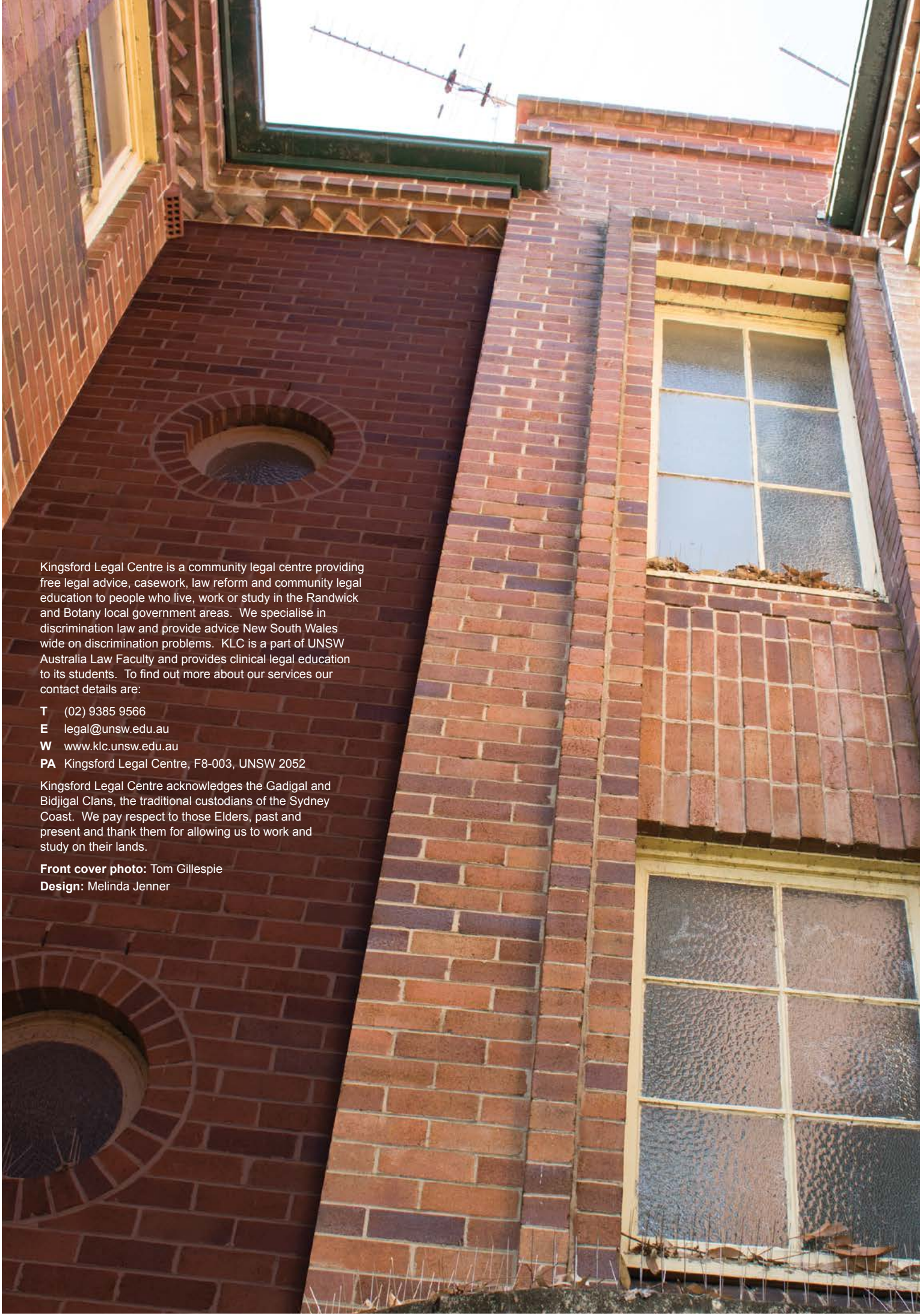
UNSW AUSTRALIA

Kingsford Legal Centre Annual Report 2015

Never Stand Still | Law | Kingsford Legal Centre



Kingsford Legal Centre is a community legal centre providing free legal advice, casework, law reform and community legal education to people who live, work or study in the Randwick and Botany local government areas. We specialise in discrimination law and provide advice New South Wales wide on discrimination problems. KLC is a part of UNSW Australia Law Faculty and provides clinical legal education to its students. To find out more about our services our contact details are:

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Kingsford Legal Centre acknowledges the Gadigal and Bidjigal Clans, the traditional custodians of the Sydney Coast. We pay respect to those Elders, past and present and thank them for allowing us to work and study on their lands.

Front cover photo: Tom Gillespie
Design: Melinda Jenner

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Kingsford Legal Centre Mission Statement

Kingsford Legal Centre is committed to social justice and to promoting access to, and reform of, the legal system.

We aim to provide quality legal services to the community and to promote excellence in clinical legal education whilst fostering a critical analysis of the justice system.

Professor **David Dixon**

Dean's Foreword

In 2015, Kingsford Legal Centre's (KLC) extensive teaching program grew to include a new summer course, Legal Aid and Global Justice Lawyering.

Every student at UNSW Law will experience at least one session at KLC during the course of their study with us. This provides students with an invaluable opportunity, not only to gain some useful practical legal skills, but also to reflect on the impact of, and access to the law of our most vulnerable members of society. This is crucial to a sound legal education, regardless of which path a graduate eventually takes. When I meet alumni in senior commercial law and corporate roles, they often tell me that KLC provided the defining experience of their time at UNSW Law.

I was particularly proud to launch the UNSW Law's Reconciliation Action Plan (RAP) in 2015. We are the first Law School in the country to do this. Building on our long involvement in Indigenous education, research and community engagement, the RAP commits UNSW Law to a range of initiatives, including measures to increase Indigenous staff and students in the Law School.

Kingsford Legal Centre plays an active role in UNSW Law's Indigenous Legal Education Committee and our commitment to Indigenous students' access to our courses. They run a Foundations Enrichment II course which is designed to assist first year Indigenous students to settle into university studies and develop oral and written communication skills in a legal setting. Further, they participate in the Winter School Program for Indigenous High School Students and the Indigenous Pre-Law Program.

KLC consults extensively with the local Aboriginal community and has an Aboriginal representative on the Management Committee, Keith Ball. Kaleesha Morris' role as Aboriginal Access Worker at KLC is greatly enhanced through the guidance she receives from the Aboriginal Advisory Group. A significant achievement of 2015 was the publication of the updated Aboriginal Service Provision Manual. This manual, which was first published in early 2014, was so successful that its original 400 print run was exhausted by mid 2015. KLC's flexible service provision model for Aboriginal and Torres Strait Islander clients resulted in over 7% of all advices given in 2015 being to these clients. This is a great achievement. KLC also coordinated the Australian wide community sector submission to the United Nations Universal Periodic Review of human rights. This highlighted specific issues Aboriginal communities face.

KLC Director, Associate Professor Anna Cody, returned from research leave in September, having spent a very fruitful 10 months in a legal clinic in Mexico. In her absence Emma Golledge did a great job as Acting Director, in what was at times a difficult environment for community legal centres.

Despite a year of funding uncertainty from the Federal Government, we were delighted to hear that Federal Attorney General Brandis reinstated the $100,000 (over two years) funding for the Family Law Community education clinic. At this stage government funding for 2016/17 seems secure, however large cuts are predicted for 2017/18.

If these are imposed, they will be addressed as a problem for UNSW Law, as a whole, not just for Kingsford Legal centre. For us, KLC is 'core business', not an optional extra. This is a strong commitment which has been made throughout my time as Dean and which I hope will continue.

2015 was my last full year as Dean of UNSW Law. In mid-2016, after ten years leading the Faculty, I will be returning to teaching and research. Working with KLC's wonderful staff and management committee has been one of the best parts of my role and it has been great to see KLC growing and flourishing. I would like to wish the Centre, and all of its staff, volunteers, students and stakeholders, the very best into the future so that they continue their vital work.

Professor David Dixon
Dean, UNSW Australia
Faculty of Law

Acting Director
Emma Golledge

Directors' Reports

2015 was a challenging year with expected funding cuts taking up much of KLC's energy.

In March we were relieved to have $100,000 of funding restored to our Family Law/Family Violence Clinic. However, the finalisation in 2015 of the National Partnership Agreement for Legal Assistance Services has not provided funding certainty for KLC or the community legal centre (CLC) sector into the future. Of particular concern are funding cuts in 2017/18 across the CLC sector of 30%. This is despite the Productivity Commission recommendation that over $200 million needs to be provided to the sector to meet need. Once again KLC is preparing to continue to advocate on the need to maintain and increase funding to the community legal sector.

During such uncertain times it has been vital to have the unwavering support of UNSW Australia Law Faculty. The commitment and support of the Faculty is key to the success of KLC and remains crucial to its future. A heart-felt thanks to all of our Law colleagues who provided support and solidarity over this year of uncertainty. Special thanks and acknowledgment must go to our Dean, Professor David Dixon, who has been deeply and passionately supportive of our Centre over his ten year leadership of the Faculty. The strength of KLC in withstanding such external funding uncertainty is in large part attributable to his support and leadership. We wish him well!

Anna Cody resumed her role as Director in September 2015. I thoroughly enjoyed the opportunity to 'act' in her absence. Special thanks must go to the wonderful staff at KLC who responded to the challenges of the year by simply working harder and with more dedication. A special thanks to Dianne Anagnos for once again taking up the role of Principal Solicitor with such skill. There were some wonderful highlights this year including, working on the United Nations review of Australia's human rights record in the Universal Periodic Review; working to allow the voices of public housing tenants to be heard directly by government decision makers, working with our CLC colleagues to continue to articulate the value of CLCs and providing high quality services in collaboration with our enthusiastic students and dedicated volunteer solicitors. It was an absolute privilege to lead the Centre in Anna's absence.

Emma Golledge
Acting Director Jan-Sept 2015

KLC Director
Associate Professor
Anna Cody

I was keen to return to KLC after my 12 months of research leave.

•••

Of those, ten months were spent in Mexico City working with the National Autonomous University's Human Rights clinic. They have recently established a disability rights clinic as well as a migrants' rights clinic. My role was to work alongside the two human rights lawyers/teachers and advise on complex issues as they arose, as well as strengthen the teaching program. I advised on staffing issues, relationships with the Faculty and funding, law reform approaches, ethical issues and dealing with non performing students. In terms of the teaching program, I introduced a class room program with ten class plans. They have developed thinking around working with clients with disability and being involved in this advocacy was a great development experience for me.

During this time I also developed a new course for our students which we ran for the first time in December 2015, 'Legal aid and Global Justice Lawyering: Issues in Practice'. The course was very successful and provided students with new areas of learning not previously available to them.

I was delighted to be elected to the National Association of Community Legal Centres Board as the NSW representative in late 2015 and continued on the Global Alliance of Justice Education Steering Committee as the Asia Pacific representative. This along with our local, national and international law reform work means that KLC has a voice in all of these arenas. This is informed by our advice and casework practice and work with our local community.

Thanks to Emma Golledge for her great work as Acting Director in 2014/15 and to Dianne Anagnos for assuming the role of Principal Solicitor and performing it so effectively. I look forward to a productive and challenging year in 2016.

Associate Professor Anna Cody
Director Sept-Dec 2015

South Coogee Housing Estate

Aims and Objectives of Kingsford Legal Centre

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 systemic advocacy and community legal education play in legal service provision
2. To improve access to justice for residents of the Botany and Randwick Local Government areas 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 and those who are discriminated against in 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 for people to enforce their legal rights, by delivering community legal education
8. To undertake systemic advocacy, 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

Clinical Legal Education/Teaching

Clinical legal education is a way of teaching law, legal procedure and ethics.

In Australia when we talk about clinical legal education we mean a style of teaching and learning where students are engaged in legal work for real clients and then analyse and reflect on this experience in a structured way.

Our courses

Kingsford Legal Centre offers a range of courses and clinical components to UNSW Australia Law students. These are:

1st Year: Foundations Enrichment II: This is a course for 1st year Indigenous students focusing on communication skills, legal interviewing and the legal aid system.

2nd/3rd Year: Interviewing Component in Lawyers, Ethics and Justice: Students interview KLC clients and write a reflective assignment on it. These students are taught interviewing skills by KLC solicitors and spend five hours at the Centre in an evening legal advice session interviewing clients and working with volunteer solicitors.

KLC Community Law Clinic (1 Day) and (2 Days) & KLC Employment Law Clinic (2 Days): These are courses in which students develop their understanding of issues of social justice as well as developing interviewing, negotiation, drafting, submission writing and advocacy skills. We teach students to think critically about the law, the legal system and the place of disadvantaged clients within it. We do this through students working on client files, answering phones, working on law reform and community education projects under the supervision of clinical supervisors for one to two days each week. There is also a weekly two hour seminar program and daily one hour tutorial program for reflection on substantive issues of law and justice questions.

KLC Family Law/Family Violence Community Education Clinic (1 Day) This course has developed a range of legal education modules for community groups and community members with a focus on family law and the cross over with domestic violence. The students meet with community workers in the local area, then prepare and present community legal education workshops to members of the local community.

NEW

Elective course with clinical component

Legal aid and Global Justice Lawyering: Issues in Practice

This elective course was offered for the first time in summer 2015. It teaches students about models of legal aid provision in Australia, as well as internationally. It also teaches students about models of working with disadvantaged communities such as community lawyering, public interest lawyering, cause lawyering and social change lawyering. The course is an intensive course over 2 weeks in December. This course is not a clinical course however students work on complex case studies based on clients from KLC as well as completing an advanced interviewing clinical component at the Centre.

Semester 2 2015 students

Other teaching and learning achievements in 2015

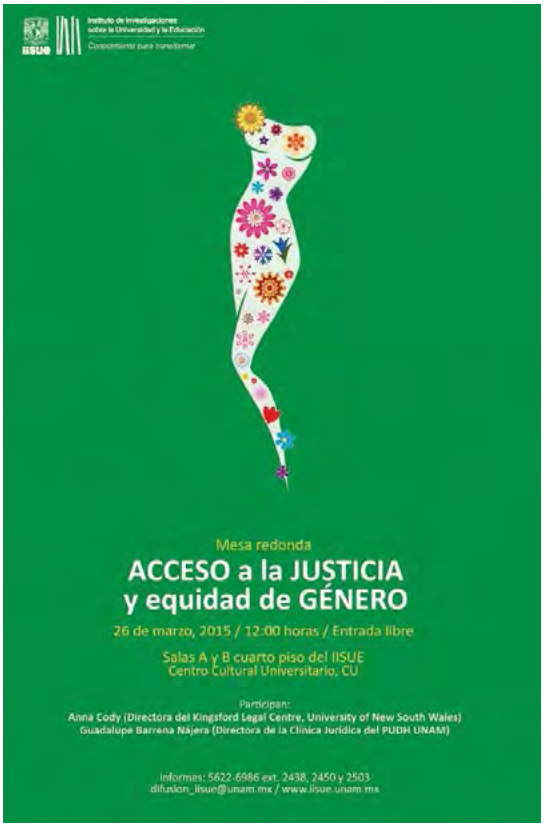
KLC Director Anna Cody (front right) at GAJE Conference

Global Alliance for Justice Education (GAJE) conference

KLC Director Anna Cody is on the steering committee for GAJE as the Asia Pacific representative. In July the 8th International Global Alliance for Justice Education conference was held in Turkey. Anna co-presented a seminar on disability rights clinics in Latin America at the Conference and a session at the Train the Trainer seminar following the main conference.

Research and publications

In 2015 KLC Director Anna Cody published an article on the clinical component of the Lawyers, Ethics and Justice course and how it teaches students. The three aspects of teaching it focussed on are: the development of autonomy and purpose in students; whether it increases students' commitment to social justice/community contribution; whether students improve in their commitment to ongoing reflection and improvement.



Mexican Conference

Mexican Clinic

In 2015 KLC Director Anna Cody spent 10 months in Mexico City working with the National Autonomous University's Human Rights clinic, whilst on research leave. They have recently established a disability rights clinic as well as a migrants' rights clinic. Anna's role was to work alongside the two human rights lawyers/teachers and advise on complex issues as they arose, as well as strengthen the teaching program. She advised on staffing issues, relationships with the Faculty and funding, law reform approaches, ethical issues and dealing with non performing students. In terms of the teaching program, Anna introduced a class room program with ten class plans. On the 26th January 2015 they held their first conference exploring some of the issues facing people with disability in Mexico. The clinic works closely with a Collective formed by people with psycho-social disability which provides expert advice to them about some of cases the Clinic takes on. This conference looked at some of the issues faced by people with disability who live in state institutions. At the conference Anna presented on KLC's work on sexual harassment and how students can be involved, as well as the response of universities in Australia when dealing with sexual harassment.

Winter School Students 2015

Indigenous Access Initiatives

During 2015 KLC continued to make a significant contribution to the Law Faculty's commitment to increasing the numbers of Indigenous students studying law. KLC is an active participant in the Indigenous Legal Education Committee.

Classes on Working with Indigenous Clients and Communities

The seminar program for students includes a class on working with Indigenous clients and communities in order to provide greater insight and skills for students. This class was presented by KLC Aboriginal Access Worker Kaleesha Morris.

Winter School Program for Indigenous High School Students

KLC hosted Indigenous high school students during the Winter School program involving Year 10, 11 and 12 students. The 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 debating real life legal problems and deciding what they should do.

Indigenous Pre-Law Visits

Kingsford Legal Centre hosted a visit by pre-law Indigenous students in 2015 organised by the Nura Gili Centre. The Nura Gili Centre is key to improving Indigenous access to, and retention in, tertiary studies in the University. The students came from around Australia and were mostly school leavers. 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.

Indigenous Students- Foundations Enrichment II Course

The Foundations Enrichment II Course is designed to assist first year Indigenous students to settle into university studies and develop oral and written communication skills in a legal setting. The KLC course engages law students in the day to day operation of the legal system and lawyering, and bridges the gap between the theory and practice of the law. Students are given the opportunity to assist people in our community with their legal problems while also acquiring valuable communication skills. In 2015 this course was offered to JD students as an elective for the first time.

Statistics

2015 was another big year for KLC. Below is the statistical breakdown of our services.

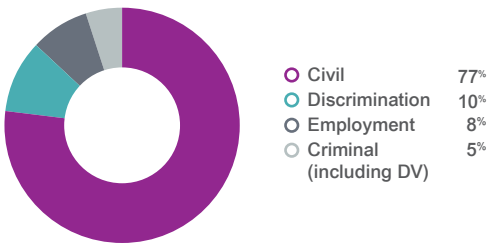
INFORMATION AND ADVICE	
Information only	1069
Advices	1706

ADVICE – Problem Type Top 10	
Employment Other	208
Employment conditions/entitlements	173
Employment unfair dismissal	144
Road traffic and motor vehicle regulatory offences	132
Discrimination disability	106
Tenancy Other	86
Motor vehicle accident	74
Credit and debt owed by client	70
Neighbourhood disputes complaints about neighbours	68
Other civil violence/restraining orders	58

Casework

CASEWORK	
Open at period start	59
New cases opened in period	280
Total cases open during period	**339**

Area of Law

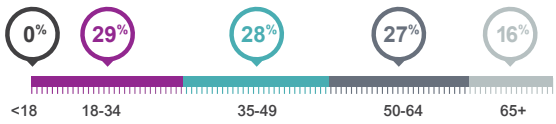


Client Demographics

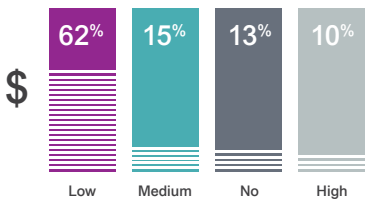
CLIENTS	
New Clients	921
Repeat Clients	372

Gender

Age



Income



Aboriginal and Torres Strait Islander / Disability / Interpreters

Aboriginal and Torres Strait Islander

% of clients identifying as Aboriginal and Torres Strait Islanders

Disability

% of clients with a disability

Interpreters

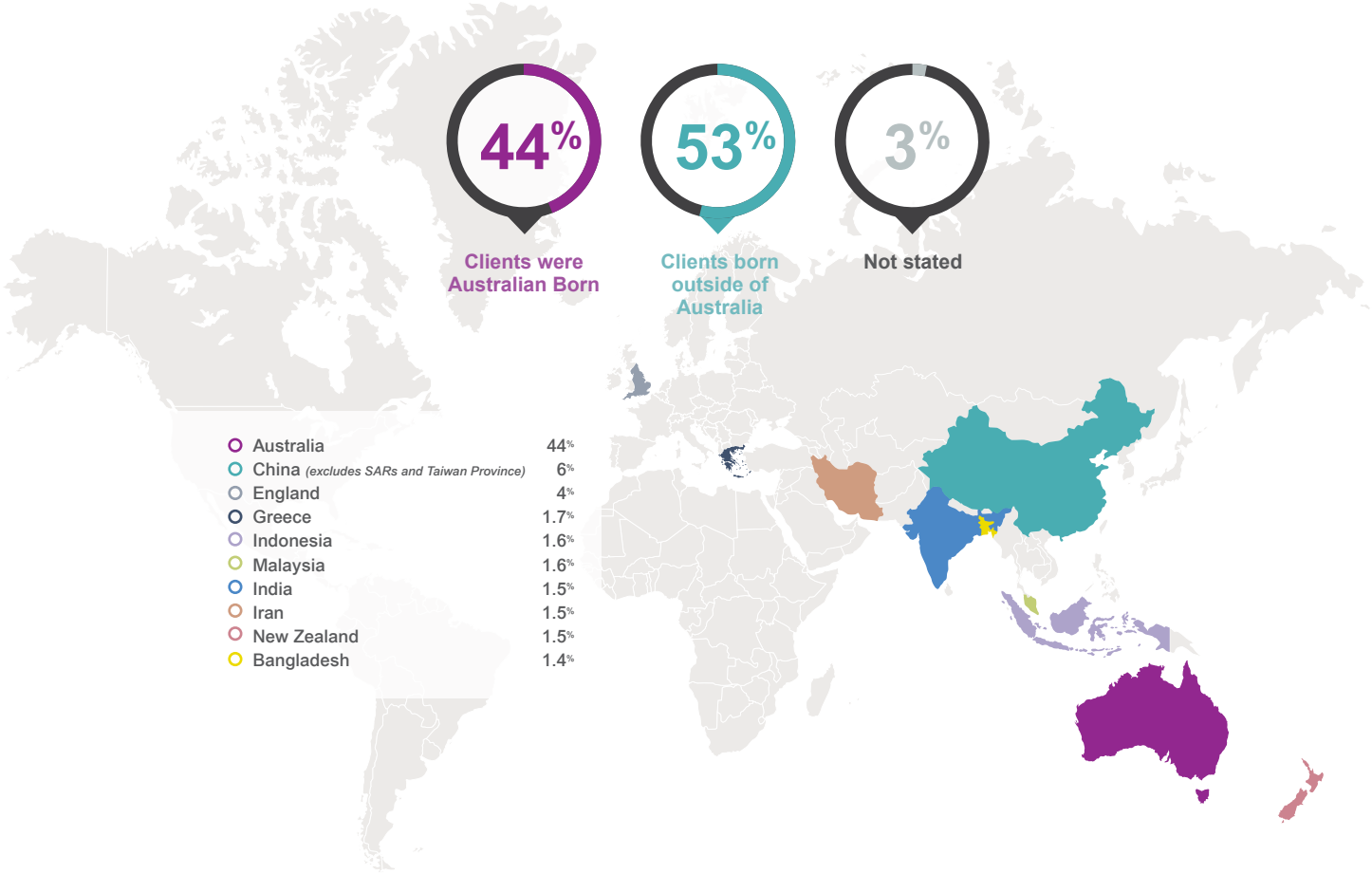
% of advices where an interpreter was used

Country of Birth Top 10

Clients were Australian Born

Clients born outside of Australia

Not stated

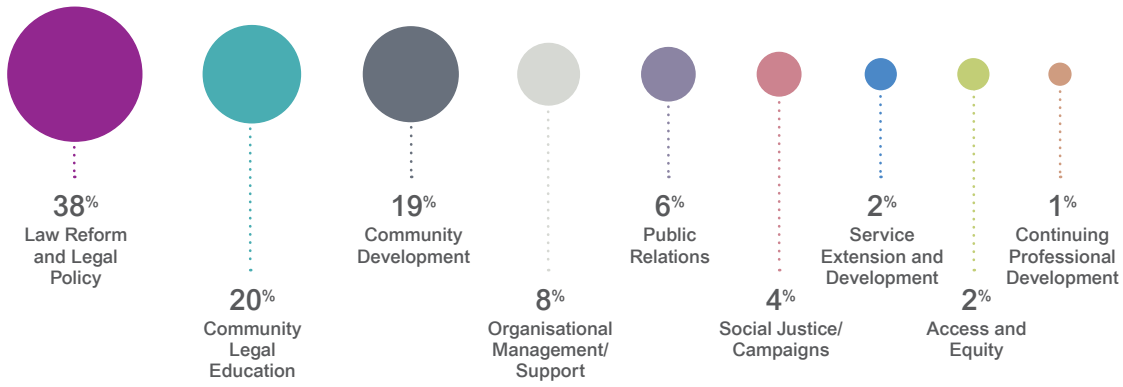


Australia	44%
China *(excludes SARs and Taiwan Province)*	6%
England	4%
Greece	1.7%
Indonesia	1.6%
Malaysia	1.6%
India	1.5%
Iran	1.5%
New Zealand	1.5%
Bangladesh	1.4%

Non-Casework Projects

NON-CASEWORK PROJECTS	
Non-casework Projects Open at Period Start	39
Opened in Period	156
Total Open in Period	**195**

Types



Advice and Casework

KLC offers daytime and evening appointments for clients at our Centre and at our outreaches.

We also see clients who have difficulty attending the Centre by visiting them in their home, in hospital, nursing homes or in jail.

In 2015 we:

- provided 1706 advices; and
- opened 280 cases.

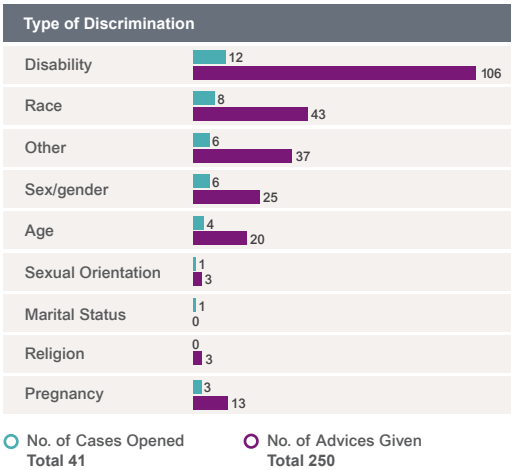
KLC could not have helped all these clients without the hard work and dedication of our wonderful team of solicitors, Emma Golledge, Dianne Anagnos, Anna Cody, Natalie Ross, Maria Nawaz, Haley McEwen, Nick Ngai, Katherine Boyle, Edwina MacDonald as well as our secondee solicitors from Herbert Smith Freehills: Damian Finan, John Nash and Jennifer Wu.

Significant thanks are also due to our roster of over 70 volunteer solicitors whose contribution allows KLC to offer evening appointments three nights a week. This volunteer contribution is crucial to the provision of high quality, free legal advice to our community.

Discrimination Law Practice

KLC specialises in discrimination law and provides a state-wide service in this area of law.

The breakdown of discrimination cases and advices in 2015 are:-



Client Comments about KLC

"As my issue related to drug use, people have been quick to judge. Will (KLC student) was the first person who did not make me feel like the drugs were the issue. He heard what actually happened"

"Really kind, put me at ease in regards to my worries."

"Everyone is really helpful & sincere!! That's GOLD!!"

"This service fills a "gap in law/legal Rep" that is invaluable to those who cannot access legal representation or advice"

South Coogee Housing Estate

Disability Discrimination and Housing

KLC was contacted by a hospital social worker on behalf of a client who had received a notice of termination from Housing NSW. The client was being evicted because she had been absent from her house for longer than the 'allowable' period under Housing NSW's policies. The client had been receiving medical treatment the entire time she was 'absent'. KLC lodged a discrimination complaint before Housing NSW began proceedings to evict her. We argued that Housing NSW's policies were discriminatory in that people with disability sometimes had to be away from their homes for significant periods of time in order to receive medical treatment. The complaint was settled and Housing NSW did not start eviction proceedings at the Tribunal.

Race Discrimination

KLC settled a long-running discrimination complaint against a function centre that cancelled our clients' event at the last minute on the basis of their race. They stated that they would not go ahead with the event as people from our clients' ethnic background 'always cause trouble'. The cancellation affected our clients as well as their guests. KLC represented the clients in their race discrimination complaint and negotiated a settlement outcome consisting of both compensation for economic and non-economic loss and an apology.

Disability Discrimination

Our client has a significant physical disability and uses a motorised wheelchair. KLC represented our client in a complaint to the Australian Human Rights Commission about access within a shopping centre. The shopping centre did have a lift to all floors, but the lift was locked until 10am on the top floor despite most of the shops and services on that floor opening before 10am. The only way to get to the top floor shops and services before 10am was by escalator. Following a conciliation conference our client's complaint was successfully resolved by a three month trial of unlocking the lift at 9am. This trial was successful and has now become permanent. Customers with mobility disability now have equal access to all the shops and services in that shopping centre.

Disability Discrimination and Workplace Rights- Using General Protections

Our client was absent from work for about 18 days over a 12 month period due to a series of temporary illnesses. He had medical certificates to cover all of these illnesses. His employer told him that this was unacceptable, and banned him from being offered overtime because of his poor attendance. We helped our client to lodge a 'general protections' claim at the Fair Work Commission, on the basis that his employer took adverse action against him on the basis of his disability and exercising a workplace right to take sick leave. KLC settled the matter at a conference for financial compensation as well as an undertaking that the employer would change its policies around offering overtime.

Generalist Law Practice

In 2015 KLC offered between 35 to 40 generalist advice appointments each week. Advice is given in most areas of civil and administrative law as well as minor criminal matters.

Long Bay client: Phone debts

KLC attended Long Bay Correctional Centre for a community education session. At the session we met a prisoner who told us that he had received letters of demand from four different telephone companies. In total they were asking him to pay over $5,000. He did not have any money, and the debts would be impossible to pay after he was released. Our client had a significant psychiatric illness that was undiagnosed at the

Long Bay Correctional Centre

time he entered into the phone contracts. He also had an intellectual disability. After almost a year of negotiating with the four separate companies, we were happy to advise our client that all four debts have now been waived and he has a clear credit history.

Visa cancellation matters

KLC continued to work on visa cancellation matters in 2015 – where a non-permanent resident's visa is cancelled on 'character' grounds due to criminal convictions. Changes to the process of cancelling visas in 2015 made it much harder to prevent the cancellation of visas as the visa is first cancelled and then must be challenged by the person and there has been a huge backlog in terms of decisions. Our complaints to the Commonwealth Ombudsman remain unanswered. We noticed in 2015 we had more clients taken straight from jail to immigration detention – in one case to Christmas Island. There were also significant delays in getting decisions for clients which can be very distressing, especially when clients are in immigration detention centre.

Victims Compensation

In 2015 KLC was able to get a client victims compensation in a case which has been ongoing for over six years. Our client had been the victim of long running domestic violence from her former partner. KLC lodged multiple victims compensation applications for our client in 2010. Due to delays in assessing victims compensation applications, our client's application remained unassessed and in 2013, the NSW government significantly changed victims compensation law. The changes to the law removed domestic violence and psychological injury as categories of injury and applied the changes to clients who had already lodged applications under the old law. As a result, our client's potential compensation was dramatically reduced.

In 2015 KLC was able to obtain $16, 500 for our client (after successfully appealing a decision). Our client was extremely relieved to have the matter concluded after over five years of the case. However, in late 2015 after ongoing pressure from organisations like KLC, the NSW government announced that clients affected unfairly by the 2013 law change could have their matters reassessed under the pre-2013 law.

We are now in the process of assisting this client, and many others reapply for compensation under the more generous 'old' scheme.

Client Survey

Every year KLC seeks feedback from our clients on our advice clinic service delivery. In 2015 the survey was run from October to December. Daytime, evening and outreach clients were all asked to complete the survey at the conclusion of their appointment. We received 35 responses. The results were overwhelmingly positive with no clients rating service negatively on any of the questions. The survey highlights the hard work and professionalism of our wonderful volunteers.

KLC Acting Principal Solicitor Dianne Anagnos receiving an award for her community work at Kooloora Community Centre from Matt Thistlethwaite MP for Kingsford Smith

Outreaches

Outreach clinics are an important part of KLC's service delivery to our clients.

The location of our outreach clinics is informed by our Legal Needs Assessment of our catchment, requests by community organisations and workers, and our resources. The success of our outreaches is in large part due to the strong partnerships KLC has with local community organisations. We are very grateful for the warmth and generosity of all our outreach partners.

Yarra Bay Outreach

Our Yarra Bay outreach is staffed by our Aboriginal Access Worker, Kaleesha Morris and is aimed at the local Aboriginal community. It is a fortnightly (during school terms) drop-in clinic situated in the La Perouse Community Health Centre at Yarra Bay. The emphasis of this clinic is developing relationships with our community and working with them on community legal education and law reform issues, as well as providing advice on legal problems. In 2015 we moved our outreach clinic from Tuesday mornings to Wednesday afternoons to coincide with a number of regular events at Yarra Bay and this has proved popular with the community.

South East Community Connect Outreach (ex- South East Neighbourhood Centre)

Our SECC outreach operates to provide access to clients from the Botany Local Government area. It is a popular clinic with three appointments every second Wednesday throughout the year.

KLC students at Kooloora Outreach

Kooloora Community Centre Outreach

KLC's advice outreach clinic at Kooloora sees clients from the five major housing estates in the South Ward of Randwick Council. This clinic is a fortnightly drop-in clinic which operates during school terms. It's a very successful clinic, with very disadvantaged clients attending who have multiple and complex issues.

Long Bay Correctional Centre Outreach

This outreach clinic helps inmates at Long Bay Prison. KLC responds to requests from prison welfare workers or prisoners directly. Prisoners who contact KLC by telephone are immediately put through to a solicitor for assistance and we regularly arrange legal visits to provide advice. We also regularly attend pre-release information sessions at the prison to help prisoners deal with their legal issues as they face release.

The breakdown of KLC advice clinic outreaches in 2015 is below:

29	17	36	7
Outreach Kooloora Community Centre	Outreach Long Bay Correctional Centre	Outreach South East Neighbourhood Centre	Outreach Yarra Bay

Clients Targeted

- Social housing tenants in the South Ward of Randwick LGA
- Civil matters of inmates of Long Bay Correctional Centre
- People who live in Botany LGA
- Aboriginal and Torres Strait Islander clients

Pop-Up Clinic

Gallop Court, South Maroubra Pop-Up Repairs Clinic

Gallop Court is a public housing estate retrofitted for older tenants over 50 years old, which is part of the South Maroubra/Coral Sea Estate. Tenants from Gallop and community workers from the Junction Neighbourhood Centre asked us to come and talk to them about repairs issues after they heard about our community information session for the South Maroubra Tenants Group in October 2015. At our information session it became apparent that a number of residents needed help with repairs issues in their homes so we organised a Pop-Up Clinic on 13 November.

The Clinic was a great success with vulnerable clients attending – many of whom had mobility issues, which makes it very difficult for them to attend KLC. Advising these clients on their estates gave us the opportunity to visit their homes and take pictures which we could print out and attach to our letters to Housing NSW. KLC staff enjoyed meeting so many of the residents on this lovely estate. We are following up with all of the clients to ensure that their repairs have been actioned.

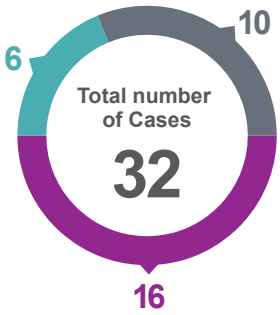
KLC Solicitors Maria Nawaz and Dianne Anagnos

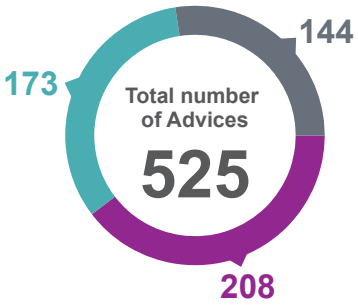
Employment Clinic Report

2015 was another very busy year for the Employment Clinic with 32 cases taken on and 525 advices given.

Employment is the largest single area of advice for KLC and this work informs the clinic's law reform submissions and community legal education programs. Maria Nawaz continued as our employment law solicitor in 2015 as Liz Meyer extended her family leave with the birth of her second child.

Below is a breakdown of the clinic's service delivery for 2015:





Problem Type
- Employment Other (not unfair dismissal or conditions/entitlements)
- Employment conditions/entitlements
- Employment unfair dismissal

L-R Professor Ian Jacobs (UNSW Australia President and Vice-Chancellor), Lina Cabaero (Asian Women at Work), Emma Golledge (KLC Acting Director) and Maria Nawaz (KLC Employment Solicitor)

Networks & Community Legal Education

Launch of Women at Work Factsheets

On 5 March 2015 UNSW Australia President and Vice-Chancellor, Professor Ian Jacobs, launched KLC's Women at Work factsheets. This project began as a Legal Aid Commission Partnership grant in 2011, with Legal Aid NSW and Asian Women at Work (AWAW). KLC ran a series of community legal education sessions with clients of AWAW where women discussed the problems they had at work. The women we spoke to at the workshops were in precarious employment situations where they were often underpaid, worked long hours, threatened with dismissal or sexually harassed. From these workshops a series of factsheets in English,

KLC Employment Solicitor Maria Nawaz

Chinese, Bangla and Indonesian were developed. These factsheets outline common employment law problems faced by women and where to go for help. The factsheets are available on the KLC website or in hardcopy on request.

In July 2015, Maria Nawaz and KLC project worker Regina Hackett delivered a CLE session at Metro Migrant Assist at Lakemba, where they presented on employment rights for Bangladeshi workers, using the CLE resources developed as part of our Women at Work project. The CLE was a great success, with the women very happy to have access to resources in Bangla.

In August 2015, Maria presented a session on the Women at Work factsheets at the Access to Justice conference.

Employment Law Network

In 2015 KLC employment solicitor, Maria Nawaz, jointly convened the Employment Law Network meeting of Community Legal Centres NSW. The Network aims to increase collaboration, knowledge and to encourage community legal centres to undertake employment law advice and casework.

Employment and Discrimination Law Training for Solicitors

In February 2015 Maria Nawaz presented a training session on underpayments and deeds of release in employment matters to the Employment Law Network. In September 2015, Maria delivered employment and discrimination law training to over 40 solicitors as part of our annual volunteer solicitor training program.

Employment Rights for Young People

KLC held a CLE session at Options Youth Housing in Bondi Junction on employment rights for young workers to both staff and clients of Options Youth Housing as part of a Life Skills training program.

Case Work

Unfair Dismissal Matters

KLC represented a client who was employed as a sales assistant. When she refused to take a call on her lunch break she was called in to a meeting and told to sign a letter of resignation which the employer had drafted. Our client was told she would not receive her entitlements if she did not resign. KLC lodged an unfair dismissal claim with the Fair Work Commission (FWC), arguing that the employer's conduct amounted to constructive dismissal. KLC represented the client at conciliation, settling the matter for eight weeks wages, all owed entitlements and a statement of service.

General Protections Matters

KLC represented a client who was employed as a supervisor for over ten years. When she returned from parental leave, her employer agreed to her working part-time. However, two months into this arrangement, she was told that she would have to return to full-time work or lose her job. Prior to coming to KLC for advice, our client had attended a conciliation conference at the FWC which was unsuccessful. KLC lodged a general protections application in the Federal Circuit Court, claiming that our client had been discriminated against on the ground of family responsibilities, and that the employer had taken adverse action in dismissing her for exercising her workplace right to request a flexible working arrangement. KLC represented the client at mediation, and successfully settled the matter for a statement of service, all her owed entitlements and $10,000.

Sexual Harassment and Victimisation

KLC represented a client who was employed on a migrant visa. The client was sexually harassed by her employer, who threatened to withdraw sponsorship if she didn't accept his advances. The client complained to her supervisor and was terminated shortly after. We lodged a complaint to the Anti-Discrimination Board alleging sexual harassment and victimisation. At conciliation, we successfully settled the matter for $15, 000.

Pro Bono Advice Clinic

The Employment Clinic has been running a pro bono advice clinic with law firms for over a decade. Every Wednesday during semester, a solicitor from one of the four firms on our roster attends KLC to give employment advice to our clients and to work with our students. The pro bono clinic significantly increases our capacity to help people with employment law problems. The clinic runs extremely smoothly and is an asset which we value highly. Thanks to all of the participating firms - Bartier Perry, Harmer's Workplace Lawyers, Henry Davis York and HWL Ebsworth - for their generous commitment to KLC and our clients.

Law Reform and Policy

Productivity Commission Inquiry into the Workplace Relations Framework

In September 2015, KLC drafted a submission to the PC Inquiry interim report, raising our concerns about a number of recommendations in the draft report that would have the effect of restricting access to justice. KLC conducted a survey of our clients on what effect cutting penalty rates would have on them, and included their responses in our written submission. The submission focussed on areas of reform including the need for remedies if flexible working arrangement requests are rejected, domestic violence leave, protection against discrimination on the basis of criminal record and domestic violence survivor status, and eligibility and time limits for unfair dismissal claims. Maria Nawaz also appeared at the Productivity Commission public hearing, where she discussed these concerns.

Australian Human Rights Commission Willing to Work Inquiry

KLC made a submission to the Australian Human Rights Commission's Willing to Work Inquiry into employment discrimination against workers with a disability and older workers. Drawing on our clients' experience, we suggested the operation of the law could be improved to prevent discrimination by:

- Allowing representative actions
- Changing the federal courts to a no cost jurisdiction
- Introducing a reverse burden of proof
- Introducing civil penalty provisions
- Introducing protection from discrimination for domestic workers

Family Law/Family Violence Community Education Clinic

Natalie Ross (2nd left) and Semester 1 KLC Family Law Students

The KLC Family Law/Family Violence Community Education Clinic is funded by a grant from the Commonwealth Attorney General to develop and deliver community legal education to our local community, in a clinical legal education setting.

The course gives students the opportunity to meet and build relationships with workers in the local area and to prepare and present community legal education workshops to our local community. The clinic was managed by KLC solicitor Natalie Ross in 2015.

KLC continued to implement the recommendations in the evaluation report to better integrate the Family Law and Domestic Violence Clinic students into the work of the Centre throughout 2015. All the students staffed the front desk, attended midday meetings, and did two or three evening advice shifts. Several of the students had the opportunity to sit in on client interviews during the day at KLC, and one student was able to observe the legal aid outreach solicitor give advice at The Deli. All the students attended the Family Courts at Sydney or Parramatta and observed the Legal Aid NSW duty solicitors advising clients. The students also attended Newtown and Downing Centre local courts to observe apprehended violence order list day, and were able to speak with the staff of the Women's Domestic Violence Court Advocacy Service about their work.

KLC students presenting to Jewish Care workers

Funding Cut Reversed

KLC was delighted to learn on 24 March 2015 that Federal Attorney General Brandis reinstated $100,000 (over 2 years) for our Family Law/Family Violence Clinic, after this funding cut had been announced in 2013. This was a great result for a very productive clinic which is in great demand by local community organisations.

Community Legal Education Workshops

Many workshops and projects were organised by KLC students for groups and organisations in 2015 including:-

- a presentation on domestic violence, apprehended violence orders and the recent reforms to the Crimes (Domestic and Personal Violence) Act 2007 to about 20 staff of the St Vincent de Paul Society.
- students prepared and presented the class on domestic violence to the other KLC students at the end of the semester.
- a presentation on the recent NSW domestic violence reforms to about 20 staff of Jewish Care at their offices in Bondi.
- a presentation to the staff at Kidsxpress, a charitable organisation that provides art and drama therapy to traumatised children, including those who have been victims of or witnessed domestic violence, or are involved in high conflict family law proceedings. The presentation covered the ways in which children can have a voice in family law cases, how apprehended violence orders can protect children, and the domestic violence reforms.
- a presentation to Family Dispute Resolution Practitioners at Catholic Care on Apprehended Violence Orders
- a workshop for community workers on domestic violence in the digital era.

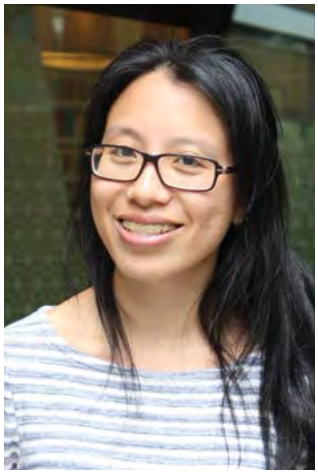
KLC received very positive feedback about the quality and usefulness of the presentations.

Eastern Suburbs Domestic Violence Network

KLC solicitor/clinical supervisor Natalie Ross is a member of the Eastern Suburbs Domestic Violence Network. In 2015 Natalie was involved in organising events for the 16 Days of Activism Against Gender Violence November/December, including an exhibition of photographs at the Eastgardens library from 25 November – 10 December and a film screening at Hoyts Eastgardens on 25 November. The photographs were the portraits of workers and activists in Sydney in the field of domestic violence by Diane McDonald from the Australian Human Rights Centre that were displayed in the UNSW Australia Law Building in 2014.

Natalie also just joined the Management Committee of The Deli Women's and Children's Centre, in 2015.

Secondees Report



Freehills Secondee
Jen Wu

Since 1992 Herbert Smith Freehills has provided KLC with secondee solicitors, on a six month rotation basis.

This is an extraordinary pro bono commitment which greatly enhances KLC's capacity to provide advice and casework to disadvantaged members of our community. Secondee solicitors take on a caseload, attend the South Eastern Connect Community Centre outreach as well as doing many home, hospital and prison visits. These solicitors participate in all parts of KLC's service including teaching law students, delivering community legal education sessions and attending community events.

Three secondees from Herbert Smith Freehills worked at KLC during 2015;

Damian Finan, John Nash and Jennifer Wu.

Advice and Casework

In 2015 our secondees continued to help prisoners at Long Bay Correctional Centre with their legal issues. This one case highlights some of this work.

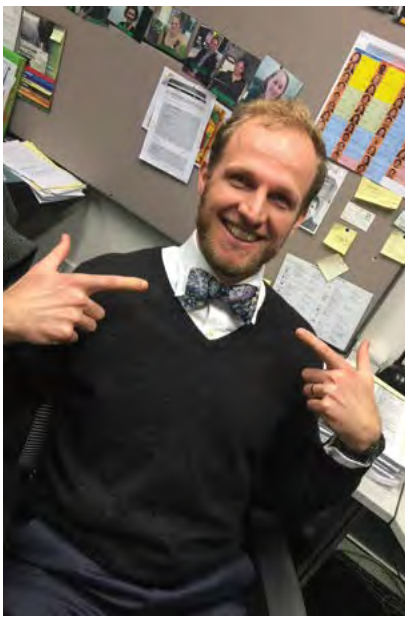
Our secondee solicitor met a prisoner at a community education session. The prisoner was due for release soon and told us he was being chased for money from four telephone companies. He was worried about what might happen on his release. Our client had a serious psychiatric illness as well as an intellectual disability. KLC helped the client and after a year of negotiations were able to clear all his debts, giving him the opportunity of a fresh start on release.

KLC secondee solicitors also continue to assist public housing tenants secure essential repairs to their homes. In 2015 Damian and John assisted a client who was being badly affected by the failure of Housing NSW to repair her home. It was affecting her and her family's health. Damian and John represented the client in the Tenancy Division of the NSW Civil and Administrative Tribunal to secure orders for the repair of the property. When Housing NSW failed to comply with these orders we represented her again and secured her a significant rent reduction. This time to the relief of everyone, especially the client, the work was done.

Community Legal Education

Our secondees also are key in our delivery of community legal education seminars. In 2015 this included presenting to inmates involved in a pre-release program at Long Bay Jail.

Secondee Experience of KLC



Secondee Solicitor John Nash

John Nash, Herbert Smith Freehills secondee in 2015, writes of his KLC experience:-

I thought that stepping into the world of community legal advice at Kingsford Legal Centre would be challenging and revealing. I thought it would be challenging because I was removing the protective veil of working in a team with a boss who was responsible for diagnosing most legal issues and finalising any advice or documentation. Now, I would be on the front line. I thought it would be revealing because I would be shown a world of debilitating problems with which I had been privileged enough to be unfamiliar. Yep – real world stuff to real vulnerable people - here we come. I was excited to be helping those that needed help and who would be genuinely helpless otherwise, and I was terrified for all the same reasons.

Turns out, I was right. It was really tough at times. Carefully giving practical legal advice and referring non-legal but intertwined issues to appropriate community agencies, whilst respectfully negotiating an apparent mental health issue – was quite challenging. It was also a fantastically unfiltered lens to see how small issues can get bigger, how one set of facts can be viewed so differently, how legal issues can paralyse and how cracks in the 'system' can be big enough to fall through.

What I was not expecting was to be surrounded by so much warmth, be inspired by so many humble, honest and good people and become an infinitely better lawyer. I think I can attribute the latter to a mixture of the epiphany of 'you know what, I can do this' and the guidance of the wonderfully friendly, dedicated and brilliant team at KLC. I think I met some of the most heart-warming characters there are in Sydney and I believe that for the first time, I grappled with so many different scenarios (some every day and others closer to the extreme) to diagnose and advise as best I could on the legal issues at play. These ranged from dealing with debts to car accidents, from consumer issues to insurance complaints, disputes between neighbours to those within families, helping those accused of crimes and victims of crime, advising those in gaol (a highlight) to those avoiding gaol (not too much of that), tenancy issues to domestic violence, violent dogs to out-of-control pigeons, and everything in between.

What an incredible experience. I am so grateful for my time at Kingsford Legal Centre.

Kingsford Legal Centre is grateful to Herbert Smith Freehills for their very generous support of our Centre and our clients. We thank our wonderful secondees for working so hard for us and filling all those gaps that seem to constantly appear! We look forward to working with them in 2016 and beyond.

Aboriginal Access Project

Since 2009, Kingsford Legal Centre has employed a part time Aboriginal Access Worker (AAW) to ease the pathway to our Centre for our local Aboriginal and Torres Strait Islander community members, and to our discrimination law clinic for Aboriginal and Torres Strait Islander clients state-wide.

KLC aims to provide a flexible, respectful and responsive service delivery model for Aboriginal and Torres Strait Islander clients. We are also active in law reform and policy on issues affecting access to justice for Aboriginal and Torres Strait Islander people.

Aboriginal Service Provision Manual- 2015 Update

KLC's Aboriginal Access Worker, Kaleesha Morris, updated KLC's Aboriginal Service Provision Manual in 2015. This resource equips KLC's staff, volunteers, students and other service providers with cultural awareness about local Aboriginal and Torres Strait Islander communities and tips on how to provide effective service delivery to them.

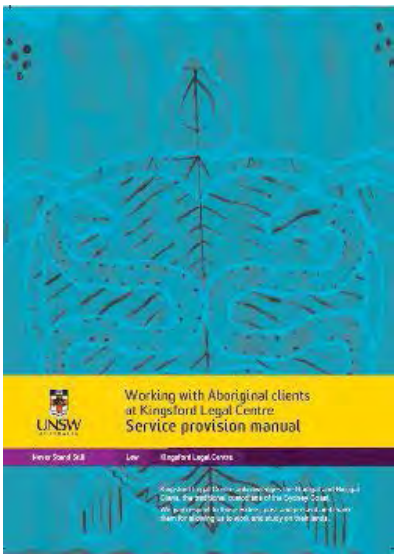
The Manual was developed by KLC's three Aboriginal Access Workers – Keith Ball, Ron Timbery and Kaleesha Morris, in consultation with KLC's Aboriginal Advisory Group and first published in October 2014.

Service Provision

In 2015 KLC gave 91 advices and opened 34 case files for Aboriginal clients, representing 7% of our clients in the period. The largest single area of advice for these clients was race discrimination.

Yarra Bay Outreach

KLC's outreach service to the Aboriginal community at La Perouse continues every second Wednesday afternoon at La Perouse Aboriginal Community Health Centre. Aboriginal and Torres Strait Islander community members are free to drop in to the centre to have a yarn with our Aboriginal Access Worker about their legal problems, with no need to book an appointment. KLC promotes the service via letterbox drops, regular table updates on the KLC website, via social media platforms and by posters at various local community organisations.



Aboriginal Service Provision Manual

Community Liaison & Events

Aboriginal Advisory Group (AAG)

The AAG continues to be a valuable and supportive group to KLC's Aboriginal Access Worker, Kaleesha Morris, who maintains regular contact with them via email. The AAG consistently provides input to the Aboriginal access worker on AAP work. KLC is very grateful for their generous commitment to our centre. Members of the AAG in 2015 were: Ron Timbery, Emma Langton, John Leha, Brendon Lindley, Robyn Murphy, Sharron Smith and Keith Ball.

Reconciliation Action Plan & Legal Aid Commission Aboriginal Cultural Safety Standards

In 2015 Kaleesha worked with the UNSW Australia Law Indigenous Legal Education, Reconciliation and Research Committee, to promote the law school's Reconciliation Action Plan launch. KLC also worked on ensuring that KLC met the standards set out in LAC's Cultural Safety Standards Checklist.

Law Reform

Justice Reinvestment

In 2015 Kaleesha worked with 'Justice Reinvestment for Aboriginal Young People in NSW' campaign as a youth ambassador, and as a sitting member on the Strategic Directions Committee. The AAW has been working with the campaign coalition to create the NSW Just Reinvest Election Policy, and to recruit more youth ambassadors.

Senate Finance and Public Administration Committee Aboriginal and Torres Strait Islander Access to Legal Assistance Services

KLC made a submission to this inquiry in 2015. In the submission we argue that Aboriginal and Torres Strait Islander people have limited access to legal services. This results from a lack of awareness about legal issues, disenfranchisement with laws and the legal system, and a lack of adequate and culturally appropriate services. We also highlight the importance of justice reinvestment in addressing and preventing high rates of incarceration.

Community Legal Education

Working with Indigenous Clients and Communities Workshops

In 2015 this session, delivered to local community workers, was so popular it was delivered twice with each session attended at full capacity. The workshop is structured around KLC's Aboriginal Service Provision Manual.

Wills

Upon request from our local Aboriginal community, KLC did some research on wills and the contracts that NSW Trustee offers clients. This information was presented, amongst other themes, at a community information session in March.

Police Powers and Youth

In 2015 KLC worked with the SistaSpeak Program to deliver an information session on 'Police powers and youth' at Matraville Sports High School . The seminar was very successful and KLC is meeting to expand this partnership into 2015.

KLC Aboriginal Access Worker Kaleesha Morris

Clinical Legal Education

Kaleesha delivered the seminar 'Working with Aboriginal and Torres Strait Islander clients and communities' to students twice in 2015. It was rated very highly by students in their evaluations. Students also attended the Yarra Outreach as well as working with Kaleesha on community events, community legal education and law reform and policy projects. Students work closely with the AAW on all aspects of her work, including attending the Yarra Outreach, law reform and community legal education projects.

Community Legal Education

Community Legal Education (CLE) is a key part of Kingsford Legal Centre's service delivery program.

It is informed by our advice and casework clinics as well as our community development work. KLC runs an extensive program both proactive and reactive to community requests. KLC's CLE program is coordinated by Solicitor and Clinical Supervisor Dianne Anagnos. In 2015 KLC's Community Legal Education (CLE) program held over 25 workshops and events.

Community Workers Series

KLC has continued its regular community workshop series. This series presents plain English law seminars to local community workers. In the second half of 2015 an online booking system was launched which greatly improves the administration of the program. Some of the topics covered in 2015 were:-

- Working with Aboriginal and Torres Strait Islander communities.
- Social Security law
- Changes to Care and Protection laws
- Changes to Disability Support Pension
- Legal Record Keeping

CLE By Request!

KLC runs an extensive 'By Request' CLE program for our local community. Highlights of the program in 2015 include:-

CLE and Long Bay prison

KLC continued to provide presentations at the Ngara Nura rehabilitation program at Long Bay Jail. In 2015 we were invited to speak to two separate groups of inmates who are nearing their release dates after completing a drug and alcohol rehabilitation program. The presentations are followed by an advice session, where inmates receive help with issues such as fines, debt and victims compensation.

Randwick Boys High School Presentation

KLC staff and students presented a CLE session at Randwick Boys High School for over 75 year 10 students on crime prevention late in 2015. We used the Legal Aid Commissions 'Burn' resources, which provide a short film that stimulates discussion around police powers, criminal liability and co-offending. The session was highly interactive and the students were lively and fully participative.

Free Legal Support

Workshops for social housing tenants

KLC presented two workshops on repairs issues to social housing tenants in the South Maroubra estates in 2015. The first workshop was at a meeting of the South Maroubra Tenants Action Group. After this workshop we were invited to speak to the residents of Gallop Court, which is an estate exclusive to tenants living with disability or who are over 55 years old. The outcome of that workshop was a pop-up clinic to help residents with mobility issues to write letters to Housing NSW about their repairs issues.

O
POA
Workshop to
Greek Group

Discrimination CLE in partnership with the Central Coast Community Legal Centre

KLC was invited by the Central Coast CLC to present two workshops in Wyong. The first session was aimed at local community workers and covered the practical ways that they could assist their clients to identify and deal with unlawful discrimination. The second session was aimed at local solicitors and covered issues arising when advising clients on employment law and discrimination law options. It is always great to partner with another CLC to provide CLE.

Other CLE events in 2015 include:-

- Power of Attorney presentations in Greek, Italian and Russian to local community support groups. These sessions were organised in conjunction with the Ethnic Community Services Co-operative;
- Police powers talk at Matraville High School to the “Sista Speak” group. This group is made up of Aboriginal and Torres Strait Islander girls from Years 7 to 10 at the High School.
- International Students information for UNSW students. KLC has developed resource material on Employment law rights and Drivers Licensing rules for UNSW’s Student Life and Learning team to distribute to new International Students through Moodle.
- A workshop on the new visa cancellation laws to workers at Jewish Care
- A CLE on Tenancy Law to caseworkers from Partners in Recovery. The CLE was tailored to the caseworkers to equip them in assisting their clients with tenancy issues.

Law Reform and Policy

KLC has a dedicated Law Reform and Policy Solicitor position coordinating our proactive and reactive law reform and policy projects, which aim to address systemic injustice and improve the lives of our disadvantaged clients.

Our law reform projects are informed by the advice and casework of the Centre and all members of staff participate in this area of our service. All KLC law reform submissions are available on our website.

Major Law Reform Projects in 2015

Universal Periodic Review - Australia's Human Rights Score Card

In 2015 KLC Acting Director Emma Golledge co-ordinated the Joint NGO Report for the Universal Periodic Review along with the Human Rights Law Centre and the National Association of Community Legal Centres. This Report gives NGOs across Australia the opportunity to tell the United Nations Human Rights Council the state of human rights in Australia. The Report drew on the contributions of hundreds of NGOs and was submitted in March 2015. The Report was endorsed by 190 NGOs. The second phase of the project involved raising the issues highlighted by the Report with other nations on the Human Rights Council and using the Report in our domestic work.

UPR Consultation meeting

Social Housing Forum at Kooloora

On 5 February 2015 KLC held a forum for social housing tenants at the Kooloora Community Centre about Housing NSW's Discussion Paper on the future of social housing. Over 40 social housing tenants attended the forum where KLC gave a brief presentation and offered tenants choice in how they could respond by either an online submission, handwritten submission or video recording. KLC drew on what the tenants told us in the forum in preparing our own submission. Tenants told us:

"It is my home. I would be really upset to have to move"

"Don't knock down the housing … use government taxes to build more housing"

"People need housing, need a caring system."

Edwina MacDonald addressing local residents at the Social Housing Forum

"Freedoms" inquiries

KLC made a submission to the Australian Law Reform Commission Freedoms Inquiry in which we expressed our concern that the framework for "traditional rights and freedoms", as set out in the Inquiry's Terms of Reference, excludes other significant rights and freedoms, including the right to be free from discrimination. KLC also emphasised the importance of maintaining protections for freedom of association in the workplace, and the reverse onus of proof in the Fair Work Act to the AHRC Rights and Responsibilities Inquiry and the ALRC Traditional Rights and Freedoms Inquiry. In our submission KLC focused on five out of the sixteen rights and freedoms listed: freedom of speech, religion, association, burden of proof and procedural fairness.

Productivity Commission (PC) Inquiry into the Workplace Relations Framework

In September 2015, KLC drafted a submission to the PC Inquiry interim report, raising our concerns about a number of recommendations in the draft report that would have the effect of restricting access to justice. The submission focussed on areas of reform including the need for remedies if flexible working arrangement requests are rejected, domestic violence leave, protection against discrimination on the basis of criminal record and domestic violence survivor status, and eligibility and time limits for unfair dismissal claims. KLC Employment Solicitor, Maria Nawaz, also appeared at the Productivity Commission public hearing, where she discussed these concerns.

Other Law Reform Highlights in 2015

KLC engaged in other law reform activities which aimed to address systemic injustice:

- NSW Government's consultation on the NSW Disability Inclusion Plan
- Productivity Commission Workplace Relations Inquiry
- Inquiry into access to legal assistance services for Aboriginal and Torres Strait Islander Australians
- Consultation on ICESCR Periodic Reporting
- Royal Commission into Institutional Responses to Child Sexual Abuse
- NSW Department of Justice consultation on limitation periods in civil claims for child sexual assault
- Public Housing Anti-Social Behaviour Bill
- Productivity Commission Inquiry into Workplace Relations
- Australian Human Rights Commission's Willing to Work Inquiry into employment discrimination against workers with a disability and older workers
- Review of NSW Racial Vilification Offence
- Victims Support Reassessment Scheme
- Australian Human Rights Commission: Religious Freedom Roundtable

Committees and Alliances

KLC has also advocated for improvements to access to justice through participating in a number of committees and alliances:

- Eastern Suburbs Domestic Violence Network
- CLC NSW Board
- CLC NSW Employment Law Network – convenor
- NACLC Employment Law Network
- CLC NSW Law Reform & Policy Sub-Committee
- CLC NSW Prisoners' Rights Working Group – convenor
- CLC NSW Law Reform & Policy Working Group on Victims Compensation
- Human Rights Network – co-convenor
- NLAF Housing Group
- NLAF Prisoners Group
- Just Reinvest NSW

Communications

Kingsford Legal Centre E-Bulletin

The E-Bulletin outlines the work of the centre, including casework, community legal education and law reform. It is also an opportunity for the Centre to publicise events and to celebrate the achievements of staff, students and volunteers. The e-Bulletin has around 400 subscribers. In November 2015 we evaluated this publication and changed it to a shorter, monthly bulletin.

Kingsford Legal Centre e-Bulletin

Welcome to the December issue of the Kingsford Legal Centre e-Bulletin, our last edition for the year.

Pictured: UPR consultation meeting

KLC Participates In The UN's Universal Periodic Review

KLC's Principal Solicitor Emma Golledge was part of the Universal Periodic Review NGO Coordinating Committee this year, with the National Association of Community Legal Centres and the Human Rights Law Centre. The United Nations Universal

Women at Work Factsheets

KLC, in conjunction with Asian Women at Work (AWAW), created the Women at Work factsheets to provide vital information to women experiencing challenges in the workplace. Each factsheet features a case study focusing on a common workplace issue women face and outlines preventative steps, as well as legal and non-legal avenues for dealing with workplace issues. The factsheets are available in English, Indonesian, Bangla and Chinese. There are five sheets in total covering the following issues:-

- Aimee Feels Discriminated Against
- May Loses Her Job
- Is Sadia a Casual or Permanent Employee?
- Ling is not Getting the Right Pay
- Atin Wants to be Paid Superannuation

KLC Aboriginal Service Provision Manual - Updated Edition

This manual was originally produced in 2014 to help staff, students and volunteers of Kingsford Legal Centre (KLC) to build strong, culturally appropriate relationships with Aboriginal clients and communities. KLC recognises that different client groups have different service delivery requirements and needs and KLC hopes that this manual will help to develop the knowledge and skills necessary to work effectively and respectfully with local Aboriginal clients and communities. The Manual was updated and reprinted in 2015.

Social Media

In 2015 KLC hired a social media expert to help us to improve our social media profile. Our consultant produced a report mid-2015 with recommendations which were progressively implemented. Recognising the importance of promoting the service through these channels and integrating social media into core work of KLC has been a very productive process.

KLC Information Pamphlets

In 2015 KLC updated its information pamphlets. All KLC pamphlets are available on our website. Our current range includes:-

- Free Legal Advice – available in English, Arabic, Bangla, Chinese, Croatian, Greek, Indonesian, Italian, Serbian, Spanish, Turkish

- Service Commitment
- Problems at Work?
- Have you Been Discriminated Against?
- Aboriginal Access
- Do you Need Help in court?

Over 1000 of these pamphlets were distributed in 2015 through letterboxing of local public housing estates and mail outs to relevant community organisations.

Community Newsletters

In 2015 KLC wrote an article for Kooloora Community Centre's Inside Gossip newsletter on pressure selling from door-to-door energy provider salespersons. The article was a result of feedback we had received from community members and organisations that these salespeople were very active on the social housing estates and were targeting particularly vulnerable residents.

Management Committee

Kingsford Legal Centre appreciates the contribution made by our Management Committee members during 2015.

KLC Management Committee (L-R) Gemma Nevin, Keith Ball, Professor David Dixon, Emma Golledge, Associate Professor Sean Brennan, Anne Cregan and Professor Jill Hunter (Chair)

The committee met three times during the year: in March, June and November and provided useful direction on several issues arising throughout the year. Thank you to Professor Jill Hunter for chairing the committee and to the committee members: Professor David Dixon, Dean Faculty of Law (UNSW), Sean Brennan (UNSW Law School), Fei Wong, Gemma Nevin (UNSW Law School), Anne Cregan (Gilbert & Tobin), Keith Ball (Aboriginal representation) and Janet Green (Junction Neighbourhood Centre). KLC staff welcomes the Management Committee's commitment and support of the Centre and looks forward to working closely with its members again in 2016.

Working With Our Community

SWAG meeting

For over 30 years KLC has prioritised getting out into our community and working closely with community organisations to ensure that we understand their concerns and legal issues and respond appropriately.

We believe that our clients are experts in their own lives and in their own communities and that our role is to resource them to deal with justice issues sustainably.

South Ward Action Group (SWAG)

This group is resourced out of Kooloora Community Centre and covers residents in the South Ward of Randwick Local Government area. SWAG meets to discuss and campaign around issues effecting public housing tenants in the area. In 2015 SWAG were delighted to learn that the State Government's South Anzac Parade Urban Activation Precent proposal, which would have meant the redevelopment of five major social housing estates, has been shelved. In February KLC briefed SWAG on the State Government's Social Housing Discussion paper and assisted members to make submissions. KLC attended four SWAG meetings in 2015.

Management Committees

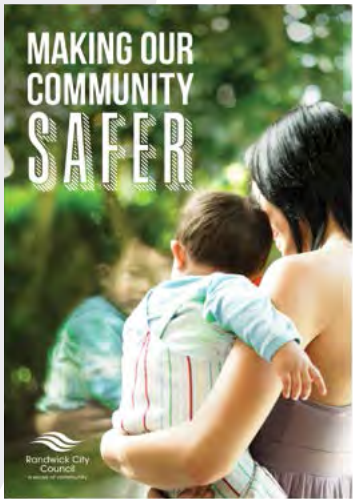
A number of KLC staff were on local community management committees in 2015 including:- South East Community Connect (SECC); Deli Women and Children's Centre; Eastern Area Tenancy Service (EATS); The Junction Neighbourhood Centre and Kooloora Community Centre. These cement KLC's relationships with these key community organisations and ensures that we are up to date on issues effecting these services' clients. We have assisted some of these organisations to gain pro bono legal advice on issues such as changes to licencing agreements.

Public Housing Tenants Groups

Tenants groups are key to recognising and resolving systematic issues on public housing estates. KLC staff and students have continued to work with both the South Maroubra & Bilga Tenants Groups in 2015. KLC helped with a number of issues including a long running problem of a charity bin which had become a dumping ground and was attracting vermin, and running community legal education sessions on repairs issues in 2015.

Anti-Poverty Week Cake Stall

KLC's students did a brilliant job at KLC's annual Anti-Poverty Week Cake Sale raising $2000 for Kooloora Community Centre. The cake sale is used to raise awareness of the role of grass roots organisations in alleviating poverty. Kooloora was delighted with the donation.



Community Safety Forum

Community Safety Forum

KLC assisted in organising a Community Safety Forum for public housing tenants in partnership with Randwick Council, Kooloora, Housing NSW and The Deli. The event was held in April combined with the regular Wraparound event. Speakers from Police, FACs and Housing discussed DV, neighbour issues and child protection and community agencies were on hand to discuss individual issues. The event targeted at public housing tenants in the South Ward of Randwick LGA, and attracted around 50 people.

KLC student Tom Gillespie's self portrait

Photography Project

Each semester a KLC student takes on the photography project. This project involves the student going out into the community and taking pictures of our local estates as well as our beautiful beaches. Many of the pictures in this and all KLC publications and social media are a result of this project.

Freehills Secondee Jen Wu at the Family Fun Fair

Family Fun Day Fair 11 December

KLC staffed a stall at the annual family fun fair on the Soldiers Settlement Housing estate. This event is a much anticipated one in the community and over 700 people attend over the afternoon. It is a great opportunity for KLC to promote our service to public housing tenants.

KLC Front Office Supervisor Roselle Nunes & Julie Spies

Kooloora Xmas Party – Farewell to Julie Spies

KLC staff attended this event which doubled as a farewell to the coordinator of Kooloora for over 20 years, Julie Spies. KLC has been very active in working with Kooloora on recruitment of a new worker and managing the change. Julie is very popular in the South Ward of Randwick LGA and politicians Matt Thistlethwaite, Michael Daley, Mayor De Sousa and ex politician Peter Garrett all attended the event. All KLC staff have loved working closely with Julie whose commitment, integrity and compassion are second to none – she will be greatly missed.

Volunteers

KLC Solicitor Dianne Anagnos and Vol Sol Paddle winner Mike Steinfeld

KLC volunteers at Christmas dinner

In 2015 Kingsford Legal Centre boasted a roster of over 70 volunteer solicitors who provide advice at the Centre three evenings a week.

Without their commitment and professionalism KLC could only service a fraction of the clients that we currently do. They are the heart and soul of KLC and we are very grateful for their generosity to our clients and students. We look forward to working with them in 2016. Congratulations are due to our 2015 paddle winner, Mike Steinfeld, who has been volunteering at KLC for over 25 years, for 'Saying it Like it is!" – a worthy winner.

Kingsford Legal Centre Volunteers 2015

Aaron McKinnon
Alex Brown
Alex Ying
Alice Paul
Alishan Megerdichian
Amanda Wallace
Amy O'Callaghan
Ananda Stoevelaar
Anne Fernando
Anthea Eills
Anthony Krensel
Arturo Norbury
Ashley Walker
Avisa Jamshidi
Ben O'Sullivan
Benjamin Broyd
Bill McManus
Cedric Hassing
Celine Thompson
Charmaine Roberts
Cherry Siu
Chris Hill
Christa Ludlow
Dana Beiglari
Danielle Mawer
Danielle Mawer
Danny Grynberg
Dave McMillan
Deborah Lum
Divya Pahwa
DJ Lee
Ellie Setakeh
Emma Anderson
Emmanuel Giuffre
Erin Gavin
Fiona Robson
Fiona Duane
Fiona Aroney
Gabe Chipkin
Geena Kordek
Gina Block
Graeme Ulbrick
Harry McDonald
Helena Golovanoff
Hugh Donnelly
Jacyleen (Jo) Ong
Jada Lam
Janaki Tampi
Jeane Wells
Jenna Pervan
Jennifer Zhou
John Nash
John Fitzgerald
Joseph Kennedy
Justin Wong
Juvena Hannan
Kelly Durant
Kenneth Yardy
Kim Sinclair
Larissa Andelman
Laura Cottam
Lauren Zambotti
Leah Hecht
Lena Nash
Leon Apostle
Libby Brookes
Lily Shang
Linda Needham
Lucy Ware
Maggie Hayes
Marea Wilson
Marie Sacco
Marie-Louise Scarf
Marty Bernhaut
Mary O'Connell
Maya Pollak
Megan Lee Norris
Michael Kim
Michael Probert
Mike Steinfeld
Monica Aguinaldo
Moses Kakaire
Novie Kurniawan
Paul Young
Penny Vlahogiannis
Penny Josey
Peter Hill
Phillipa Hetherton
Rachael Vincent
Richard Mitry
Ross Buchanan
Sarah Roberts
Sarath Seethamraju
Shona Seaton
Simmon Matherson
Simon Bruck
Simone Vrabac
Siobhan Moore
Skye Owen
Sophie Parker
Stanley Tao
Sue Mordaunt
Suma Tekkatte
Sylvia Hobbs
Tess Degan
Ting Tsia
Trent Czinner
Troy Swan
Victoria Edwards
Wendy Muir
Zeina Touma

Students

STUDENT COMMENTS ABOUT KLC CLINICAL COURSES

"I really enjoyed my experience here and only wish I had applied for two days! In particular, I liked how students were given so much responsibility over managing cases, interviewing and staying in contact with client which is simply not available in any other UNSW internship. I felt that I had learnt a lot about drafting, interviewing and met my learning goals."

"It has been a wonderful experience which has cemented my appreciation for what the law can do for the community. The staff have been brilliant and have fostered a nurturing and challenging environment that all students can benefit from."

"Everyone was extremely friendly and created a happy learning environment to be in."

"KLC was very enjoyable and a great learning environment. The only thing I'm disappointed in is how quickly the semester passed".

Clinical Legal Education Courses at KLC

Thanks to all of our wonderful clinical students from 2015 – we wish them all well into the future and hope to see many of them on our volunteer roster into the future.

○ Yen Tran, Rohan Mackenzie & Trisha Shastr i– joint paddle winners in semester 1

Semester 1 2015

Alisa Green
Brian Fang
Cheryne El Hawat
Hannah Phua
Hermione Xing
Ida Nguyen
Jacqueline Yip
Jared Blumberg
Jason Zhong
Jean-Paul Ong
Jim Zovaro
John Ha
Karen Pan
Lee-Anne Yeo
Lorreta Cheng
Marco Olea
Matina Theodorakopoulos
Matthew Mok
Michael Xia
Michelle Chen
Nick Balzer
Rema Hamdan
Rohan Mackenzie
Saskia van Loon
Tadeh Karapetian
Trisha Shastri
Vincent Bagala
William Malouf
Yen Tran

Semester 2 2015

Julia Hosking
Matthew Bevins
Max O'Reilly
Thomas Gillespie
Krizia Bettina Forde
Georgie Richardson
Jacky Lui
Jordan Cheung
Joon-Ho Shin
Kuo Hung Cheng
Lishan Guo
Mark Gibson
Michelle Chow
Samantha Chien
Sui Hang Chan
Tracey Shao
Akira Yamazaki
David Ellis
Dolly Kachwaha
Enrico Martini
Eva Lin
Jessie Zhang
Atul Vidhata
Judy Tran
Julianne Tiglao
Michaela Vaughan
Neowool Kwon
Phoebe Azer

Lawyers Ethics and Justice Students

Over 450 Law Lawyers and Society students attended the Centre for a one off advice night during 2015. We look forward to seeing these students later in their degree in one of our clinical courses.

Staff

KLC staff at vol sol dinner

DIRECTOR	Emma Golledge (Jan-Sept 2015) Associate Professor Anna Cody (Sept – Dec 2015)
PRINCIPAL SOLICITOR	Dianne Anagnos (Jan-Sept 2015) Emma Golledge (Sept – Dec 2015)
OFFICE MANAGER	Denise Wasley
SOLICITOR/CLINICAL SUPERVISOR	Dianne Anagnos (Sept - Dec 2015) Haley McEwen Nick Ngai (Oct-Dec 2015)
EMPLOYMENT LAW SOLICITOR/CLINICAL SUPERVISOR	Maria Nawaz
FAMILY LAW/DV SOLICITOR/CLINICAL SUPERVISOR	Natalie Ross
LAW REFORM AND POLICY WORKER/CLINICAL SUPERVISOR	Edwina MacDonald Katherine Boyle (Jan-June 2015)
FRONT OFFICE SUPERVISOR	Roselle Nunes
ABORIGINAL ACCESS WORKER	Kaleesha Morris
LIBRARIAN	Murray McWilliam
HERBERT SMITH FREEHILLS SECONDEES	Damian Finan John Nash Jennifer Wu
CLSIS DATA WORKER	Gloria Bankhead

Finance Report

Kingsford Legal Centre

Statement of Financial Performance

For the Year Ended December 2015

	Note	2015 $'000	2014 $'000	2013 $'000
REVENUE				
Research Revenue	1	-	-	-
Donations & Bequest - Draw downs		-	-	-
UNSW Contributions	-	-	-	
Faculty Contributions	2	731	717	664
Other Restricted Revenue	3	438	448	420
Commercial Activity - Fees for Service		-	-	-
Sundry Other Revenue	-	-	-	
Total Revenue		**1,169**	**1,165**	**1,084**
EXPENSE				
Salaries, Oncosts and other staff costs		**1,159**	**1,006**	**951**
Scholarship Stipends		-	-	-
Contract & Consulting Services		0	1	6
Repairs and Maintenance		-	0	-
Consumables		13	12	14
Travel		23	21	24
Equipment Non Capitalised		13	12	9
Entertainment		1	1	1
Marketing		2	0	0
Miscellaneous Expenses		38	55	33
Total Non-People Costs		**90**	**105**	**88**
Total Expenses		**1,249**	**1,111**	**1,039**
TOTAL CONTRIBUTION - SURPLUS/(DEFICIT)		**$ (80)**	**$ 53**	**$ 45**
Depreciation		-	-	-
SURPLUS / (DEFICIT) after Depreciation		**$ (80)**	**$ 53**	**$ 45**
Cashflow Funded Capital Expenditure (CAPEX)		-	-	-

Notes:

1 Revenue in Advance will be noted in Creditors & Other Liabilities.			
Research Revenue generated (cash basis).	-	-	-
Category 1 Research Revenue therein	-	-	-
2 UNSW Budget model includes other revenue items			
Teaching Revenue	-	-	-
Block Grants	-	-	-
Indirect Cost Recoveries	-	-	-
3 Other Research Revenue includes internal fund transfers.			
4 Restricted Funds - Cash at year end	$ 56	$ 137	$ 84
5 Funds available in Division of Advancement	$ 30	$ 19	$ 18

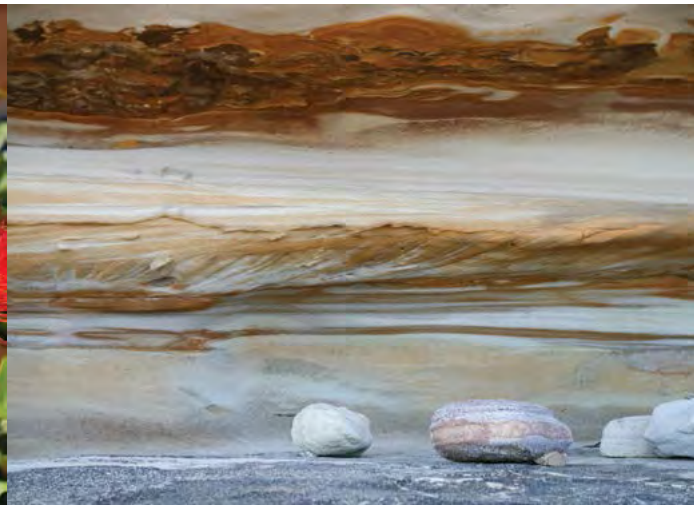
Certified by Faculty Finance Manager

Name: Anna Polykarpou

Date: 15.01.2016

Signature:

Acknowledgements

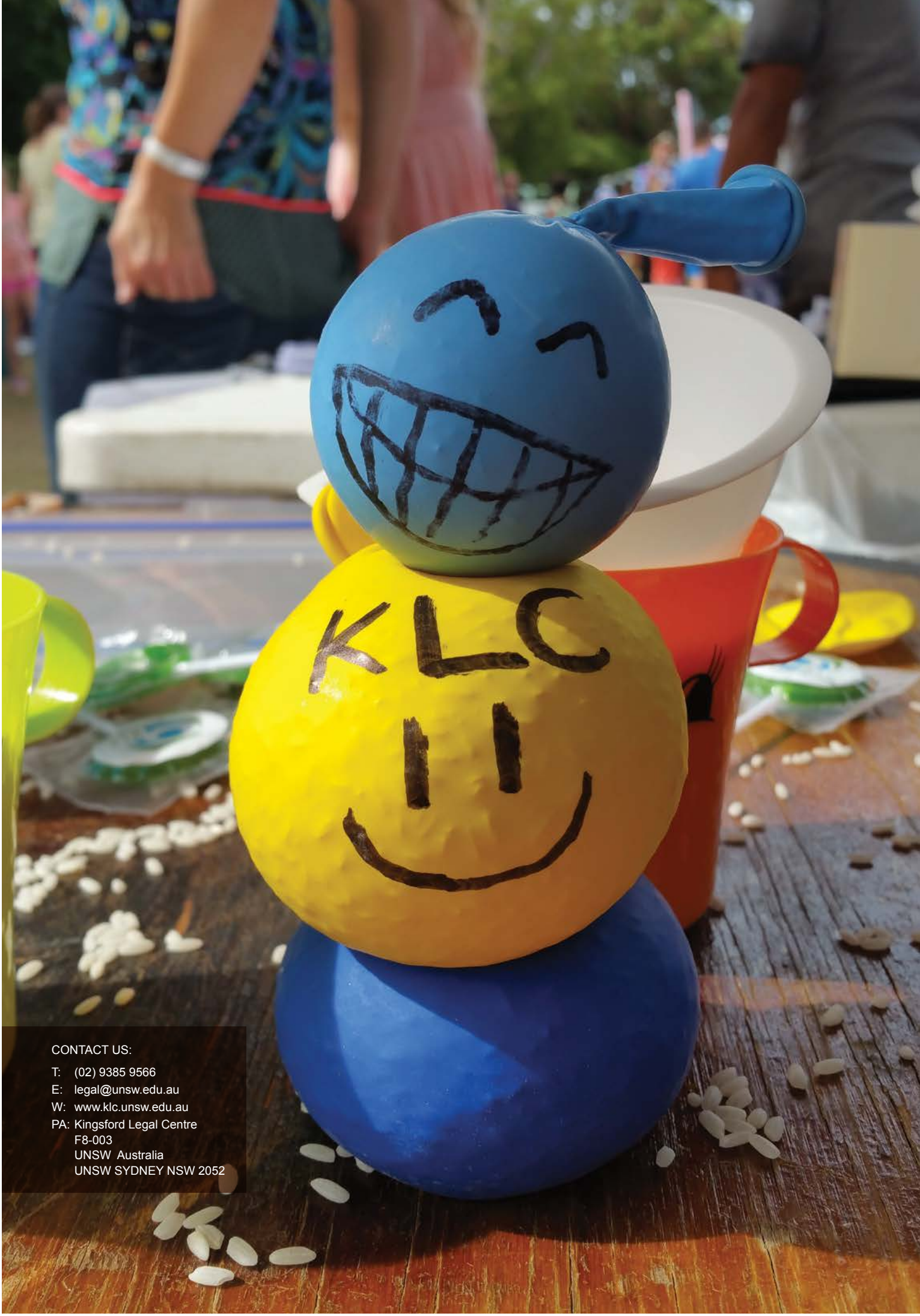


During 2015 Kingsford Legal Centre received income and grants from:

- UNSW Law Faculty
- Federal Attorney General
  - Community Legal Services Program (CLSP)
  - Clinical Legal Education Initiative (Employment Law Clinic)
  - Family Law Focused Clinical Education Project (Family Law/Family Violence Clinic)
- NSW Attorney General – Community Legal Services Program (CLSP)

Kingsford Legal Centre would like to acknowledge the support provided by:

- Herbert Smith Freehills for their ongoing secondee program
- The La Perouse Local Aboriginal Land Council for providing the venue and their support of the weekly outreach service held at Yarra Bay House
- Kooloora Community Centre for providing the venue and their support of an outreach service
- South East Connect for providing the venue and their support of an outreach service
- The following law firms for their participation in the employment law clinic: Harmer's Workplace Lawyers, Henry Davis York, Ebsworth & Ebsworth and Bartier Perry.
- Guest speakers at the Wednesday afternoon classes
- Staff of the UNSW Law Faculty and Law School
- Long time KLC volunteer Ross Buchanan and Macquarie Bank for their very generous donations
- Law Society for their generous donation of profits from the Revue



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