

Confidentiality/Privacy – 2 files; Contract/consumer law – 3 files; Criminal Law – 13 files; Duty of Care – 2 files; Employment – 2 files; Family Law – 2 files; Finances (including subsidies/entitlements) – 6 files; Contract/Consumer Issues – 2 files; Forensic Leave – 5 files; Freedom of Information – 1 file; Health – 1 file; Housing and Tenancy – 4 files; Human Rights – 2 files; Intervention Orders – 14 files; Birth Certificate issue – 1 file; Police behaviour – 1 file; Assistive technology funding issue – 1 file; Unjustified fines – 1 file; NDIS Complaints – 3 files; Local Government decision – 1 file; Personal Injury – 1 file; Powers of Attorney – 3 files; Recreation, Social or Family – 1 file; Restrictive Interventions/ Behaviour Support Plans/ Treatment Plans/ Supervised Treatment Orders/ Restraint and Seclusion – 16 files; Physical Access – 1 file; Powers of Attorney – 2 files; Victim of Sexual Offence – 1 file; Vulnerable and/or isolated – 3 files; Welfare Rights – 3 files; Wills/Estates/Trusts – 3 files; Court process advice – 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 continuing 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



Naomi Anderson Casework Lawyer



Viv Avery Casework Lawyer



Sue Wolter Para-legal Worker



Kate McGrath Casework Lawyer



Greg Leeson Casework Lawyer



Stephen Grainger NDIS/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 ten 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. 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.

Topics covered included: 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 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

Villamanta Disability Rights Legal Service Inc. Annual Report 2016/2017



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*, a guide for people working in the criminal justice system, funded by 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. The publication *Acquired Brain Injury and the Victorian Justice System: Rights and Resources*, produced in collaboration with Diverge Consulting's psychologists and others and also funded by the Victoria Law Foundation, aims to assist people who have an Acquired Brain Injury (ABI) who become involved in the justice system. It is also available on our website. A number of other Villamanta publications are also available for purchase from Villamanta.

"Having A Say" Conference 2017

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, 2017.

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 1.00 p.m. — 3.00 p.m.

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/liaise 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



This year Villamanta's Telephone Advice Information & Referral Service free-call advice line (1800 014 111) continued to be in great demand.

The number of issues dealt with via our Telephone Advice Service in 2016-2017 was 689. The Telephone Advice Service responds to an extremely diverse range of enquiries and requests. People often call us with complex issues which can require some untangling; callers can be very unhappy, stressed, distressed, or angry about something which has happened, or worn down from trying to battle difficult situations without assistance.

We work with callers during what are often long calls, to clarify 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 try to link people with appropriate advocacy or other supports. Very often we are able to give people several options. We provide information around the law and practical advice on dealing with situations, including those where the law is not the best solution.

Of all callers' issues, only a small proportion 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 initial 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 reduce 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 volunteers are also invaluable in assisting to document calls, and record statistics, in our tailored electronic database.

Telephone Advice Service Report



Villamanta Disability Rights Legal Service Inc.

Villamanta workers continue to strive to give our callers the best possible service, 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, Naomi Anderson and Viv Nicol



Deidre Griffiths Principal Solicitor & Executive Officer

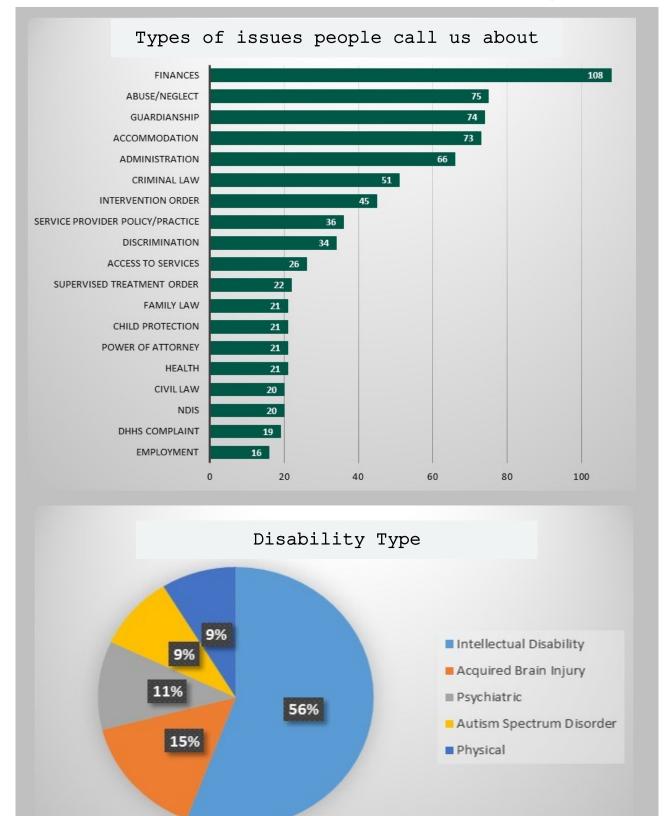


Naomi Anderson Casework Lawyer



Viv Nicol Administration Worker

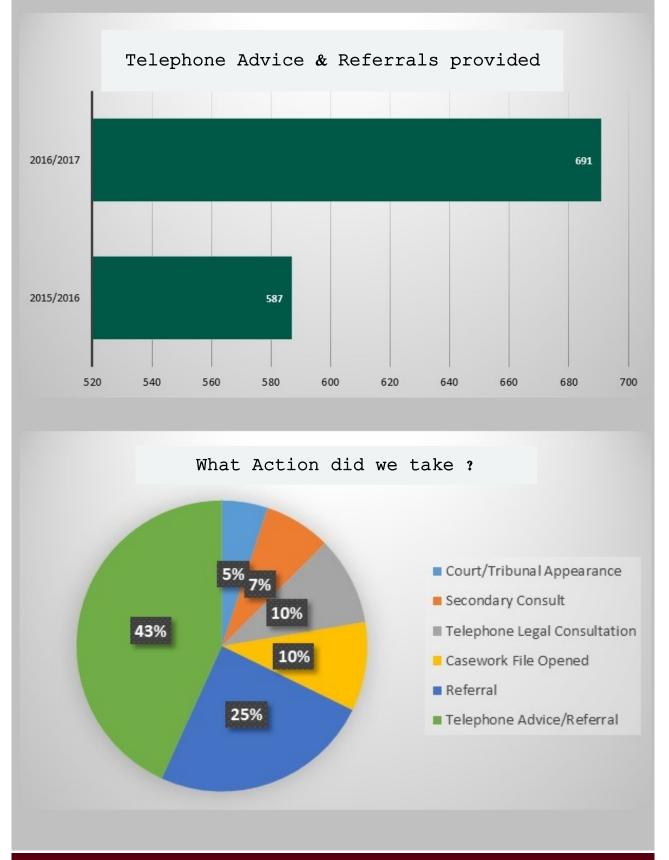




Telephone Advice Service Report



Villamanta Disability Rights Legal Service Inc.





Villamanta Disability Rights Legal Service Inc.

Income	and	Expenditure	Statement
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For The Year ended 30 June 2017

	Notes	2017	2016
	Notes	\$	 ¢
Income			
Grants - Recurring		530,361	500,870
Miscellaneous Income		900	2,280
NDIS Appeals		14,989	-
Total Income		546,250	503,150
Gross Profit from Trading		546,250	503,150
Expenditure			
Administration Costs		9,977	8,514
Consultancy Fees		7,271	9,542
Depreciation - Motor Vehicles		5,547	5,547
Library		383	190
Memberships of Other Organisations		4,011	4,476
Motor Vehicle Expenses		9,657	10,139
Office		22,765	14,286
Occupancy		18,974	42,949
Staff Training		872	420
Telephone		5,856	5,911
Wages		463,318	409,726
Total Expenditure		548,630	511,701
Other Income			
Interest Received		7,983	8,915
Total Other Income		7,983	8,915
Surplus/ (Deficit)	2	5,603	365

The accompanying notes form part of these financial statements.

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



Villamanta Disability Rights Legal Service Inc.

	Balance Sheet		
For Th	e Year ended 30 June 20	17	
	Notes	2017	2016
		\$	\$
Current Assets			
Cash and Cash Equivalents	3	407,714	327,753
Trade and Other Receivables	4	(5,303)	1,844
Total Current Assets		402,411	329,598
Non-Current Assets			
Property, Plant and Equipment	5	17,235	23,554
Total Non-Current Assets		17,235	23,554
Total Assets		419,646	353,152
Current Liabilities			
Trade and Other Payables	6	63,732	4,249
Provisions	7	104,636	103,228
Total Current Liabilities		168,369	107,477
Total Liabilities		168,369	107,477
Net Assets		251,278	245,675
Equity			
Member's Equity		251,277	245,675
Total Equity		251,277	245,675

The accompanying notes form part of these financial statements.

Villamanta Disability Rights Legal Service Inc. Annual Report 2016/2017



Villamanta Disability Rights Legal Service Inc.

Statement of Cash Flows

For The Year ended 30 June 2017

	2017	2016
	\$	\$
Cash Flows from Operating Activities		
Receipts from Customers	553,397	501,639
Payments to Suppliers and Employees	481,419	483,458
Interest Received	7,983	8,915
Net Cash Inflow from Operating Activities	79,961	27,096
Net Increase/(Decrease) in Cash Held	79,961	27,096
Cash and Cash Equivalents as at 1 July 2016	327,753	300,658
Cash and Cash Equivalents as at 30 June 2017	407,714	327,753

The accompanying notes form part of these financial statements.

These financial statements should be read in conjunction with the attached



Villamanta Disability Rights Legal Service Inc.

Notes to the Financial Statements

For The Year ended 30 June 2017

		2017	2016
		\$	\$
2	Surplus/ (Deficit)	5,603	365
	Expenses		
	Employee Benefits Expense	463,318	409,726
	Depreciation and Amortisation	5,547	5,547
	Telephone	5,856	5,911
	Other Expenses	73,909	90,516
		548,630	511,701
3	Cash and Cash Equivalents		
	Petty Cash	365	365
	Cash Management Accounts	107,747	36,881
	Cheque Accounts	5,549	3,313
	Sandhurst Mortgage Fund Account	294,053	287,194
		407,714	327,753
	Reconciliation of Cash		
	Cash and Cash Equivalents	407,714	327,753
		407,714	327,753
4	Trade and Other Receivables		
	Current		
	Provision for GST	(5,303)	(349)
	Trade Debtors	-	2,194
		(5,303)	1,844
	Total Trade and Other Receivables	(5,303)	1,844

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 2017			
		\$	2016 \$	
5	Property, Plant and Equipment	Ŷ	Ŷ	
	Plant and Equipment			
	Motor Vehicles	36,982	36,982	
	Less Accumulated Depreciation & Impairment	(20,802)	(15,255)	
		16,180	21,727	
	Prepayments	1,055	1,827	
	. ,	1,055	1,827	
	Total Plant and Equipment	17,235	23,554	
	Total Property, Plant and Equipment	17,235	23,554	
6	Trade and Other Payables			
	Current			
	Trade Creditors	221	4,249	
	NDIS Income In Advance	63,511	-	
	Total Trade and Other Payables	63,732	4,249	
7	Provisions			
	Current			
	Villamanta Social Club	1,613	1,413	
	Provision for Long Service Leave	73,116	76,949	
	Provision for Annual Leave	29,907	24,866	
		104,636	103,228	
9	Reconciliation of Net Cash Provided			
	By Operating Activities to Net Profit/(Loss)			
	Surplus/ (Deficit)	5,603	365	
	Depreciation	5,547	5,547	
	(Increase)/Decrease in Trade Debtors	7,147	(1,511)	
	(Increase)/Decrease in Other Assets	772	2,996	
	Increase/(Decrease) in Provisions	1,408	17,073	
	Increase/(Decrease) in Payables	59,484	2,626	
	Not Cook from (// lood lp) Operating Activities			

79,961

Villamanta Disability Rights Legal Service Inc. Annual Report 2016/2017

Net Cash from/(Used In) Operating Activities

27,096



Notes to the Financial Statements For the Year ended 30 June 2017

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



Villamanta Disability Rights Legal Service Inc.

Notes to the Financial Statements For the Year ended 30 June 2017

(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).

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.

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



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, 2017.

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 2017 and the results of its operations for the year then ended.

John Payne FCPA Devenny Payne Taxation & Business Services





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 2017 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

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Dated this 21st day of September, 2017

TREASURER'S REPORT FOR THE YEAR ENDED 30 JUNE 2017





Kathryn McBride Treasurer Darrell Harding Accounts Administrator