KINGSFORD LEGAL CENTRE

ANNUAL REPORT 2004

www.kingsfordlegalcentre.org

THE UNIVERSITY OF
NEW SOUTH WALES

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DEAN'S FORWARD

Kingsford Legal Centre combines the highest quality of legal education with dedicated community service. Established almost 25 years ago as a centre of academic and professional excellence, KLC remains Australia's leading university legal service provider. Its remarkable achievements lie in its capacity to combine legal theory with professional practice. A distinguished part of the University of New South Wales, it teaches about social justice as a matter of principle. Dedicated to improving access of the socially and economically disadvantaged to legal services, it promotes social justice as a matter of legal practice.

2004 has been a year of varied and interesting achievements for KLC – both locally and internationally. KLC and the Faculty of Law Indigenous Legal Education Committee held a very successful seminar in November 2004 on Indigenous legal education and in conjunction with the seminar, published the *Guide to Indigenous Legal Education*. The Centre's staff and students contributed to the Australian non-government organisation shadow report to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women Committee (CEDAW).

KLC was also the subject of a popular *Reality Bites* documentary *Street Practice* which went to air on the ABC television in four episodes over four weeks. The Centre also ran a range of cases for disadvantaged clients, including an urgent application to the Supreme Court to challenge the Department of Corrective Service's decision to refuse distribution of an election newsletter within NSW prisons. KLC students have continued to provide invaluable advocacy and related services to clients.

2004 also saw the commencement of construction of an exciting project, to build a new law school at UNSW. The building will include ground floor space for KLC, bringing it closer to the activities and other staff of the Faculty.

KLC is highly regarded by the Faculty of Law at the University of New South Wales for its deep devotion to teaching, learning and community service. On behalf of the Faculty of Law, I wish KLC every success in continuing its important work in the future.

Professor Leon Trakman
Dean, Faculty of Law

DIRECTOR'S REPORT

2004 was a year during which the centre continued to provide significant community legal services as well as high quality legal education – all this with the inevitable challenges of significant staff turnover.

The Centre farewelled and welcomed several new staff during the course of the year. Anna Hartree joined us as co-ordinator in January, 2004 and Anna Cody as Director in March 2004. We lost outstanding members of staff Vedna Jivan and Sinéad Eastman. Teena Balgi (General Solicitor/Clinical Supervisor) and Linda Tucker (Employment Solicitor/Clinical Supervisor) became our new and valued colleagues. In November, Anna Cody took maternity leave and I joined the Centre as Acting Director.

In last year's annual report we reported on the challenge of going about our business in front of documentary cameras. The consequent *Reality Bites* documentary *Street Practice* which went to air on ABC television over four weeks creating significantly increased community awareness of the Centre, an increased interest from volunteer lawyers and from students.

We participated in the planning of the Law Faculty's new building on campus – an exciting project which will see the legal centre housed on the ground floor of the Law School from July 2006. We are excited at the opportunity for closer involvement with the Law Faculty (and also new premises – since our current premises are not really adequate) and will be developing strategies to ensure community awareness and accessibility are maintained.

We continued to develop initiatives in relation to Indigenous legal education by hosting over 30 potential law students from all over Australia with Pre-Law visits to KLC; contributing to the UNSW Law Faculty Indigenous Students-Foundations Enrichment course; co-hosting a seminar on Indigenous legal education and publishing the *Guide to Indigenous Legal Education* in Australia.

The Centre will celebrate it's 25th anniversary in 2006 and in anticipation of this we began formally documenting our history.

KLC is an energetic and involved community legal centre. It's great to have the opportunity to be part of the KLC team.

Janet Loughman
Acting Director

VALUES, AIMS AND OBJECTIVES

The following are the values that underpin the work of Kingsford Legal Centre:

- The value of clinical legal education as a means of educating law students. We will provide a positive learning environment for students, encouraging them to gain first hand experience of delivering legal services in a community setting;

- Providing the best quality service to our clients whilst encouraging them to do as much as they can in regard to their legal problems. We aim to empower our clients rather than adopt a paternalistic approach to advice and casework;

- Undertaking law reform work and advocating for the development of a fair and non-discriminatory legal justice system;

- Working with other relevant organisations, including the legal profession to provide a broader range and better quality of services to the community;

- Self determination, respect and privacy with regards to service provision;

- We recognise that many people are unable to gain access to justice due to discrimination and poverty. We are committed to providing legal services to people who would otherwise be unable to gain access to justice;

- Providing equal access to justice for everyone in our target community. We recognise that a positive, practical approach to access and equity issues is needed if the Centre is to fulfil its commitment to equality of opportunity. We actively encourage an access and equity approach to all aspects of our organisation including service delivery, communications, physical environment and human resources;

- Team based decision-making. We value the commitment and experience students, staff and volunteers bring to the Centre. We encourage positive criticism and ideas generated by all members of the Centre and our local community.

AIMS AND OBJECTIVES

1. To educate tomorrow's lawyers by:
   - giving students an opportunity in a clinical supervised setting to work for disadvantaged clients;
   - developing student understanding of how the legal system works and its impact upon disadvantaged clients;
   - providing students with an opportunity to reflect upon social justice issues, the legal system and the role of lawyers within it, including the values and objectives underpinning the work of community legal centres;
   - assisting students to understand the integral role that policy and community legal education play in legal service provision.

2. To improve access to justice for residents of the Botany and Randwick area by providing free legal advice and assistance including specialist employment advice;

3. To reduce discrimination through the provision of specialist legal advice and representation on discrimination matters to residents of NSW;

4. To enhance people's knowledge of, and access to, appropriate legal services through the dissemination of information and by making and receiving referrals;

5. To promote access and equity in all areas of the organisation including service delivery, legal education, community education and policy work;

6. To ensure Kingsford Legal Centre is respectful of Indigenous cultures and people;

7. To improve the community's knowledge of the legal system and the capacity of people to enforce their legal rights, by delivering community legal education;

8. To undertake policy work, including law reform, and to represent the interests of clients and the local community on social policy and administration of justice issues;

9. To create partnerships with other community organisations on legal issues;

10. To maintain an efficient infrastructure for the Centre to provide support for staff, volunteers and students and outcomes for clients.

SERVICE PROVISION

KLC provides services to people who live and/or work in the local government areas of Botany Bay City Council and Randwick City Council. This includes the staff and students of the UNSW.

- **GENERAL ADVICE**
  Evening advice sessions: Tuesday and Thursday
  Daytime appointments: Monday to Friday

- **EMPLOYMENT ADVICE**
  Daytime appointments: Wednesday afternoon
  Evening advice sessions: alternate Thursday 6:00 pm to 8:00 pm

The Centre also provides a statewide discrimination law service.

Other services provided by KLC include:

- Law reform work and campaigning
- Community legal education sessions
- KLC newsletter and other publications

KLC also hosts specialist outreach advice, which is provided by:

- Eastern Area Tenants Service (EATS) who provide specialist tenancy advice each Monday afternoon
- Legal Aid Commission who provide specialist child support advice once a month at the Centre.

AIMS AND ETHOS

Clinical legal education is a methodology of teaching law, legal procedure and ethics. In Australia when we talk about clinical legal education we mean a style of teaching where students are engaged in legal work for real clients – often known as "live client clinics".

In the Clinical Legal Experience courses, the compulsory Law Lawyers and Society course and the clinical program in Employment Law, students develop their understanding of issues of social justice as well as developing interviewing, negotiation, drafting, submission writing and advocacy skills. They are introduced to the fundamentals of office management and explore ethical issues such as how to select client matters when demand for legal services far outstrips the Centre's ability to assist.

The objectives of the courses are:

1. To develop students' critical appreciation of the law and legal system in Australia through participation in a legal practice working for clients who are financially or otherwise disadvantaged.

2. To enhance students' contextual understanding of the law and legal process by exposing them to real clients with legal problems.

3. To provide students with a detailed understanding of the legal aid system and develop students' understanding of issues of access to the legal system for the Australian community.

4. To develop students' awareness of the role of lawyers in practice in the legal system.

5. To develop students' understanding of ethics and responsibility in a workplace setting.

6. To introduce students to the importance of developing basic lawyering skills to a high level of proficiency including communication, interviewing, drafting and negotiation.

7. To develop students' ability to see beyond a casework approach to legal problems by providing opportunities to participate in campaign and education work.

8. To encourage students to see the law as a vehicle which can be used to protect and develop human rights.

CLINICAL LEGAL EXPERIENCE (INTENSIVE AND NON-INTENSIVE)

The Clinical Legal Experience courses are run over three sessions (Session 1, Session 2 and Summer Session) during the year taking students in each session. Most students spend two days per week at the Centre where they are taking responsibility for client files (under solicitor supervision) and working on community legal education and law reform projects. They have a weekly seminar of two hours and daily tutorials of one hour. They also attend evening client interview sessions with the centre's volunteer lawyers.

The seminar program is co-ordinated and presented by centre staff with contributions from guest speakers. In 2004 the subject matter of the seminars ranged from practical clinical skills such as pleamaking, interviewing, plain English legal writing and preparing affidavits, to subjects focussed on key issues such as law reform, community legal education, a possible treaty with Indigenous peoples and human rights. All of the seminars aim to encourage critical debate of the legal system and the role of lawyers within it. The style of teaching is based on a range of techniques using role plays, small group exercises, simulations as well as some lecturing.

All the work of the centre is undertaken as part of the clinical program – and is outlined in more detail throughout this report. Some of the highlights of the course during 2004 were:

STUDENT ADVOCACY PROGRAM

During 2004, KLC students continued to appear before Waverley Local Court magistrates as part of the Student Advocacy Program. Students have special leave to represent clients who are pleading guilty to minor criminal charges, where there are mitigating factors. It is available to clients who would have difficulty representing themselves, cannot afford a private lawyer, and are not eligible for legal aid. Feedback from KLC students involved in the program has been very positive and KLC students consistently achieve good results for clients. Thanks to Louise Byrne, Anne Cregan, Lester Fernandez and Gabrielle Bashir for supervising the students in 2004.

UNSOLICITED PUBLICATION

The KLC student journal Unsolicited continued to be published and was also reviewed during 2004. It's continuing interest and value was confirmed and some changes will be made based on feedback from our readers.

INDIGENOUS ACCESS INITIATIVES

During 2004 KLC continued to make a significant contribution to the Law Faculty commitment to increasing the numbers of Indigenous students studying law. The Centre undertook the following:

WINTER SCHOOL PROGRAM FOR INDIGENOUS HIGH SCHOOL STUDENTS

KLC hosted Indigenous high school students during the Winter School program. Year 10, 11 and 12 students came to the Centre to learn a bit more about the law and what happens at law school. They enjoyed meeting other students and staff as well as puzzling over a legal problem.

INDIGENOUS PRE-LAW VISITS

KLC hosted over 30 potential law students from all over Australia in February and December, 2004. The students spent the morning at KLC learning about what KLC does and hearing from other law students about career options after studying law – hopefully finding more reasons to pursue studies in law.

INDIGENOUS STUDENTS-FOUNDATIONS ENRICHMENT COURSE

In 2004 we ran for the second time the Foundations Enrichment course for first year Indigenous students.

The program is designed to assist first year Indigenous students acclimatise to university studies and develop graduate attributes of oral and written communication skills in a legal setting. Through engaging law students in the day to day operation of the legal system and lawyering, the clinical placement bridges the gap between the theory and practice of the law. Students are given the opportunity to assist people in our community while simultaneously acquiring valuable communication skills.

The course continued to be a success and we hope enables these Indigenous students not only to feel a sense of achievement in interviewing a real client so early in their degree but furthered their sense of belonging in the Law School and having links with later year students.

GUIDE TO INDIGENOUS LEGAL EDUCATION IN AUSTRALIA

In November 2004 Kingsford Legal Centre published the *Guide to Indigenous Legal Education in Australia*. In recognition of the particular challenges which many Indigenous law students face to commence and remain in law studies, many educational institutions offer special courses, programs and services for Indigenous students to help address many of these barriers and support them in their studies. By producing a Guide to these courses and programs it is hoped that law faculties around Australia can learn from initiatives implemented by other faculties and be encouraged to develop and foster initiatives in their own faculties. Furthermore, potential Indigenous students will have access to a Guide to the different courses offered around Australia when choosing the institution they wish to study at.

The Guide is available from the Centre (free of charge) or can be accessed from the KLC website at: http://www.law.unsw.edu.au/centres/klc/doc/Guide_Indigenous.pdf

THE INDIGENOUS SEMINAR

KLC and the Faculty of Law Indigenous Legal Education Committee held a very successful seminar in November, 2004 on Indigenous legal education. There were 35 participants with speakers from Griffith University (Phil Falk and Heather Douglas), Victoria University Wellington New Zealand (Claire Charters) University of Waikato (Linda Te Aho) Flinders University (Irene Watson) and UNSW (Sue Green). Some of the themes included the importance of institutional support for the hiring of Indigenous academics and the need for clear and open admissions policies as well as the significance of cross institutional learning. Non-Indigenous academics and staff need to be open to the priorities of Indigenous students and academics. Curriculum reform is crucial in order to make the law school experience more reflective of Indigenous perspectives. KLC has an on-going commitment to further liaison about and development of Indigenous legal education.

VISITING ACADEMIC – LOIS KNIGHT

For several weeks during 2004 KLC hosted visiting academic, Lois Knight who works as a Clinical Professor of Law, and Director of Clinical and Advocacy Programs at Boston University School of Law teaching in the Civil Litigation Program and in the Legal Externship Program. There are six clinical teachers in the program and approximately 36 students who take the course for a full academic year. The classes that are part of the clinic are: Pre-trial Advocacy: Interviewing, Counselling & Negotiation, Trial Advocacy, and Legal Ethics. KLC staff and students benefited enormously from Lois' visit and learnt a lot in the mutual exchange of ideas on clinical legal education as well as the invaluable cultural exchange.

OTHER VISITS

We were also visited by Claire Carroll and Genevieve Bolton from the Welfare Rights and Legal Centre in ACT and later Louise Buchanan from University of Technology, Sydney who were exploring establishing clinical legal education programs at both ANU and UTS respectively.

EMPLOYMENT LAW CLINIC

This year the Clinic has advised and represented many employees who live, work or study in KLC's catchment area. We assisted clients in relation to unfair dismissal proceedings, redundancies, underpayment of wages and entitlements and unfair employment contracts. Throughout the year we obtained favourable settlements of disputes for many of our clients. For details on some of these matters, see the casework section of the annual report.

The Clinic, which was established in March 2000, provides free and confidential initial advice to clients on employment law issues such as unfair dismissals, unpaid wages, workplace harassment and redundancy. The Clinic also provides ongoing assistance and representation where appropriate, with frequent appearances for clients in the State and Federal Industrial Relations Commissions.

We have two objectives: to provide legal advice to employees and to provide a clinic for UNSW law students to gain experience in the area of employment law. Students have the

opportunity to develop their understanding of substantive and procedural law and ethical issues facing the legal profession through their work on case, education and policy files. The clinic offers 5 places to UNSW law students per semester. They have the opportunity to conduct interviews with clients, assist in making strategic decisions about the conduct of case files, undertake research, draft documents, and, where appropriate, appear as advocates in the Industrial Relations Commissions.

Sinéad Eastman took over the employment clinic in July 2003 and continued the work of our first employment law solicitor Joanne Moffitt, now KLC's principal solicitor, in building up a strong and busy practice. Sinéad left KLC in late August 2004 and was replaced by Linda Tucker in November 2004. In the interim, Sherene Daniel ran the clinic as locum employment law solicitor.

In maintaining its weekly daytime advice clinic and fortnightly evening advice session, the Clinic receives the support of private solicitors who provide their time on either a pro bono or volunteer basis. Again this year eight private law firms provided solicitors on a pro bono basis to provide advice to clients at our Wednesday afternoon advice clinic. We also continued to receive the support of volunteer solicitors from private and government practice, and the Bar, who volunteer and give advice on both general and employment law matters on a fortnightly advice roster. We thank all of these participants for their continued support.

In providing law students the opportunity, where appropriate, to appear as an advocate for clients in the Industrial Commissions, the Clinic continues to provide a unique opportunity for students to obtain 'hands-on' experience in litigation. This opportunity invariably results in reflection by the students on the effectiveness of the court system in achieving just outcomes for clients and on the challenges faced by those clients who represent themselves in the court system.

In 2004 the students of the Clinic again participated in a seminar program that included presentations on a range of employment law topics from experienced employment law practitioners. As part of this program, the students enjoyed the opportunity to appear as advocates for a party in a mock conciliation that focuses

their minds on a number of the jurisdictional and substantive issues that arise in an unfair dismissal application. The seminars and presentations benefit both the students and staff of other legal centres and organisations who attend the seminars, when possible. We extend our thanks to all lawyers who have provided their valuable time to present seminars to the students of the Clinic.

KLC students - summer session 2004/05
(l-r): Hussein Zahr, John Brien, Zoe Craven, Rita Caruana, Kirsty MacDonald, Selena Sun

STUDENTS

Semester 1 - 2004

Chu, Elizabeth
Green, David
Grey, Susan
Grieve, Sophia
Haigh, Elenka
Hall, Christine
Harris, Chris
Hsu, Olivia
Hurst, Rebecca
Jowono, Kevin
Kwan, Venus
Kwan, Benjamin
Lam, Genevieve
Lockerby, Karen
Lopis, Tamar
McKnight, Lachlan
Morgan, Daniel
Satyan, Swapna
Schwartz, Karin
Swil, Jonathan
Vivekandanda, Sharmila
Wilson, Kathryn
Wong, Katrina
Yeo, Jennifer
Zhu, Vincent

Employment

Chiu, Kathleen
Millner, Felicity
Turner, Reece
Wu, Georgia
Bolton, Brendan

Semester 2 - 2004

Cai, Steve
Chan, Amy
Chan, Kanice
Choi, Jason
Collins, Vanessa
Day, Austin
Fung, Stanley
Karim, Rezana
Lam, Karen Kar Yue
Lee, Christopher
Lee, Kristy
Lee, Sean
Leung, Daniel
Moyes, Karen
Pascoe, Nicholas
Renner, Christina
Schneller, Edwina
Schwartz, Melanie
Segel, Anne
Tronson, Brenda
Veljancesvska, Mirjana
Wong, Candice
Wong, Jefferson

Employment

Chan, Jennifer
Ho, Veronica
Kishore, Joselyn
Lan, Mandy
Pikis, Peter

Summer Session 2004/05

Boyce, Caitlin
Breen, Rebecca
Caruana, Rita
Cheung, Florence
Cho, Yong-Min
Clifford, Kelly,
Craven, Zoe
Driscoll, Margaret
Fung, Karina
Lam, Karen
Laurence, Emily
Lopis, Ricky
MacDonald, Kirsty
Ng, Angel
Novotna, Paula
Randhawa, Trisha
Schenk, Melissa
Stubbs, Danielle
Vanderkooi, Maaike
Watson, Ngaire
Winton, Tabitha
Yik, Sarah

Employment

EMPLOYMENT
Brien, John
Hartley, Chris
Sun, Selena
Sweeney, Nicholas
Zahr, Hussein

ADVICE STATISTICS

In 2004 Kingsford Legal Centre provided advice to 1469 people

1364 people received this advice in face to face interviews and 105 people received the advice by telephone, mail or email.

124 NEW CASES WERE OPENED IN 2004

Criminal Law, including DV.....20
Civil Law.....63
Discrimination.....14
Employment.....25
Family Law.....2

OUR CLIENTS

Sex
Male.....49%
Female.....48%

AGE

Under 18.....1%
18 - 34.....23%
35 - 49.....22%
50 - 64.....18
Over 65.....11

INCOME SCALE

High.....2%
Medium.....20%
Low.....62%

3 % of our clients identified themselves as Aboriginal or Torres Strait Islander

PRISONER'S CASE FOR ACCESS TO EDUCATION

Commissioner of Corrective Services of New South Wales and Anor v Middleton [2004] NSWCA 156 (10 May 2004)

As reported in last year's Annual Report, KLC acted for Mr Mark Middleton who won his case in the Administrative Law division of the Supreme Court of NSW before Justice Dowd on 10 December 2003. Mr Middleton sought judicial review of the decision by the Commissioner for Corrective Services of NSW and Governor of the prison, to deny him access to his own computer in his cell. Mr Middleton needed access to his computer to enable him to complete the two university degrees he had commenced while incarcerated in Queensland. Justice Dowd ordered that the decision to refuse Mr Middleton access to his computer be quashed and be referred back to the Commissioner and the Governor to be reconsidered according to law.[1]

In early 2004 the Commissioner lodged a notice of intention to appeal the decision which needed to be filed by 6 April 2004. The Appellants erroneously missed this deadline and were obliged to apply to the Court for Leave to Appeal out of time.In the Court of Appeal Justice Santow allowed the appeal to be filed out of time on condition that, to remove prejudice to Mr Middleton, he be given access to his computer in his cell strictly for educational purposes until the outcome of the appeal was determined. The next day the Appellants discontinued the appeal.

KLC then applied to the Court seeking a date for compliance with Justice Dowd's original Orders. The Court ordered the Commissioner and Governor to make their decision as to whether or not Mr Middleton could have access to his own computer in his cell during lockdown hours by 6 July. On 5 July the Department provided a twenty three page decision refusing Mr Middleton permission to have access to his desktop or any other computer in his cell at Lithgow Correctional Centre. As a result Mr Middleton missed the deadline for enrolment in his courses.

Mr Middleton has received support for his case from a number of sources including the media and politicians. On 15 November Adele Horin's article appeared in the Sydney Morning Herald stating; *The NSW*

[1] *Middleton v Commissioner of Corrective Services of NSW and Anor* [2003]NSW SC 136

ban [on Mr Middleton having access to his computer in his cell] remains in place despite the Minister for Justice, John Hatzistergos, having told ABC Radio last month that education programs for prisoners would not just benefit prisoners but the community as well.

THE CONSTITUTIONAL RIGHT OF PRISONERS TO HAVE ACCESS TO POLITICAL INFORMATION

KLC assisted Justice Action in an urgent application to the Administrative Law division of the Supreme Court of NSW. Stacy Scheff, coordinator of Justice Action, brought proceedings against the Commissioner of Corrective Services of NSW and the State of NSW to challenge the Commissioner's decision to refuse her request made on behalf of Justice Action to distribute a newsletter, containing information about the federal election (on 9 October) to prisoners in NSW prisons. UNSW academic George Williams SC and Counsel Ben Zipser appeared on behalf of Ms Scheff arguing that the Commissioner be compelled to distribute the newspaper before voting closed on 9 October. They argued that the Commissioner's decision contravened the principle of freedom of communication about government and political matters implied from the Commonwealth Constitution. Unfortunately, the proceedings were discontinued on Friday 8 October when the Department of Corrective Services provided evidence to the court that all prisoners eligible to vote would complete voting by 4.00pm that day, therefore rendering continuation of the proceedings futile.

The Department's refusal to allow distribution of political information continues to be an issue of interest for Justice Action and KLC.

DISABILITY AND RACE DISCRIMINATION

Our client suffered a pre-existing anxiety disorder which was adversely affected by the aggressive management style of his employer, a well-known supermarket, where he was employed as a customer service assistant. Our client sought transfers to a different department over a period of two years, but was repeatedly refused by management each time because he was told he had taken 'too many sick days off'. He also alleged he had suffered racist abuse by management and was called a 'psychiatric patient'. This adverse treatment worsened his anxiety condition. Ultimately,

our client was forced to resign. KLC lodged an application in the Federal Magistrate's Court. After seventeen months of legal proceedings the parties finally reached a settlement at a mediation conference. Our client was very pleased with the settlement, in particular, the Respondent's agreement to provide him with a letter of regret for the conduct he had been subjected to.

VICTIMS COMPENSATION FOR SEXUAL ASSAULT

KLC assisted a client in an application to the Victims Compensation Tribunal for the extensive psychiatric injuries she suffered as a result of a violent sexual assault.The client was awarded a total of $28,000 in compensation.

SOCIAL SECURITY OVERPAYMENT

KLC represented a client in the Social Securities Appeals Tribunal in an appeal against Centrelink's decision to recover an overpayment of his Family Tax Benefit. Our client had a child to support, was unemployed, and the recovery of the debt was causing him great difficulty. While the Tribunal agreed with KLC that Centrelink had made an administrative error which was the direct and sole cause of the overpayment (something that Centrelink had not previously accepted) the Tribunal was of the view that our client was not in severe financial hardship and could therefore afford to pay the money back. The appeal was rejected on that basis.

Social security aged pension entitlements

KLC assisted an elderly woman receiving the aged pension. Centrelink wrongly advised that her entitlements would not be affected if she left for Greece ten days before the end of the two year residency requirement stipulated under the Social Security Act. Her pension was suspended and then cancelled. KLC lodged a claim against Centrelink under the scheme for 'Compensation of Detriment caused by Defective Administration' for back payment of her aged pension. This was refused both by the Authorised Review Officer, and then again by the Social Security Appeals Tribunal. KLC referred her matter to the Welfare Rights Centre for representation and assistance in lodging an appeal to the AAT. The matter settled in the client's favour. She is now back on the Aged Pension with full arrears.

SOME OF THE KLC CLIENTS ASSISTED BY OUR FREEHILLS' LAWYERS

VICTIMS COMPENSATION RESTITUTION

KLC assisted a client at a Victims Compensation restitution hearing with the pro bono assistance of counsel, Harriet Grahame, achieving a significant outcome for our client. The Victims Compensation Fund (VCT) initially sought restitution of $80,000.00 and then reduced it to $50,000.00. At the pre-trial conference the VCT offered to further reduce the restitution amount to $12,000.00. Our client rejected the offer and proceeded to hearing. The magistrate accepted our submissions in respect of our client's financial circumstances and fragile mental state and gave a decision to reduce the restitution amount to nil.

KLC prepared written submissions for a client who was ordered to pay $7,000.00 in restitution in relation to an assault for which he had been prosecuted and imprisoned. The submissions covered such topics as our client's capacity to pay, the circumstances of the offence, the fact that our client had already been punished for the assault and had made genuine attempts to reform and to not re-offend. On the basis of those submissions, the VCT reduced the restitution amount to $1,000.00 without the case having to go to hearing.

CREDIT AND DEBT CASES

KLC acted for an elderly client who was being pursued by a Melbourne based company, that sends out offers to buy shares for amounts well below the market value. Our client signed a transfer form but did not provide his security reference number (the SRN is required by National Exchange to on-sell the shares on the market). Our client refused to provide the SRN as he realised he had been induced into selling his shares for approximately 10% of their value. After many months of letters of demand, National Exchange Pty Ltd commenced proceedings against our client in the Melbourne Magistrates Court. We filed a defence on behalf of our client and an application to have the proceedings permanently stayed on the grounds that Melbourne was not the appropriate forum for the hearing of the dispute. We were very pleased when National Exchange consented to the permanent stay of proceedings prior to the court date.
A client from a non English speaking background was the victim of fraudulent

activity on the part of a car salesman who induced him into entering into contracts with two motor finance companies for amounts much greater than our client agreed to. Both finance companies sought payment from our client under the contracts. KLC negotiated a settlement with one of the finance companies in December 2003 and with the other finance company late this year.

A client, from a non-English speaking background, entered into a mobile phone contract without understanding what she had signed up to. Our client lost her phone and the phone company sought to claim the remainder of the contract fee plus a termination fee of $250 as written in the terms of the contract. Proceedings were commenced by the phone company at the Downing Centre Local Court however a settlement was reached prior to the hearing. The phone company accepted a small reduction in the amount allegedly owed and a payment plan was agreed upon.

A client had her mobile phone lost or stolen but before she reported the loss, someone made $2,457.00 worth of phone calls to Indonesia. We assisted our client in her negotiations with the phone comany. The company initially reduced the debt by $1185.00 to $1026.27 and were seeking final payment of this amount from our client. KLC sought to reduce the debt to $700.00 payable at $10.00 per week. The phone company refused to reduce the debt any further but did agree to a payment plan of $10.00 a week due to our client's financial circumstances.

STUDENT ADVOCACY CASES

As part of the Student Advocacy Scheme KLC students represented a number of clients pleading guilty to minor criminal matters in Waverley Local Court. All students are supervised by experienced criminal law lawyers. A sample of student advocacy cases follows:

- In one matter the student represented a client with a mid range PCA (driving with prescribed concentration of alcohol) and presented submissions of mitigating circumstances with the result that the client received the minimum period of disqualification of his driving licence in addition to a $650.00 fine. In light of the client's previous driving convictions the outcome of this matter was considered favourable. The client was pleased and commented that he wouldn't have been able to present the plea without the legal

assistance of the scheme. He also said he "believed the sentence was more favourable than it would have been had he not been represented".

- In another matter a KLC student represented a P-plate driver who had been charged with driving with a blood alcohol reading of 0.025 following the introduction in May of a zero alcohol limit for drivers holding Learner or Provisional licences.The student sought a section10 dismissal. The magistrate stressed the seriousness of drink driving and the importance of deterrence, both specific and general, and its particular relevance to P-Plate drivers. Her Honour stated that a section 10 discmissal was inappropriate, that it was by no means a trivial offence and imposed a $300 fine + $63 court costs and a six month disqualification period.

EMPLOYMENT LAW CLINIC CASES

NATURE OF CASUAL EMPLOYMENT

Early in the year the clinic successfully represented a client who had been classified as casual and told that he was redundant and given only a small amount of money as 'an act of grace'. We argued that the nature of the client's work was such that he was casual in name only and was in fact a permanent part time employee. He had been working for four and a half years for 16 hours a week. As a part time employee the 'redundancy pay' was well below his severance entitlements given his age and years of service. We suggested the employer either lawfully make our client redundant, with the appropriate severance payment, or face proceedings on an unfair dismissal. The matter settled when the employer made a bona fide redundancy payment that recognised the client's age, years of service and the lack of notice given.

UNJUST CONTRACT

The Clinic represented a client in relation to a contract with a cleaning business. Our client entered into the contract to do cleaning work because she was desperate for money. She had not understood the contract and had not been advised about its terms before entering it. The contract had not been the subject of negotiation and she had never met the business owner, who sent the contract to her in the post. The client had been served with a Statement of Liquidated Claim that alleged our client owed the company over $1300.00 in placement

fees and late fees for its services in locating cleaning work for her.

According to the contract "the maid" would have to pay the business a "placement fee" with severe penalties and late fees if she failed to pay on time. Our client denied that she owed the placement fees alleged to be outstanding.

We claimed that the contract was unjust, or in the alternative, was unconscionable. We also claimed that, even if the contract was enforced, our client did not owe the amount claimed. The matter settled following a pre-trial review before the Registrar of Waverley Local Court. The owner ultimately agreed to accept full and final payment of $400.00, in two instalments.

DISADVANTAGE FACED BY CULTURALLY AND LINGUISTICALLY DIVERSE WORKERS

The issue of unfair treatment of workers who speak a language other than English was highlighted in a case run by the clinic over June and July when we filed unfair and unlawful termination applications for two women in the Australian Industrial Relations Commission. The clients, both originally from Bangladesh, were dismissed from their jobs as clothing sorters in a clothing factory. They were dismissed with little notice from jobs they held for two and three years, respectively. They were told that their jobs had been made redundant, but there was no consultation and they were not provided with the severance pay required by the relevant award. They were also being paid below award rates. The hard work of Employment Clinic students who spent many hours calculating our clients' legal entitlements paid off when this matter settled on terms with which the clients were extremely happy.

SUMMARY DISMISSAL

A summary dismissal matter was also settled favourably for one of our clients in August. The client, a UNSW student, was sacked from his position as a casual sales assistant at a video store when he enquired about the applicable rate of pay for working on a public holiday. The client had been a reliable employee for 4 years and had a strong case. We made a settlement offer and the matter was successfully resolved.

PARTNERSHIP WITH FREEHILLS SOLICITORS

As part of a secondment arrangement between Freehills and KLC, Freehills solicitors Amelia Montague and Victoria Denney worked at KLC during 2004. Amelia and Victoria really enjoyed their time at KLC and had this to say about the experience:

AMELIA: I worked at KLC from April 2004 to October 2004 on a secondment from Freehills. I found my experience at KLC satisfying both professionally and personally. I enjoyed working across a variety of areas of law including credit and debt, local court matters, disputes with government departments, victims compensation and restitution and even a brief foray into extradition law.

Getting involved in continuing legal education programs in the broader community and also getting to know the Centre's clients were fantastic experiences - especially sharing the clients' excitement when good outcomes were achieved. Constantly learning and working collaboratively and as a team with a bunch of extremely talented staff and students was also very rewarding. I will remember my time at KLC with great fondness.

VICTORIA: Unfortunately, I only have six weeks remaining in my secondment - I can not believe how quickly the time has flown! I have loved my time at KLC and will be very sad to leave. From the moment I arrived, I found the staff to be welcoming and friendly. I have enjoyed getting to know the staff better and being part of a work environment that is so different to the corporate world that I am used to. I have had my eyes opened to the hardship suffered by so many and feel privileged to have had the opportunity to broaden my perspectives and my understanding. The clients have been fun, interesting, appreciative (mostly) and, at times, challenging. My favourite times have included seeing clients' reactions when they achieve a great result. I have also really loved working with the UNSW students. They are an enthusiastic bunch and they bring a real energy to KLC. My knowledge of different areas of law has grown and I have really appreciated the opportunity to learn so many new things. I have a lot of admiration for the work that is done at KLC. The staff are passionate and committed to a job that is often difficult and not well rewarded financially. I will really miss everyone at KLC and wish all the staff and students a great 2005.

LAW REFORM AND POLICY WORK

Law reform and policy work are an important feature of the Centres' work and its commitment to human rights, social justice and a fairer legal system.

CEDAW (UN CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN)

KLC made a significant contribution to the state and national work that was undertaken during 2004 to consult with women and non-government organisations about the status of womens rights in 2004. The work contributed to the Australian non-government organisation (NGO) shadow report to the United Nations CEDAW Committee.

KLC hosted a national meeting of the working group for a parallel report to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) Committee in early July. Representatives from all over Australia met to discuss the compiling of a community report as well as the parallel report. Each State and Territory will have its own report providing a snap shot of how women's rights are faring. The NSW report was completed and published by NCOSS and WRANA as *Our rights, Our voices*.

The Centre continued work on the national report.

VISIT BY THE INDIAN BAR ASSOCIATION

KLC hosted nine members of the Indian Bar Association who were interested in learning about pro bono work and clinical programs at Kingsford Legal Centre.

A DELEGATION FROM THE SWEDISH EMBASSY

We also provided information to members of the Swedish Embassy who are keen to report on the current human rights situation in Australia. Issues discussed included the Reconciliation process between Indigenous and non Indigenous Australians, Stolen Generations issues, detention practices among asylum seekers and the use of temporary protection visas.

REVIEW OF THE NSW PRIVACY AND PERSONAL INFORMATION ACT, 1998

KLC made a submission to the NSW Attorney General's review of the *Privacy and Personal Information Act 1998*. The Act established 12 principles which must be met by government agencies handling personal information. Personal information is defined in the Act as information or opinion about a person whose identity is apparent or can reasonably be ascertained. The principles concern such things as when its permissible to collect personal information and how it

can be used. KLC submitted that the Act was inadequate in a number of ways. The Act's jurisdiction is severely limited by the large number of exemptions granted to particular government agencies and by the limited definition of personal information. The definition excludes information about an employee's suitability for employment in the public sector. This exemption exceeds what is required in an area that can have significant consequences for a person's livelihood. In addition, the current principles overly rely on principles from the past. They fail to anticipate the protections needed against rapid advances in communications and information technology. For example, a person's email address, machine addresses or phone numbers are not regarded as personal information under the Act, despite being the type of information most susceptible to privacy infringements in today's world. While the Act was an important step towards protecting our personal information from misuse, it was a first step only and many more need to be taken

REVIEW OF NSW MENTAL HEALTH ACT, 1990

KLC made submissions to the NSW Health's Review of the Mental Health Act 1990 Discussion Paper 2. The overriding theme of our submissions was ensuring access to legal assistance, particularly for those people who are deemed to be a "mentally ill person" and are involuntarily detained. KLC supported NSW Health's consideration of the 'United Nations Principles for the Protection of Persons with Mental Illness and the Improvement of Mental Health Care' and encouraged NSW Health to include a reference to these UN Principles in the Objects of the Act.

SENATE INQUIRY INTO PROPOSED AMENDMENTS TO THE DISABILITY DISCRIMINATION ACT.

KLC made a submission to the Senate Inquiry into the Proposed Amendments to the *Disability Discrimination Act* to exclude drug dependent people from its protection.

LEGAL NEEDS OF PEOPLE WITH MENTAL ILLNESS

The Law and Justice Foundation of NSW met with staff and students to discuss the legal needs of people with mental illness as part of a broader research program being undertaken into the "Access to Justice and Legal Needs of Economically and Socially Disadvantaged People in NSW". Discussed was the spectrum of legal problems people with mental illness present with; types of mental illness clients suffer and the intensive resources required to

service such clients. The conclusion of the group was that more resources are needed to train legal staff and students at KLC in order to more effectively assist clients with mental illness. Further, that Legal Aid needs to provide more funding to assist these people.

NSW COMBINED COMMUNITY LEGAL CENTRES GROUP (CCLCG)

The Centre continued its involvement in the NSW Combined Community Legal Centres Group where collaborative law reform and policy work is undertaken by legal centres in NSW. This included staff of KLC being on the board, convening the Employment Law Subcommittee and co-convening the Law Reform and Policy Subcommittee with Shoalhaven CLC. In addition KLC was involved in several projects with other legal centres including the documenting of the geographical areas that are covered by the generalist community legal centres.

COLLABORATION WITH UNSW ACADEMICS -

During 2004 two KLC students worked on a study with Jill Hunter, Associate Professor and Dorne Boniface, Senior Lecturer, Faculty of Law at UNSW to examine the impact of character evidence in criminal jury trials. The project is looking at how jurors actually use evidence of an accused's character and to what extent jurors understand the permissible use(s) of character evidence.

KLC students also worked on a project with Jill Hunter which aimed to evaluate the assesment of credibility of applicants for refugee status by the Department of Immigration Multicultural and Indigenous Affairs and the Refugee Review Tribunal.

Linda Tucker: Employment Law Solicitor with student Chris Hartley

KLC CONSULTATIVE COMMITTEE

The KLC advisory group was revived in 2004. The main aim of the committee is to allow for and encourage community participation in KLC to ensure that our services are responsive and the most appropriate for the local community. The committee is made up of representatives of UNSW Law School, UNSW Social Work, the student body and representatives of local community organisations. The KLC Consultative Committee meets quarterly at the centre.

PARTICIPATION ON LOCAL ORGANISATION MANAGEMENT COMMITTEES

KLC has continued to support staff in taking board / management committee positions on local community organisations, as one way of working more closely with our community. During 2004 staff sat on the management committees of The Shack Youth Centre; Eastern Area Tenancy Service; and Randwick Information and Referral Service.

EASTERN SUBURBS DOMESTIC VIOLENCE NETWORK

We co-convened this newly formed interagency network, which is intended to bring together agencies working with women and children who experience or are affected by domestic violence in their lives. The group meets at 2.30pm on the third Wednesday of every month at Mascot Police Station.

BOTANY MULTICULTURAL FAIR

KLC joined forces with the Tenant's Union to have a stall at the Botany Multicultural Fair. In between listening to children perform items from their culture, eating delicious food and watching the Chinese Dragon parade, brochures and promotional material were provided to members of the public on a range of legal issues.

INTERNATIONAL WOMEN'S DAY

In April KLC participated in the International Women's Day celebration for local women of the South Ward of Randwick Council at the Kooloora Community Centre.

KLC REALITY BITES DOCUMENTARY, *STREET PRACTICE*

The four part documentary on Kingsford Legal Centre, *Street Practice* went to air on the ABC at 8pm on Tuesday 7 September, and weekly thereafter for three weeks. Students who were with KLC in the summer semester of 2003/04 feature, as do KLC staff members, past and present. Response

to the KLC documentary was tremendous and overall we had very positive feedback. There was an increase in enquiries from private lawyers about volunteering at KLC, from students interested in finding out more about the clinical courses and from people seeking legal advice. We would like to thank all of the students, volunteer lawyers and clients who appeared in the documentary and to the production company Hilton Cordell and in particular Michael Cordell.

KLC E-BULLETIN

The KLC e-Bulletin is sent by email at the beginning of each month. It's purpose is to keep our colleagues, community partners and stakeholders up to date on the work we are doing, both casework and non-casework. Feedback has been very positive.

KLC WEBSITE

The Kingsford Legal Centre website was updated during 2004 including a new address: http:www.kingsfordlegalcentre.org.

KLC's Anna Hartree, Tenant's Union NSW Michelle Jones and KLC's Jinny Chaimungkalanont working the crowds at Eastlakes Community Fair.

SEMINARS

ENDURING GUARDIANSHIPS

At the request of the Echo Neighbourhood Centre, KLC organised a talk on Enduring Guardianship for its Over 55's Club. Most of the participants spoke Russian and an interpreter was provided.

SEXUAL HARASSMENT IN THE WORKPLACE

KLC delivered a seminar on sexual harassment in the workplace for staff at The Deli (Women and Children's Centre). The aim of the session was to provide the staff with information about sexual harassment in the workplace and so that they could identify the issue should any of their clients report a problem.

POWER OF ATTORNEY

Our Freehills' secondee, Amelia Montague, gave a presentation on powers of attorney for the South East Sydney Neighbourhood Centre as part of their series of seminars on "Positive Ageing". The final topic in the series dealt with financial matters, powers of attorney and enduring guardianships in this context.

LAW WEEK -STOP DV DAY AT UNSW

KLC students organised a Stop Domestic Violence stall outside the library at the UNSW on Thursday 20th May as part of Law Week. Students handed out showbags to students with information to make them more aware of domestic violence issues and where help is available for victims. Students also promoted KLC and worked at making students aware that they are part of our catchment and are therefore eligible for free legal advice.

LAW WEEK – INFORMATION DISPLAY

An information display about KLC and discrimination rights was housed at the Randwick library located in Randwick shopping centre from 16 – 22 May 2004. Although it is difficult to ascertain how much attention the display attracted, the information that was available for people to take away, needed to be replenished several times. The display was also included in the promotion of Law Week 2004 by the local paper the Southern Courier.

COMMUNITY LEGAL EDUCATION

PAMPHLETS

KLC continued to produce a range of pamphlets relevant to the work of the centre and the problems that the community seeks assistance with. The pamphlets are displayed in the Centre and also available on the KLC website.

Motorists' Rights

In response to client demand, we produced a Motorists' Rights information pamphlet which outlines the rights of motorists when stopped by police.

Going to Court with Traffic Fines

An increasing number of clients have sought KLC's assistance for fines issued for railway and traffic offences. In early 2004, Inner City and Redfern Legal Centres jointly produced a comprehensive brochure called *Fined Out* which provides an overview of the fine enforcement process in NSW. To complement *Fined Out*, KLC worked on a pamphlet on the process of taking a fines matter to court.

Taking on Casework

In February KLC updated it's pamphlet which explains the areas of casework we practice and how we decide which cases are taken on.

TRANSLATION OF KLC'S *Free Legal Advice* PAMPHLET

KLC translated its *Free Legal Advice* pamphlet into Italian, Russian, Turkish, Indonesian, Arabic, Greek, Cantonese, Mandarin and Spanish. This pamphlet explains the services provided by Kingsford Legal Centre.

TRAINING FOR VOLUNTEER SOLICITORS

KLC has joined forces with Inner City Legal Centre, Redfern Legal Centre and Marrickville Legal Centre to provide combined training for all solicitors who volunteer at these centres. The training sessions were held at Redfern Legal Centre. In 2004 the training sessions were well attended and covered motor vehicle accidents, family law and how to manage clients with difficult behaviours.

VOUNTEERS

Without the generous donation of their time and skills, thousands of people in our community would be left without access to legal advice. Volunteering at KLC also has the added challenge and delight of working with students, who are often having their first experience of working with clients. We extend our sincere gratitude to our wonderful troop of volunteers:

Ainslee Cox
Andrew Jungwirth
Banjo Stanton
Catrina Donellan
Claire Parfitt
Danny Grynberg
Dave McMillan
David Jay
Emily Sunman
Emma Gollege
Emma Maple-Brown
Francine Johnson
George Vlahakis
Gloria Nicol
Guy Donnellan
Janet Evans
Jillian Cook
Jinny Chaimungkalanont
John Cahill
Judi Lowe
Krasa Bozinovska
Krishni Goonesena
Leigh De Jong
Louise Butt
Margaret Faux
Margot Morris
Mary O'Connell
Michelle Fernando
Michelle Hannon
Mike Steinfeld
Millen Lo
Naomi Levi
Naomi Reiner
Nick Eastman
Penny Taylor
Rebekah Gay
Richard Beasley
Rob Davies
Ross Buchanan
Roxanne Dunkel
Sharon Katz Vidor
Stefan Balafoutis
Sue Mordaunt
Sue-Ern Tan
Susan Donnelly
Sylvia Hobbs
Trent Czinner
Vedna Jivan
Xanthe Thomson
Yen Hui Tie

KLC Volunteer Mike Steinfield awarded *Highly Commended* Prize at Law & Justice Foundation Awards.
Special mention goes to local solicitor Mike Steinfield who received recognition at the last L&JF awards ceremony in the CLC Volunteer Award category for almost 30 years of work. His commitment to KLC through both the advice night and additional pro-bono work is much appreciated by all the staff at KLC and we wish him heartfelt congratulations.

Guest lecturers such as Simon Rice of Australian Lawyers for Human Rights, Kate Eastman (Barrister), Anne Cregan, the pro

bono co-ordinator from Blake Dawson Waldron, Rob Wheeler from the Mental Health Advocacy Service, Vissa Chandrasekara, Vedna Jivan Sean Brennan, Kate Burns and others generously donate their time to KLC students.

Guest lecturers in the Employment Law Clinic also generously donate their time to KLC students. During 2004 they were: Ingmar Taylor; Fiona Inverarity; Peter Smith; Chief Industrial Magistrate George Miller (whom we visit each session); Daney Faddoul and Bryony Feltham.

Thank you to the students throughout the year who volunteered their time at the centre during semester breaks. Your time at the centre was greatly appreciated by all staff.

KLC students and staff - session 1
Back: Brendan Bolton
Middle (l-r): Chris Harris, Katrina Wong, KLC Principle Solicitor: Joanne Moffitt, Karen Lockerby, Christine Hall, Karin Schwartz, Sophia Grieve, Genivieve Lam
Front (l-r): Swapna Satyan, David Green, Reece Turner, Felicity Milner

ANNA CODY
Director from March, 2004
Anna Cody joined the centre as director in March 2004. Anna is a former KLC solicitor, senior solicitor and acting director over a period of six years. Prior to returning to KLC Anna has held key positions in two non government organizations both in Australia and the USA working in the field of international human rights.

JANET LOUGHMAN
Acting Director from November, 2004
Janet Loughman came to the centre from Marrickville Legal Centre where she had worked since 1990. Janet has been a solicitor for over 25 years and has qualifications in adult education. In 2000 she was National Children's Lawyer of the Year and in 2001 was highly commended in the NSW Justice Medal awards.

JOANNE MOFFITT
Principal Solicitor
Joanne has been the Centre's Principal Solicitor since March 2003. Previous to that Joanne was responsible for the employment law clinic since January 2000. Before joining the Centre, Joanne worked at South West Sydney and Campbelltown Legal Centres and the NSW Working Women's Centre.

DENISE WASLEY
Administrator
Denise has been the KLC Administrator since April 2003, having previously worked at KLC in 1996. Denise has worked in the community / trade union sectors for over 15 years, in both Australia and England. Denise helps with the financial management of the Centre's funds, works on student enrolments and supervises the performance of students in their administrative duties. Denise works at the Centre four days a week.

ANNA HARTREE
Coordinator from January 2004
Anna is responsible for the co-ordination and planning of the centre's services to the community.

Anna has over 15 years experience as a Community Worker, working for a range of non-government community organisations such as a community housing association, family support service, community options, women's refuge and more recently at a community legal centre in the Hunter.

TEENA BALGI
Solicitor / clinical supervisor from 15 July 2004.
Teena was a student at Kingsford Legal Centre in 2000. She has since worked as a solicitor at the HIV/AIDS Legal Centre and as an editor of the Indigenous Law Bulletin. Teena comes to us from the civil litigation section of the Legal Aid Commission of NSW, where she was part of the administrative law

LINDA TUCKER
Employment solicitor / clinical supervisor from November 2004
Linda Tucker comes to Kingsford from the Sydney Bar where she specialised in refugee and employment law. Prior to this she worked in England for several years, running appeals for the Refugee Legal Centre and spending one year at Oxford University.

SINÉAD EASTMAN
Employment solicitor / clinical supervisor until August 2004
Sinéad Eastman (nee-Campbell) joined KLC in 2003. Sinéad was a solicitor at Freehills from 1998 – 2002 and formerly at KLC for nine months in 2001 as the Freehills secondee. Before joining the Centre, Sinéad was a solicitor at the Legal Aid Commission for nine months.

MURRAY MCWILLIAM
Librarian
Murray maintains the KLC Library, working mostly weekends. Murray began his involvement with the Centre through his participation in the Clinical Legal Experience course, summer session 1997-1998.

FRANCISCO FISHER
Publications Coordinator
Francisco is the Centre's publications officer. Cisco works five hours a week and is responsible for all the Centre's publications.

VEDNA JIVAN
General solicitor / clinical supervisor until January, 2004
Vedna Jivan left the centre in January, 2004 to take up a lecturer position in Practical Legal Training at University of Technology Sydney. Vedna had been at KLC for over seven years and her work significantly raised the profile and importance of community legal education as a means to increase access to legal services for disadvantaged members of our community.

SHERENE DANIEL

Locum employment solicitor / clinical supervisor from August 2004 until December 2004

Sherene Daniel made a welcome return to KLC in 2004 after spending a year at Trinity College in Dublin completing a Masters in International Peace Studies. She has been associated with KLC for ten years as both an employee and a volunteer. Sherene's experience, outstanding professionalism and 'can do' attitude were valued by staff and clients.

SUSAN WINFIELD

Locum general solicitor / clinical supervisor from February 2004 to July 2004

Susan continued her involvement with KLC in 2004 moving from volunteer to locum solicitor / clinical supervisor. Susan's work was always of the highest professional standard, particularly in the (Middleton prisoner computer case) highlighted in the Casework section of this report. Her time with KLC is remembered for her pleasant manner and willingness to give 100%. Susan has obtained a permanent position at the Consumer Credit Legal Centre.

LISA PUSEY

Casual Administrator & Project Worker from January 2004 to March 2004

Lisa continued her association with KLC in 2004, working one day per week in the role of casual administrator. Lisa left the Centre to take up an internship at the Asia Pacific Forum on Women, Law and Development in Chiangmai, Thailand.

TOM BRENNAN

Legal Practitioner from January to February 2004

Tom was a locum legal practitioner at the Centre in early 2004 working closely with the students. Tom had a great rapport with students and encouraged students to think more deeply on the issues facing our clients and ethical issues of the profession. He encouraged lively debate and was a patient teacher. Tom moved on to a permanent position at the Northern Area Tenants Service.

TRUDY SHEEHAN

Casual Administrator

Trudy joined the Centre in March 2004 taking on the one day a week casual administrator position vacated by Lisa Pusey. Trudy is a UNSW Law student who had completed the employment stream of KLC's Clinical Legal Education course in

summer 2003/04. Trudy is also working on updating the publication *Employees Guide to Unfair Dismissal*.

JINNY CHAIMUNGKALANONT
Freehills Secondee
Jinny was seconded to KLC from Freehills from October 2003 until May 2004. She graduated from UNSW in 1999 and was a student at KLC in that time. Jinny started at Freehills in 2001 and has worked mostly in the Banking and Finance section doing tax and stamp duty.

AMELIA MONTAGUE
Freehills Secondee
Amelia was seconded to KLC from Freehills from May 2004 until November 2004. Amelia had been with Freehills for two years. She had been a student at KLC in the summer session of 2000/2001.

VICTORIA DENNEY
Freehills Secondee
Victoria commenced her secondment to KLC in October 2004. She had been at Freehills since 2001 working in the Corporate, Litigation and Banking & Finance Sections.

NICK EASTMAN
Locum Solicitor
Nicked continued working part-time at KLC supervising one of KLC's evening advice sessions until March 2004. Nick is the full-time Litigation Solicitor at the NSW Tenants' Union.

DAVID WILLIAMS
Administration Volunteer
David has been a volunteer at KLC for several years. He provides assistance to the Coordinator with administrative tasks such as organising the student bus tour.

Tom Brennan, Legal Practitioner

CONSULTATIVE COMMITTEE

The Consultative Committee ensures that KLC provides a quality service that meets the needs of the local community. The Consultation Committee is made up of representatives of local agencies, the Law Faculty and law students. During 2004 the committee once again provided support, advice and feedback on the services provided by the centre.

The centre would like to thank the following community members who participated in the Consultative Committee throughout 2004:

Gwyn Andersen
Waverley DVCAS
Cassie Hatton
The Shack
Barbara Kelly
Randwick Information and Community Centre
Julie Spies
Kooloora Community Centre
Gree McGee
B. Miles Women's Housing Scheme
Rosa Loria
Sydney Multicultural Community Services
Rezana Karim
UNSW Law Society

FUNDING BODIES

Kingsford Legal Centre would like to thank all of its funders, donors and supporters. In 2004 these included:

Friends of Kingsford Legal Centre

Kingsford Legal Centre would also like to thank the generous support of the University of New South Wales for its financial support and the support provided by members of the Law Faculty.

FINANCIAL REPORT

INCOME AND EXPENDITURE REPORT
PERIOD ENDING 31 DECEMBER 2004
KINGSFORD LEGAL CENTRE

INCOME		
AG's CLINICAL LEGAL INITIATIVE	105,294.08	
COMMUNITY LEGAL SERVICES PROGRAM	147,464.10	
WILLIAMS LEGAL COSTS AND DISBURSEMENTS	0.00	
DONATIONS	648.09	
INVESTMENTS	1,606.78	
REIMBURSEMENTS	5,149.22	
KLC GENERATED INCOME INCLUDES LEGAL COSTS AND DISBURSEMENTS	2,042.72	1)
TOTAL	262,204.99	
EXPENDITURE		
SALARIES	226,191.71	
CLSP SALARIES	147,487.96	
AG'S CLINICAL LEGAL INITIATIVE SALARIES	105,520.67	
DISBURSEMENTS AND COSTS	0.00	
MATERIALS AND RUNNING COSTS	80,091.46	
AG'S CLINICAL LEGAL INITIATIVE MATERIALS AND RUNNING COSTS	0.00	
EQUIPMENT AND MAINTENANCE	23,839.26	
AG'S CLINICAL LEGAL INITIATIVE EQUIPMENT AND MAINTENANCE	0.00	
TRAVEL AND CONFERENCES	7,047.10	
AG'S CLINICAL LEGAL INITIATIVE TRAVEL AND CONFERENCES	0.00	
WILLIAMS LEGAL COSTS AND DISBURSEMENTS	0.00	
TOTAL	590,178.16	

NET RESULT SURPLUS / (DEFICIT)	327,973.17	
UNSW CONTRIBUTIONS LAW SCHOOL	310,000.00	2)
UNSW CONTRIBUTIONS CENTRAL SUPER AND OTHER OVERHEADS	29,051.57	
RESULT FOR THE PERIOD INCLUDES UNSW CONTRIBUTION SURPLUS/ (DEFICIT)	11,078.40	

PRIOR YEAR ACCUMULATED FUNDS	101,074.45
ACCUMULATED FUNDS	112,152.85

CERTIFIED BALANCING TO THE LEDGER
Maggie Ghali
Senior Management Accountant Faculty of LAW
Financial Services Department
04-May-05

CERTIFIED CORRECT
Anna Hartree
Coordinator
Kingsford Legal Centre
04-May-05

NOTES

1) Legal Costs and disbursements are an abnormal item which vary considerably from year to year.
2) KLC is a unit of the Faculty of Law at the University of New South Wales. As such all its accounts operate within the financial structure of the Law Faculty.

The faculty's position in respect of KLC since its inception has been that it provides"deficit funding".That is, the faculty meets the shortfall
required to provide an appropriate level of operating resources to ensure the continuing viability of the Centre.

NOTES

KLC student Hussein Zahr, living it big for KLC in Langkawi

MISSION STATEMENT

Kingsford Legal Centre is committed to human rights, social justice and promoting access and reform of the legal system. We aim to provide quality legal services including: providing community legal education to the community, promoting excellence in clinical education and fostering a critical analysis of the legal justice system.

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