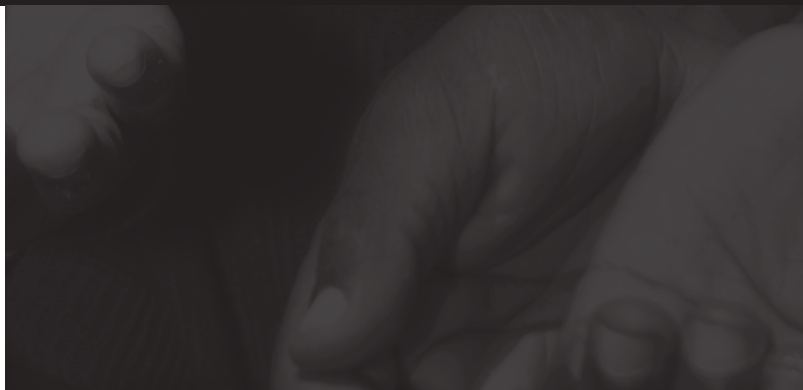


Annual Report 2008- 2009



Centre for Advocacy, Support and
Education for Refugees Inc.

Annual Report 2008-2009



CASE for Refugees



They are like angel's walking the earth! – a story from Iraq

There are many stories from the people we help at CASE – here is one man's journey

They are like angels walking the earth, giving us their time, and they helped us especially with paperwork. There is so much paperwork in Australia. They did so much more than we expected.

We were a family of Iranian background, living in Iraq. We moved there and back a few times, but we always felt that we were living in a space 'in between'; in Iran, they thought of us as Iraqi, while in Iraq, they thought of us as Iranian. Neither in Iran or Iraq did our children have the right to proper education, and the government would not let us travel around the country. My wife and I didn't want to live that way. We wanted to move to another country. At that time, it was the cheapest for us to travel to Australia. We wanted our children to have a good future and we were keen to improve our life. We are hard working people.

We arrived in Australia in 2001. We were kept in detention for a while, but it was difficult for the children to be in detention. My family were released before I was. I was accused of bringing people to Australia and this was not true. I was in detention for three more years while my family tried to get help. This is when the people at CASE were able to arrange for me join my family. There was so much paperwork, and they helped with it all.

Here in Australia people treat us like one of them, not like before in Iraq. Life here is so much better. The system is good here in Australia.

Since coming to Australia, we have bought a house, and my wife and I both now have good jobs. My wife finished a TAFE course here and is now working. I am working full time as well.

The case officer treated my wife as one of her daughters. My wife used to say to me, 'I have found my mum here in Australia.' And she was really happy about this. We have become like family now, we go over to her home now, even without calling and she is always happy to see us. We even look after her dog for few days at a time or take it for long walks.

For the future we want to help our children get a good career here in Australia. Two of our children are studying and they have started a new life here.

I would like to thank the people of Australia, the community, and CASE, for helping us and giving us their time. At CASE they are good, compassionate and honest people. They are like angels walking the earth, giving us their time, and they helped us especially with paperwork. There is so much paperwork in Australia.

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1. Highlights for CASE 2008-2009

CASE provides free legal assistance, advocacy, support and education to asylum-seekers, refugees, humanitarian entrants and other disadvantaged members of culturally and linguistically diverse communities in a culturally sensitive manner.

CASE's primary work involves assisting refugees and humanitarian visa applicants in their claims for protection and reunion with their family members.

Since 2002, CASE has assisted over 1800 clients and their families with protection, family reunion claims and more recently, general legal issues such as tenancy and traffic matters. The balance between protection and family reunion cases is shifting as family reunion work now comprises over 80% of CASE's caseload. However, CASE continues to assist clients in new applications for protection visas and any associated appeals. This is the priority for CASE.

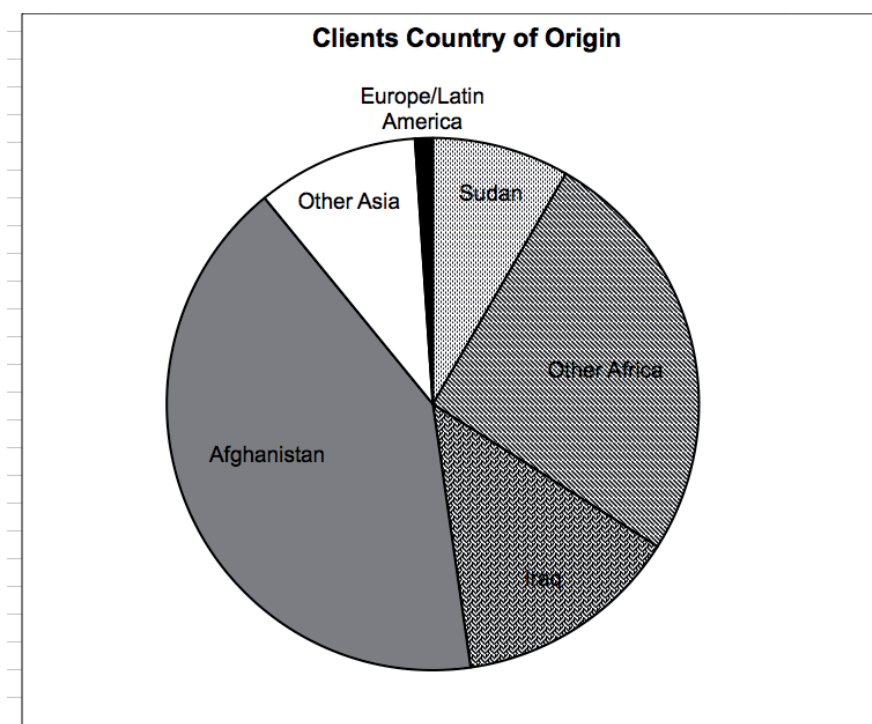


Figure 1 Distribution by Country of Origin as at 30 June 2009



We'd like to tell you about some of the highlights and achievements in our work over the past year or so:

- CASE increased its total funds raised from \$242, 110 during this financial year to \$345,982, representing an increase of approximately 45 percent.
- Over 70 volunteers contributed their time and efforts to CASE including migration agents, law students, lawyers and community members.
- CASE has been recognised on a number of occasions for its contribution to the Western Australian community, through the receipt of awards from the Human Rights and Equal Opportunity Commission, the Western Australian Department for Communities (Community Service Industry Awards), and the Sidney Myer Fund and Myer Foundation Commemorative Grants Program.
- In May 2009 CASE established a generalist legal service for Culturally and Linguistically Diverse clients, operating three days a week and opening the doors to clients in June 2009.
- During the year, CASE increased its staff numbers from seven positions to ten. The positions include a number of job share arrangements as well as part time positions.
- CASE currently has 140 open files relating to protection visa applications. As of June 2009, CASE had 300 open files representing 648 clients and their families. CASE currently has an average of approximately 5 new registrations per week, and 12 new client enquiries per week for both Family Reunion and Temporary Protection Visa/Permanent Protection Visa applications.

2. Convenor's Report

It is with pleasure that I write this report on behalf of the Board of Management of CASE for Refugees to provide an overview of the activities and developments of the organisation over the past financial year.

As has been the pattern since its inception in 2002, CASE has continued to grow in an effort to meet the continuing demand of specialist legal services for refugees and asylum seekers fleeing persecution in their countries of origin or residence and family reunion work enabling family members to be reunited with relatives who have been successful in obtaining permanent residence status in Australia.

It is with regret that CASE farewellled Maria Lamattina after two and a half years of service as Convenor. Maria is an outstanding human rights advocate who maintained a clear focus on the needs of our clients whilst also significantly expanding the financial resources of CASE.



From a governance perspective the Board has been working towards establishing a sound organisational framework through the delineation of strategic management and operations by clarifying the organisational structure, commencing the review process for the organisation's strategic plan.

The board is committed to maintaining its strategic focus and supporting the Principal Solicitors in their role of legal practice and operations management.

An overview of the work of the Board in 2008 - 2009 is provided below.

2.1 Constitutional Review

A review of the constitution was conducted early in 2009 to ensure the rules and objectives of the association were consistent with the changing organisational, economic and social environment. The key changes were:

- Number of members required at general meeting to constitute a quorum
- Expansion of the target group to include clients from culturally and linguistically diverse backgrounds for the provision of generalist legal services to complement the specialist refugee law work undertaken by CASE
- Enabling the Board to determine policies and criteria applicable to characterising either 'financial' or 'non-financial members
- Board members can serve for no longer than three consecutive terms unless otherwise decided by members in a general meeting by general resolution
- Enabling the Board to appoint a patron or vice-patron for CASE
- Amending the required quorum for general meetings from twenty to fifteen percent.

2.2 Appointment of a CASE Patron

An additional constitutional change was the ability of the Board of Management to appoint a Patron for the Association. Rosemary Hudson Miller accepted the invitation to be the first Patron of CASE for Refugees following an expansive and dedicated career in refugee and humanitarian work including being instrumental in establishment of CASE. Rosemary is supremely qualified to take on this role and the Board was delighted with her acceptance to the position.



When one reflects on the incredible amount of work and the number of clients that have been assisted over the organisation's relatively brief lifetime I feel confident that through the determination and generosity of all involved, any emerging challenges will be tackled and resolved.

2.3 Financial Stability

CASE successfully tendered for the Community Legal Centres Program grant to deliver generalist legal services to Culturally and Linguistically Diverse Background clients. This grant is particularly significant as it represents the first recurrent funding contract for CASE.

The funding is administered by Legal Aid WA for the Commonwealth Attorney General's Department and provides core operating funds which minimises the risk of CASE having to cease operations due to other project grants (which are usually funded on an annual basis and on which CASE has been reliant) not being successful.

As well as providing a range of complementary and much needed legal services to our clients the grant has assisted in strengthening our long term financial position. The program's implementation will be keenly monitored by the Board over the next 12 months.

2.4 Thanks to all involved in CASE

Finally, I wanted to offer a sincere thanks to all of those involved with CASE:

- Clients for their courage and who drive us in all that we do
- Principal Solicitors - Amanda Goodier and Shayla Straps for their leadership and competence
- The staff for delivering our services with professionalism and commitment
- Fellow Board members for their dedication, experience, skill and goodwill
- Members of the legal and migration advice professions for volunteering their time to deliver the after hours clinics
- Generalist volunteers without whom the organisation could not function
- Our funders and donors across the community, government and corporate sectors

Jo Buontempo
Convenor CASE March 2009



2.5 Our Board

The members of the Board of Management during the reporting period and currently are:

Convenor	Ms Maria Lamattina (until Mar 09)/ Ms Jo Buontempo (current)
Vice Convenor	Ms Jo Buontempo (until Mar 09)/Mr Steve Shaw (current)
Treasurer	Ms Wendy Campbell
Secretary	Ms Sarah Kemp
Board Members	Mr Kevin de Souza Ms Brenda Robbins Ms Merridy Parr Mr David Markovich Ms Judyth Watson Ms Caro Kay



Left to Right: Judyth, Brenda, David, Steven, Sarah, Kevin, Wendy and Caro

Notes

Ms Christine Knight resigned from the Board in April 2009

Mr Mohammed Albhadily resigned from the Board in Mar 2009

Ms Judyth Watson joined the Board in Feb 2009

Ms Caro Kay joined the Board in Feb 2009

Mr Markovich joined the Board in May 2009

CASE would like to extend its sincere thanks to those that served on the Board over the past year and those who have since left us. Their contributions have been critical to CASE's many achievements.

2.6 CASE for Refugees Patron

At CASE's Extraordinary General Meeting in January 2009, a resolution was passed to enable CASE's board to appoint a patron or vice-patron.

Rosemary Hudson Miller, Associate General (Mission Support) of Uniting Church's WA Synod, was appointed as Patron of CASE. We are pleased to welcome Rosemary as our Patron. She has a long involvement with CASE and has been a hardworking member of the board. She is also Chair of CARAD.

Having the ability to appoint a patron or vice-patrons will enable CASE to promote its activities more widely, and assist in advancing our objectives within the community and with key stakeholders.



Rosemary Hudson Miller with
Amanda Goodier (AGM 2008)

3. Principal Solicitor's Report

It's amazing to think that another year has passed. It has certainly been a busy one, with new projects starting and lots of changes. This year we have managed to achieve a huge amount and thank the staff, our loyal volunteers and the Board for their support and hard work throughout the year.

3.1 Funding

We have had a very successful year with our funding applications. This in itself is an achievement given the difficult economic circumstances, which have prevailed worldwide.

We were thrilled to hear that we had received in excess of \$100,000 from the United Nations Torture and Trauma Fund. This increase in funding from our 2008 level allowed us to increase the reception position from four days a week to five days a week which made a huge difference to the office.

Following our funding for a Paperless Office in 2008, the Allens Arthur Robinson Charity Committee again asked us to make a proposal. This time we asked for funding to be able to continue our Client Liaison Officer position (previously funded through Nido Petroleum) throughout 2009 and also for a fund to allow us to pay for interpreters, which are not available through our usual interpreter funding. Unfortunately we were unsuccessful in the extension of the Client Liaison position, but we were very excited to hear that we had been granted \$10,000 to set up the Interpreter Fund. The purpose of this fund is to allow us to pay for interpreters in languages, which are particularly hard to find, and which are often not available through our usual interpreting service. Previously we had to ask the clients to pay for a different service to be used, which placed a considerable financial burden on them, which they often could not afford.



We completed the Comic Relief Project in June 2009. This project allowed us to set up the Tuesday night evening clinic, which provided access to our working clients to out of hours services, which in the past had been difficult for them.

Our Public Purposes Trust funding was also renewed this year with an increase from last year. We were thrilled with this increase as it meant that we were able to continue to employ Marti, our solicitor for the Comic Relief project.

And perhaps some of the most important news from this year was our successful application to the Commonwealth Community Legal Services Program to set up a generalist service for CaLD (Culturally and Linguistically Diverse) clients. CASE made this application in January 2009 and we were advised in March that we were successful and were to receive about \$120,000 a year per year for the next 3 years. This funding is recurrent and so represents CASE's only funding source which does not have to be reapplied for each year.

Receiving this funding meant quite a change to CASE and the work that we do. Where previously we were only able to provide a migration service to our clients, we can now offer a generalist advice service on many areas of law such as criminal, civil, tenancy and employment. It has been an exciting and busy time in setting up this new service.

3.2 Staff

We have also had a very busy year with several new staff members starting with CASE and some leaving.

Firstly, we were very sad to say goodbye to Holly, our hardworking and dedicated Client Liaison Officer. Despite our efforts, we were unable to find funding to continue this position post 30th June 2009. We really miss Holly and the role she performed at CASE and I am sure that the clients feel the same. We are fortunate however to have Holly assisting us on our Saturday morning clinics as the Clinic Assistant.

With the receipt of the Commonwealth funding for the generalist program, we created three new part time positions; Generalist Solicitor, Community Legal Education (CLE) Officer and Administration Officer. Kay, our very competent receptionist moved from her role in reception to take the CLE Officer and Admin Officer role. We employed Emma Geary to fill the position of Generalist Solicitor. Emma is new to the CLC sector but has extensive experience in the private sector in all areas of general law. Emma had also volunteered for CASE in years gone by and so it was a pleasure to have her as a paid staff member.

With Kay's move to her new positions, we then were able to employ Jess McGowan as our new receptionist. Jess quickly and ably adapted to the very busy reception role with ease and has become a highly valued member of the CASE team.



Gwynneth, Bill and Marti are all still working very hard and continue to do amazing work for our clients. We thank them for all their hard work throughout the year.

CASE Staff Members and Roles

Principal Solicitors (Part time job share)	Amanda Goodier and Shayla Strapps
Solicitor (Part time)	Marti Rinsma
Generalist Solicitor (Part time)	Emma Geary
Migration Agent (Full time job share)	Bill Thomas and Gwynneth Ife
Receptionist (Full time)	Kathryn Bell
Saturday morning Clinic Assistant (Casual)	Holly Greenwood



Amanda Goodier & Shayla Strapps
Principal Solicitors



Gwynneth Ife
Migration Officer

3.3 Volunteers

It goes without saying that CASE could not operate without our very loyal band of volunteers.

In just one month CASE volunteers provided an amazing 214 hours of assistance. We are incredibly grateful to all of our volunteers who are all very valued members of the CASE team. We would like to personally thank Pam, Sean and Barbara for spending one to two days a week in the CASE office. Pam is our Volunteer Co-ordinator and is responsible also for organising the training of our volunteers. Sean and Barbara are caseworkers and working with the registered migration officers, spend countless hours preparing applications for family reunion clients. We have relied on the contribution by Pam and Sean for a number of years and value their and Barbara's commitment to CASE. They are viewed as important members of the organisation that we could not do without.



In addition, a special mention to the law students who also give us their time. Hopefully they also learn skills that will assist them in their future careers.

We also could not survive without the valuable work done by the volunteer migration agents and support teams who staff the Saturday morning clinics. As always, we welcome offers of assistance from other migration agents or lawyers who may wish to give a few hours of their time on a regular basis. We also hope to set up an evening legal clinic staffed by solicitors to provide advice to our generalist clients and we will be looking for volunteers to help us with this in the coming year.

3.4 Our Work Environment

Along with our other funding successes, we were very pleased to be granted an amount in excess of \$70,000 from LotteryWest to purchase a new computer system and buy new furniture for the office. The computer system was aging, slow and generally was a hindrance to staff being able to work efficiently. The purchase of the new system has sped things up considerably and also provided staff access to the server from home. This is an excellent tool because space is always an issue at CASE and we are able to work very efficiently from home.

We also now have a scanner, a colour photocopier and more printers. The grant allowed us to purchase desks and workstations which were far more able to accommodate CASE's needs today and which used the space that we do have in a more efficient way. Our brand new reception desk creates a more professional look when you walk into the office and the couches in the new client waiting area are very comfortable for our staff meetings!

3.5 Community Education and Training

Community legal education, which aims to increase the capacity of the legal and migration advice profession and the community to assist refugees, is integral to the work of CASE. It is achieved by:

- training, mentoring and supervising pro bono lawyers and migration agents in the provision migration law services to refugees
- providing educational opportunities to law and other students
- developing expertise in refugee and migration law issues and transferring this knowledge to staff, volunteers, clients and the broader community.

This year CASE has conducted four general training sessions in conjunction with ASeTTS, the Edmund Rice Centre and the Women's Health Service. We have also conducted four specialised legal training sessions designed specifically for CASE volunteers.



In addition Bill has given a talk to the UN Youth Association about refugees and Kay completed a number of sessions to various multicultural groups about CASE and its services, particularly the new generalist services available. In April, Brenda and Sarah from the Board attended Harmony on Hyde Day and staffed an information stall where we were able to provide people with information about CASE.

3.6 Training for Law Students

As with other years, CASE has been involved in training law students and College of Law students. For both protection visa and family reunion work, law students involved in direct work with clients are paired with an experienced volunteer (generally a lawyer/migration agent) and act as an observer and scribe for a number of interviews before taking on the interviewing role. This mentoring process is an important skills development and assurance for consistency of service standards. An experienced lawyer/migration agent supervises all interviewing pairs. This model gives law students the opportunity to develop their practice skills in a supportive and supervised setting. Law students have found CASE's training model particularly useful.

This year at CASE has, as always, been very busy but we feel as though we achieved a lot and we look forward to 2009/2010.

4. Refugees and Asylum Seekers

"A refugee is someone who "owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion, is outside. The country of his nationality, and is unable to or, owing to such fear, is unwilling to avail himself of the protection of that Country..."

1951 Convention Relating to the Status of Refugees

4.1 An International Perspective

The 1951 Refugee Convention describes refugees as people who are outside their country of nationality or habitual residence, and have a well-founded fear of persecution because of their race, religion, nationality, membership of a particular social group or political opinion. People fleeing conflicts or generalized violence are also generally considered as refugees, although sometimes under legal mechanisms other than the 1951 Convention. At the beginning of 2009, there were 10.5 million refugees located around the world, and millions more internally displaced and stateless persons.

The refugees of concern to United Nations High Commissioner for Refugees (UNHCR) are spread around the world, with more than half in Asia and 20 percent in Africa. They live in widely varying conditions, from well-established camps and collective centres to makeshift shelters or living in the open. Most are in rural settings, but the number of urban refugees is growing. They all face three possible solutions: repatriation; local integration or resettlement.



Figure 4 Displaced Afghan children from Helmand province in a tented encampment in Kabul, courtesy UNCHR September 2009

Table 1 UNHCR Statistics on refugee categories and world regions

Region (UN major area)	Refugees, incl. refugee-like situations	Asylum- seekers	Returned refugees	IDPs protected/ assisted, incl. IDP-like situations	Returned IDPs	Stateless persons	Others of concern	Total
Africa	2,332,900	326,600	294,500	6,343,000	1,032,800	100,100	-	10,429,900
Asia	5,706,400	67,300	306,300	4,618,000	325,900	5,808,800	63,400	16,896,100
Europe	1,602,200	257,700	3,000	444,400	2,700	663,300	103,500	3,076,800
Latin America and the Caribbean	350,300	50,000	-	3,000,000	-	-	-	3,400,300
Northern America	453,200	123,400	-	-	-	-	-	576,600
Oceania	33,600	2,300	-	-	-	-	-	35,900
Various	-	-	-	-	-	-	-	-
Grand Total	10,478,600	827,300	603,800	14,405,400	1,361,400	6,572,200	166,900	34,415,600

When people flee their own country and seek sanctuary in another state, they often have to apply for ‘asylum’ – the right to be recognized as bona fide refugees and receive legal protection and material assistance. An asylum seeker is someone who says he or she is a refugee, but whose claim has not yet been definitively evaluated, and is waiting for that claim to be accepted or rejected. National asylum systems are there to decide which asylum seekers actually qualify for international protection. Those judged through proper procedures not to be refugees, nor to be in need of any other form of international protection, can be sent back to their home countries.

At the beginning of 2009, there were some 838,000 asylum-seekers of concern to the UN refugee agency.

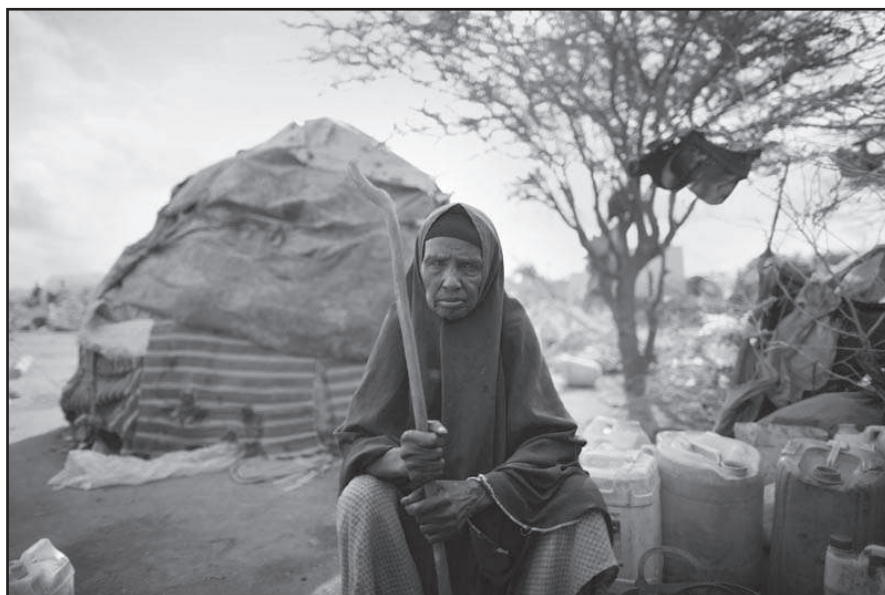


Figure 5 An elderly woman who recently arrived in Kenya after fleeing a bombardment in Kismayo, Somalia. Courtesy UNHCR, September 2009.

4.2 An Australian Perspective

In Australia, claims for asylum have increased in the past years, Australia recording approximately 4700 asylum claims in 2008, a 19% increase from 2007. However, despite this increase, figures in Australia are far below those observed in 2000 (13,100 claims) and 2001 (12,400 claims). Recent months have seen more claimants arrive in Australian waters by boat.

The developments in Australia are in line with the general increase observed in the overall number of asylum claims lodged in industrialized countries. This suggests not only that the overall number of asylum-seekers is increasing, but also that there is a greater diversity in the countries where people seek international protection, possibly in response to the introduction of new asylum policies.

Fifteen out of the 51 countries received more than 5,000 new asylum requests in 2008. Major asylum-seeker receiving countries reporting a significant relative increase included Italy, Norway, the Netherlands, Turkey, Switzerland and Canada.

Table 2 Share of main receiving countries of asylum-seekers in total number of applications

Country	2004	2005	2006	2007	2008
United States	13%	14%	17%	15%	13%
France	15%	15%	10%	9%	9%
United Kingdom	10%	9%	9%	8%	8%
Canada	6%	6%	7%	8%	10%
Germany	9%	9%	7%	6%	6%
Sweden	6%	5%	8%	11%	6%
Austria	6%	7%	4%	3%	3%
Italy	2%	3%	3%	4%	8%
Greece	1%	3%	4%	7%	5%
Belgium	4%	5%	4%	3%	3%

Courtesy UNHCR, September 2009



Of the 40 main asylum-seeker nationalities, 31 registered a rise in 2008. Among the major countries of origin of asylum-seekers, significant increases were registered by Afghanistan, Zimbabwe, Somalia, Nigeria, Georgia and Eritrea. For the third consecutive year, Iraq was the leading country of origin. The number of Iraqi claims is almost twice as high as those submitted by Somali asylum-seekers, the second highest ranking source country. Iraqi's lodged approximately 40,500 new asylum claims during the 2008 year, or roughly every tenth application in the industrialized world.

Table 3 Changes in the ranking of the top 10 countries of origin for asylum-seekers, 2005-2008

Country of origin	2005	2006	2007	2008
Iraq	4	1	1	1
Somalia	11	9	6	2
Russian Federation	2	4	2	3
Afghanistan	9	7	7	4
China	3	2	3	5
Serbia	1	3	4	6
Nigeria	8	11	11	7
Pakistan	10	10	5	8
Eritrea	24	8	9	9
Mexico	17	13	8	10

Courtesy UNHCR, September 2009

Source: Asylum Levels and Trends in Industrialised Countries, 2008, UNHCR

4.3 Who We Help and How

"I know that if it wasn't for your help, advice, guidance and understanding I wouldn't be here today and I just wanted to thank you from my heart and soul how much you have been able to change my life and future. I feel like I have been reborn and given a second chance at life and for this I am extremely grateful. It is so hard to fully express my gratitude, feeling and emotions, but it is truly a wonderful feeling and I wanted to share this with you and thank everyone at CASE so much."

CASE Client

CASE was founded in 2002 by a group of lawyers, academics and community agencies concerned with the treatment of people who had come to Australia seeking asylum from persecution in their homelands. CASE has since assisted people from many war-torn countries including Afghanistan, Iraq, Vietnam, Ethiopia, Sudan, Somalia, Sierra Leone, Congo, Burma and Iran. Since its inception in January 2005, the Family Reunion Project has registered approximately 400 sponsors for assistance in sponsoring family members for Australian visas. We have an average of approximately ten new registrations per week.

**Table 4 CASE Clients and Country of Origin June 2009****Country of Origin for Family Reunion and Protection Visa Clients (June 2009)**

Afghanistan	729	Myanmar	40	Pakistan	5
Iraq	242	Burundi	45	Vietnam	24
Kuwait	7	Palestine	23	Nigeria	1
Iran	40	Sierra Leone	26	Guinea	4
Sudan	147	Liberia	51	Bangladesh	6
Ethiopia	72	Somalia	87	China	9
Congo	32	Liberia	10	Togo	2
Cameroon	3	Uganda	5	Kenya	6
Rwanda	8	Zimbabwe	25	Eritrea	30
DR Congo	22	Bahrain	2	Malaysia	2
Singapore	3	Syria	3	Thailand	3
Sri Lanka	11	Poland	2	Ukraine	2
Mexico	1	Turkey	8	Australia	6

4.3.1 CASE Study - Turkey

The following case study describes the experiences of a refugee drawn from a range of CASE clients.

This man is an ethnic Kurd from Turkey and arrived in Australia in 2008 on a student visa. His family were supporters but not members of the Kurdish Democratic Party (DTP), which advocates for Kurdish autonomy in a peaceful fashion. In the 1980s the client's father was jailed and tortured for 18 months for his political views which were in opposition to the then military regime. The DTP do not advocate for a separate state as do the Kurdish Workers Party (PKK).

Our client grew up in Turkey unable to speak his Kurdish language. In accordance with the aims of the DTP to foster the development of Kurdish language and culture the client developed a project whereby he produced and distributed children's books in Kurdish. This required him and friends to source old Kurdish children's books, which had been hidden away; scan, print cover and bind copies, then distribute the books to a local village. This continued for two years. Unfortunately a child was caught reading one of the books at school and the man was arrested, interrogated by the Kurdish Police as to who else was involved in the project, and beaten and tortured for two days. After he was released he was under continual surveillance and followed. He also had severe swelling on his arms and legs from beatings but was too frightened to go to hospital because of previous experiences as a teenager at the hands of authorities.

While here as a student he came into CASE seeking assistance to claim protection from persecution on the grounds of membership of a particular social group and race and political opinion.

CASE prepared a statement on his behalf and the application lodged with CASE on the record. The application was rejected at the first instance and an application was made to the Refugee Review Tribunal (RRT). A comprehensive submission was lodged by CASE and a migration agent attended with the client at the Tribunal. CASE was successful in its submission on behalf of the client to the RRT and the matter was remitted back to DIAC. A permanent protection visa was granted from DIAC, and he is looking forward to establishing a new and safe life in Australia.

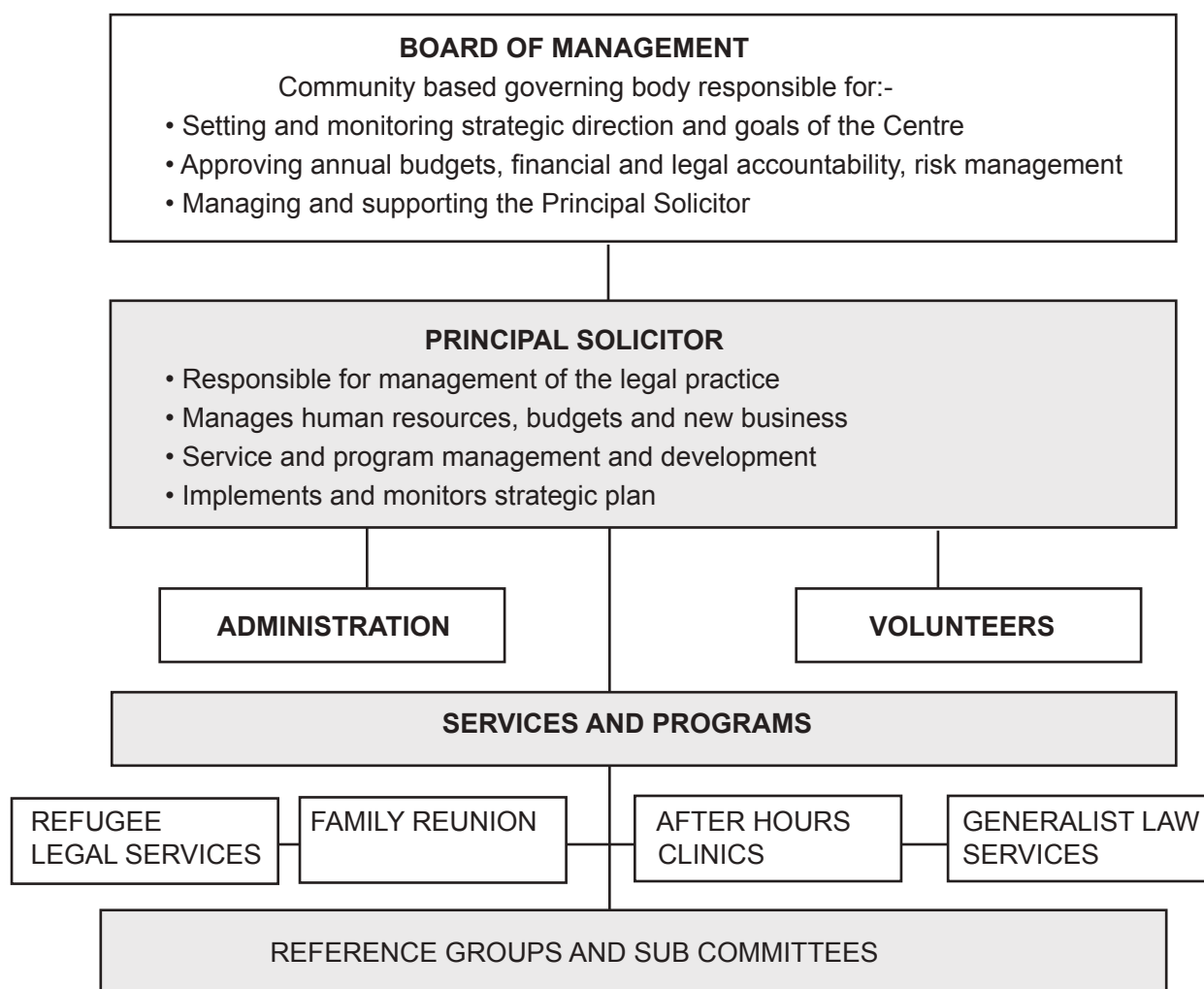
5. Operations

We will strive to develop and maintain a harmonious, professional and efficient work place and we value the contribution our people make in helping to improve the lives of others.

5.1 Governance

CASE is committed to attaining high standards of governance, practice and risk management and accountability. A representation of the organisation's structure and reporting lines is provided below.

CASE for Refugees - Organisational Structure



5.2 Board of Management

The organisation is governed by a qualified and committed Board of Management which collectively has skills and experience in governance, corporate, administrative and migration law, executive management in government, community and corporate sectors, financial administration and accounting, project management and communications, refugee advocacy and representation and social services.

The Board of Management is responsible for financial and assets management, setting strategic goals and direction, managing stakeholder relationships at the strategic level and managing and supporting the Principal Solicitors. Where quality issues arise in these functional areas the Board is responsible for implementing quality improvement measures.

Board members are required to be financial members of the organisation and perform their duties on a voluntary basis. They receive no remuneration for their services. Upon appointment, Board members receive induction materials in relation to the structure and strategic plan of the organisation, the Constitution and their responsibilities as Board members. An induction manual is maintained by the Secretary.

Given the limited resources of the organisation, many of the members of the Board volunteer additional time and effort to the work of the organisation, including conducting training for volunteers, preparing funding applications, coordinating fundraising events and volunteering for Saturday clinics.

In February 2009, the Board of Management and CASE staff members participated in a full day Strategic Planning workshop facilitated by Maria Lamattina, then Board Convenor. The key actions and outcomes from the workshop included a review of Board roles and performance, funding plan proposals, a review of the current staffing plan, and a review of the current Strategic Plan.

Further information on the Board's qualifications can be found in Appendix 1.



CASE Board members at the Strategic Planning Workshop, February 2009.



5.3 Practice Management

The Joint Principal Solicitors are primarily responsible for the management of the legal practice and the maintenance of quality practising standards, and are accountable to the Board in this regard. The Principal Solicitor reports to the Board monthly in relation to any matters relating to practice management, and is responsible for coordinating and complying with annual auditing requirements associated with the organisation's participation in the National Community Legal Centres Professional Indemnity Insurance Scheme.

In addition, the Board has recently established a Legal Practice Subcommittee with a mandate to ensure the development of quality practice standards and compliance with legal practice and migration law legislative requirements.

The Principal Solicitors are responsible for the supervision of all legal services provided by the organisation, and for the development and implementation of processes and procedures required to ensure compliance with professional standards.

5.3.1 People Management

Operational systems in place to facilitate people management include a staff and volunteer induction manual, a staff and volunteer training program and the preparation and review of job descriptions for each staff member. Each staff member undergoes an annual review in relation to their salary and performance.

Each staff member also undertakes both compulsory training in relation to their professional accreditation requirements and additional training where funding permits, as part of their overall professional development plans.

5.3.2 Business Systems

CASE has established various procedures associated with the intake and processing of clients, and the management of client files, which are regularly reviewed by the Joint Principal Solicitors, and includes a Policy and Procedures Manual. In June 2008, CASE purchased the LEAP Migration Manager database software. Client information has been transferred to this new system and staff trained in the use of the new software. The introduction of the LEAP client management software has greatly improved the operations and workflow management.

5.3.3 Assets Management

CASE maintains an assets register and information technology plan. CASE has identified and is in the process of securing funding to meet information technology, telecommunications, infrastructure and space requirements with reference to current and anticipated growth levels. In doing so, CASE recognised the need to coordinate its efforts with those of the Coalition Assisting Refugees and Detainees (CARAD) with whom CASE shares its premises.



In 2008, CASE and CARAD established a Joint Subcommittee of the Boards of CARAD and CASE to establish better methods of sharing the premises, working effectively together, and combining efforts with respect to the procurement of materials and equipment and application for funding, for the benefit of our common clientele. The Joint Subcommittee has met on several occasions since its establishment and has focused primarily on identifying and implementing plans to maximize the productive use of the space available in the premises, and seek funding for the creation of additional meeting spaces and storage areas, and the procurement of additional equipment.

5.4 Client Services

In order to better meet the needs of clients, CASE has a Client Charter and associated service standards. CASE prepares for its staff and volunteers client group profiles and country and cultural information to ensure that services provided to and communications with clients are undertaken on an informed, respectful and effective basis.

Clients are also encouraged to provide feedback to CASE staff and volunteers, some of which can be read in this report. Client numbers are monitored closely, particularly in view of the high rate of client enquiries received as noted earlier in this report. New database software will assist in generating regular and precise information in this regard for the consideration of staff and Board members in ongoing planning. Clients are also encouraged to take part in social and educational activities hosted by CASE so as to strengthen relationships and assist in their settlement in Australia.

Finally, clients are given referrals as required to affiliated organisations and agencies in relation to any issues with which they require assistance that do not relate to migration law.

5.4.1 Legal Assistance in Refugee and Migration Law

Clients are assisted to prove their claims for continuing refugee status before the Australian legal system and to reunite families with loved ones separated through war, torture and persecution. CASE is committed to not only incorporate family reunion work into its mandate, but to also provide targeted assistance to vulnerable persons such as women and children at risk, and to assist with citizenship applications and referrals. In this way, CASE has sought to expand its work to cover the lifecycle of the reception and integration of this community into Australian society.

5.4.2 Saturday Clinic System

CASE continues to operate a Saturday morning clinic system, staffed by volunteer lawyers/ migration agents, law students and other volunteer assistants. Saturday clinics have continued to be an important means of assisting our clients over the past year. We tend to refer clients who do not need interpreters to these clinics, although those for whom we can find interpreters who are prepared to work at 'voluntary' rates, (mostly Dari, Arabic and French speakers) will also be referred to Saturdays.

We have scaled down the number of clients to four for each month rather than six, and this has removed the pressure on our resources a little and provided a little more flexibility for follow-up appointments. The pattern of a consultation with the Migration Agent followed by a clinic session with the team in that month, and a follow-up appointment four weeks later tends to be successful.

Generally people are rostered about every three months. However, a client requiring extra work can involve many more than the basic two sessions and occasionally people are working over several months with the one client.

5.4.3 Generalist Legal Services

In 2009 CASE for Refugees received Federal Government funding that enabled the organisation to extend its legal services from migration advice to provision of general legal assistance to members of the culturally and linguistically diverse communities (CaLD).

In May 2009 CASE for Refugees employed Emma Geary for three days a week to establish and run the general legal service.

After discussions with a number of CaLD service-providers and community leaders across the Perth metropolitan area it was determined that the CaLD communities' most pressing legal needs were advice and representation in the following areas:

- Tenancy issues
- Violence restraining orders
- Contract disputes
- Road Traffic Act 1974 (WA) offences
- Discrimination
- Employment matters
- Criminal Injuries Compensation Act 2003 (WA) applications
- Provision of Wills and Enduring Powers of Attorney.

Since opening the doors to clients in June 2009 CASE for Refugees' general legal service has assisted approximately 35 clients on 40 matters. Demand for the service has grown steadily with a number of clients returning for advice in relation to new problems.

The main types of problems that have presented since the service commenced are disputes in relation to private rental accommodation, advice and representation in relation to Road Traffic Act 1974 (WA) offences, criminal injury compensation applications, and negotiating settlements in contractual disputes.

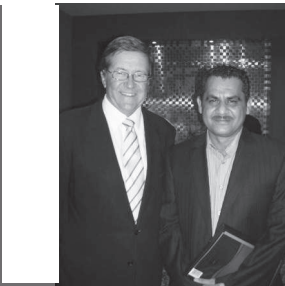
Clients have generally been precluded from accessing legal advice from the private legal sector due to their inability to comprehend and communicate in the English language and their limited financial means.

Knowledge of the free legal service is spreading to those in need via other CaLD service providers and through word of mouth among CaLD communities. As at early October 2009 the demand for the service had grown to such an extent that planning for an evening clinic was underway.

5.5 Volunteers

“CASE’s activities have now extended beyond migration work and have extended to providing assistance to victims of domestic violence and by providing immigration assistance to women who have been trafficked. So the capacity for CASE to provide support to people who are obviously in desperate need of that support has been well demonstrated. Now how has CASE been able to do all that? It is because of the enormous contribution made by hundreds of volunteers, including lawyers, law students and board members, as well as its staff, assisting humanitarian refugees and visa applicants and members of their families.”

The Hon Wayne Martin, Chief Justice of Western Australia
‘Justice sans frontieres’
Keynote speech, CASE for Refugees AGM, 16 October 2008



The Hon Wayne Martin, Chief Justice of Western Australia
with Mohammed Albadilly, CASE Board Member 2008

Direct legal services to clients of CASE are provided largely through pro bono and volunteer support. These services could not operate effectively or to the highest professional standards without the employment of solicitors to oversee practice management and training and supervision of volunteers. Over the 2008/2009 financial year, CASE has received volunteer support from over 70 law students, migration agents, lawyers and community members with an interest and passion for working with refugees and asylum seekers.

Volunteers at CASE undergo specialist training programs which are conducted with the involvement of affiliated organizations such as the Association for Services to Torture and Trauma Survivors (ASeTTS) as a high proportion of CASE’s clients are survivors of torture and trauma. All volunteers, including law students and volunteer lawyers and migration agents, must complete training prior to having direct contact with clients. Training is offered three to four times a year and covers:

- an overview of the structure and services of CASE
- an overview of the legal framework of refugee claims including international conventions, treaties and protocols, relevant domestic legislation and pertinent case law;
- the effects of torture and trauma with particular reference to it’s impact on interviewing and the refugee determination process;
- working with interpreters and cross cultural interview skills
- historical and cultural overview of Afghanistan and Iraq and relevant African cultures.

Specialised family reunion training is also offered which covers the family reunion visas available and offers tips for the application process based on the client’s country of origin.



5.5.1 Law Students

“For me, volunteering at CASE is about helping to build a better community, both locally and internationally. The work that we do at CASE to assist refugees is of immense value to both those being helped and those helping. Giving up just a few hours every few weeks to help someone start a better life is a really good way to appreciate how lucky we are here in Australia”

Eden Winnacott
CASE Volunteer and Law Student

CASE provides a unique educational opportunity to volunteer law students. Approximately 240 law students who volunteer for CASE have completed the induction and training program. Approximately 40 law students were actively volunteering for CASE in the 2008/2009 financial year. The benefits to these students are realized through formal training and education by CASE's induction programme as well as hands on experience through client contact and working with experienced lawyers and migration agents.

5.6 Stakeholder Relationships

CASE maintains relationships with key stakeholders in order to improve the efficiency of its work and the outcomes achieved for clients. CASE maintains memberships and subscriptions to relevant organisations and services. CASE is represented in various industry networks and forums, and CASE engages in regular communication with stakeholders including direct engagement with the Department of Immigration and Citizenship in case management.

CASE also engages in cross referrals among affiliated organisations working with similar client communities across the health, community and government sectors. CASE regularly communicates with members in relation to the activities of the organisation, and maintains communications with key sponsors and donors.

6. Finance

We will achieve secure, broad-based, independent sources of funding sufficient to meet our objectives.

6.1 Funding

Sourcing funds to both maintain and develop the services of the organisation is a constant activity of the staff and Board of CASE. At present the organisation does not receive core operating or recurrent funding from any source. Despite this, the organisation continues to grow and improve



its financial position with the strong and extensive support of:

- the corporate sector
- established government and non government grants programs at state, federal and international levels
- the pro bono efforts of dedicated volunteers within the legal and migration advice professions
- volunteer law and social services students
- practicum and internships through Western Australian universities.

We are pleased to report that, since the last financial year, we have increased our income from these efforts by over 45 percent, raising \$345,982. This is a great achievement and testament to the ingenuity, efforts and persistence of the staff and members of the Board involved.

Pursuing core operating or recurrent funding, in particular to meet the ongoing running costs and staffing needs of the organisation, remains a high priority for CASE and we are actively investigating options that may be available.

During the year, CASE received funds from:

- The Law Society of Western Australia, Public Purposes Trust
- United Nations, Office of the High Commissioner of Human Rights, Voluntary Fund for Victims of Torture
- The Myer Foundation and Sidney Myer Fund's Commemorative Community Grants Program.
- Volunteering Australia, Comic Relief Grant
- Department of Immigration and Citizenship, Refugee and Humanitarian Program, Immigration
- Advice and Application Assistance Service (IAAAS)
- Allens Arthur Robinson Charity Committee
- Commonwealth Community Legal Services Program
- Corporate and Individual donations, including Nido Petroleum Limited and the Uniting Church
- Individual donations
- Fundraising activities
- Memberships.

6.1.1 Funding Case Study

The Myer Foundation and Sidney Myer Fund's Commemorative Community Grants Program. CASE received \$100000 from the Myer Foundation and Sidney Myer Fund's Commemorative Community Grants Program for 2009 and 2010 to sustain and develop CASE's capacity building efforts.

CASE for Refugees' proposal centred on improving Communication with all stakeholders, divided into five parts:

1. Improving our electronic communication between staff, volunteers and Board members through a Virtual Private Network (VPN) facility.
2. Improving our external communication with clients, members, volunteers, and donors through the upgrading and diversification of our website.
3. Developing and implementing a fundraising plan and guidelines to diversify and make more sustainable our funding base.
4. Establishing an interpreter training and accreditation fund to increase the capacity and availability of interpreters for our increasingly diverse client base.
5. Facilitating communication through improving our immediate work environment by undertaking a minor capital works program.

As a component of the funding, CASE is also taking part in a research program conducted by Queensland University of Technology's Australian Centre for Philanthropy and Nonprofit Studies. CASE has recently presented at a panel discussion during the Sydney Myer Centenary Grant Workshop held on 28 August 2009 in Melbourne.

6.2 Financial Management

"I joined the CASE Board as Treasurer in 2007. One of the highlights for me of working with CASE is the team spirit that prevails. Having also always worked either in small business or with small businesses in my public accounting practice, the focus away from the profit motive is also very refreshing. The challenges that constantly face an organization like CASE are not dissimilar to ones facing small business. The methods of addresses these challenges are however different, and I look forward to working with the board on these issues over the next year."

Wendy Campbell
Treasurer

CASE has in place strong processes of financial management to ensure that the Board is kept informed of and able to take appropriate action in relation to the finances of the organisation. Our Treasurer is a qualified certified practising accountant with over 15 years experience.

The Treasurer prepares an annual budget for approval by the Board. The Treasurer also reports to the Board monthly in relation to the organisation's financial position and performance against the budget, and the allocation of grant monies and donations received. Regular financial reporting to all major donors and funding bodies in relation to the acquittal of funds received also takes place. Finally, an annual independent audit is undertaken of the organization's financials.

This year's financial statements, audited by CASE's independent auditor, Dry Kirkness, are presented at the conclusion of this report in Appendix 2.

Appendix 1: Board Qualifications

Name	Qualifications	Experience	Term
Jo Buontempo Convenor	<ul style="list-style-type: none"> • Master of Business Administration – Current • Postgraduate Certificate in Migration Law and Practice • Advanced Diploma in Leadership & Management - Advanced Management Program component • Associate Diploma in Social Science 	<ul style="list-style-type: none"> • Over 17 yrs senior and executive management experience in the social services, community law and government sectors. • Currently working as migration agent in private practice. • Member of the Independent Public Housing Review Panel • Previously Board member of the Western Australian Council of Social Services, Executive member of the Community Legal Centres Association of WA 	2007
Steve Shaw Vice Convenor	BA (Arts) LLB (Hons) Postgraduate Certificate of Migration Law and Practice	<ul style="list-style-type: none"> • Senior Lecturer – Murdoch University • Director – Perth City Legal 	2009
Sarah Kemp Secretary	<ul style="list-style-type: none"> • Bachelor of Laws – Current • Graduate Certificate in Law • Bachelor of Social Work (Honours) 	<ul style="list-style-type: none"> • 12 years experience in justice, mental health, counselling, training and social research and policy fields. • Previously Committee member of the Australian Association of Social Workers WA branch. 	2006
Wendy Campbell Treasurer	<ul style="list-style-type: none"> • Certified Practising Accountant 	<ul style="list-style-type: none"> • Over 15 years in public practice 	2007
Kevin De Souza Member	<ul style="list-style-type: none"> • Bachelor of Laws • Admitted to the Supreme Court of Singapore as an advocate and solicitor • Admitted to the Supreme Court of Western Australia as a barrister and solicitor 	<ul style="list-style-type: none"> • Appeals lawyer for the United Nations High Commissioner for Refugees (UNHCR) in Hong Kong • Legal consultant for UNHCR in Singapore • Board member of the Criminal Legal Aid Scheme in Singapore • Private Practice – Singapore and Australia 	2006
Brenda Robbins Member	<ul style="list-style-type: none"> • Juris Doctor • Postgraduate Certificate in Migration Law and Practice • Fellow of the Australian Institute of Management • Fellow of the Australian Institute of Company Directors • Bachelor of Arts • Diploma of Company Director's Course 	<ul style="list-style-type: none"> • Currently practicing as a barrister at Sir Lawrence Jackson Chambers • Held CEO and senior executive positions in a number of State Government agencies including Department of State Services, Office of Industrial Relations, Public Service Commission and the Subiaco Redevelopment Authority • Board member of the Keystart Pty Ltd group of companies • Previously member of the UWA Senate, President of Australian Institute of Management and Legal Aid Commissioner 	2007



Board Qualifications continued

Name	Qualifications	Experience	Term
Merridy Parr Member	<ul style="list-style-type: none"> • Bachelor of Laws • Bachelor of Arts • Admitted to practise 2003 • Migration Agent 	<ul style="list-style-type: none"> • Worked with Department of Immigration for 18 months • 2005 Australian Youth Ambassador with AusAID • 2006 Solicitor with Legal Aid • Current solicitor and migration agent with Interstaff International Ltd, involved in complex applications and migration appellate work • Volunteer with CASE since 2006 	2008
Judyth Watson Member	<ul style="list-style-type: none"> • Qualified Nurse (not in practice) • B Sc. (honours) • PhD (Anthropology) 	<ul style="list-style-type: none"> • Long commitment to human rights, social justice and advocacy • Assisted with establishment CARAD then CASE [Former & current Board member of each] • Volunteer refugee work and volunteer local primary school • Current chair Human Research Ethics Committee [Dept of Health] • Former MP [WA] for 11 yrs • Consultant for 5 yrs to Hepatitis Council of WA • Appointed by Minister to Head a statutory mental health advocacy body. Retired 2008 after 5 yrs. 	2009
Caro Kay Member	<ul style="list-style-type: none"> • Bachelor of Arts (Library & Information Science) • Diploma Entrepreneurship (candidate) 	<ul style="list-style-type: none"> • Managing Director and co-owner of ContentPlus and Co-owner of Coastal Zone Management • Established operator of Small Medium Enterprises for past ten years • Consults to governments nationally and overseas, and to International clients such as UNEP, UNFCCC • Has a specialty background in IT, Project Management, Communication and Facilitation • Worked as a freelance Writer to the West Australian for several years • Provides voluntary work to local school 	2009
David Markovich Member	<ul style="list-style-type: none"> • LLB • Bachelor of Economics 	<ul style="list-style-type: none"> • Senior Associate, Minter Ellison • Worked in a variety of paid and voluntary social justice causes, including a legal internship at the UNHCR, Lawyers Committee for Human Rights (now Human Rights First), the Abraham Fund, refugee camps in Rwanda and has conducted research on the Stolen Generations, authoring a number of published articles. 	2009





Center for Advocacy, Support and
Education for Refugees Inc.

