

citizens advice bureau

Connecting people with
information and services

SUMMER NEWSLETTER 2025

IT'S EASI IN CAB'S HANDS

Empower. Advise. Support. Inform.



Kaya,



CEO - Dion Dosualdo

The lead up to Christmas and the holiday period typically results in increased interest and urgency by members of the public looking to have their Wills drafted. With family and loved ones visiting often, we also see a spike in requests for Enduring Powers of Attorney and Guardianship. The Citizens Advice Bureau has responded to not only seasonal demand for legal document services, but also the general growing demand by increasing the number of lawyers we have available to take appointments. The challenge for CAB will be to increase appointments at various branches, in particular Fremantle and Bunbury each of whom have not hosted CAB Lawyers for many years. Expanding our service locations for legal appointments reflects our commitment to directly servicing communities.

Post Christmas, CAB typically sees increases in mediation enquiries in particular family separation matters. A separation can at times be amicable or alternatively there may be a degree of resentment, and while a separation may end a relationship between partners, the relationship between parent and children continues. CAB's family mediators place a lot of emphasis on helping parents to reach an agreement that is in the best interests of their children. Our Mediators will explain "equal shared parental responsibility", which means that both parents have an equal role in making decisions about the important issues that affect their children like their education, healthcare, and emotional wellbeing.

CAB Information and referral services across all our Branches are also kept busy during Summer. Dividing fence issues, over hanging branches and strata disputes tend to top the list of most frequent calls highlighting a more broader issue with neighbourhood disputes. Where appropriate, unresolved disputes are referred to the State Administrative Tribunal or Civil Court. However, little is known about how many neighbours are willing to pursue legal resolution. While interest in mediation is high, it remains voluntary and at the cost of both parties unless court-ordered. Until more supported mediation pathways are available, unresolved conflicts will continue to escalate tensions between neighbours.

What is a Section 63 Notice?



This is a notice under section 63 of the Trustees Act 1962 (WA) that the executor can place in the Death Notice section of the West Australian newspaper and in the Government Gazette.

The Notice should state that you have obtained a Grant of Probate and that you are now the executor of the estate. If the deceased owed anyone a debt, the creditor must come forward within one month of the Section 63 Notice being placed to put forward their claim.

If a creditor does not come forward within that timeframe, then the executor will distribute the assets in accordance with the terms of the Will. There is a standard format for the Notice, which follows the Second Schedule to the Trustees Act.

By **Sarah Clifford** - Volunteer & Client Services Coordinator

At the commencement of Summer and as the 2024 year wrapped up several of our student volunteers graduated and left us due to successful employment applications. The inevitability of our student volunteers leaving the CAB nest brings mixed emotions, we are sad to say farewell, but so very proud to see them heading out to make their mark in the world.

Scott commenced volunteering at the Perth Branch several years ago beginning his journey with us taking phone calls, responding to emails and then later as a paralegal assisting our CAB Lawyers.

Bella joined us while studying Social Work and has loved her time volunteering at CAB and when an opportunity opened up in the victim witness assistance program at the WA Courts we were extremely happy for her knowing her kind warm heart will be a credit to what is a very important program of support.

Friday volunteers at the Perth Branch would be familiar with Cameron, an exceptional outgoing student who's empathy and strong senses of social justice led him to CAB while he was studying Law. He left us to pursue work in law firm as a graduate lawyer.

While not a student, Oliver came to us as traveller from the UK, or to be more precise, a qualified Lawyer backpacking the world with his girlfriend in search of adventures. Stopping in Perth for three months Oliver helped out as a paralegal and has now resumed his adventures across Australia.

Summer also brought with it farewells to two long serving volunteers Christine and Beatrice (Bea) both from our Joondalup Branch. On behalf of CAB, I wish to pass on our sincere thanks to both these wonderful women who contributed greatly to the the local community in support of CAB's mission and vision, thank you Christine and Bea.

Here at CAB we are committed to supporting our staff and volunteers who are Carers. We offer flexible work or volunteering arrangements and have a Carers page full of resources. Please review our Carers page [here](#). We want to ensure Carers can thrive at CAB while supporting those they care for.

Recently we completed the process for becoming an Accredited Carer Employer and are now pleased to announce that CAB is now accredited!



"Congratulations to Citizens Advice Bureau on gaining Level 1 Activate accreditation. From the evidence submitted it is clear CAB not only met but exceeded the criteria for Level 1 Activate and are committed to being a carer friendly workplace."

By **Monika** - Mediation Coordinator

CAB Mediation continues to receive referrals from Anglicare, Relationships Australia, neighbourhood referrals, CAB employees referring friends and family, Legal Aid, and multiple local councils including the City of Joondalup, City of Wanneroo, City of Melville, City of Stirling, City of Cockburn, City of Gosnells, and the City of Armadale.

Additional referrals came from the Magistrates Court, returning clients, Landgate, Youth Legal Service, Women's Legal Centre, Redgum Community Legal Centre, and the South Australian Mediation Service.

There is an approximately two-month wait period for pre-mediation and mediation appointments, with enquiries having increased by 90% and initial contacts by 100% in the period from December to January.

Interest in mediation for Neighbourhood disputes, referred to as 'community mediations', is on the increase, however, in the absence of any court orders compelling people to mediate it is difficult to have both parties agree to proceed.

In Western Australia, agreements made in community mediations regarding boundary fence issues can be legally binding if they are formalised properly. While the mediation itself is not automatically legally binding, the outcomes can be enforced if both parties agree to the terms and put them in writing.

How Community Mediation Works:

Mediation Process: In community mediation, parties involved in a dispute (e.g., neighbours disputing over a boundary fence) work with a neutral mediator to reach an agreement. These agreements are often informal at first but can become binding if both parties sign them.

Formalising the Agreement: If both parties reach an agreement during mediation, they can formalise it in writing to create a legally binding contract with clear terms and conditions.

In Western Australia, the Fences Act 1972 governs boundary disputes, and agreements that align with its requirements may have additional legal support.

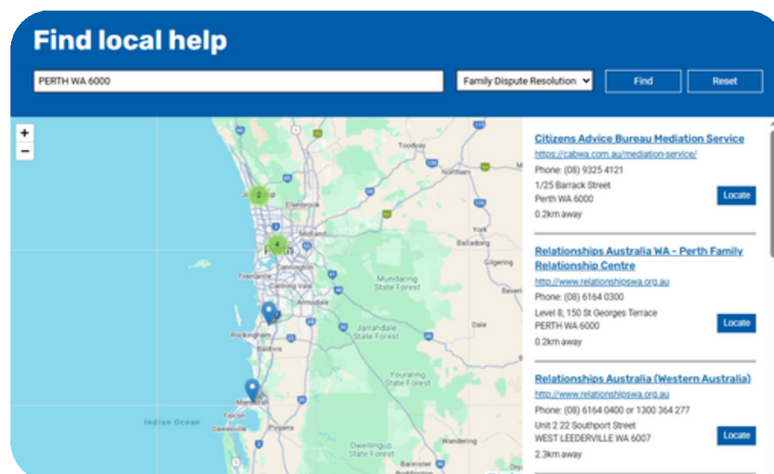
If one party fails to comply with the agreement, the other may seek enforcement through the courts, where a written agreement serves as key evidence.

Since mediation outcomes are not automatically binding, having a lawyer review the agreement ensures it meets legal requirements and is enforceable.



CABWA is part of large network across Australia providing family mediation services as a way of resolving disputes between people in conflict. Separated families are encouraged to use family mediation to help resolve their disputes instead of using the family law courts.

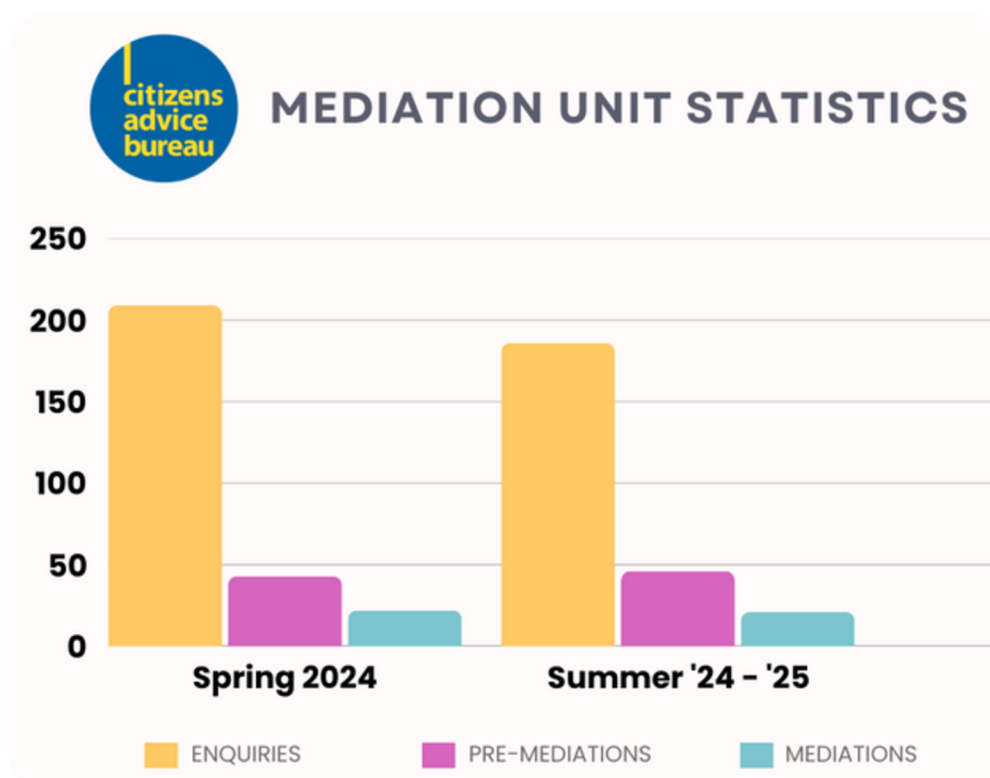
Here at CABWA we have a panel of experienced Family Dispute Resolution (FDR) practitioners.



FDR practitioners are neutral and don't take sides with any of the people involved in the mediation. They will facilitate the process by encouraging people to talk about the particular issues in dispute.

FDR practitioners must be accredited under the standards set out in the Family Law (Family Dispute Resolution Practitioners) Regulations 2008.

In being part of a national network, CABWA can easily be found in the "Find Local Help" [here](#).





Are Letters of Administration different from Letters of Administration with Will annexed?

Yes, they are different.

Letters of Administration with Will annexed are only made if there is no executor to make an application; that is, there is a Will but the will-maker didn't appoint an executor, or the only executor named in the Will is deceased, unable, or unwilling to act.



Criminal Injuries Compensation Applications

CABWA Assistance Program

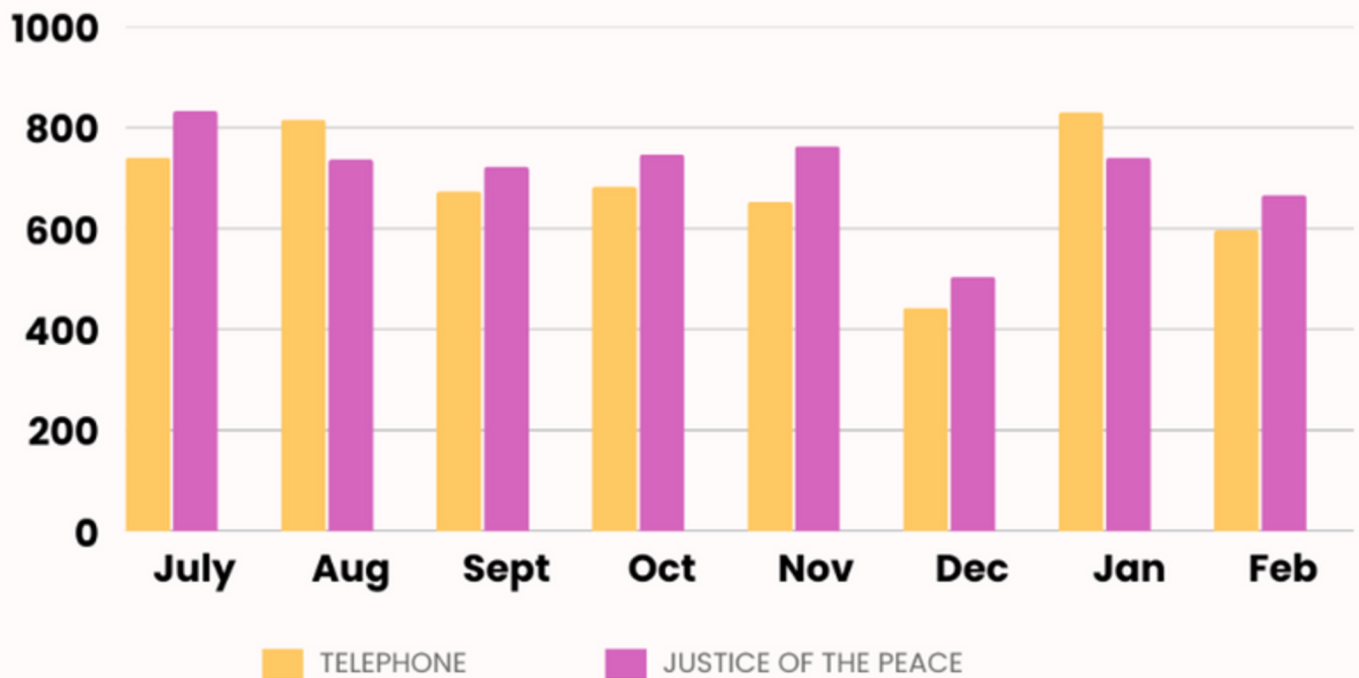
CABWA is committed to providing community assistance across our various branches for anyone seeking help with applying to the Office of Criminal Injuries Compensation (OCIC).

The OCIC is a specialist tribunal providing a flexible and informal approach to determining applications for compensation by victims of crime in Western Australia.

CABWA assisted service is FREE and facilitated at various branches by volunteers who have undergone the appropriate training. Without the incredible support of our volunteers the CIC assistance program would not be possible.



TELEPHONE ENQUIRIES VS JUSTICE OF THE PEACE



Curiously, since the commencement of the 2024-2025 financial year, there have been similarities in the number of phone enquiries with that of visits with the Justices of the Peace (JP). On two occasions phone enquiries have surpassed JP visits. While these two mutually exclusive services are not directly correlated, their public value remains consistently strong.

Telephone Enquiries

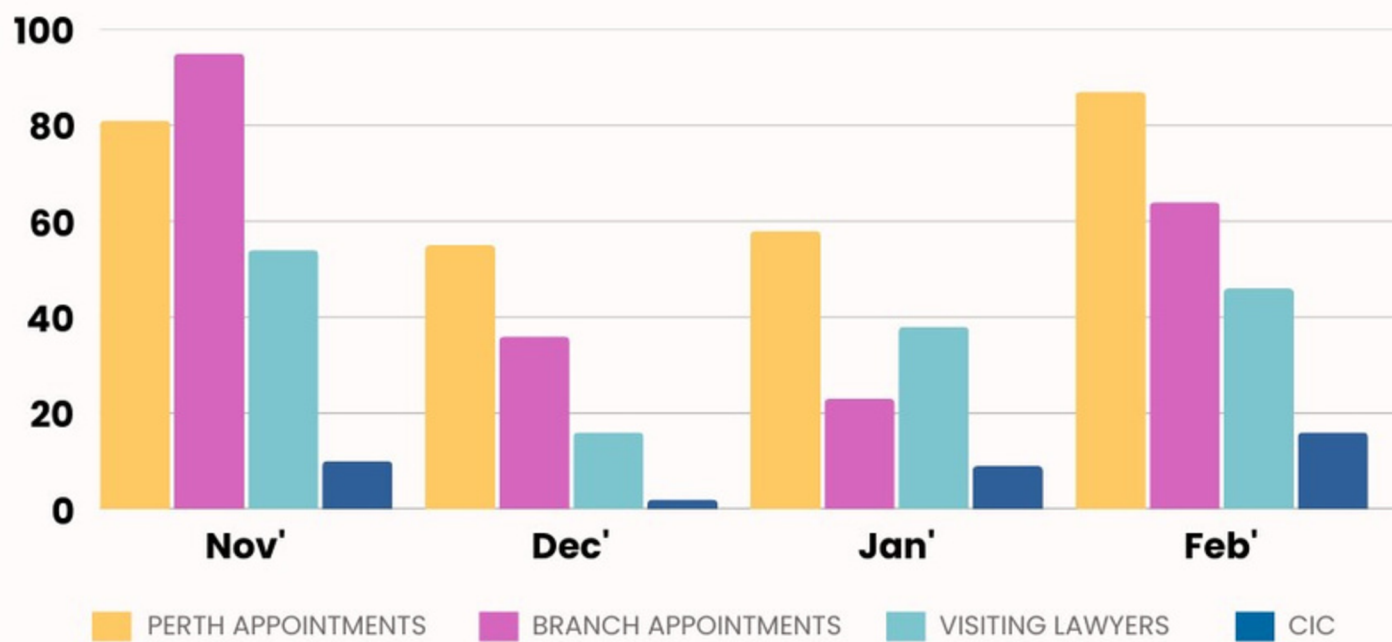
With every phone enquiry CAB volunteers record the nature of the call and some demographic information/ Data reveals that “family” matters remain the most common reason for calls, followed by neighbourhood disputes. Interestingly, 60% of callers identify as female, suggesting that women are more likely to seek information and assistance.

Justice of the Peace

While JP services mostly occur from the Perth Branch Office, they are also available at our Midland, Armadale, Fremantle, Kwinana, Bunbury, Mandurah and Rockingham branches. JPs can witness or certify documents free of charge, with no need to make an appointment. You may need to wait at peak times. Our Branch volunteers are also available to photocopy documents for the JP to witness or certify for a small fee or donation.



LEGAL UNIT SUMMER STATISTICS



Legal appointment activity this Summer commenced where Spring left off, with the high demand across the four key indicators. Appointment numbers fell in December and January due to various Branch Christmas and New Year closures, giving our hard working legal team the opportunity to take leave.

February statistics reflect a return to Branch operations and interestingly, a noticeable spike with assistance with preparing applications for Criminal Injury Compensation (CIC).

Appointments with CAB lawyers and visiting lawyers generally last for 20-30 minutes, whereas CIC appointments can take anywhere from 1 hour to 3 hours or more. To make the most of what time is allocated for appointments, we ask that clients prepare for the appointment before attending.

Tips for getting the most out of your legal advice appointment:

- Arrive 10 minutes early for your appointment as there are some forms to be filled out.
- If your appointment is in Perth CBD, allow yourself plenty of time to reach our office. Our lawyers can't wait for you if you're running late.
- We can only make an appointment for the person who will be attending the appointment. We can't make an appointment on behalf of someone else.

For those coming to CAB to make a **Will, Enduring Power of Attorney or Enduring Power of Guardianship**, the solicitor will need to be satisfied that you have the *testamentary capacity* to give instructions for the document. Only the person making the appointment is able to be in the room when the instructions are given.

For some types of appointments, there are necessary documents to bring with you. This helps your appointment runs smoothly and efficiently. Make sure you take the time to look through the paperwork and gather the requested information *before* you come for your appointment.

As a general rule, it's a good idea to bring along any documents that relate to the matter you need advice on.

Areas we cover

- Family Law – including **divorce, children and property matters** – initial advice only
- **Wills, Enduring Powers of Attorney and Enduring Powers of Guardianship** – drafting only
- Applications for **Probate** – completing applications, checking online probate applications and selling of **CAB probate kits**
- Applications for **Letters of Administration** – drafting only
- **Estate Matters** – advice only
- **Guardianship & Administration Applications** – initial advice only
- **Family Violence Restraining Order Applications** – initial advice only
- **Violence Restraining Order Applications** – initial advice only
- **Minor Criminal Matters** – initial advice only

What does it mean to have a conflict of interest?

If there is a dispute between two parties, and a lawyer has assisted one of those parties, the lawyer cannot then assist the other party as the lawyer would have a *conflict of interest*. In such cases the other party is said to have been “conflicted out”.

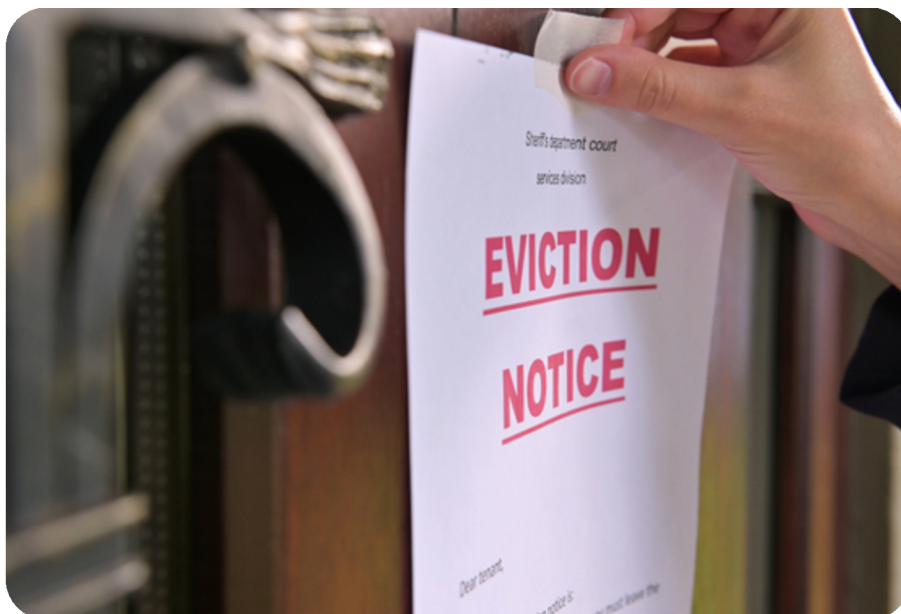
The following situations clarify conflict of interest:

Party A and Party B have a legal dispute. If a lawyer has assisted Party A, then that lawyer cannot assist Party B. Also, Party B cannot receive legal advice from any other lawyers in the same firm. Party B is said to have been “conflicted out” from receiving legal assistance from all the lawyers from the firm concerned.

If Party B is in conflict with another person – Party C in another matter (that does not concern Party A), Party B is still “conflicted out” from receiving legal advice from the firm that assisted Party A. However, that same firm can assist Party C.

Therefore, if you have been “conflicted out” at CAB, you cannot receive legal advice from us for any matter, even if you have a different dispute with someone who is not a client of CAB.

If you have attended CAB's Mediation Service for mediation, both parties that attended the mediation session cannot receive future legal advice from CAB's Legal Unit.



Trash or Treasure – Know Your Rights After an Eviction

If you've recently been evicted from a rental property, you might be wondering about your personal belongings left behind, what your rights are, and what help is available during this difficult time.

What are my rights?

Even after an eviction, you have rights regarding your personal property:

- **Notification:** Your landlord must inform you about any belongings left behind.
- **Retrieval Period:** You're entitled to a grace period to collect your items.
- **Property Protection:** Your landlord must take reasonable care of your belongings during this period.

What can I expect after the eviction?

Notification – your former landlord (or property manager) should contact you about your uncollected goods. This notification might come via:

- Mail to your last known address
- Email
- Phone call
- Text message

How long do I have to retrieve my goods?

The time you have to collect your belongings varies by location and the value of the items:

- **Low-value items:** Often around 14 days
- **Medium to high-value items:** Usually 28 days or more

Can costs be passed on to me?

Yes. Be aware that you may be charged for storage of your items, moving costs, and/or disposal fees.

TRASH OR TREASURE

What steps do I need to take?

1. **Respond promptly:** Contact your landlord/PM as soon as you receive the notification.
2. **Arrange collection:** Set up a time to retrieve your belongings.
3. **Prepare for costs:** Be ready to pay any reasonable storage or moving fees.
4. **Document everything:** Take photos and make a list of collected items.

What if I can't collect my items?

If you're unable to retrieve your belongings within the given timeframe:

- Communicate with your landlord/PM - explain your situation and try to negotiate an extension.
- Prioritise important items - if you can only collect some things, focus on valuable or sentimental items.
- Consider authorising someone else - you may be able to send a friend or family member to collect on your behalf.

Legal Recourse?

If you believe your rights have been violated:

- Document all communication with your landlord/PM.
- Research tenant rights in your area.
- Consider contacting a tenant rights organisation or Legal Aid for advice.

Remember, laws vary by location. It's always best to familiarise yourself with local regulations or seek professional advice to fully understand your rights and responsibilities regarding uncollected goods after an eviction.

If you wish to undertake mediation to address any issues with landlords, Citizens Advice Bureau can provide cost-effective mediation services at our Perth Branch. For all other tenancy matters and issues, Circle Green Community Legal Centre can provide further information and advice ([visit here](#)).

Our FREE Services

Without a booking, come see our **Justice of the Peace** (check your local CABWA branch for JP hours) or call us for **general information or referrals**.

Book us to arrange help completing applications for **no-interest loans** or **criminal injuries compensation** if you have suffered pain, bodily harm, mental and nervous shock, loss of income, or pregnancy, resulting from a criminal offence.

ARMADALE 9497 5311	BUSSELTON 9721 6008	BUNBURY 9751 1199	FREMANTLE 9335 4522	JOONDALUP 9301 2833
KWINANA 9439 1251	MANDURAH 9535 3101	MIDLAND 9271 2500	PERTH 9221 5711	ROCKINGHAM 9527 6671



VOLUNTEER SPOTLIGHT



Introducing **Gai Macauley**, Busselton Branch Coordinator and Volunteer Representative to the Citizens Advice Bureau's Board of Management.

Gai is highly respected and admired for the many hours she dedicates to ensuring the Busselton Branch is operational and servicing the local community.

The Busselton Branch now offers legal appointments each Friday with Gai kept busy ensuring her team of volunteers are answering calls, taking appointments for services such as the WA No Interest Loans, Legal Aid Virtual Office as well as most recently assistance with Criminal Injuries Compensation.

How did you get involved with CAB?

My husband and I retired to Busselton 8 years ago. Having had a structured working career, I had trouble doing nothing! It was then that I sought out volunteer opportunities and found CAB.

You're the coordinator of the Busselton Branch, and the Volunteer Representative to the Board... when you're not dedicating all your waking hours to CAB, how do you relax?

Hand quilting, dressmaking for little girls' party dresses, and supporting the Men's Shed with their accounting needs.

What is a typical day at the Busselton branch like?

No two days are the same. With the branch now providing a legal service we are experiencing an influx of clients seeking this. Our Monday team, aside from client enquiries, focuses on legal appointments and researching various local community bodies to update our points of referral list. Wednesday's team confirms legal appointments, and works to ensure that incoming emails are attended to and that our factsheets supply is replenished. Thursdays are for client enquiries and the Friday team attends to general enquiries as well as ensuring support for legal appointments.

Do you think there is community need for more regional CAB Branches? And if so, why?

Busselton is drawing clients from all over the Southwest. We are fortunate to have a lawyer. This service has highlighted the need for low-cost legal services in the Southwest. Apart from this service, we have noticed an increase in clients with family, financial, and housing issues. I believe that larger areas such as Albany, Geraldton, and Kalgoorlie would benefit with our representation.



Probud Club of Victoria Park

"On behalf of the Probud Club of Victoria Park I would like to thank you and your colleagues for your presentation about Wills, EPAs, EPGs etc. I have caught up with my Probud friends and heard that your talk was very interesting and helpful. It will certainly prompt some of the members to organise documentation that will be helpful for themselves and their families in the future.

Thank you again for presenting interesting and useful information."

Applecross
Rotary





Dividing Fences

Who pays for the construction or repair of a dividing fence?

As a general rule, neighbouring property owners are each responsible for paying half the cost of erecting or repairing a dividing fence between their lands.

Can my neighbour and I make our own agreement about constructing a dividing fence?

Yes, you can, and it's a good idea for you to do that. Any agreement you make with your neighbour about your dividing fence overrides the provisions of the Dividing Fences Act 1961 (WA). You should get this agreement in writing and signed by both parties.

To find out more visit [our website](#).

CAB in the Community



43,184

**PEOPLE
HELPED**



4,903

**PEOPLE HELPED
WITH FAMILY AND
PERSONAL SERVICES**



11,093

**PEOPLE HELPED
WITH ESTATE
PLANNING**



**OUR TOP 3
AREAS OF LAW
BY APPOINTMENT**

- ① WILL / EPA / EPG
- ② LETTERS OF ADMINISTRATION
- ③ PROBATE



**COMMUNITY
EDUCATION
ENGAGEMENT**

AGED CARE • LIBRARIES
CAREERS FAIRS • UNIVERSITIES
LOCAL GOVERNMENT



A PANEL OF
14
**ACCREDITED
MEDIATORS**



9

**QUALIFIED FAMILY
DISPUTE RESOLUTION
PRACTITIONERS**



421

**PEOPLE IN THE
COMMUNITY HELPED
WITH ELDER MATTERS**



3

**LOCAL GOVERNMENT
PARTNERSHIPS
WITH MEDIATION SERVICE**

CAB Snapshot

SERVING AND
INFORMING **WA**
FOR MORE THAN

60
YEARS



+9

BRANCHES

METRO &
REGIONAL

MORE THAN

200
VOLUNTEERS



INFORMATION & REFERRAL SERVICE

- PHONE LINE
- FACE-TO-FACE
- ONLINE



LEGAL SERVICE

- WILL/EPA/EPG
- FAMILY LAW
- LOA
- PROBATE



MEDIATION SERVICE

- DISPUTE
 - > FAMILY
 - > COMMUNITY
 - > COMMERCIAL
- CONFIDENTIAL
PROCESS

WA FUNDING BODIES



ADDITIONAL FREE SERVICES

- WA NILS
- CRIMINAL INJURIES
COMPENSATION
- TAX HELP
- JUSTICE OF PEACE & LEGAL
AID WA (with our thanks)

COMMUNITY EDUCATION



GOVERNANCE

COMPLIANT:
REGULATORY
REQUIREMENTS



NATIONAL ACCREDITATION SCHEME FOR CLCs

 ACCREDITED
 CERTIFIED





CAB'S 3 PILLARS



INFORMATION AND REFERRAL

Our role is to give accurate and current information and referral assistance to help the WA community navigate their challenges.

We answer queries via:



With regular Community Legal Education activities we go out to meet people in the community and represent CAB offsite.

Additional Services:

- Tax Help
- WA NILS
- Criminal Injuries Compensation
- CAB Virtual Legal Appointments
- Justice of the Peace



LEGAL

We provide a low-cost legal advice service on a range of issues and prepare various legal documents:

- **Family Law** - divorce, child and property matters
- **Civil Law** - Wills, Enduring Power of Attorney and Enduring Power of Guardianship, Probate applications and Letters of Administration, Estate
- **Criminal Law**



MEDIATION

We offer dispute resolution services for the following matters, including:

- **Family Matters**
 - Parenting
 - Property
 - Grandparenting
- **Community Matters**
 - Dividing fences
 - Overhanging branches
- **Commercial Matters**
 - Workplace disputes
 - Small business and association disputes
- **Facilitation and Education.**

Mediations are held in our Perth office or virtually.

With thanks to our Funding Partners

We wish to express our gratitude and appreciation towards our funding partners and supporters.

Your contributions and unwavering support enable us to continue to provide a quality service in diverse areas.



With thanks to our Visiting Lawyers

Our visiting pro bono lawyers assist our clients in family, estate, and criminal law matters.



CABWA acknowledges the traditional custodians of the lands in which we live and work, the Whadjuk Nyoongar people.

We pay our respects to elders, past, present and emerging, acknowledging their special connection to land, waters and community.

CABWA recognises, respects and welcomes diversity in all its forms, in the belief that diversity is a source of strength and opportunity.



CITIZENS ADVICE BUREAU

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Admin (08) 9325 4217

Mediation (08) 9325 4121

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