

Lesbian Gay Bisexual Trans Intersex Legal Service Inc.



Annual Report

2016

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Acknowledgements

This Annual Report covers the period 2015 to 2016 and has been presented at the Lesbian Gay Bisexual Trans Intersex Legal Service Inc. Annual General Meeting on 10 December 2016.

This Report will also be made available online at www.lgbtilegalservice.org.

LGBTI Legal Services Inc. affirms that the Aboriginal and Torres Strait Islander peoples are the Indigenous inhabitants of Australia and acknowledges their unique relationship with their ancestral country. In particular, we acknowledge the Turrbal and Jagera peoples, the traditional custodians of the land in and around Brisbane, and pay respect to their elders, past and present.

The Service acknowledges and thanks the contributions to this Report from members and volunteers of the Service, and particularly Drew Lauchland, Eliza Sullivan, Lia Shea, Tom Clark and Jack Nolan for their contributions to this Report.

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www.lgbtilegalservice.org | facebook.com/LGBTILegalService | [@LGBTILegal](https://twitter.com/LGBTILegal)

We welcome all donations. All donations over \$2.00 are tax deductible.

About the Service

Who are we?

The Lesbian, Gay, Bisexual, Trans, Intersex Legal Service Inc. is a non-profit and unfunded community-based legal service, which began service on 7 July 2010 and was officially launched on 1 December 2010 by The Hon. Michael Kirby AC CMG.

The Service is staffed entirely by volunteers. The team of around 40 includes:

- (a) the management committee;
- (b) the Executive Director;
- (c) two Directors:
 - (i) Operations; and
 - (ii) Law Reform; and
- (d) lawyers, evening coordinators and legal assistants.

Mission statement

The Service recognises the difficulties faced by the LGBTI community and seeks to assist the Queensland LGBTI community to gain access to justice through the provision of legal and social welfare services. We also endeavour to provide community legal education activities and resources in order to increase awareness of legal rights and responsibilities for the LGBTI community in Queensland. The Service includes a law reform division, which is actively involved in advocating for law reform and human rights.

What do we do?

We provide legal advice and information to clients who have legal problems which arise from their identification as LGBTI and/or because they feel more comfortable in dealing with a solicitor with specific skills, interest and understanding of LGBTI legal issues and/or the barriers experienced by LGBTI peoples in accessing the legal system. We also actively participate in law reform on LGBTI legal issues, as well as community legal education and awareness raising.

2016 Reports

The LGBTI Legal Service is pleased to present the following reports for the 2015-2016 year.

President's Report

The LGBTI Legal Service was incorporated in 2009 after a need was identified within the LGBTI community for a specialised community legal service. We provide information, legal advice to vulnerable lesbian, gay, bisexual, transgender and intersex people and their friends and family in Queensland. We operate on Aboriginal land and acknowledge and pay our respects to the traditional custodians of the land.

The Service celebrated 6 years of the operations this year, with a sold out event at the Banco court featuring the one and only Honourable Michael Kirby. I was honoured to hear this wonderful man speak and recognise the work of the Service. He is an inspiration and a fountain of wisdom and I am sure everyone attending went home richer than they came. Thank you to Lia Shea for her fantastic organising of this event.

Last year I wrote that we have come a long way in relation LGBTI rights but we have a long way to go. I talked about the homosexual advance defence allowing a plea of provocation in cases of non-violent sexual advance, the stigma of historical homosexual criminal offences, adoption prohibitions for same sex couples and inequalities in the age of consent for sex. All of these legal issues have been progressed this year and the LGBTI Legal Service has had a proud role to play, drafting submissions, conducting media interviews and appearing in parliamentary inquiries. We now have access to adoption, an equal age of consent and bills before parliament to change homosexual advance defence and expunge historical convictions! We can feel proud to have been a part of this change. Congratulations to Tom Clark for his hard work on law reform this year.

LGBTI legal needs are under researched and are notably absent from the mainstream considerations of legal needs. Population-based surveys that directly ask questions about sexual orientation or gender identity are scarce and recent. The lack of targeted research does not mean that these legal needs do not exist.

LGBTI people face disproportionate stigma, marginalisation, bullying, harassment and violence often due to their sexuality and/or gender identity. There is a substantial delay in the provision of targeted and appropriately adapted public policy reflecting the needs of the LGBTI community in public and community service delivery. For example, there is a need for targeted policy addressing domestic violence in the LGBTI community, an issue we have focused on this year. There are insufficient services to meet the needs of LGBTI people and a lack of cultural competency around issues of sexuality and gender identity.

The DV Family Violence Benchbook states:

"There is however a disproportionate number of LGBTIQ people who experience poorer health than other groups in the Australian community, in particular mental ill health and suicide, which may be due to their fear of or actual discrimination, 'outing', violence, abuse, or exclusion. Research also identifies a greater prevalence of other risk factors for LGBTIQ people including more harmful and frequent use of alcohol and other drugs, homelessness and poverty, disengagement from schooling, and chronic health disorders."

These are the reasons why our service exists and why our work is ongoing.

I would like to thank our hard working volunteers for committing their time to the Service. I would like to thank our Executive Director, Directors and committee for their hard work throughout the year. Thank you to QuAC for providing us with a professional and accessible space.

I look forward to another year of working with our community towards a goal of real equality and respect.

Matilda Alexander

Treasurer's Report

See Annexure.

Jack Nolan

Executive Director's Report

2016 has been a year of awards, events and law reform for the LGBTI Legal Service.

We were all honoured and excited to see the LGBTI Legal Service named as the Community Support Group of the Year at the 2016 Queen's Ball Award. The Queen's Ball, held by Pride, is a longstanding awards night recognising contributions to the LGBTI community in Queensland, and awards voted for by the community.

In August, we hosted our 6th anniversary party, with keynote speaker Michael Kirby. To say the event was a success does it an injustice. We sold over 200 tickets and raised over \$4,000 for the Service. Among the guests were a number of politicians, including Attorney-General Yvette D'Ath, judges of a number of Courts, various directors and executives, students and public and, most importantly, volunteers.

Hearing Michael Kirby speak is a true privilege, and his support of the Service is enormously appreciated.

My sincerest thanks go to Lia Shea for organising the event and helping to make it such a success.

The Queensland government has been particularly active in law reform around LGBTI issues this year. We have seen amendments to:

- adoption law – allowing same sex couples to adopt;
- the homosexual advance ('gay panic') defence – abolishing it in Queensland;
- expunging criminal convictions for consensual homosexual activity – a Queensland Law Reform Commission report and draft legislation to enable expungement in Queensland; and
- age of consent – equalising the age of consent for anal intercourse.

The LGBTI Legal Service is very proud and thankful to have been able to provide input into each of these reforms, from preparing consultation papers to making submissions and appearing before Committees.

I thank the Queensland Government, and in particular Premier Palaszczuk and Attorney-General D'Ath, for delivering these outcomes and continuing to work to better the lives of the LGBTI community in Queensland.

I similarly thank Tom Clark for his tireless work on these, and also the various community education activities he coordinates.

This year has also seen us apply for Queensland and Commonwealth legal assistance service delivery funding for 2017 to 2020, the outcome of which is expected by March 2017. Obtaining funding would allow the LGBTI Legal Service to consolidate its work and start significant expansion, both in client delivery and community education.

As always, I will finish my report by thanking each of our amazing volunteers, both past and present. In particular this year, I thank Andrea Stein for her amazing contribution to the clients of the Service and wish her all the best in her legal career. I also thank Drew Lauchland and Jessica Davidson for stepping up so willingly to ensure that our clients continue to receive the best service available.

I look forward to working with everyone in 2017 and the exciting opportunities it presents.

Emile McPhee

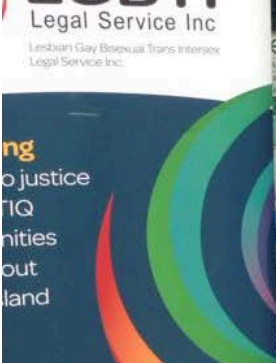


Liam's story

Liam is an HIV positive Queensland man who suffers from a medical condition which impairs his ability to perform long periods of work in an office away from home. Liam successfully applied for a work-from-home position with a large international company, his employer-to-be specifically noting he was not comfortable in working in an office.

Around the time that his employer became aware of his HIV status, however, Liam was asked to attend the office for an indeterminate amount of time for training. Liam provided a medical certificate from his treating doctor advising that he was unable to attend office for long periods; however this was largely ignored by his employer, who insisted in his presence in the office without compromise. Liam's employer subsequently terminated his employment as he was considered unfit to work.

Liam attended the LGBTI Legal Service on a number of occasions and sought advice from one of our discrimination lawyers. We were able to assist Liam in proceeding with an anti-discrimination complaint against his manager and former employer with the Anti-Discrimination Commission of Queensland. At a conciliation meeting with his employer, the complaint was resolved with a significant monetary settlement. The settlement provided Liam with financial security and allowed Liam to move forward with his life.



Our people

Management Committee

President	Matilda Alexander
Treasurer	Jack Nolan
Secretary	Eliza Sullivan
Members	Lia Shea, Tom Clark

Service management

Executive Director	Emile McPhee
Director (Operations)	Lia Shea
Director (Law Reform)	Tom Clark

Lawyers

Principal Lawyer	Matilda Alexander
Lawyers	Stephen Page, Crispian Carlowe, Mona Emera, Patrick Brown, Scott McDougall, Sophia Bookallil, Mitch Hauser, Arlene Stanovitch, Amy Chestnutt, Diane Wright, Shannon Chen, Faileen James, Kate Volk, Kris Birch, Emma Aldersea, Dash Paudyal, Jordyn Jones

Service support

Evening Coordinators	Drew Lauchland, Jess Davidson, Jack Longley, Wil Alam, Mitch Hughes, Tristan Butler-Keegan, Tom Loveday
Legal Assistants	Wil Alam, Eliza Sullivan, Jess Davidson, Priyata Pal, Annalise Spurge, Prashilta Naidu, Tom Clark, Connor Costigan, Jocelyn Bosse, Michael Kretowicz, Kathryn Cramp, Madeleine Gifford, Bowen Harding, Nick Comino, Sophie Ryan
Law Reformers	Wil Alam, James Bakker, Rose Barrett, Katharine Bligh, Paul Conrad, Connor Costigan, Jordan Donaldson, Thomas Habel, Tom Hayward, Tom Loveday, Thomas Klepper, Michael Kretowicz, Odette Malpas-Hausmann, Christina Meyers, Katie-Lea Mills, Jack Nolan, Charleton O'Brien, Jeannette O'Reilly, Alastair Page, Annalise Spurge, Eliza Sullivan, Lewis Tracey, Harry Turner, Judy Zhou

Former volunteers

We wish to thank everyone else who has volunteered their time, assistance and support in some way or another over the past year. Most importantly, we recognise the amazing contribution by Andrea Stein as Director (Client Services), who took on one of the most intense roles within the Service and helped it flourish. We wish Andrea every success as she starts her career in the law.

Supporters

The Service would like to extend thanks to the following organisations and individuals:

- (a) Queensland AIDS Council (QuAC) for the ongoing use of their space and resources;
- (b) Caxton Legal Centre and CLC Queensland (James Farrell) for their never ending support;
- (c) Anna Brown (HRLC) for her mentoring and guidance in law reform;
- (d) Allens, and Minter Ellison, Clayton Utz and McCullough Robertson for pro bono support and graciously sharing their knowledge and resources;
- (e) The Friendly Geek, for their assistance in developing our new website and bearing with us through that process; and
- (f) countless others who have offered their time, resources or support to assist the Service.



**2,700 Facebook followers
(up 1,000!)**



646 Twitter followers

Statistics & Demographics

Since commencing advice sessions in 2010, we have assisted over 600 clients, a number attending the Service more than once. Below is a snapshot of clients at the Service over the last year.

Key statistics

83% of clients are financially disadvantaged. 30% identify as having a disability. 3% identify as Indigenous.

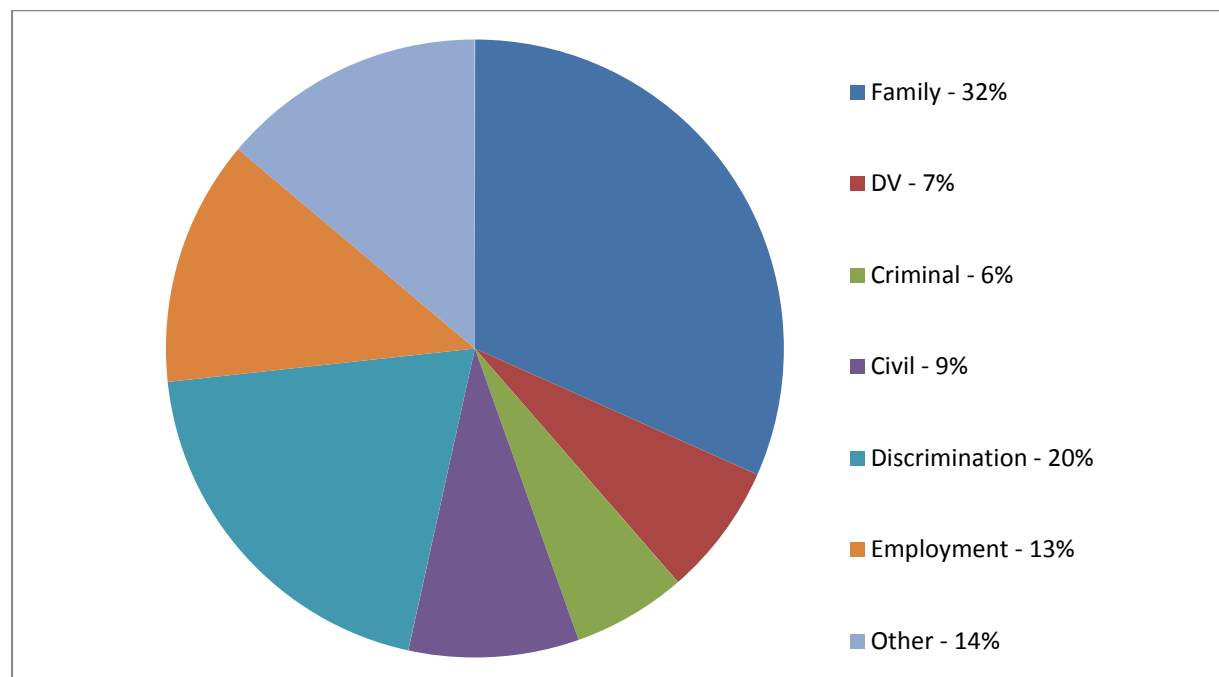
There has been a 310% increase in advice delivered by Service since the first year we opened. In the 2016 we have seen over 160 clients.

Employment, discrimination and family law are our biggest problem types, totalling about 65% of total advice

Clients demographic

	<i>2015-2016</i>	<i>2014-2015</i>
<i>Clients</i>	163	148
<i>Identify as trans</i>	8%	1%
<i>Indigenous</i>	4%	2%
<i>With a disability</i>	25%	20%
<i>Low income (<\$35,000 pa)</i>	44%	36%

Legal issues



Notes:

Family includes parenting, property and other family disputes.

Other includes administrative law (4%), wills and estates (2%), trans (4%) and other (4%).

Volunteer reflection

Alastair Page, Law Reform

I am a third-year law student who has been volunteering at the LGBTI Legal Service since mid-2016. The Service has offered me various opportunities that have allowed me to develop my skills, and foster both my professional and personal interests. The Service does invaluable work by addressing the lack of information around LGBTI issues in Queensland, and I have had the unique opportunity to research issues that I would not have otherwise encountered whilst studying my law degree.

Creating an educational resource about legal rights for transgender school children has been the highlight of my volunteering experience. Working on the trans kids resource has taught me how to present information in a way that is accessible to the public. I will have the chance to further develop this skill, as volunteers will be undertaking more in-depth research on the rights of LGBTI school children, and creating a more comprehensive educational resource soon.

The Service has also allowed me to undertake a leadership role, which consists of editing an educational resource regarding LGBTI Indigenous people. I have found that the people who volunteer at the Service are very supportive, and are passionate about their work; they plan various events throughout the year to promote equality, raise money, and facilitate community engagement with LGBTI issues.

My volunteering experience has even helped to broaden my possible career path; learning about the lack of legal protections for particularly vulnerable groups in society has fostered my interest in pursuing anti-discrimination law after graduation. My experience at the Service has been overwhelmingly positive, and I would wholeheartedly encourage other students to volunteer with us in the future.

Annexure

Treasurer's Report

This treasurer presents this report for the financial year ending 30 June 2016, as required under the Association Incorporation Act 1981, for level 3 reporting.

The association keeps financial records in a way which properly records the association's income and expenditure and dealings with its assets and liabilities.

With assets less than \$20,000.00 and total revenue less than \$20,000.00 the Service does not require an auditor's report. However, a full audit was carried out this year for funding reasons and as such has been included below.

The service acknowledges and is grateful to Crowe Horwath and in particular to partner John Zabala for completing this audit on a pro-bono basis.

Signed by Treasurer

A handwritten signature in black ink, appearing to read 'John Zabala', with a stylized flourish at the end.

Date: 7th December 2016

**LESBIAN GAY BISEXUAL TRANS INTERSEX
LEGAL SERVICE INC.**

FINANCIAL REPORT
FOR THE YEAR ENDED 30 JUNE 2016



LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

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LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

COMMITTEE'S REPORT

Your committee members submit the financial report of Lesbian Gay Bisexual Trans Intersex Legal Service Inc. for the financial year ended 30 June 2016.

Committee Members

The names of the committee members in office at anytime during or since the end of the year are:

Matilda Alexander
Jack Nolan
Eliza Sullivan
Tom Clark
Lia Volpe


Significant Changes

No significant change in the nature of these activities occurred during the financial year.

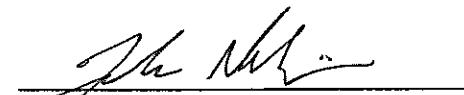
Operating Result

The profit after providing for income tax amounted to \$2,160.

Signed in accordance with a resolution of the members of the committee:



Matilda Alexander


Jack Nolan

Dated: 09/11/2016

Auditor's Independence Declaration

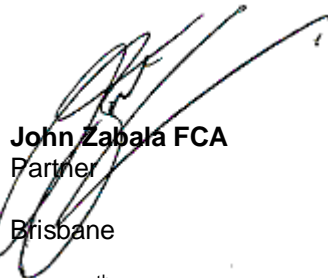
To the Directors of Lesbian Gay Bisexual Trans Intersex Legal Service Inc.

I declare that, to the best of my knowledge and belief, during the year ended 30 June 2016, there have been:

1. No contraventions of the auditor independence requirements of the Australian Charities and Not for Profits Commission Act 2012 in relation to the audit; and
2. No contraventions of any applicable code of professional conduct in relation to the audit.



Crowe Horwath Audit Queensland



John Zabala FCA
Partner

Brisbane

Date: 9th November 2016

LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

STATEMENT OF INCOME AND EXPENDITURE

FOR THE YEAR ENDED 30 JUNE 2016

	Note	2016 \$	2015 \$
Revenue		4,619	1,479
Other expenses		<u>(2,459)</u>	<u>(1,142)</u>
Surplus before income tax		2,160	337
Income tax expense		<u>-</u>	<u>-</u>
Surplus for the year		<u><u>2,160</u></u>	<u><u>337</u></u>
Surplus attributable to members of the entity		<u><u>2,160</u></u>	<u><u>337</u></u>

The accompanying notes form part of these financial statements.

LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

ASSETS AND LIABILITY STATEMENT

AS AT 30 JUNE 2016

	Note	2016 \$	2015 \$
ASSETS			
CURRENT ASSETS			
Cash on hand	2	17,720	15,560
TOTAL CURRENT ASSETS		<u>17,720</u>	<u>15,560</u>
TOTAL ASSETS		<u>17,720</u>	<u>15,560</u>
NET ASSETS		<u>17,720</u>	<u>15,560</u>
MEMBERS' FUNDS			
Retained surplus		17,720	15,560
TOTAL MEMBERS' FUNDS		<u>17,720</u>	<u>15,560</u>

The accompanying notes form part of these financial statements.

LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

**STATEMENT OF CHANGES IN EQUITY
FOR THE YEAR ENDED 30 JUNE 2016**

	Retained Surplus \$	Total \$
Balance at 1 July 2014	15,223	15,223
Comprehensive income		
Surplus for the year	337	337
Total comprehensive income for the year attributable to members of the association	337	337
Balance at 30 June 2015	15,560	15,560
Balance at 1 July 2015	15,560	15,560
Comprehensive income		
Surplus for the year	2,160	2,160
Total comprehensive income for the year attributable to members of the association	2,160	2,160
Balance at 30 June 2016	17,720	17,720

The accompanying notes form part of these financial statements.

LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2016

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements are special purpose financial statements prepared in order to satisfy the financial reporting requirements of the Australian Charities and Not-for-profits Commission Regulation 2013 (ACNC Regulation) and the Associations Incorporation Act 1981 Queensland. The committee has determined that the association is not a reporting entity.

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

The following significant accounting policies, which are consistent with the previous period unless stated otherwise, have been adopted in the preparation of these financial statements.

(a) Cash on Hand

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

(b) Revenue and Other Income

Donations and bequests are recognised as revenue when received.

Interest revenue is recognised using the effective interest method, which for floating rate financial assets is the rate inherent in the instrument.

Revenue from membership fees are recognised when received.

(c) Comparative Figures

When required by Accounting Standards, comparative figures have been adjusted to conform to changes in presentation for the current financial year.

(d) Rounding of Amounts

Amounts in the financial statements have been rounded off to the nearest dollar.

LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

**NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED 30 JUNE 2016**

	2016	2015
	\$	\$
2. CASH ON HAND		
Westpac Acc 409051	1,092	1,764
Westpac 409721	16,628	13,796
	<u>17,720</u>	<u>15,560</u>

3. EVENTS AFTER THE REPORTING PERIOD

There were no events after balance date which require reporting.

LESBIAN GAY BISEXUAL TRANS INTERSEX LEGAL SERVICE INC.

STATEMENT BY MEMBERS OF THE COMMITTEE

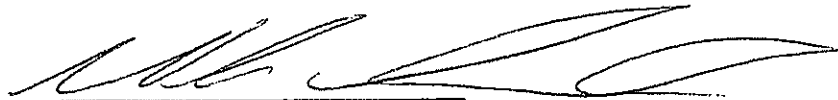
The committee has determined that the association is not a reporting entity and that this special purpose financial report should be prepared in accordance with the accounting policies outlined in Note 1 to the financial statements.

In accordance with a resolution of the committee of Lesbian Gay Bisexual Trans Intersex Legal Service Inc., the members of the committee declare that the financial statements as set out on pages 3 to 7:

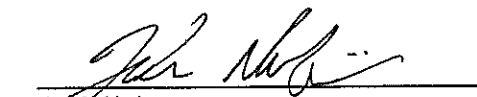
1. present a true and fair view of the financial position of Lesbian Gay Bisexual Trans Intersex Legal Service Inc. as at 30 June 2016 and its performance for the year ended on that date in accordance with the accounting policies described in Note 1 to the financial statements and the requirements of the Australian Charities and Not-for-profits Commission Regulation 2013 (ACNC Regulation) and the Associations Incorporation Act 1981; and
2. at the date of this statement there are reasonable grounds to believe that Lesbian Gay Bisexual Trans Intersex Legal Service Inc. will be able to pay its debts as and when they fall due.

This statement is signed for and on behalf of the committee by:

President


Matilda Alexander

Treasurer


Jack Nolan

Dated:

09 / 11 / 2016

Independent Auditor's Report

To the responsible entities of the Lesbian Gay Bisexual Trans Intersex Legal Service Inc. (the registered entity)

Report on the financial report

We have audited the accompanying financial report of the Lesbian Gay Bisexual Trans Intersex Legal Service Inc. which comprises the asset and liability statement as at 30 June 2016, the statement of income and expenditure, statement of changes in equity for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the statement by members of the committee.

Directors' responsibility for the financial report

The management committee of the registered entity are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards and *Australian Charities and Not-for-profits Commission Act 2012* and the Associations Incorporation Act 1981 Queensland and for such internal control as the responsible entities determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

Auditor's responsibility

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the company's preparation of the financial report that gives a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the company's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Independence

In conducting our audit, we have complied with the independence requirements of the *Australian Charities and Not-for-profits Commission Act 2012*. We confirm that the independence declaration required by *Australian Charities and Not-for-profits Commission Act 2012* which has been given to the directors of Lesbian Gay Bisexual Trans Intersex Legal Service Inc., would be in the same terms if given to the directors as at the time of this auditor's report.

Opinion

In our opinion, the financial report of Lesbian Gay Bisexual Trans Intersex Legal Service Inc. presents fairly, in all material respects the financial position of Lesbian Gay Bisexual Trans Intersex Legal Service Inc. as of 30 June 2016 and of its financial performance for the year then ended in accordance with the accounting policies described in Note 1 to the financial statements, and the requirements of the Australian Charities and Not-for-profits Commission Regulation 2013 (ACNC Regulation) and the Associations Incorporation Act 1981 Queensland.

Emphasis of matter

Without modifying our opinion, we draw attention to Note 1 to the financial report, which describes the basis of accounting. The financial report has been prepared to assist Lesbian Gay Bisexual Trans Intersex Legal Service Inc to meet the requirements of the *Australian Charities and Not-for-profits Commission Act 2012* and the Associations Incorporation Act 1981 Queensland. As a result, the financial report may not be suitable for another purpose.



Crowe Horwath Audit Queensland



John Zabala FCA
Partner

Signed at Brisbane, date 9 November 2016