

CASE for Refugees



Annual Report 2009 - 2010

Centre for Advocacy, Support and
Education for Refugees Inc.



Helping families getting back together helps refugees settle and create support in their new country

GN came to CASE in 2007 for help in bringing her nephew and nieces to Australia. She and her daughter have been here since 2005. GN and her daughter were refugees from Burundi who arrived in Tanzania in 2006. They had heard from a woman visiting Burundi that GN's nephew and nieces were in the camp in Tanzania. But by the time the children arrived, GN and her daughter had already left for Australia.

In the camp the nephew and nieces enquired about GN. A friend of GN was able to tell her about their enquiries, and contact was made by phone. GN had never met her nephew and nieces, but GN had enough information about their family for her to be certain who they were.

The first application which CASE assisted with in 2007 was refused as there was very little information available to GN. Contacting GN's nephew and nieces was very difficult and the camps frequently closed and the children moved elsewhere as the refugee program in Tanzania was wound down.

CASE tried again in 2009 with better information and after getting assistance for the UNHCR office in Canberra who were able to provide us with information about the whereabouts of the children. There was still the threat of repatriation, a matter of great concern as the children are of mixed Hutu/Tutsi heritage and also orphans so had no family support. The UNHCR were able to ensure they would not be returned to Burundi while that application was being processed.

Happily, the visas were granted in June this year and GN's nephew and nieces E, C and N arrived in July 2010. They came to visit CASE soon after arrival and it was wonderful to welcome them to Australia. They are in very good hands with GN and her daughter who deferred her university course for a semester to assist them to settle in.



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1. Highlights for CASE 2009-2010

CASE for Refugees' mission is to provide culturally sensitive legal services to refugees, asylum seekers and persons of concern who are disadvantaged in their access to the legal system. We also provide information and education on refugee issues to interested parties.

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 1868 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 an important part of the work of CASE.

In 2009 we assisted 634 people from 36 countries around the world. Of the 634 people assisted, CASE made 77 applications for Protection Visas and 121 Family Reunion applications.

Figure 1 demonstrates the various countries that our clients come from.

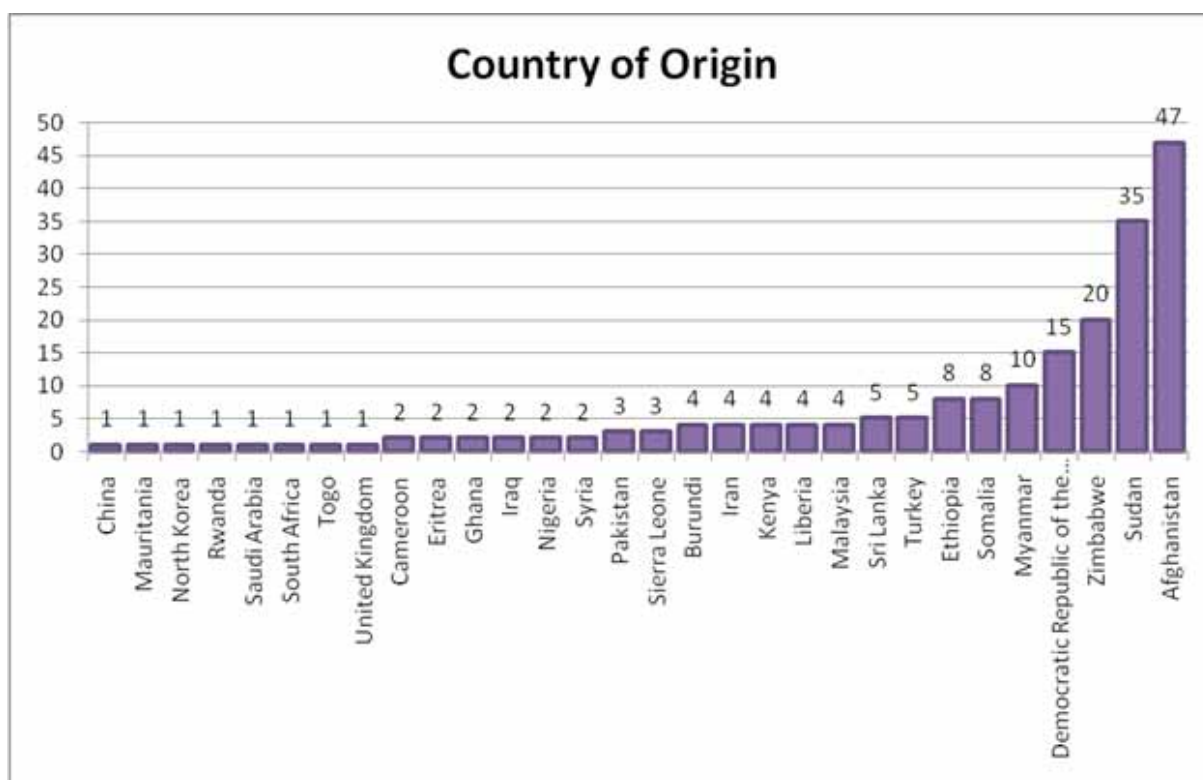


Figure 1 Distribution by Country of Origin as at 30 June 2010.

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

- Over 70 volunteers contributed their time and efforts to CASE during the year including migration agents, law students, lawyers and community members. There are approximately 2 to 3 volunteers in the CASE office per day. Volunteers have contributed 1415 hours to CASE between January and June 2010.
- In May 2009 CASE established a generalist legal service for Culturally and Linguistically Diverse clients, operating three days a week. Since opening the doors to clients in June 2009, CASE for Refugees' general legal service has provided 484 instances of legal advice, opened 64 case files and closed 43 case files. Demand for the service has grown steadily with a number of clients returning for advice in relation to new problems. The principal legal issues addressed by the generalist service to date have been wills and probate, motor vehicle accidents, credit and debt, employment conditions, injuries compensation and road traffic offences.
- CASE in partnership with CARAD created and held its inaugural annual 'Out of the Dark' Lecture Series on 31 August 2009 at Christchurch Grammar School Ethics Centre. The guest lecturer for the event was David Marr and more than 220 people attended the event. Mr Marr spoke about the impact media reporting has on the public's perception of asylum seekers, the idea of Christmas Island 'separateness' and the history of immigration and refugee policy across different governments and time periods. The 2010 'Out of the Dark' Lecture will be held on 25 October 2010 at UWA Winthrop Hall. The guest speaker for the forum is Australian of the Year, Dr Patrick McGorry and will be chaired by Ms Janet Holmes a Court.
- During the year, CASE has undertaken an organisational review with the support of Warner Consulting, in order to determine the most effective structure for optimum governance, service delivery and support for staff in their crucial roles in the organization.
- CASE opened 164 new client files between July 2009 and June 2010. As of June 2009, CASE had 300 open files representing 648 clients and their families. CASE currently has an average over the 2009/2010 financial year of 8 to 10 new client enquiries per week for both Family Reunion and Temporary Protection Visa/Permanent Protection Visa applications. From 20 April 2010 to 15 June 2010, 25 new clients approached CASE for assistance with Protection Visas, and 87 new clients approached CASE for assistance with family reunion, representing an increase average of 14 new client enquiries per week.



David Marr. Out of the Dark Lecture 2009

2. Convenor's Report

In 2009/10 the Board of Management for CASE completed strategic planning exercises designed to ensure that CASE continues to operate into the future. The Board's decision was that after a history of fairly steady and constant growth the time had come for CASE to consolidate its position. This has been a year of consolidation and forward planning.

This decision was made necessary because demand for CASE's services was steadily outstripping the resources that CASE could access to meet those demands. CASE staff had been absorbing the extra work by putting in extra hours and those hours were generally unpaid. As a non profit organisation working in the human rights area, CASE has never been in a position to remunerate staff commensurate with their experience and abilities and staff in turn recognised that and yet chose to remain with the organisation and to continually give more than was asked.

The Board of Management felt that the position was unsustainable and that staff were being put under unwarranted pressure by the increasing workload. For this reason the Board instructed the Principal Solicitor to stop accepting new applications until the workload was brought down to a more reasonable level. It was a very hard decision to make as many of the people who come to CASE for assistance have harrowing stories and are desperately in need of help. Implementing the decision was even harder as it is the staff and not the Board who have to listen to those stories and yet turn the people away. Workload continues to be a serious issue with CASE.

During the year the Board has had thorough organisational reviews carried out by human resources specialists. This has led to a revised structure for the organisation, and new roles are being created within CASE in order to ensure maximum efficiency in relation to carrying out the organisations core functions. These remain the provision of specialist legal services for refugees and asylum seekers fleeing persecution in their countries of origin. The new structure will provide a more focussed approach to accessing grant monies and other resources and the Board hopes that the restructure will help ensure that CASE continues to thrive into the future.

One of the key issues facing CASE is that much of its funding is not guaranteed from year to year. For that reason it is always difficult to forecast for long term commitments. This is especially true of wages, which will always be the organisation's key expense. The Board considers that CASE staff should not be asked to subsidise the organisation by working for below the general rates of pay of other like organisations. For this reason the Board has committed to fairly substantial wage increases within the organisation. It is hard to forecast if this can be sustained in the longer term; the Board believes that the increases are necessary regardless.

The Board has been working behind the scenes on these issues. CASE, on the other hand, has continued to operate in the normal way, providing high quality service to the organisation's client base. Our staff, paid and volunteer, has put in another year of exceptional service. CASE continues to ensure that its clients can access the rule of law, rather than merely being dependent on the rules of political convenience. All members of CASE are committed to Australia being a signatory of the UN Convention Relating to the Status of Refugees and the consequences of our national decision to subscribe to that convention. We believe that every person who arrives in Australia and claims refugee status is entitled to a proper assessment of that claim. We struggle to accept that political machinations can exclude arrivals in parts of

Australia from the ambit of our national responsibilities. We look forward to being able to offer our services to those currently excluded from their full Convention rights once we have ensured the long term sustainability of our organisation.

CASE can only be what it is through the individual efforts of all involved in the organisation. As Convenor, I wish to thank everyone involved in the making CASE an organisation that is able to give real help to those in need. I would particularly like to thank staff, volunteers, Board members, donors and supporters. As Chairman of the Board of Management I feel it necessary to give particular thanks to two board members. All board members act as volunteers, but our board secretary, Sarah Kemp, and our board treasurer, Wendy Campbell, both give far beyond what could be reasonably expected. Their long term commitment must be recognised and I acknowledge that without their efforts we would not be in the position we find ourselves in at the end of 2010. Our future is still not guaranteed, but we are in good shape to position ourselves as a long term and significant guarantor of human rights in Australia.



Steve Shaw

Convenor, CASE for Refugees

September 2010

2.1 Our Board

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

Convenor	Mr Steve Shaw
Vice Convenor	Ms Jo Buontempo
Treasurer	Ms Wendy Campbell
Secretary	Ms Sarah Kemp
Board Members	Ms Caro Kay
	Ms Brenda Robbins
	Mr David Markovich
	Ms Heather Marr
	Ms Eden Winnacott



Steve and David



Board Photo 2009

Notes

Mr Kevin de Souza resigned from the Board in October 2009

Ms Judyth Watson resigned from the Board in October 2009

Ms Merridy Parr resigned from the Board in October 2009

Ms Eden Winnacott joined the Board in October 2009

Ms Heather Marr joined the Board in March 2010

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.

3. Principal Solicitor's Report

2009 – 2010 has been another busy and productive year for CASE. Again 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 once again been very lucky with our grants and funding this year and have managed to maintain and actually increase the levels from 2008/2009.

The United Nations Torture and Trauma Fund renewed our grant which allowed us to continue to do the very important work that we do with torture and trauma victims.

For the third year running, we were invited by the Allens Arthur Robinson Charity Committee to make a proposal. Last year we were granted \$10,000.00 to set up an interpreter fund which allows us to pay for interpreters in languages where we are unable to obtain fee free interpreting, or where urgent matters require interpreters. This fund proved to be very successful and allowed us to provide an even better service to clients. It was also time saving to our caseworkers as they could have an in-person interpreter present where in the past they may have had to use a phone interpreter. Based on the improvements that this fund provided to both our staff and clients, we again made a proposal to continue the funding for the Interpreter Fund and we were thrilled to hear that we were successful.

Our Public Purposes Trust funding was also renewed this year with an increase from last year.

This year saw the expenditure of the setup funds provided by the Commonwealth Community Legal Services Program which we received in 2008-2009. A huge amount of work went into this, particularly by our generalist solicitor, Emma Ashcroft. Emma has been able to draft and design a large range of fact sheets for clients which cover a number of areas of law. These were then all translated into several different languages.

3.2 Staff



Marti, Jess and Shayla

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

Emma Geary left us and the position of Generalist and Community Education Solicitor was filled by Emma Ashcroft, who had been doing some CLE work for us already. Emma's enthusiasm and 'can do' attitude is impressive and we are very pleased to have her in the role. If you want a job done quickly, efficiently and well, Emma will never let you down!

Kathryn left us to take on new challenges and we were very pleased to employ Julie, who came to us with extensive migration experience, having worked for many years in Dubai with a migration law firm. Julie is very efficient and she picked up all that was required of her (and more!) in record time. She is a very valued member of the CASE team.



Gwynneth, Jess and Bill

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 work throughout the year. Caro continues in her administrative role and we also thank her for her never ending patience in dealing with the IT problems and everything else that she deals with on a daily basis. She is amazing. As with everything she does, Jess has excelled in her Articled Clerk role which comes to an end in September 2010. Unfortunately funding restrictions mean that we are unable to employ her for her Restricted Practice year and we wish her well for her future endeavours in her legal career. She will be sorely missed around the CASE offices.

As per last year, we have 8 paid positions with 10 staff as follows:

Principal Solicitors (Part time job share)

Amanda Goodier and Shayla Strapps

Solicitor (Part time)

Marti Rinsma

Generalist and CLE Solicitor (Full time)

Emma Ashcroft

Migration Agent (Full time job share)

Bill Thomas and Gwynneth Ife

Articled Clerk (Full time)

Jess MacGowan

Office Administrator (Part time)

Caro Nye

Receptionist (Full time)

Julie Jacob

Saturday morning Clinic Assistant (Casual)

Wanjie Song



Gwynneth and Caro

We are constantly amazed by the sheer dedication and willingness of all of the staff to go above and beyond. They always place the needs of our clients before their own and I hope that our clients feel very privileged to have such a hardworking group of people helping them. Indeed, we feel privileged to be able to work with them all and to be able to watch them achieve so much for our clients.

3.3 Volunteers

It goes without saying that CASE could not operate without our very loyal band of volunteers. From January 2010 until June 2010, CASE volunteers provided an amazing 1415 hours of assistance to us. That's 54 hours a week! We are incredibly grateful to all of our volunteers who are all very valued members of the CASE team. Pam, our volunteer co-ordinator, and Maryliss, our Saturday morning clinic organiser, work tirelessly and give freely of their time to help out at CASE. We also have a number of volunteers who assist with casework and spend many hours working with clients preparing applications for protection and family reunion. Our volunteers come from different walks of life, some are retirees, some are law students and others are professionals who give up some of their valuable leisure time to assist. In fact, our volunteers are viewed as much more than volunteers, but important members of CASE and its family.

We thank our Saturday morning clinic volunteers as without their assistance we would have much longer waiting lists than we do at the moment. Their assistance is extremely valuable to us.

We have just started a generalist evening clinic on Tuesday nights and already have a number of experienced solicitors who are giving up their time to help many of our clients with their legal problems.

3.4 Community Education and Training



Law student volunteers Kate and Talweez

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 migration legal training sessions designed specifically for CASE volunteers.

Our generalist service also has a very good community legal education program which provides education to the public about matters other than migration. More details about this program is contained in the report about the Generalist Service.

3.5 Training for Law Students

CASE again has provided placements for College of Law Students as well as offering places for law students to develop their client skills and gain practical experience in both migration and generalist law. Law students work directly with clients under the supervision of a registered migration agent/solicitor. This mentoring process is important for skills development and assurance for consistency of service standards.

As with every year that we have been at CASE, we have been very busy but we feel as though we achieved a considerable amount. We look forward to one day having a larger building to operate from which in turn will help us to address our waiting lists and assist more people in the community. There is still much to be done.

Amanda Goodier and Shayla Strapps

Joint Principal Solicitors

4. Refugees and Asylum Seekers

“While every refugee’s story is different and their anguish personal, they all share a common thread of uncommon courage – the courage not only to survive, but to persevere and rebuild their shattered lives”.

Antonio Guterres, U.N. High Commissioner for Refugees, 2005-

4.1 International Trends

There were 43.3 million forcibly displaced people worldwide at the end of 2009, the highest number since the mid-1990s. Of these, 15.2 million were refugees.

At the end of 2009, the asylum seeker population, that is people whose asylum applications had not yet been adjudicated by the end of the reporting period, increased to 983,000. Of these, more than 18,700 asylum applications were lodged by unaccompanied and separated children, the highest in four years. The applications were primarily from Afghan and Somali children.

In 2009, 41% of refugees and asylum seekers were children below the age of 18 years of age.

Out of the 40 main asylum-seeker nationalities, 23 registered a rise during 2009. Amongst the major countries of origin of asylum seekers, significant increases were registered from Hungary, Georgia, Zimbabwe, Afghanistan, Mauritania and the Czech Republic. Afghanistan, Iraq, Somalia, the Russian Federation and China remained the five most important source countries of asylum seekers.

Afghanistan has been the leading country of origin of refugees and asylum seekers for the past three decades with up to 6.4 million of its citizens having sought international protection during peak years. In 2009, Afghanistan was the main country of origin of asylum seekers in industrialised countries, with 26,800 claims for refugee status.

Table 1 Changes in the ranking of the top 10 countries of origin for asylum-seekers, 2005-2009

Country of origin	2005	2006	2007	2008	2009
Afghanistan	9	6	8	4	1
Iraq	4	1	1	1	2
Somalia	11	8	6	2	3
Russian Federation	2	3	2	3	4
China	3	2	3	5	5
Serbia	1	4	4	6	6
Nigeria	8	13	13	7	7
Islamic Rep. Of Iran	6	5	9	11	8
Pakistan	10	9	5	8	9
Georgia	14	21	20	17	10

Courtesy UNHCR, September 2010

Source: Asylum Levels and Trends in Industrialised Countries, 2009, UNHCR



Somali refugees look back anxiously to locate friends and relatives left behind on Shimbiro Beach as they Board a smugglers boat departing for Yemen

4.2 Australia's Humanitarian Program

One of the major challenges facing the world today is protecting refugees who have been forced to leave their homes by armed conflict and human rights abuses. As a member of the international community and signatory to the 1951 Convention Relating to the Status of Refugees, Australia shares responsibility for protecting these refugees and resolving refugee situations.

Australia has a Humanitarian Program operated by the Department of Immigration and Citizenship. The program consists of both an onshore protection program and offshore resettlement program.

The Onshore protection program assists people seeking asylum within Australia, including people who have arrived lawfully and who have been staying in the Australian community, and people who have arrived unlawfully by sea or air. The majority of asylum seekers are people who have arrived in Australia legally and subsequently apply for protection. Most of these applicants receive a bridging visa upon lodging a Protection Visa application. In most cases, the bridging visa allows the applicant to remain lawfully in the community until the Protection Visa application is finalised.

The Offshore Resettlement Program assists refugees to resettle in Australia. The majority of applicants are identified and referred by the UNHCR to Australia for resettlement.

In 2008-09 a total of 13 507 visas were granted, of which 11 010 were granted under the offshore component and 2497 visas were granted under the onshore component.

Australian Humanitarian Program figures**Humanitarian Program grants by category 2003–04 to 2008–09**

Category	2003–04	2004–05	2005–06	2006–07	2007–08	2008–09
Refugee	4134	5511	6022	6003	6004	6499
Special Humanitarian	8927	6755	6836	5275	5026	4625
Onshore Protection	788	895	1272	1701	1900	2378
Temporary Humanitarian Concern	2	17	14	38	84	5
Total	13 851	13 178	14 144	13 017	13 014	13 507

Courtesy DIAC, September 2010

Table 2 Department of Immigration and Citizenship (DIAC) Humanitarian Program Figures

The number of asylum seekers in Australia increased by 30% during 2009 (6500 claims) compared to the previous year (5000 claims). However despite this recent increase, figures in Australia remain not only below those observed in 2000 (13,100 claims) and 2001 (12,400 claims) but also are far below those recorded in many other industrialized countries.



A Sudanese refugee family in front of their makeshift shelter in Figuera, Chad

4.3 Who We Help and How

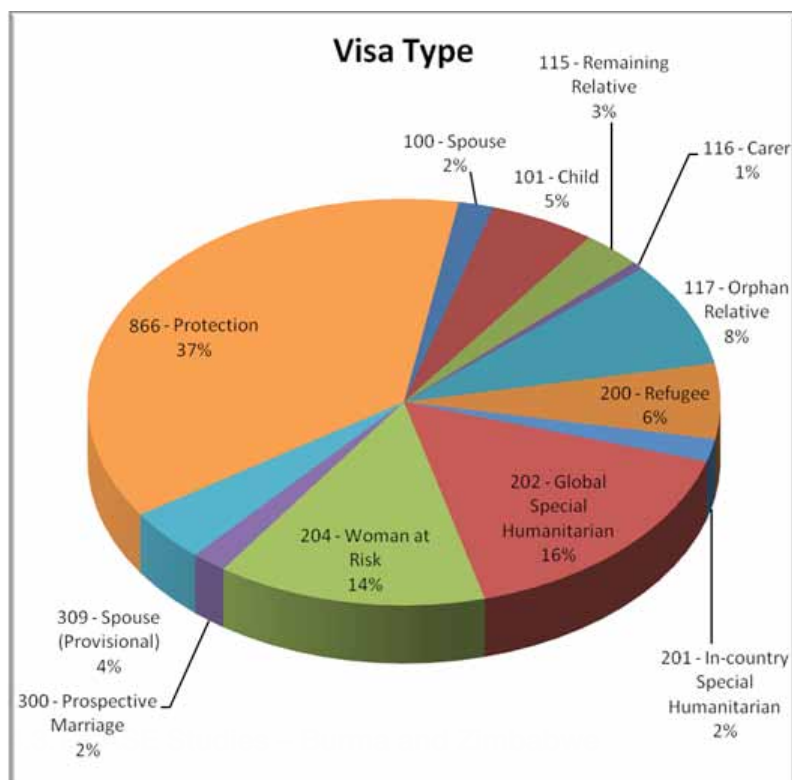
"Thank you for your kindness. I'm writing to inform you that my brothers have just arrived here in Australia; Peter, Paul and Daniel. Thank you for the many acts of kindness that you did for me during the time of my application. I wish you such a great group working hard for helping us.[sic] I would appreciate and give you special thanks to all the staff at CASE for Refugees. This is a wonderful moment for me to [be] reunited with members of my family [who I have been separated from] for the last 15 years. I will never forget your kindness and thank you for your assistance. God bless you all. Well done. Yours sincerely, John."

CASE Family Reunion 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.

Visa Types

CASE assists clients in applications for a wide range of visa types. The following chart illustrates the types of visa applications CASE has provided assistance with since January 2009.



The following case studies describes the experiences of refugees drawn from a range of CASE clients without identifying names to preserve confidentiality.

Burma

The client was granted a Permanent Protection Visa in July 2009. The client is from Rangoon, Burma and is Burmese. Her husband and daughter currently continue to live in Rangoon, Burma. The client, her husband and her son were supporters of the National League for Democracy (NLD) and Aung San Suu Kyi, a Burmese opposition politician and General Secretary of the NLD. In 1988, the client was arrested after helping at a polling booth supporting Aung San Suu Kyi. She was imprisoned for a month. During this period she was raped and beaten, and subsequently miscarried her pregnancy. As a consequence of her political involvement, her husband also lost his government job in 1990 and was not allowed to work for 5 years.

In 2003, the client and her son assisted the NLD by photocopying schedules of Aung San Suu Kyi's trip around upper Burma. Her husband was not aware of their activities. In 2006, the client and her son came to Australia to visit her sick uncle. During the period of this trip, the client's husband was arrested and interrogated by security forces who demanded information on his wife and son's whereabouts and their involvement with the NLD. The client's husband was imprisoned for 10 months. It is unclear what forms of torture he endured during this time. Following her husband's imprisonment, it became clear to the client that it was unsafe for herself and her son to return to Burma and they were warned not to do so. The client is unable to directly contact her husband and her daughter in Burma for fear that the calls are being monitored and that her family will again be targeted.

The client contacted CASE seeking assistance to bring her husband and daughter to Australia on the grounds of political persecution. The client was assisted in preparing applications for her husband and daughter for a Global Special Humanitarian Visa. The application was lodged in November 2009. It is hoped that the client's husband and daughter will be granted the Visa to relocate to Australia. Should the client's application be unsuccessful at a Tribunal stage, CASE will carefully consider the grounds of refusal and seek judicial review if appropriate. This will require court representation by a CASE solicitor or the organisation and instruction of a pro bono solicitor. It is currently taking at least twelve months to receive a decision on these types of visas.

Zimbabwe

The client is the niece of a well known MDC activist in Zimbabwe, who was forced to flee that country, but remains heavily involved in MDC activities. The client's rural family property was partially burnt, and her father was abducted and beaten by Zanu PF militia. The local police refused to help to locate the client's father. Other members of the client's family have been denied food assistance. Deciding it was too dangerous to remain in Zimbabwe, and with the financial support of her uncle, the client left Zimbabwe in October 2006 to study in Australia.

After a power sharing deal between the MDC and Zanu PF, the client believed it was safe to return to Zimbabwe for a visit in December 2008. On December 26th 2008, the client attended a political rally with her father. After the rally, she was followed by three men, and was threatened with death unless her father and uncle stopped supporting 'the wrong party'. The client was beaten by the men until unconscious. After receiving medical treatment, the client did

not return to her family's farm in rural Zimbabwe, but remained with her aunt in Harare until her return to Australia on 16th January 2009. The client learned of CASE through the internet, and sought assistance to lodge a Permanent Protection Visa. The client was assisted by CASE in filling out relevant forms, and was accompanied by a member of CASE staff to an interview with her DIAC case officer.

The client was granted a Permanent Protection Visa in January 2010 and now is settling into a new 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.

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 September 2009, the CASE Board of Management participated in a full day Strategic Planning Workshop facilitated by consultant Dee Roche. The Workshop was a follow up to a full day Governance Workshop conducted in July 2009 and facilitated by Dee Roche.

The workshop focused on reviewing CASE's mission, values and vision, scenario planning for the future and turning the scenarios into strategic objectives.

The workshop gave the Board the opportunity to set realistic and key strategies and objectives for the future which focus on CASE's long term sustainability in delivering services to refugees, asylum seekers and people from culturally and linguistically diverse backgrounds.

The CASE board will continue to receive relevant training in order to assist board members to guide CASE into its future. A special thank you to Dee Roche who provided her expertise pro bono.

Since that workshop the Board met in March 2010 to finalise the Strategic Plan 2010-2011, which focuses on four key focus areas:

1. Human Rights and Social Justice
2. Resources
3. Programs and Projects
4. Organisational Effectiveness and Development

The CASE Board utilise and review the key focus areas of the Strategic Plan 2010-2011 at regular Board meetings and will undertake a further review of progress at the beginning of 2011.

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

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 organization'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 organization, 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.

In June 2009, CASE engaged Warner Consulting to conduct an organizational review of CASE in order to achieve a more effective and best practice human resource solution for the operations of our small non-for profit specialist community legal service. Warner Consulting looked at structural solutions to best meets the needs of all aspects of the organization, including human, operational, physical, financial and strategic. The review included assistance with the development new policy and procedures manuals and a proposed organizational structure and staffing model to best meet the needs of the organization. The review has now been completed and the Board of Management in conjunction with the Principal Solicitors will be working to implement the recommendations and structural model created by Warner Consulting.



Julie Jacob

Staff Profile – Julie Jacob, Receptionist

I am Indian born and brought up in Dubai. I was working in a Migration Law firm where we dealt with skilled visa applications. Our clients were mainly from the Philippines, Jordan, Iran, South African, Somalia and Iraq and were living in Dubai and wanted to migrate to another country.

I recently arrived in Perth with my family from Dubai. We decided to move to Perth for the lifestyle knowing that our children would be offered a great future here. My husband now works as a Construction Project Manager, and my 2 young children are at school.

I found the job advertisement for CASE on the SEEK site and as it was similar work to what I had been doing in Dubai, I felt I would best suit this role and applied. I have always found this work very challenging. I feel fortunate that my first job in Perth is with Case for Refugees, a great place to work with very nice people and I am glad that I am a part of this family.

5.3.2 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 recognized 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. More recently, CASE and CARAD have identified options for expanding current working space and premises due to the expansion of services for both organizations.

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, although many of our clients have difficulty sending forms and having them returned with signatures and documents within that time. However, if we were to spread appointments out over too great a time period, the clients would lose heart. Even the prospect of two-three months to complete an application seems daunting to some.

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



Emma Ashcroft

The generalist legal service is provided to the CaLD community with funding from the Commonwealth government under the Commonwealth Community Legal Services Program. CASE received this funding in March 2009 and so 2009/2010 has been a busy year in the set up of the service.

Our inaugural generalist solicitor, Emma Geary bid us farewell in March 2010. Emma Ashcroft, who was already working for CASE as our Community Legal Education (CLE)

Officer, took over in the newly created position of Generalist and CLE solicitor in March 2010. Throughout the year we have also had Jess MacGowan working as our Articled Clerk and Caro Nye as our Administration Officer.

Hours of Operation

The service is open 9.30am – 4.00pm each day (closed for lunch 12.30-1.30)

In addition to the daytime general legal advice service, CASE has now commenced free Tuesday evening legal clinics which will run on a monthly basis until the end of 2010, with a possible increase in frequency depending on demand in 2011. Volunteer solicitors from the private sector have generously donated their time to this new service. The evening legal clinic service is being promoted through other service providers in the community services sector and through community leaders of country-of-origin community groups.

Work Undertaken

This service has continued to grow in 2010 and we exceeded our funding targets for the 2009/2010 funding period. Our statistics for the 2009/2010 funding period are as follows:

Advice - 484

New cases opened - 64

Cases closed - 43

The service continues to provide general legal advice, assistance and representation to CaLD community members on low incomes.

Country of origin info

Our clients came from a wide range of countries as follows:

Country of Origin	Percentage of overall client group
Sudan	9%
Iran	9%
Italy	2%
Iraq	5%
Burma	3%
China	5%
Sri Lanka	2%
Afghanistan	14%
Democratic Republic of Congo	11%
Burundi	17%
Ethiopia	6%
Zimbabwe	6%
Serbia	2%
Syria	2%
Somalia	3%
Eritrea	3%
Zambia	2%
Uganda	2%
Lebanon	2%

Areas of law

We have a wide range of problems presenting to us with Tenancy and criminal matters being the most popular, closely followed by Wills and EPA's, Insurance and Employment.

Matter Type	Percentage of overall client group
Breach of Contract	1%
Defamation	1%
Family Law	1%
Incorporated Association	1%
Social Security	1%
Starting a Business	2%
Amend Public Record	3%
Migration	3%
Workers Compensation	3%
Criminal Injuries Compensation	5%
Debt	6%
Discrimination and Equal Opportunity	6%
Motor Vehicle Accident	6%
Road Traffic	6%
Violence Restraining Order	7%
Employment	8%
Insurance	8%
Will/EPA	8%
Criminal	9%
Housing and Tenancy	16%

Community Legal Education

The community legal education service is well underway and CASE has printed factsheets on various areas of law such as "Understanding Contracts", "Racial Discrimination, Harassment and Hatred" and "Driving Laws". These factsheets have been translated into Arabic, Dari, Dinka, French and Swahili and are located on our website and on display stands around the office.

Emma has been delivering community legal education seminars on various areas of law such as "Tenancy Law", "Understanding Contracts" and "Starting Your Own Business" to a diverse cross-section of the CaLD community. These seminars are being delivered in partnership with other service providers and also directly with particular country-of-origin community groups.

Law Reform and Research

We are involved in a number of law reform activities. This year we sat on a Refugee Council Roundtable which eventuated in a joint submission to the federal government about refugee policy. We sit on the Housing Crisis Committee for CaLD clients. This committee meets regularly to discuss the housing crisis and researches and makes submissions for law reform where necessary to make changes to housing policy. We are also commenced discussions with TASWA about law reform needed in relation to Humanitarian Entrants and the support they receive after their first 6 months in Australia.

5.5 Volunteers



Jess MacGowan and Melissa Ross

"I have been a volunteer at CASE for Refugees for four years. When I first started volunteering at CASE, I undertook mainly administrative work – filing, drafting letters to clients and answering client enquiries. However, as time went on, I began to take on more legal/migration work and was given the opportunity to conduct client interviews under the supervision of a migration agent. I have learnt so much during my time at CASE. I have learnt how to use interpreters, how to interact with clients, how to complete visa application forms and how to draft effective statutory declarations and submissions. However, I was not only given the opportunity to learn a great deal, but I have also been blessed to work with some truly amazing people, and have been able to go home every week knowing that I have done truly valuable work and that I have made a difference in people's lives."

Melissa Ross, CASE for Refugees Volunteer

5.5.1 An Essential Part of CASE

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 2009/2010 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 receives positive feedback from our volunteers who attend.

Staff and volunteers receive training in relation to protocols for working with interpreters during client interviews. Training also takes place through the procedure designed by CASE in assisting

clients, which enables volunteers to develop their skills, first as a scribe and ultimately as a lead volunteer in client interviewing and statement taking.

Our volunteers consistently provide positive feedback in relation to the design of this procedure as providing the opportunity to learn within a controlled environment, in particular how to engage with clients effectively and managing difficult material being presented by clients with sensitivity. The positive experience of volunteers is also demonstrated in the many long term volunteers that have contributed to the organisation's work since its inception in 2002.

At the 2009 CASE AGM, two long term and dedicated volunteers, Pam Bryant and Sean Monahan were presented with Volunteer Recognition Awards for their commitment and dedication to their volunteer roles in the organization.



Gwynneth and Pam, 2009 AGM

5.5.2 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. There were over 23 law students actively volunteering for CASE in the 2009/2010 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.

5.7 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 organization, 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 by \$150 000. The increase in funding has assisted CASE to employ more staff. 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.
- 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

Allens Arthur Robinson Charity Committee

CASE received \$10000 from the Allens Arthur Robinson Charity Committee in 2010 to support the provision of free translators to CASE clients in our out of hours volunteer clinics, and funding towards the translation of information and brochures into various languages. Our funding proposal centred on translation and interpreting for our clients, divided into two parts:

1. Continuation of the Interpreter Fund which was funded by the committee in 2009. This fund is used to pay for interpreters for clients where we are unable to use the interpreters which are provided to us through the TIS Language services of The Department of Immigration and Citizenship.
2. Funding to assist in the cost of translating education and information materials for our CaLD clients. CASE has a key role in the community to provide education to refugees, humanitarian entrants and CaLD clients in relation to legal matters. CASE has published several information sheets for clients on a range of legal matters, however the information is currently in English and requires translation.

This funding has been very valuable to CASE and has proven to fill the gap both for finding and funding interpreters for clients and also translating much needed information for clients into appropriate languages.

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 organization. Our Treasurer is a qualified certified practising accountant with over 16 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.

Appendix 1: Board Qualifications

Board Profiles – June 2010

Name	Qualifications	Experience
Jo Buontempo Vice 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
Steve Shaw Convenor	<ul style="list-style-type: none"> • 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
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.
Wendy Campbell Treasurer	<ul style="list-style-type: none"> • Certified Practising Accountant 	<ul style="list-style-type: none"> • 16 years experience in public practice

Name	Qualifications	Experience
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
Caro Kay Member	<ul style="list-style-type: none"> • Bachelor of Arts (Library & Information Science) 	<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 • Established first community website for over 1200 coastal management professionals over ten years ago

Name	Qualifications	Experience
David Markovich Member	<ul style="list-style-type: none"> • LLB • Bachelor of Economics 	<ul style="list-style-type: none"> • Senior Associate, Jarman McKenna • 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.
Heather Marr Member	<ul style="list-style-type: none"> • BA (Hons), MA 	<ul style="list-style-type: none"> • Migration agent in private practice since 2005, specializing in Family, Refugee and Humanitarian work • Returning officer for the State Parliamentary seat of Albany • Co-owner of Summer House Supplies and stall holder in the Albany Farmers Market • Volunteer roles include Secretary of Young's Siding Progress Association, member of Bornholm Volunteer Bushfire Brigade and committee member, Albany Farmers Market
Eden Winnacott Community member	<ul style="list-style-type: none"> • Bachelor of Asian Studies (Chinese) • Graduate Diploma in Education (TESOL) • Currently studying Juris Doctor 	<ul style="list-style-type: none"> • Currently studying law part-time whilst working as a Document Controller. • Previously worked as an ESL teacher. • Worked as a volunteer at CASE since it began. • Strong interest in human rights and access to justice.

Centre for Advocacy, Support and
Education for Refugees Inc.

