KINGSFORD LEGAL CENTRE

ANNUAL REPORT 2005

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THE UNIVERSITY OF
NEW SOUTH WALES

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SENIOR ASSOCIATE DEAN'S FOREWORD

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 and analysis with professional practice. Dedicated to improving access of the socially and economically disadvantaged to legal services, it promotes social justice as intrinsic to legal practice.

2005 has been a year of varied and interesting achievements for KLC – both locally and internationally. KLC published the seventh *Clinical Legal Education Guide* for CLE courses at Australian Universities. Staff also presented papers at the bi-annual conference on Clinical Legal Education in Melbourne, and the Sydney University, Sex, Law and Rights conference on human rights and gender implications as well as to the National Conference for Community Legal Centres on clinical 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), culminating in the review of Australia by the CEDAW Committee in early 2006.

The Centre continued its core activities of community legal education, casework and law reform as well as providing quality clinical legal education. The Centre also ran unfair dismissal and discrimination cases. The student advocacy scheme continued to grow at Waverley Local Court.

With the proposed introduction of changes to the industrial relations laws, KLC has been a leader in Australian community legal centres in working to minimise the impact of these changes on disadvantaged clients through submissions to various Senate Inquiries and other systemic advocacy. KLC students have continued to provide invaluable advocacy and related services to clients

2005 also saw the continuation of construction of 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 has been actively involved in the planning throughout the year and we look forward to occupying the building in 2006.

KLC is highly regarded by the Faculty of Law at the University of New South Wales for its commitment to high quality 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 David Dixon
Senior Associate Dean, Faculty of Law

DIRECTOR'S REPORT

KLC enjoyed another busy and productive year in 2005. We continued to provide excellent legal education to students at UNSW as well as important community legal services.

Our staffing saw some significant changes during the year with maternity leave, sickness and staff departures. Janet Loughman acted as Director from November 2004 to September 2005 and the Centre is grateful to her for her experience and enthusiasm in clinical legal education throughout the year. The Coordinator Anna Hartree was seriously ill during the year and was on leave for approximately 3 months. Denise Wasley was an excellent replacement to cover this period. Joanne Moffitt left the Centre at the end of June 2005 and this position was filled temporarily by Michael Crozier. Anna Cody returned from maternity leave in September 2005 and a new Principal Solicitor, Shirley Southgate, joined the staff in November 2005.

Some of the key achievements of the Centre during 2005 include a leading role in opposing the proposed changes to the industrial relations laws. KLC led NSW community legal centres in various submissions to Senate Inquiries about the proposed changes and was active in highlighting the impact these changes would have on our disadvantaged clients. We also launched a new series of community legal education workshops on various areas of the law for local community workers. These workshops have been an outstanding success with the community clamouring for a further series in 2006.

Three staff members participated in the Australian bi-annual clinical legal education conference in Melbourne in July with Linda Tucker presenting a paper on the role of clinical legal education students in highly politicised areas of the law. Staff also presented papers at the National Conference of Community Legal Centres in October 2005 on clinical legal education, and employment law. KLC was asked to present a paper on gender and human rights at the Sydney University, *Sex, Law and Rights* conference in August. This paper focussed on the community consultation and training process we have been active in for the review of Australia by the United Nations Convention for the Elimination of Discrimination Against Women (CEDAW) Committee. We also published the seventh *Clinical Legal Education Guide* for CLE courses at Australian Universities.

We have continued our involvement in planning for the upcoming move to the new building on main campus in July 2006. This move provides numerous opportunities to work closely with Faculty as well as examine our community service delivery model.

DIRECTOR'S REPORT

The Centre's focus on improving Indigenous access to the Centre has gained added impetus with visits to key service providers who have been able to provide advice on our service. Our seminar program now includes a regular class on working with Indigenous clients and communities. KLC's involvement in the Faculty of Law's Indigenous Legal Education Committee continues as does our teaching in the Foundations Enrichment 2 course for first year Indigenous students.

KLC is a dynamic and innovative learning centre for students from the Faculty as well as being an active member of the community through its provision of legal services. Without the dedication, hard work and vision of the staff this work would be impossible.

Anna Cody
Director

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

01. 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; and
- assisting students to understand the integral role that policy reform and community legal education play in legal service provision.

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

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

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

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

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

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

08. 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.

09. 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.

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 UNSW.

General Advice
Evening advice sessions
Tuesday and Thursday
Daytime appointments
Tuesday to Friday

Employment advice
Daytime appointments
Wednesday
Evening advice sessions
alternate Thursday

Discrimination Advice
Daytime appointments
Monday and Thursday
This service is provided across NSW

Other Services provided by KLC include:
- Referral to a range of legal servive providers;
- Law reform work and campaigning;
- Community legal education sessions;
- KLC E-Bulletin;
- Information brochures on particular areas of law; and
- A range of other publications.

During 2005 KLC also hosted 2 specialist outreach advice services which were provided by:
- Eastern Area Tenants Service (EATS) who provided specialist tenancy advice each Monday afternoon; and
- Legal Aid Commission who provided specialist child support advice once a month.

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 clients".

In the Clinical Legal Experience courses, the compulsory Law, Lawyers and Society course, the clinical program in Employment Law and the Foundations Enrichment 2 course, 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 potential clients 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 3 sessions (Session 1, Session 2 and Summer Session) during the year taking 25 students in each session. Most students spend 2 days per week at the Centre where they are responsible for client files (under solicitor supervision) and working on community legal education and law reform projects. They have a weekly seminar of 2 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 2005 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, domestic violence, a possible treaty with Indigenous peoples and human rights and working with Indigenous communities and clients. 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 and 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 2005 were:

STUDENT ADVOCACY PROGRAM

During 2005, KLC students continued to appear before Waverley Local Court magistrates as part of the Student Advocacy Program. The Program allows clients who are pleading guilty to a minor criminal charge to be represented in Court. It is available to clients who would have difficulty representing themselves, cannot afford a private lawyer, and are not eligible for legal aid.

About 10 students participated in the Scheme during 2005. The sorts of cases in which pleas were entered for clients were speeding, drink driving matters and shoplifting. Feedback from KLC students involved in the program has been very positive and KLC students consistently achieve good results for clients. Students enjoy the opportunity to stand on their feet and advocate for clients, frequently having

to deal with Magistrates asking them questions and questioning their submissions. Thanks to Louise Byrne, Anne Cregan, Louise McManus, Lester Fernandez and Gabrielle Bashir for supervising the students in 2005. The Magistrates at Waverley Local Court have commented that the skills demonstrated by students are on a par with many solicitors. We hope to expand the Scheme to Newtown Local Court in 2006.

Semester 2 - Mock Concilliation

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 2002 – 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.

Linda Tucker was the clinical supervisor in the employment clinic throughout 2005.

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 2005 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 the lawyers who have provided their valuable time to present seminars to the students of the Clinic.

COLLABORATION WITH UNSW ACADEMICS - PROJECT ON CHARACTER EVIDENCE IN CRIMINAL JURY TRIALS

During 2005 various KLC students worked on a study with Jill Hunter, Associate Professor and Dorne Boniface, Senior Lecturer, School 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

such evidence. The project also involves judges and counsel's perceptions of the impact of character evidence on these trials.

CLASSES ON DOMESTIC VIOLENCE IN FAMILY LAW

Staff presented 2 classes on the social and legal aspects of domestic violence in the subject Family Law throughout 2005.

UNSOLICITED PUBLICATION

The KLC student journal Unsolicited continued to be published during 2005. Its continuing interest and value was confirmed and some changes made to ensure its relevance to prospective readers.

INDIGENOUS ACCESS INITIATIVES

During 2005 KLC continued to make a significant contribution to the Law Faculty commitment to increasing the numbers of Indigenous students studying law. KLC is an active participant in the Indigenous Legal Education Committee. 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

Kingsford Legal Centre hosted a visit by 11 pre-law Indigenous students during December. The students came from around Australia and were a mix of school leavers and mature age students. The pre-law program has grown and developed over the years. Nura Gili Centre is key to improving Indigenous access and retention in tertiary studies in the University. The Faculty of Law pre-law program is a well developed program with an introduction to various areas of law and excursions to expose students to a wide variety of University activities. We enjoyed the visit and are happy to be part of the program to increase Indigenous participation in law courses.

CLASSES ON DEALING WITH INDIGENOUS CLIENTS AND COMMUNITIES

The seminar program for students has included a class on dealing with Indigenous clients and communities in order to provide greater insight and skill for students. This class was presented by Sue Green of Nura Gili Centre and students found it challenging and interesting.

INDIGENOUS STUDENTS- FOUNDATIONS ENRICHMENT COURSE

In 2005 we ran for the third time the Foundations Enrichment course for first year Indigenous students.

The program is designed to assist first year Indigenous students to 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 it enabled these Indigenous students not only to feel a sense of achievement in interviewing real clients so early in their degree but furthered their sense of belonging in the Law School and having links with later year students.

LAW, LAWYERS AND SOCIETY: CLASSES AND INTERVIEWING EXPERIENCE

Throughout the year KLC provides an experience of interviewing a real client to all Law, Lawyers and Society students. The Law, Lawyers and Society course is about the ethics of being a lawyer and the role of lawyers in society and it incorporates two classes given by KLC staff to all students. The first class is on the skill of interviewing and the second is on public interest law and the legal aid system. UNSW is unique in being able to offer all its students the opportunity of clinical legal education at a relatively early stage of their studies. Students who come to the Centre and who interview clients are generally inspired and awed by the importance of the legal services provided by volunteers at KLC. Many comment on the importance of seeing law in practice, putting theory into use after time spent studying law.

STUDENT PERSPECTIVE OF KINGSFORD LEGAL CENTRE

The Law Faculty at the University of NSW is renowned for its emphasis on social justice. No course is better equipped to meet student enthusiasm than the Clinical Legal Education courses offered through Kingsford Legal Centre. Students at KLC spend 14 weeks (12 weeks during Summer Session) doing a mixture of client and project work, as well as various extra-curricula activities such as observing Legal Aid clinics and advocating for clients making guilty pleas in Waverly Court.

Semester 2 students - Frances, Brandon, Alex, Ishita

This year has exposed students to an extraordinary gamut of legal issues. In client work, students addressed questions in areas such as discrimination, privacy law, family law, tenancy, neighbourhood disputes, unfair dismissal, debt recovery, victim's compensation, insurance, drink driving and probate. Working on such a broad range of issues has provided a wonderful opportunity to prepare for the legal profession. There are very few menial tasks, with students managing their own clients' needs, researching complex legal problems, drafting letters of advice and discussing strategies with their respective supervisors. In addition, project and policy work demand that students think critically about law reform and consider ways to improve the community's knowledge of social justice issues. In doing so, students learn that KLC provides a service which celebrates the sense of community at the heart of the Centre's work.

Not only are the issues real, the positive outcomes are also tangible. Part of the KLC experience is learning that resolving what are ostensibly legal questions will not always entail a legal answer. One cannot underestimate the importance of KLC to the development of empathetic, liberal-minded lawyers. If the last year is anything to go by, the tradition of students returning to volunteer as solicitors at KLC is set to continue.

For the period 1/1/2005 to 31/12/2005 Kingsford Legal Centre provided the following services to the residents of the Botany Bay City Council and the Randwick City Council:

Total number of:

- clients assisted..... **1300**
- advices provided..... **1494**
- information activities provided..... **1409**
- cases..... **173**
- cases involving court representation.... **17**
- Community Legal Education projects... **32**
- Law Reform projects..... **13**

Of the civil law matters in which advice was provided, the majority of issues were:

- Employment, including unfair dismissal and entitlements
- Motor vehicle accident
- Credit and debt
- Discrimination
- Neighbourhood disputes
- Motor vehicle property damage

Breakdown of casework:

- Civil Law..... **80%**
- Criminal law..... **16%**
- Family Law..... **4%**

Semester 2 student Sean Darragh `working' the phones

Over the course of a year, a great variety and number of clients present themselves at KLC. Here is a sample of some of the work undertaken by staff, students and volunteers over this year.

DISCRIMINATION

San v Dirluck Pty Ltd (t/a Joe's Meat Market Bankstown) & Lamb [2005] FMCA 750
KLC client Violet San's case was heard by Federal Magistrate Raphael on 9 and 10 May 2005 and a decision was handed down on 9 June 2005. Ms San worked as a cashier for Joe's Meats and alleged that she was subjected to race and sex discrimination in her employment which took the form of derogatory sexist and racist statements made to her by the butchers generally and Mr Lamb, who was a senior butcher, in particular. Not only was our client's complaint to higher-level management trivialised, it was not handled by the company according to their discrimination/harassment procedures. Ultimately our client was dismissed for "not getting along with everyone".

His Honour FM Raphael found that the second respondent Mr Lamb breached the provisions of the Commonwealth Sex Discrimination Act and Race Discrimination Act in making offensive statements. Joe's Meats were found vicariously liable for the second respondent's conduct and Ms San was awarded $2,000 general damages and her costs to be paid by the respondents. Ms San did not succeed on all her claims, in particular, that her constructive dismissal was in breach of the Sex Discrimination Act. However, in spite of this and the very conservative award of damages, Ms San was pleased with the outcome of her case and passed on her thanks to the "wonderful team at KLC" for their work. Many thanks also to Counsel Mandy Tibbey from Wentworth Chambers who was briefed in this matter.

EMPLOYMENT LAW CLINIC CASES

Successful negotiations pre-conciliation

This matter settled before conciliation. Our client was a gym instructor who had been sacked after an altercation with a fellow staff member. Following correspondence between KLC and the employer, he was reinstated to regular shifts and paid compensation for the period he was without work.

Mixed result

The employment clinic had a mixed result for this client at arbitration in the NSW Industrial Relations Commission. Our client had been summarily dismissed on the footpath outside the hairdressing salon where she worked. One of her clients was inside the salon at the time, having her hair washed, in preparation for the (now ex) hairdresser to cut her hair.

The Commission found the dismissal to be unjust and unreasonable and the applicant was described as a loyal employee who would not act against her employer's interests. Accusations of 'stealing clients' with the intention of leaving and taking the clients with her was rejected by the Commissioner, who noted concerns about the respondent's evidence and held that the respondent was aware of the worker's actions and that it could easily have dealt with these issues earlier.

While it was a strong decision in our client's favour, there was no compensation ordered as, following her termination, the hairdresser had contacted her clients to inform them of what had happened. She almost immediately found alternative employment in a nearby salon and a number of her clients followed her to the new salon. The Commissioner criticised this action as unethical, finding the worker was not at liberty to treat the client details as her own after her termination.

However, a significant other issue was long service leave. As our client had worked for the respondent for more than nine years but had been denied long service leave initially because of the summary dismissal, she was now able to apply to her former employer for her entitlements.

Happy endings

Towards the end of 2005, KLC settled a matter which resulted from our client being dismissed the day she went on maternity leave. The employer tried to suggest that our client was on a fixed term contract which had since expired when in fact she was a permanent employee. Once an application for unfair dismissal was made in the NSW Industrial Relations Commission, a solicitor representing the employer quickly contacted our office and conceded the dismissal was unfair. We were able to negotiate a settlement within a few weeks. The client had also been significantly underpaid, however, and it took several months of negotiation and

calculating of payments to reach an agreed figure. In the meantime our client gave birth to a baby girl and is happy that the whole matter could be dealt with outside of court.

We consider this matter exemplifies the benefits of the now defunct unfair dismissal system: a clearly harsh dismissal could be addressed in a straightforward and conciliatory manner. The parties were able to negotiate, with the application to the Commission on hold, until agreement was reached. There were no appearances in the Commission but the application provided the impetus for the employer to act and, through his solicitor, acknowledge that such a dismissal was not acceptable. While it may be argued that the client could have brought proceedings for unlawful dismissal, this would have been far more onerous for all of the parties and, if it had not settled, there would be the deterrent of proceedings being conducted in the Federal Court.

PRISONERS

NSW Prisoners and Oral Health Concerns

KLC assisted an inmate of Lithgow Correctional Centre who experienced ongoing problems obtaining dental treatment while incarcerated. Our client suffered from Hepatitis C and developed xerostomia, or 'dry mouth', a condition causing soreness of oral tissue, difficulty eating and swallowing, dental decay and tooth sensitivity. A number of complaints were made to both Justice Health and the Health Care Complaints Commission. Justice Health Oral Health Services explained that the demand for dental care in NSW prisons far exceeds the resources available to meet those needs. They have also recognized that the Information System for Oral Health (ISOH) dental hotline, set up to streamline the availability of dental appointments to inmates on the basis of their priority classification, is vulnerable to abuse. A review of the Justice Health Dental Policy is scheduled for release in mid 2005.

Justice Action

KLC assisted Justice Action in an urgent application to the Supreme Court in an attempt to distribute an election newspaper to prisoners in NSW. It was argued that the Commissioner of Corrective Services' decision to ban distribution of an election newspaper to prisoners in NSW in the lead up to the 2004 federal election contravened the principle of freedom of communication of government and political matters implied from the Commonwealth Constitution. Those

proceedings were discontinued with the issue left unresolved, and a ban still in place prohibiting election material. Since that time, KLC has been in direct contact with Commissioner Woodham with the aim of lifting the ban and allowing distribution of the newspaper. The Commissioner was given until 21 March 2005 to clarify his position before new legal proceedings would commence. On 23 March, the Commissioner announced his decision to lift the ban subject to certain conditions. Justice Action is now fleshing out how best to deliver the newspaper to prisoners. They consider this to be a significant victory for prisoners in NSW. It is not certain that future editions of the newspaper will be similarly distributed.

VICTIMS COMPENSATION

DV – an extreme case

KLC is working on a victim's compensation claim arising out of an extreme domestic violence situation. The case is a very challenging one and we are still trying to determine whether the appropriate category of claim is "domestic violence", "sexual assault" or "category 2 chronic psychological or psychiatric disorder that is severely disabling". The client has described how the perpetrator constantly aimed to control her through emotional, physical and sexual abuse. During the time they lived together he continually threw things at her if she did not respond appropriately to his demands along with hitting her with heavy objects, pulling out clumps of hair and punching her, headbutting and kicking her and throwing her against walls and doors. In addition to her severe physical injuries, his actions resulted in $10 000 worth of property damage for which the Department of Housing is seeking compensation from our client. Not only was he inflicting horrific violence on our client, but at the same time was sexually involved with her daughter who was fourteen years old at the time and gave birth to his child. This case is ongoing.

VCT RESTITUTION PROCEEDINGS

KLC recently assisted a client at a Victims Compensation restitution hearing with the pro bono assistance of barrister Harriet Grahame. We were successful in having the restitution amount reduced to nil. At the pre-trial conference, the Victims Compensation Fund had offered to reduce the restitution amount from $50,000 to $12,000. However, with guidance from counsel, our client decided to reject the offer of $12,000 and proceed to trial. At the trial, the magistrate formed the view that our client's

mental states, both at the time of committing the offence and at the present time, were factors in his decision to reduce the restitution amount to nil. We also made submissions in respect of our client's financial circumstances and our client's fragile mental state. Our client was very happy with the result.

CREDIT & DEBT

Contract

We assisted a client who had entered into a contract to buy a car. The client spoke very limited English and had misunderstood how much the monthly payments on the car would be. He realised his mistake immediately and attempted to exercise his cooling-off period rights the next day. However, the car company informed him that he had waived his cooling-off period rights and would be required to pay 10% of the car purchase price. As it turned out, our client had signed a waiver of his cooling-off period rights, without any explanation by the car company as to what he was signing. We wrote a letter to the car company on behalf of our client and insisted that, in the circumstances, the waiver should not be enforced. We informed the company that we were prepared to go to the CTTT if necessary. Fortunately, the car company agreed not to rely upon the waiver of rights and our client was able to rescind the contract without significant penalty.

Medical debt

KLC assisted an elderly gentleman in relation to a debt incurred when both an MRI scan and an MRA were performed on him on the same day. Medicare guidelines provide that Medicare will only pay for one treatment in any 24 hour period, however, the client was not informed of this at the time. Before coming to KLC, the client had received letters from a debt collection agency. After discussions with the KLC, the medical service provider agreed to waive the debt.

Setting the record straight

KLC advocated on behalf of a client who received a court attendance notice under section 43 of the Crimes (Sentencing Procedure) Act 1999 (NSW), requiring him to re-appear at the Waverley Local Court for correction of a 'sentencing error'. The client had initially been assisted by KLC in relation to a speeding fine and had received a 3 month disqualification and fine. However, the magistrate had erred in imposing a disqualification which was less than the 6 month mandatory disqualification and the

client was required to re-appear at Waverley Court to be re-sentenced. At the re hearing, the Magistrate agreed to waive the remainder of the fine ($1,200.00) and to calculate the 6 month period for licence disqualification from the original court hearing. The client was pleased with this outcome. However, the client's "saga" continues, since the RTA have now wrongly assumed that he has been dealt with for 2 separate offences and he has been served with a 'warning notice' under the Habitual Traffic Offenders legislation. KLC is continuing to help him 'set the record straight'.

"Not in the public interest"

KLC made representations to the police on behalf of a client with a mental illness who had three criminal charges resulting from an incident with two RailCorp officers at Central Station in 2004. The matter was listed for hearing in November 2005, but KLC explained the client's mental illness and requested that the police drop all charges. The police agreed on the basis that it was not 'in the public interest' to take a mentally ill person through the criminal justice system for minor criminal offences. Understandably, the client was delighted with this result.

Charges withdrawn

Our client, who suffered from bipolar disorder, was charged with possession of a knife in a public place under section 11C of the Summary Offences Act 1988. Her instructions were that the knife was a rigger's tool, which she was looking after for her friend who was in hospital dying of cancer. She did not know how to open or use the tool, and had no intention of using it in self defence. The client chose to defend the charge while KLC made representations to the prosecuting officer before the hearing date. These submissions outlined the extenuating circumstances of the offence, and suggested that it was not in the public interest to take a mentally ill person through the criminal justice system. The Waverley Local Court Police Prosecutors agreed to withdraw the charge and congratulated KLC on our 'great submissions'.

STUDENT ADVOCACY SCHEME

The "student advocacy scheme" is an arrangement between KLC and the Waverley Local Court that allows students to represent clients who are pleading guilty to minor criminal charges. The students, working under supervision, prepare submissions for pleas in mitigation. These are examples of some of the pleas presented by students this year.

Drink Driving

Our client, a 76 year old man, had been charged with low-range drink driving registering a blood alcohol concentration of 0.06. The student asked the magistrate to consider the client's good character, past community involvement, exceptional driving record and financial circumstances. Her Honour made particular note of our client's excellent driving record and good character in granting a section 10 dismissal which means that although the offence is found to be proved, no conviction is recorded against our client or penalty imposed. Not surprisingly both client and student were happy with the outcome.

Speeding – section 10

A KLC student was successful in achieving a section 10 order for a client with a speeding matter. The client was a woman from a non-English speaking background in her sixties who was charged with speeding in a school zone. Our client has a medical condition which can cause 'intestinal hurry' and on the day of the offence she was driving outside of her usual routine and experienced a sudden need to go to the toilet. Prior to this incident our client had an unblemished driving record and the student presented a well prepared case with supporting documents including a medial certificate and character references. The client was very pleased with the outcome of the matter.

Shoplifting

Our client had been charged with a shoplifting offence after being caught trying to take groceries from Woolworths. The matter was complicated by the fact that our client was on a one-year student visa and a conviction may have resulted in some impact on that visa. Although the Magistrate appeared not to be persuaded by this, the Magistrate did dismiss the matter without recording a conviction on the condition our client enter a bond under s10 Crimes (Sentencing Procedure) Act 1999 (NSW). Our client was extremely happy with the outcome.

Image credits, above then clockwise - all credits from left to right:

- Kym Beeston (Freehills Secondee) teaching on Power of Attorney CLE;
- Emmelyn, Jennifer, Roslyn, Lewis, Cindy, Phoebe, Megan;
- Anthony, Cissy, Sean;
- Tom Porter & Tim Mitchell (Volunteer Solicitors), Juny;
- Elaine, Phillipa, Alex, Jenny, David;
- Kingsford Legal Centre.

COMMUNITY LEGAL EDUCATION

CLE for Community Workers

KLC conducted a very popular series of free workshops for community workers. The workshops covered a different topic each month, including legal referrals, victims compensation, social security, discrimination, tenancy, powers of attorney and enduring guardianships, family law, domestic violence and employment. Due to the success of the series, KLC intends to run a similar series in 2006.

KLC Solicitor Teena Balgi lectures at Discrimination CLE

Australian Muslim Civil Rights Advocacy Network

On 10 September 2005, a KLC solicitor presented a workshop on racial and religious discrimination and vilification laws in Australia, with a particular focus on how these laws affect the Muslim community. The workshop was organised by the Australian Muslim Civil Rights Advocacy Network (AMCRAN). The workshop was well attended and the subject provided much cause for debate amongst participants. KLC was very pleased to be involved with a workshop that was so well received.

Anti-terrorism Legislation

The Combined Community Legal Centres Group organised training for all CLC workers at the February quarterly meetings on anti-terrorism legislation. The legislation has far reaching implications for the infringement of civil rights particularly in Muslim communities. KLC assisted by producing a fact sheet with support persons and referral points for these issues, and provided other logistical support.

Seminars for UNSW Students

KLC ran a series of free information sessions for students at UNSW in May 2005. The information sessions covered employment law, tenancy law and social security law. Our thanks go to Welfare Rights Centre and Eastern Area Tenancy Service for their assistance with the presentation of these seminars.

National Seniors Talk

In May, a talk was given to the local branch of National Seniors on what Kingsford Legal Centre does, how we operate and the services we can provide.

Students Tom Vince and Tina Lian at the KLC Law Week stall

INDUSTRIAL RELATIONS REFORM

With the changes to industrial relations law proposed in 2005, the policy work of the Centre in 2005 focussed heavily on this area due to our expertise in employment law.

Proposed changes to industrial relations law included limiting the protection of unfair dismissal laws, extending the application of Australian Workplace Agreements (AWAs), and creating a uniform federal system to replace the State-based industrial relations systems.

During 2005 there were numerous Inquiries into proposed changes to the industrial relations system. KLC made submissions and appeared before these Inquiries. In March 2005 KLC made a submission to the Senate Inquiry into Unfair Dismissal Policy in the Small Business Sector on behalf of the NSW Combined Community Legal Centres Group. The submission set out our concerns about the impact of the proposed new system on those employees who work for small business. The submission raised concerns about the proposed two-tiered system in which only those who work for larger employers would enjoy protection of the right to be treated fairly in their jobs. The submission included case studies of clients who have been assisted in the past in unfair dismissal matters by community legal centres, many of whom had been subjected to extremely harsh and unfair treatment in the workplace and would now be deprived of a remedy because their employer is classified as a small business.

The Senate Inquiry into the Federal Government's proposed reforms of industrial relations laws held hearings in May and Linda Tucker from KLC attended the hearing in Canberra with Sharlene Naismith of Shoalcoast Community Legal Centre, on behalf of the NSW Combined Community Legal Centres Group.

A further Senate inquiry was held in November 2005 into the Workplace Relations Amendment (Work Choices) Bill 2005. Linda Tucker wrote the NSW Combined Community Legal Centres Group submission raising the concerns:

- That many would be excluded from any remedy for unfair dismissal;
- That it would detrimentally affect casual employees who are largely women;
- That it breached our international human rights obligations;
- That people would be forced into using more expensive legal proceedings; and
- That the current system is an efficient and cheap means of achieving resolution of legal problems.

KLC have also met with Senators to brief them about the impact of the changes, as part of creating a larger coalition of groups working on this issue.

In November 2005, Teena Balgi also wrote the National Human Rights Network of the National Association of Community Legal Centres' submission to the Senate Inquiry into the Workplace Relations Amendment (Work Choices) Bill 2005.

Sadly this work was not successful in preventing the passage of the Bill. However we continue to work with Unions and other groups to document the effects of the changes and continue to fight for improvements.

WORK WITH PRISONERS

Prisoner Computer Case raised in Legislative Council

Over the last two years KLC has been assisting Mark Middleton, a maximum security prisoner, to gain permission to use his computer in his cell. Our client requires a computer in order to complete his tertiary studies, which he had been undertaking whilst being an inmate. The NSW Department of Corrective Services, however, continue to refuse his request. As part of KLC's efforts to obtain access to computers, Democrats' Hon Dr Arthur Chesterfield-Evans, asked the Minister for Justice, Hon. John Hatzistergos, a question on notice in the Legislative Council regarding Mr Middleton's case. The Minister responded on 22 February 2005. On Wednesday, 23 March 2005, the Hon. Dr Arthur Chesterfield-Evans gave a speech on the Middleton case in the NSW Legislative Council based on KLC's brief of the situation facing our client. The speech addressed how the NSW prison population had a particularly low rate of engagement in higher education of only 1.3 per cent. Further, it noted that NSW had a high prisoner recidivism rate, at 44.7 per cent. In contrast, in Queensland, where prisoners are permitted access to their computers in their cells, the rate of engagement in higher education is higher, 3.1%, and its rate of recidivism is the lowest compared to all states at 27.7%. Despite the persuasive arguments put by the Minister in favour of educating prisoners we have been informed that the Department has passed a directive extending the policy of denying all prisoners access to their computers in their cells, including those with minimum security classifications. We have not yet heard the rationale given for this disappointing development. The Honourable Dr Chesterfield-Evan's speech can be accessed

at: http://www.parliament.nsw.gov.au/prod/parlment/hansart.nsf/V3Key/LC20050323053

Partnership with The Shack Youth Service

KLC assisted the local youth centre, The Shack, and the local police to develop a working protocol between the Service and police. The purpose of the protocol was to outline the roles of both youth workers and the police when there was a disturbance inside or outside the Service and/or the police wanted to enter the Service. The development of the protocol was a good opportunity for both the Service and police to work together to foster and support the important work done by police, and the safe environment that the Service provides for young people.

CEDAW: INTERNATIONAL HUMAN RIGHTS WORK

During 2005, the Centre was an active member of the national working group that wrote and submitted the shadow report to the United Nations Committee for the Convention for the Elimination of Discrimination against Women (CEDAW) for its review of Australia. This has been a lengthy process drawing from the consultations and trainings which KLC was involved in organising in 2004. The community reports and consultations formed the basis for the shadow report presented to the Committee. The shadow report was endorsed by over 100 Australian non-governmental organisations. The Committee is set to review Australia's compliance with its obligations under CEDAW in January 2006. A small delegation will attend the review of Australia in New York in January 2006.

Law for All

The second edition of Law For All was launched at Redfern Legal Centre by Garry Moore, Director of NCOSS on 18 May, 2005. First published in 2000, Law for All is an analysis of the legal needs of people in Inner Sydney today. The production of Law for All was a joint project between Kingsford, Redfern, Inner City and Marrickville legal centres. It provides a community profile of inner Sydney and considers trends in unmet legal needs, expressed legal need and an analysis of current service provision. The report considers the identification of any hidden and/or emerging communities in the area,

access issues and the challenges facing the four community legal centres in addressing needs within current resource constraints. Copies are available from the Centre.

National Human Rights Network

In late 2005, Teena Balgi, a generalist solicitor at KLC took up the position of the co-convenor of the National Human Rights Network of the National Association of Community Legal Centres. The position involves promoting human rights within the CLC sector, and lobbying government and writing submissions in relation to human rights issues.

SUBMISSIONS

Submission to the Senate Inquiry into the Proposed Amendments to the *Disability Discrimination Act* to exclude drug dependent people from its protection.

Submission to the NSW Attorney General's Review of the *Privacy and Personal Information Act* 1998.

Submission to the United Nations Committee Monitoring the Convention for the Elimination of all Forms of Discrimination Against Women.

Submission to NSW Health's Review of the *Mental Health Act.*

Submission to Senate Inquiry into Workplace *Relations Amendment (Work Choices) Bill 2005* on behalf CLC National Human Rights Network.

Submission to Senate Inquiry into Workplace *Relations Amendment (Work Choices) Bill 2005* on behalf CLC Employment Network

Submission to Senate Inquiry into Workplace *Relations Amendment (Work Choices) Bill 2005* on behalf NSW Combined Community Legal Centres Group.

Submission to the Senate Inquiry into Unfair Dismissal Policy in the Small Business Sector on behalf of the NSW Combined Community Legal Centres Group.

COMMUNITY INVOLVEMENT

Throughout 2005 Kingsford Legal Centre continued to participate in several community activities. These activities provide the opportunity for the centre to promote its services as to the legal issues of the local community, provide legal information to both the community and service providers and to ensure that the information KLC has about other service providers is current. During 2005 some of these community involvement activities included:

PROMOTION IN THE LOCAL COMMUNITY

Throughout the year, Kingsford Legal Centre participated in a number of community activities in order to bring to community attention the work of the centre and how to access legal advice. Information is also distributed on a range of legal issues. This year these activities included: a stall at the Family First Fun Day which was held at Maroubra Memorial Park, Women's Day celebration at Kooloora Community Centre, Stop DV Day stall held at Bondi Junction markets and displays at several Randwick Council Libraries.

MANAGEMENT COMMITTEES

Kingsford Legal Centre continues a commitment to supporting local organisations by staff participating on management committees. During 2005, staff sat on the management committees of The Shack Youth Centre, Eastern Area Tenancy Service and The Junction Neighbourhood Centre (formerly Randwick Information and Community Centre).

INTERAGENCY WORK

Kingsford Legal Centre attends several local interagency meetings including Eastern Area Interagency, Botany Interagency, Eastern Area Domestic Violence Network and the Inner and Eastern Sydney Migrant Interagency. These interagency meetings provide a valuable link between KLC and the local communities. We use these meetings to promote our services and receive feedback on our work.

GETTING OFF THE REFERRAL ROUNDABOUT

This project covered the production and publication of a kit which consists of a DVD and associated workbook. It was made possible with a grant from the Law and Justice Foundation of NSW. The kit has been developed to provide training to staff and volunteers who make referrals to both legal and non-legal services. Many organisations provided assistance throughout the project, both in the development of the script for the DVD and

the writing of the workbook. In addition; several organisations provided venues for the filming and actors for the role plays that are on the DVD. The kit will be promoted and distributed in early 2006.

LAW WEEK 2005

On Tuesday 17 May 2005, KLC celebrated National Law Week by erecting a stall at the Library Lawn at UNSW (Kensington Campus). The theme for the Week was "Relationships with the Law". The stall provided students with information on issues that are likely to affect them on a daily basis. It also informed the students that they are able to seek legal advice from the centre.

COMMUNITY LEGAL CENTRE STATE CONFERENCE

KLC staff made a contribution to several sessions at the Community Legal Centre State Conference. Joanne Moffitt and Josh Brock presented the new KLC video "Getting off the Referral Roundabout"; Linda Tucker convened a panel session on the federal government's proposed industrial relations laws; Janet Loughman presented an induction to CLCs and the legal aid system for new workers in the CLC sector and contributed to a panel presentation on CLCs working with universities.

CONSULTATIVE COMMITTEE

The Consultative Committee ensures that KLC provides a quality service that meets the needs of the local community. The Consultative Committee is made up of representatives of local agencies, the Law Faculty and law students. During 2005 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 2005:

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

PUBLICATIONS

- *Clinical Legal Education Guide: Your Guide to CLE Courses Offered by Australian Universities in 2005 and 2006*

- *E-Bulletin*, published monthly
- *Unsolicited* (Journal) Issue #1 2004
- *Law For All* (Updated)

New legal information pamphlets developed for the community:

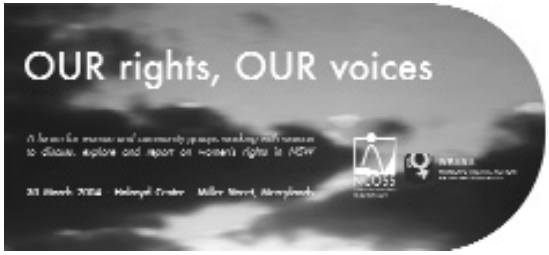
- *Unwelcome Phone calls*
- *Casework*
- *Free Legal Advice* - multi-lingual translations
- *Motorists' Rights*
- *Traffic Fines and Going To Court*
- KLC Legal pamphlets published in web version (online)

Unsung Heroes of Legal Aid

The Unsung Heroes of Legal Aid project is a collection of articles reflecting on the amazing careers of some public interest lawyers. Read the latest article at http://www.law.unsw.edu.au/centres/klc/heroes.asp.

Conference Papers

- "*Our rights, our voices: a methodology for engaging women in human rights discourse*" presented at the Sex, Gender and Rights Conference



- *Educating for Social Justice – a Clinical Legal Experience* presented at National Association Community Legal Centres 2005 National Conference
- *Engaging students in the Political Process: a clinical response to proposed changes in unfair dismissal laws*, presented at Flowers in the Desert: Clinical Legal Education, Ethical Awareness and Community Service Conference

Without the generous donation by volunteer solicitors of their time and skills, many of the 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 therefore would like to extend our sincere gratitude to the following solicitors who volunteer at the evening advice sessions:

Domenica Barila
Richard Beasley
Rachel Bickovsky
Sally Bolton
Ross Buchanan
Louise Butt
John Cahill
Leigh De Jong
Elouise Dellitt
Guy Donnellan
Roxanne Dunkel
Margaret Faux
Michelle Fernando
Rebekah Gay
Theodora Gianniotis
Ricardo Gonzalez
Ben Goodman
Danny Grynberg
Michelle Hannon
Susan Donelly
Magdaline Hauw
Ben Heraghty
Sylvia Hobbs
Vedna Jivan
Francine Johnson
Andrew Jungwirth
Sharon Katz Vidor
Louise Kay
Naomi Levi
Amelia Montague
Sue Morduant
Margot Morris
Marion Morrison Boyd
Gloria Nicol
Mary O'Connell
Marie-Louise Scarf
Aileen Soh
Mike Steinfeld
Sue-Ern Tan
Penny Taylor
Catherine Whiddon
Audie Willlert
Nick Eastman
David McMillan
Emma Golledge
Tim Mitchell
Tom Porter
Leah Goergakis

Thanks are also extended to the following firms who provided staff for the employment law clinics during 2005:

Abbot Tout
Bartier Perry
Clayton Utz
Cutler Hughes and Harris
Deacons
Ebsworth & Ebsworth
Harmer's Workplace Lawyers
Henry Davis York
Pricewaterhouse Coopers Legal

We would also like to thank David Williams who has been an active volunteer assisting with the administration of the centre by providing assistance to the Coordinator.

STUDENTS

Semester 1 2005

Bridgette Styles
Carol Cheng
Cassandra Ng
Christina Choi
Daniel Morgan
Danny Yap
Elisabeth Coroneo
Frances Voon
Ingrid Giles
Jaimee Dinihan
Jessica Tan
Josh Brock
Melissa Chu
Neal Funnell
Olivier Coulon
Paul Fung
Sandra Chau
Sarah Fan
Simmy Lai
Stephanie Choo
Susanna Harwood
Thomas Vince
Tina Lian
Tom Mithieux
Vanessa McBride
Veronica Chan
Victoria Yu
Winnie Ching
Yin-Lan Soon
Zina Elimelakh

Semester 2 2005

Alison Packham
Angela Lin
Anita Ho
Anna Kuffer
Anna Saulwick
Ashleigh Lester
Cameron Smith
Cindy Shek
Emmelyn Teo
Inga Kata
Janet Drummond
Jennifer Cheng
Jessica Kim
Joseph Kennedy
Justin Wong
Kristin Overduin
Lewis Chung
Linda Pellgrino
Mark Chan
Megan Simes
Meiky Wong
Petrina Chow
Phoebe Lo
Rosyln Nippita
Simon Byrnes
Simon Kennedy
Tom Cregan
Yvette Selim

Summer Session 2005/06

Abarna Suthanthiraraj
Alex Gelski
Alexandra Walker
Anthony Levin
Brandon Yap
Cissy Zhao
Clement Leung
Darren Avalons
David Loonam
Deborah Marczak
Elaine Wambeck
Eva Tarlao
Frances Low
Gabriel Ash
Gary Young
Ishita Sethi
Ivan Yu
Jenny Yang
Juny Lin
Katie Ryder
Katrina Petrowski
Lesley Markham
Louise Pritchard
Mrinali Maitra
Nicky Chen
Philippa Huxley
Rhiannon Sewell
Sean Darragh
Toh Heng Wong
Vik Singh-Bains

Anna Cody
Director

Anna Cody joined the Centre as Director in March 2004. Anna has worked at the Centre as a solicitor, senior solicitor and acting Director since 1995, leaving for periods of study and other work. She has worked most recently with a human rights organisation in New York and also in the area of international development in Australia. Her research interests are in the area of community development and human rights. Anna returned to the Centre after maternity leave in 2005.

Janet Loughman - Acting Director (January to September)

Janet Loughman
Acting Director (January to September)

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. In 2005 she won the NSW Justice Medal.

Joanne Moffitt
Principal Solicitor (January to June)

Joanne was the Centre's Principal Solicitor from March 2003 to June 2005. Before that Joanne was responsible for the employment law clinic. Before 2000 when Joanne joined the Centre, she worked at South West Sydney and Campbelltown Legal Centres and the NSW Working Women's Centre.

Shirley Southgate
Principal Solicitor
(from November)

Shirley commenced work at KLC in November 2005. Shirley has previously practised in Western Australia, most recently at Legal Aid WA as the Managing Solicitor - Client Services. She has also worked for four different community legal centres, and in private practice. She was one of the founders of Human Rights WA and has a particular interest in policy, law reform and community legal education

Teena Balgi
Solicitor
Teena was a student at KLC 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 came to KLC from the civil litigation section of the Legal Aid Commission of NSW where she was part of the administrative law team.

Linda Tucker
Employment Solicitor
Linda Tucker came to KLC 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.

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
Anna has over 20 years experience as a community worker, working for a range of organisations such as community housing, family support, community options and women's refuges. Anna came to KLC from the Hunter Community Legal Centre in Newcastle.

Victoria Denny
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 and Finance sections.

Kym Beeston
Freehills Secondee
At Freehills, Kym worked in employee relations, environment and intellectual property practice groups. Kym is also heavily involved in 'Freehills Community', a corporate social responsibility program that has been set up by a number of Freehills staff members, and which organises fundraising events for various charities and not-for-profit organisations.

Aviva Beck
Freehills Secondee
Aviva started her secondment to KLC in October 2005. At Freehills, Aviva has been working in the Litigation section since October 2003, where she specialises in Intellectual Property. Before that, Aviva worked in Property Development in Freehills' Projects section.

Cath Whiddon
Locum solicitor
Cath provides advice on employment and civil law matters at KLC. Cath has also worked as a solicitor at LawAccess, Working Women's Centre, Macquarie Legal Centre and Inner City Legal Centre. In another life, Cath was a legal editor/consultant for CCH, ICAC and BDW.

Cath Whiddon - Locum Solicitor

Michael Crozier
Locum Solicitor
Michael worked at the Centre from July to October 2005. Michael has worked both at Legal Aid and at the Blue Mountains Community Legal Centre.

Josh Brock
Casual Administrator
Josh Brock, was a previous student at KLC and came on board as a staff member to help in the position of casual administrator.

Francisco Fisher
Publications Worker
Francisco is responsible for all the layout and production of most of the Centre's publications.

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.

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

INCOME

AG's CLINICAL LEGAL INITIATIVE	115,413.90	
COMMUNITY LEGAL SERVICES PROGRAM	149,745.37	
WILLIAMS LEGAL COSTS AND DISBURSEMENTS	0.00	
DONATIONS	9,842.99	
INVESTMENTS	0.00	
REIMBURSEMENTS	1,096.88	
KLC GENERATED INCOME INCLUDES LEGAL COSTS AND DISBURSEMENTS	22,641.94	1)
TOTAL	**298,741.08**	

EXPENDITURE

SALARIES	277,819.02
CLSP SALARIES	149,601.18
AG'S CLINICAL LEGAL INITIATIVE SALARIES	107,645.55
DISBURSEMENTS AND COSTS	0.00
MATERIALS AND RUNNING COSTS	93,913.71
AG'S CLINICAL LEGAL INITIATIVE MATERIALS AND RUNNING COSTS	0.00
EQUIPMENT AND MAINTENANCE	39,593.63
AG'S CLINICAL LEGAL INITIATIVE EQUIPMENT AND MAINTENANCE	0.00
TRAVEL AND CONFERENCES	9,041.96
AG'S CLINICAL LEGAL INITIATIVE TRAVEL AND CONFERENCES	0.00
WILLIAMS LEGAL COSTS AND DISBURSEMENTS	0.00
TOTAL	**677,615.05**

NET RESULT SURPLUS / (DEFICIT)	-378,873.97	
UNSW CONTRIBUTIONS LAW SCHOOL	361,537.75	2)
UNSW CONTRIBUTIONS CENTRAL SUPER AND OTHER OVERHEADS	0.00	

RESULT FOR THE PERIOD INCLUDES UNSW CONTRIBUTION SURPLUS/(DEFICIT).. **-17,336.22**

PRIOR YEAR ACCUMULATED FUNDS.....112,152.85

ACCUMULATED FUNDS..... **94,816.63**

CERTIFIED BALANCING TO THE LEDGER
Maggie Ghali
Senior Management Accountant Faculty of LAW
Financial Services Department
06-Mar-06

CERTIFIED CORRECT
Anna Hartree
Coordinator
Kingsford Legal Centre
06-Mar-06

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.

THANK YOU

FUNDING BODIES

Kingsford Legal Centre would like to thank all of its funders, donors and supporters.

In 2005 these included:

Attorney-General's Department

Law & Justice Foundation of New South Wales
Independence and Innovation

Legal Aid New South Wales

The University of New South Wales

Freehills

Randwick City Council
a sense of community

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.

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.

Kingsford Legal Centre: 11 Rainbow Street, Kingsford, NSW, 2032, Australia
T. +61 2 9398 6366 - F. +61 2 9399 6683 - E. legal@unsw.edu.au
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Retouching: Francisco Fisher for KLC