



cclswa

CONSUMER CREDIT LEGAL SERVICE (WA) INC

# 2019 ANNUAL REPORT



## Who we are

CCLSWA is a not-for-profit charitable organisation which provides legal advice and representation to consumers in WA in the areas of banking and finance, and consumer law.

## Core Services

- To empower people to resolve their own disputes with banks, financial institutions and commercial enterprises through a telephone advice line;
- To advocate for people in their disputes with banks, financial institutions, and commercial enterprises;
- To educate people about banking, finance, and consumer law;
- To improve the commercial marketplace for the benefit of the community.



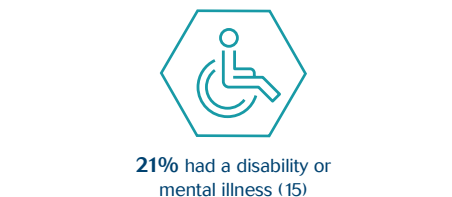
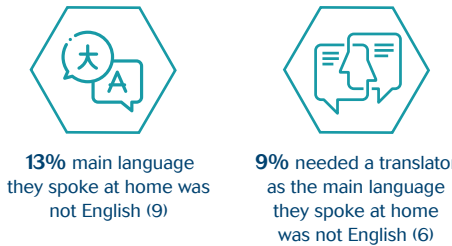
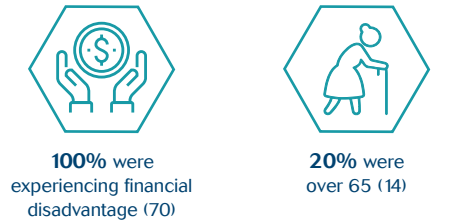
## At a glance



A turnaway is any person we were unable to assist within the needed timeframe or because of a lack of resources.



Of those 70 that are closed we can report on the priority clients.



## An introduction from our Manager and Board Chair



Gemma Mitchell the CCLSWA Managing Solicitor & Liz McCoy the CCLSWA Board Chair are delighted to present this year's Annual Report.

It has been an historic time for our sector. The Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry has consistently made our sector front page news. Not a day went by without a new horror story emerging. This level of public awareness has influenced every part of our organisation. The recognition of the poor conduct of the banks in a national arena has validated and cemented what we have seen and heard for many years. We welcomed the final report, and will continue to advocate for the recommendations to be enacted.

We are also incredibly proud that our excellent work, including our submissions to the Royal Commission, has seen CCLSWA recognised as the voice for WA on banking and consumer issues. Our commitment to expertise in our field, and our exceptional workplace culture, have been driving forces behind our success this year.

We have been invited to participate in a number of national committees. The most significant of these being the Australian Banking Association Consumer Outcomes Group and the Australian Financial Complaints Authority Consumer Advisory Panel. Gemma is also part of the Executive team of the Consumers Federation of Australia, a highlight of the year was being invited to Portugal with them for the Consumers International Summit.

In March on World Consumer Rights Day, we ran our new and unique CCLSWA Supporters event. Over one hundred of our closest supporters joined us to celebrate our success and discuss how they could better collaborate with us, to help us achieve our vision and mission. This resulted in a number of helpful connections.

We committed this year to empowering our staff team and invested in a series of training programs. These programs trained staff to work together as effectively as possible and have led to a highly engaged team, who love coming to work, and relate to one another with kindness and respect.

We are committed to steering CCLSWA based on our outcomes measurements, and are delighted to share some of these with you in this report.

We strive for excellence in all that we do and collaborate wherever possible. Staff, board members and some key stakeholders met in June to refresh the Strategic Plan. This approach to planning ensures all staff and board share the same understanding, responsibility and passion for the work we do, and work together towards our mission and vision.

The Board has continued from strength to strength and excellent governance has continued to attract new members. This year we welcomed Laurence Coleman, Edward Souti, and Claire Whitelaw-Brown.

Our most heartfelt thanks go to the staff, board and the volunteer team for their commitment and passion to the work we do at CCLSWA. We are looking forward to continuing our growth with you, and serving our community in the best possible way.

**OUR STAFF TEAM 2018/2019** Managing Solicitor: Gemma Mitchell, Office Manager & Community Education: Allison Sampson, Senior Solicitor: Roberta Grealish. Solicitors: Georgina Molloy, Prachi Aggarwal, Sara Pearson, Georgia Turco, David Ryan. Linda Thipthorp & Nadia-Rose Agnello (maternity cover for Sara this year). **Law Reform Project Senior Solicitor** Faith Cheok and **Paralegal:** Storm Viall **Legal Administration 1 FTE position covered over the year period by:** Andrew Shinnick, Ben Cochrane & Enisa Nurkovic. **Book Keeper:** Dawn Emmanuel. **Current Board:** Liz McCoy, Bev Jowle Treasurer, Rachael Doraisamy Secretary, Tony Evans, Edward Souti, Laurence Coleman, Sigourney Drane, Claire Whitelaw-Brown.

**FINALIST**  
in the  
Attorney General  
**LAW**  
**AWARDS**

# Vision Mission & Values 2019-2021

**Vision** A strong community empowered by fair and just, consumer and financial, rights and responsibilities.

**Mission** To strengthen the consumer voice in WA by advocating for, and educating people about, consumer and financial, rights and responsibilities.

## Excellence



Delivering quality services as recognised experts

Striving for positive impact and outcomes-based results

Exceeding community expectations

## Innovation



Having the courage to grow and adapt

Embracing creative approaches to new challenges

## Empowerment



Growing a leadership culture

Supporting and strengthening our people and the community.

Enabling people to feel safe, have a sense of belonging, and understand their rights and responsibilities

Encouraging accountability

## Collaboration



Building relationships through teamwork and cooperation

Providing a unified voice for the WA community

## Passion



Driven, excited, and proud professionals

Energetic and enthusiastic about; and committed to our work

## Our case studies

Through the Banking Royal Commission, we saw horrific stories of irresponsible lending having devastating effects on people's lives. Lenders have been outrageously lax in checking documents, not doing correct assessments on people, and lending people huge amounts of money they can't afford to pay back.



**Lee's Story:** Lee, a hard working woman with two children was affected by irresponsible lending by the banks. However this case is all the more disturbing as she didn't even take out the loans she was pursued for! Despite having divorced her ex-husband over ten years earlier, due to his violent and controlling behavior, he signed her up to a succession of massive loans and guarantees. At one point she was paying just under \$1,500 a month to debts that were not hers, to stop the bank taking her house. She also paid nearly \$20,000 in arrears on the debts. We contacted the bank's new service, the Customer Advocate, specially set up to deal with difficult cases. After long

negotiations, the bank agreed that she should not have to make any more payments on the home loan or credit card. The bank also removed her from any guarantees she was forced to sign. The bank also removed its mortgage over her home and agreed to no longer chase her in court. Finally, the bank agreed to pay her compensation of around \$100,000. When we met with Lee to close her file she said that she felt like she could breathe, she felt relieved, and had less stress now the bank was off her back.

Predatory payday lenders continue to plague vulnerable consumers. Despite continuous campaigning by consumer advocates, and the bill proposing legislative reform being introduced in the House of Representatives 3 times since 2017, the law has still not changed to better protect consumers. We continue to assist people like

**Colin's Story:** Colin was a recovering drug addict and was unemployed when he came to us with 10 outstanding payday loans. After proving irresponsible lending and demonstrating that he has no capacity to pay we were able to negotiate the waiver of the remaining debts totaling nearly \$15,000. The reality is that due to his vulnerabilities he would not have overcome these debts without our expert legal assistance, we freed him of these debts so he could focus on other issues in his life.



When a guarantee is given for a loan, a guarantor agrees to pay a loan if the person originally borrowing the money does not pay it. In some circumstances this leads to vulnerable people being taken advantage of if they do not understand the extent of their obligations.

**Paula's Story:** Paula's son worked as a loans officer in a bank and he presented her with documents that she did not really understand whilst sitting in a café. Paula signed documents, which mortgaged her home, under pressure from her son and was not given the correct facts of what she was signing up for. Our investigation discovered that as Paula was not given copies of the documents before or after she signed

them, she also did not understand what she was signing. The fact that her son worked for the bank also meant that the bank was breaching the Code of Banking Practice. Paula was a vulnerable customer being financially abused. The bank did not act fairly and reasonably towards her. We made a complaint to the bank's internal dispute resolution department on behalf of Paula and ultimately the bank agreed to remove the guarantee and acknowledged that it was unenforceable. Paula had depression as her marriage had broken down and was caring for her parents at the time. She was very relieved to know that her home was now safe and wouldn't be repossessed in the event that her son could not keep up with his loan and could focus on getting her life back on track.

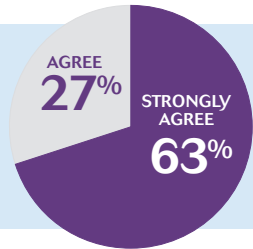


# Quality

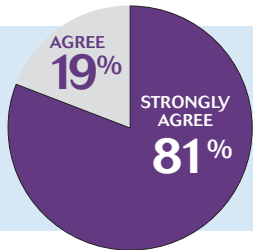
## Volunteer Impact Survey:

All current volunteers were surveyed regarding their experience volunteering with CCLSWA. 100% agreed or strongly agreed that their experience has been positive!

*I believe that my time at CCLSWA has enhanced my career prospects.*



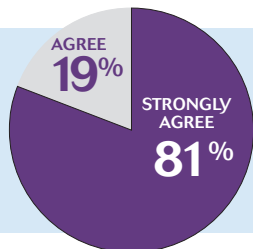
*CCLSWA provided me with strong opportunities to increase practical legal skills.*



## Staff Impact Survey:

All current staff were also surveyed regarding their experience working at CCLSWA.

*I believe my work is aligned with and contributes to the vision, mission and values of CCLSWA.*



### VOLUNTEER QUOTES FROM SURVEYS

*"I would definitely encourage my peers to volunteer at CCLSWA as it has been a positive experience for me"*

*"The work of all CLCs is incredibly valuable to the community and from my time at CCLSWA I can see the huge impact it makes on so many community members' lives."*

*"Being given the opportunity to deal directly with clients and complete the entire client process has been extremely valuable."*

### STAFF QUOTES FROM SURVEYS

*"The training we have received this year has meant that I have a better understanding of myself and other people's personalities and helps with stress and work load management."*

*"I always find the involvement of all staff and board in strategic planning very engaging – everyone's input is accepted as valuable and that makes for a very engaged and inclusive workplace."*

*"It is a pleasure to come to work and be part of this inspiring team."*

*I feel valued in my role.*

**STRONGLY AGREE | 100%**



# Passion

We are passionate about being informed as an organisation. Over the year we liaised with government and industry to represent consumers with the following activities:

## Conferences, Events & Law Reform Project

### STAKEHOLDER ENGAGEMENT

**116** different significant stakeholder engagement events. We have made a massive effort to travel all over the world to represent our great state on a number of boards and committees.

#### HIGHLIGHTS

- NACLC Conference
- Credit Law Conference
- Financial Counselling Conference
- The Consumers International Summit in Portugal



Gemma is a member of the following groups representing WA:

- Australian Banking Association Consumer Outcomes Group
- Executive member Consumers Federation of Australia
- Board member Community Legal Centres Association of WA
- Consumer Advisory Committee of WA
- WA Consumer Advocacy and Regulatory Agencies Network
- Economic Regulation Authority Consumer Consultative Committee
- Australian Financial Complaints Authority Consumer Advisory Panel

### ROYAL COMMISSION

We contributed a total of four submissions to the Royal Commission. We were delighted to be invited to Canberra, as part of a small selected group of advocates, to take part in the lock-up. This was a unique opportunity to see the final report before it was released to the public. We were very proud to see our submissions were referenced four times in the final report.

### LAW REFORM

Our law reform project began in October 2018. The 12-month law reform project focuses on 4 areas that affect our WA community:

Pushing for buyers to have a cooling off right when they buy a car.

Examining and recommending ways to make the dispute resolution process easier and clearer for residents of retirement villages.

Looking at predatory debt management businesses that prey on consumers' desperation.

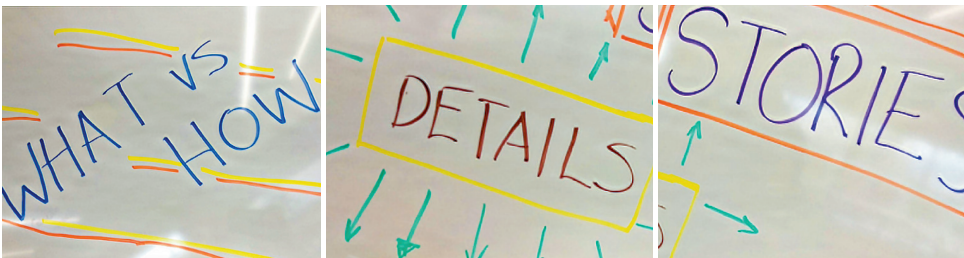
Looking at people's rights when they buy defective goods.

# Empowerment

## TRAINING

July 2018	Governance Training CCLSWA Management Committee
October 2018	Emotional intelligence & connecting with self with Karyn Lisignoli
November 2018	Emotional Intelligence & connecting with others with Karyn Lisignoli
November 2018	In house <i>CLASS training</i>
November 2018	Leading towards a culture of excellence with Liz McCoy our Chair
December 2018	Resilience with Karyn Lisignoli
March 2019	<i>Professional conduct training for paralegals</i> at the quarterlies
March 2019	Leading in the Law with Liz McCoy our Chair
June 2019	Working with Clients Part 1 – Effective Communication and plain English at the quarterlies

Allison and Roberta and Gemma all received valuable one on one mentoring from Karyn Lisignoli.



Strategic planning day with staff and board June 2019.

# Innovation



## Volunteers

Law school student volunteers are a vital part of our service. It's a mutually beneficial relationship. They gain fantastic experience, as they help us run our telephone advice line, under supervision. We had 39 volunteers start with us over the year. We have an average of 3 volunteers a day. Three paralegals on a full time salary would cost CCLSWA around

**\$186,381**

## PRACTICAL LEGAL TRAINING

Thank you to Jessica Sheppard, Enisa Nurkovic & Storm Viall who contributed around 850 hours of their PLT studies, at a market value of around **\$25,000**

## VOLUNTEER INTERNSHIPS

We continued our valuable relationship with the McCusker Centre for Citizenship at UWA. **Isabelle Yuen & Hsien Tang** worked with us on outcomes measurement. This is an ongoing project that we will implement across our organisation this year.



## LAW REFORM PROJECT

This year we ran a Law Reform project with funding received from Consumer Protection. Faith Cheok

our previous Principal Solicitor came back to CCLSWA to run this project for us. She recruited a team of excellent interns to assist her. The team consisted of: Nic Todd, Storm Viall, Julia Henry, Amanda Hockless & Candice Robinson. In April The Law Reform Project collaborated with Regional Alliance West and Street Law Centre of WA and visited Geraldton, Mullawa, Meekatharra, Mount Magnet, & Yalgoo to report back on the consumer issues facing those areas. Then in June the Law Reform Project collaborated with Goldfields Community Legal Centre and travelled to Kalgoorlie to report on the consumer issues affecting the community.

## COMMUNITY EDUCATION: 30 ACTIVITIES 18 RESOURCES

**Outreach:** In June, Allison the Office Manager and Georgina our Solicitor collaborated with Goldfields Community Legal Centre and travelled to Kalgoorlie. We ran a series of innovate community legal education programs in the format of snakes and ladders and bingo to the community and stakeholders.

**Webinars:** Over the year we have continued to focus on running webinars addressing important consumer credit law topics, to keep stakeholders up-to-date on all the latest legal issues that affects their clients:

- #Refreshingtheregions Webinar to Albany CLC, Peel CLC, Goldfields CLC
- Hot topics webinars to Financial counsellors in partnership with FCAWA



## Media

- 12 newsletters
- Game of Thrones Royal Commission promotion video
- Law Society's "lawyers make a difference" campaign
- Article in Kalgoorlie Miner & Radio appearance on ABC in Kalgoorlie
- Pidcast Interview on Banking Royal Commission with Piddington Society

# Collaboration

40 LAW REFORM ACTIVITIES COLLABORATING WITH:

CHOICE



Our Pro Bono relationship with AGS continued with Sara Anicic & Karan La volunteering with us. Karen left in July 2018 and Sara in March 2019. We hope to see this relationship continue in the future.

These leading law firms continue to offer us Pro Bono assistance. Their expertise comes to a dollar of value of \$43,400 from the combined donations of: Dentons, Gilbert & Tobin, Joel Yeldon, Varun Ghosh Francis Burt Chambers, John Southalan Barrister, Western Australian Bar Association.

## BOARD HOURS

Our volunteer board contribute their time to leading our organisation throughout the year. This year we have calculated their contribution has come to 212 hours. It is impossible to put a monetary value on their level of experience and passion for our organisation.

The Ashurst team spent **255 hours** on the Law Reform Project, valued at **\$122,616**

## Political support

July 2018 Senator Louise Pratt

July 2018 Hon. Bill Johnston MLA Review of Motor Vehicles Dealers Act

January 2019 Dr Mike Nahan & Alyssa Hayden MLA

All other meetings centred on discussions about the royal commission:

October 2018 Matt Keogh MP: Federal Labor Roadshow

November 2018 Claire O'Neil MP

January 2019 Senator Louise Pratt

January 2019 Office of Julie Bishop MP

January 2019 Madeline King MP

February 2019 Claire O Neil & Patrick Gorman MP

March 2019 Bill Shorten MP at the opening of the WA Labor Perth office

April 2019 Office of Hon. Christian Porter MP



We were delighted to receive \$13,398 from the Stronger Communities Grant. This was issued by Member for Perth Patrick Gorman's office and went towards replacing all our computers, monitors, keyboards and mice in the office.



Thank you to the following for their ongoing support and funding: Australian Government Attorney-General's Department, Government of Western Australia Department of Justice, Legal Aid of Western Australia, The Law Society of Western Australia's Public Purposes Trust, The Department of Mines, Industry Regulation and Safety (DMIRS), Consumer Protection Division.



A special mention to Hon. Justice Peter Quinlan Chief Justice of Western Australia who gifted CCLSWA with his Federal Court Reports going from 1984-2017.

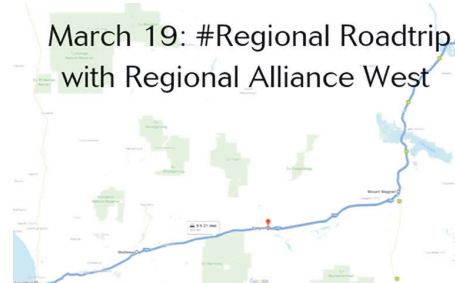
# Financial Summary 2018-2019



EXPENSES	\$
Human Resources	785,222
Staff Training & Development	89,024
Premises Expenses	67,599
Office Expenses	80,221
Admin Expenses	32,664
Programming & Planning	15,693
<b>TOTAL</b>	<b>1,070,423</b>

INCOME	\$
Commonwealth	310,675
State	437,299
Other income (donations, fundraising, interest, etc.)	12,228
Public Purposes Trust Grant	110,000
Consumer Protection Grant	114,834
Stronger Communities Grant	13,398
Income from reserves	72,500
<b>TOTAL</b>	<b>1,070,934</b>

## HIGHLIGHTS OF OUR YEAR:



Georgia & David's admission ceremonies



Celebrating volunteer week May 19





CONSUMER CREDIT LEGAL SERVICE (WA) INC

Level 1, 231 Adelaide Terrace Perth WA 6000  
T (08) 9221 7066, 9:00am - 4:00pm F (08) 9221 7088 E [cclswa@cclswa.org.au](mailto:cclswa@cclswa.org.au) W [cclswa.org.au](http://cclswa.org.au)

**SERVICE DELIVERY HOURS**

**Telephone Advice Line:** Monday- Friday 9:00am-4:00pm (08) 9221 7066

**General Office open hours:** Monday- Friday 9:00am-4:30pm (08) 6336 7020



*Photos: CCLSWA Supporters event March 2019*

