



Redfern Legal Centre

REDFERN LEGAL CENTRE
ANNUAL REPORT 2004-2005

Redfern Legal Centre

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73 PITT STREET REDFERN 2016

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WEBSITE WWW.RLC.ORG.AU

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Contents

Our Vision	3
Management Structure	5
Funding	5
Staff and volunteers	6
Client Statistics	11
General Legal Service	13
Credit and Debt	20
Tenants' Service	23
The SRC Legal Service	27
Women's Domestic Violence Court Assistance Scheme (WDVCAS)	30
Directors' Declaration	35
Auditor's Report	36
Financial Performance	37
Financial Position	38
Cashflow statement	39

Redfern Legal Centre is an independent non-profit community centre dedicated to promoting social justice and human rights.

VISION

A just society which respects human rights and enables equal participation by all.

PURPOSE

Redfern Legal Centre promotes social justice through:

- ◆ providing free legal advice, legal services and education to disadvantaged people in New South Wales, and to groups who advocate for them;
- ◆ participating in activities which reduce inequalities and defects in laws, the legal system, and administrative and social practices that impact on disadvantaged people.

VALUES

Redfern Legal Centre:

- ◆ Promotes the empowerment of individuals and communities;
- ◆ Respects clients, community members and each other;
- ◆ Provides a safe, meaningful and co-operative work environment for staff and volunteers;
- ◆ Involves the staff, volunteers and community members in planning, managing and delivering services;
- ◆ Reflects and learns from experience;
- ◆ Provides accessible, holistic and non-judgmental services; and
- ◆ is independent, effective and accountable.

GOALS

1. To provide legal advice, referral and casework to disadvantaged people and to groups who provide services for or advocate for them.
2. To work with communities and individuals to develop local services and empower people to assert their own interests.
3. To identify the inequalities in the laws, legal system, administrative practices and society as a whole that affect our clients and disadvantaged people generally and to work for social and legal change to remove those defects and inequalities and enhance respect for human rights.
4. To enhance community members' ability to resolve their problems and assert their rights through the provision of community legal education.
5. To contribute to a civil society, including by involving volunteers in our service delivery and by co-operating with other community organisations in pursuit of shared objectives.
6. To sustain an infrastructure and administration that provides adequate resourcing for our activities, and to effectively manage and maintain those resources.

OUTCOMES

1. Clients of Redfern Legal Centre have access to timely, quality local affordable legal services appropriate to their needs.
2. There is improved referral and co-operation throughout the community services and legal services relevant to our clients.
3. There are changes to law, policy and administration which decrease social disadvantage.
4. Clients are better informed of the operation of the justice system and are better able to resolve their problems and enforce their rights.
5. Redfern Legal Centre has strategic partnerships with volunteers, pro bono service providers and other relevant community organisations.
6. Redfern Legal Centre is able to provide the resources needed to achieve its goals.

ACKNOWLEDGEMENT

Redfern Legal Centre acknowledges that we work on Aboriginal land, traditionally the home of the Gadigal people of the Eora Nation.

MANAGEMENT STRUCTURE

Redfern Legal Centre is a company limited by guarantee. It has six elected directors who have delegated responsibility for day-to-day management of the Centre to the Director.

DIRECTORS

Member Name	Occupation	Basis of Appointment	How Appointed
Gordon Renouf	Consultant	Member	Elected at AGM Resigned 23.11.04
Peter Stapleton	Solicitor	Member	Appointed to fill casual vacancy 23.11.04
Mary Perkins	Community Service Agency Director	Member	Appointed to fill casual vacancy 26.10.04
Nicholas Patrick	Solicitor	Member	Elected at AGM
Rebekkah Donaldson	Solicitor	Member	Elected at AGM
Chris Elenor	Strategic Analyst	Member	Elected at AGM
Tamara Sims	Solicitor	Member	Elected at AGM

FUNDING

RLC receives funding and in-kind support from a range of sources. We thank these Departments, organisations and individuals for their ongoing support of the Centre.

- ◆ The General Legal Service is funded principally through Community Legal Centres Funding Program which is administered by the NSW Legal Aid Commission and the Indigenous Justice and Legal Assistance Division of the Commonwealth Attorney General's Department.
- ◆ The Credit & Debt Service is funded by the NSW Department of Community Services, the NSW Office of Fair Trading and the Commonwealth Department of Family and Community Services through its Financial Counselling Program
- ◆ The Women’s Domestic Violence Court Assistance Scheme is funded by the NSW Legal Aid Commission
- ◆ The Students Legal Service (Branch Office) is funded by the Students' Representative Council at Sydney University.
- ◆ The Inner Sydney Tenants Advice & Advocacy Service is funded by the NSW Office of Fair Trading.
- ◆ Sydney City Council provides the Centre with concessional rent.

From time to time the Centre is successful in gaining funds for non recurrent projects or joint projects. We thank:

- ◆ The NSW Department for Women for a grant for a project to enhance ATSI women's access to the Downing Centre Local Court for assistance in domestic violence matters;
- ◆ The NSW Law & Justice Foundation for assistance with a workshop on Aboriginal women dealing with domestic violence;
- ◆ The Commonwealth Department of Family and Community Services for an equipment grant;
- ◆ The NSW Law and Justice Foundation, and the NSW Office of Fair Trading for assistance with the production of the second edition of the Share Housing Guide;
- ◆ The NSW Office of Fair Trading for assistance with production of factsheets on tenancy issues;
- ◆ The Commonwealth Department of Family and Community Services under the Sugar Industry Reform Program, for provision of assistance to financial counsellors in northern NSW.

VOLUNTEERS

This year – as usual – volunteers contributed to all aspects of the Centre's work. Our volunteers are of all different ages and from all walks of life. We had approximately 260 volunteers during 2004/2005 – there are usually at least 70 active volunteers on our books at any one time. Redfern Legal Centre is able to attract approximately 30,000 volunteer hours per year. As almost all our volunteers have some post-secondary education, and many are highly skilled and bring many years of life experience, we estimate that through our volunteers we contribute the equivalent of \$900,000 worth of service to the community each year. We thank all our volunteers for their contribution.

Daytime volunteers – “legal assistants”– are generally law students and interested members of the community. They do weekly half day shifts, working on reception, casework (under the instruction of the caseworker), research and administration. Night time volunteers – mostly solicitors – take instructions and provide legal advice and do either weekly or fortnightly shifts. All volunteers receive training, sign a confidentiality agreement, and all volunteers are supervised by a member of staff.

PRO BONO SUPPORT

This year Redfern Legal Centre has developed a program to enhance the accessibility and effectiveness of pro bono legal services for our clients.

We value the support and commitment to the provision of services for disadvantaged litigants of our pro bono partners, without whom we would not be able to continue to provide such a comprehensive range of services.

We aim to ensure that so far as possible if there is assistance available the client will receive it, whether through our centre itself, Legal Aid, the Law Society and Bar Association schemes or through pro bono assistance.

Firms that have provided placements for us have been Fosters Lawyers (Keith Foster), Markham Geike Farrugia (Paul Farrugia), Keddies, Henry Davis York, Blakes (Peter Stapleton and Natasha Thompson), and Corrs Chambers Westgarth.

Mallesons and Gilbert and Tobin have provided solicitors for the Women's Domestic Violence Court Assistance Scheme.

Dibbs Barker Gosling provided assistance with the production of the second edition of "Law for All – an analysis of the legal needs of the residents of inner Sydney".

Blake Dawson Waldron (Sonya Willis) assisted with the development of project materials and did some work for us reviewed our website fact sheets. Blakes (Anne Cregan) also published the Women's Domestic Violence Court Assistance Scheme Manual.

BARRISTERS:

Iain Todd
Sean Brennan
Adrian Williams
Michael Crowley
Kate Eastman
Neil Dawson
Ingmar Taylor
Louise Goodchild
Greg Moore
Josephine Thornton
Lindsay Ellison
Narelle Butler

Thanks also to the Clerks at Frederick Jordan Chambers

FIRMS THAT HAVE TAKEN CASES:

Clayton Utz
Freehills
Ebsworths
Mallesons
Gilbert and Tobin
Blakes
Geoff Thompson
Turner Freeman
Fosters Lawyers

We would also like to thank the Co-ordinators of pro bono schemes: John Truswell of the Law Society and Heather Sare from the Bar Association.

DONATIONS

We thank Microsoft for software, and other generous supporters who have made donations to the ongoing work of Redfern Legal Centre.

REDFERN LEGAL CENTRE VOLUNTEERS IN 2004/5

AmbrithAbayasekara	David Clarke	Ross Nicholas	Fatima Sayed-Ahmed
Paul Ahearn	Paul Coady	Paula Novotna	Maggie Seeto
Jesmini Ambikapathy	Noella Collingridge	Sam O'Leary	Susan Shehadie
Costas Argyrou	Amber Courtenay	Maureen Oh	Jeremy Shirm
Stephanie Atkinson	Emma Crause	Lila Oldmeadow	Gideon Silverman
Lynnette Barnes	Lachlan Cumming	Julie Pak	Priya Sivakumaran
Aliza Bear	Maurice Cunningham	Sarah Paparo	Caroline Smith
Caroline Best	Paul Davis	Ben Patrick	Susan Smith
Claire Bothwell	Carolyn Dearing	Elisabeth Passmore	Vlad Stakovich
Maxine Bourke	Kelly Douglas	Drazen Petkovich	Elizabeth Steer
Emma Broomfield	Nicholas Dunstone	Enjel Phoon	Rescina Stevenson
Louise Buchanan	Tori Edwards	Jackie Hartley	Lynette Styles
Bridget Burton	Ryan Ellis	Joanna Hemingway	Rachel Swift
Sheelagh Callaghan	Sheridan Emerson	Edwina Hill	Angie Switzer
Megan Caristo	David Evans	Julie Hourigan Ruse	Priya Tamhane
John Catarinich	Yvonne Fang	Kirsty Howey	Geni Tanda
Amy Chan	Elizabeth Favaloro	Tina Hsu	Anne Taylor
Ding Chen	Ben Fogarty	Anna Humphries	Mark Teutsch
Sang-Whan Cho	Keith Fosters	Lici Inge	Shannon Torrens
Victor Chung	Carl Freer	Margaret Jones	Julian Troy
Lisa Coady	Paulina Fusitu'a	Anthony Jucha	Jennifer Tyler
Chabriol Colebatch	Janice Galluzzo	Daniel Jung	Ingrid Van Tongeren
Andrew Combe	Lisa Garton	Caroline Katter	Ashley Walker
Philip Cox	Jeremy Geale	Andrew Kemp	Anna Ward
Chris Cruikshank	Catherine Gleeson	Joanne Kinslor	Mary-Rose West
David Cummings	Louise Goodchild	Ellen Knoblanche	Susan Williamson
Lyllian Dam	Matthew Graham	Meryl Koh	Susan Winfield
Sally Deans	Sarah Harrod	Simon Kritsotakis	Zelie Wood
Rebekah Donaldson	Gabrielle Hart	Angela Law	Anna Yang
Melissa Doyle	Oliver Harvey	Simon Levett	Carli Yung
Sophie Edin	Katie Higgins	David Loonam	Mi Zhou
Jeremy Eisman	Philippa Hill	April Lucas	Conrad Rainer
Lisa Emanuel	Andrew Howell	Natasha McCarthy	Rajat Ray
Belinda Epstein	Melanie Howlett	Debbie McMahon	Ilona Renner
Cara Fairbanks	Andy Hui	Verity McWilliam	David Roth
Paul Farrugia	Yasmin Hunter	Leon Mahtani	Nathaniel Rowe
Jillian Field	Belinda James	Chrisanthe Makris	Gemma Saville
Liliana Ford	Tamasin Jonker	Anne Marix-Evans	Adrian Scardilli
Kathleen Fraser	Llewellyn Judd	Monica Massoud	Maya Sen
Deborah Frenkel	Syed Kabir	James Mayne	Boemshik Shin
Helen Galitsky	Toshi Kawaguchi	Claire Miles	Daniela Sicurella
Mel Gangemi	Ann Kinghan	Emily Minter	Bhavini Sindarjee
Elizabeth Gaunt	Tanya Klein	Vincent Mok	Praveena Sivanesarajah
Katherine Giles	Patrick Knowles	James Morton	Christopher Smith
Michelle Golafshan	Stella Koya	Lisa Munro	Harshanie Sooriyabandara
Lyndal Gowland	Michael Lalji	Roger Murray	Therese Stanton
Marcia Hargous	Emma Le Coic	Jessica Naimo	Joshua Stern
Pauline Adraskelas	Jamie Levy	Kelvin Ng	Brad Stringer
Jan Alewood	Lisa Lu	Katrina Nicholas	Emma Sullivan
Lucy Arblaster	Rhonda Luo	Ellen Nicolson	Ingrid Switzer
Gabriel Ash	Stephen McKenzie	Elizabeth O'Donovan	Eva Szudej
Anna Baltins	Sheila McMahon	Joanna Oakey	Jessica Tan
Patrick Barry	Andrew Ma	Anna Oldmeadow	Juliana Tang
Harold Bear	Henry Makeham	Elizabeth Paine	Rodney Teoh
Valeska Bloch	Susan Malakooti	Lucy Pal	Jacqueline Timewell
Anna Boucher	Caroline Martin	Jillian Parkin	Therese Tran
Ljiljana Brdaric	Lily Mathews	Nicolas Patrick	Katy-Jo Turner
Sarah Brown	Anne-Marie Miccoli	Patricia Percy	Annette Van Gent
Bronwen Burfitt	Rocky Mimmo	Annie Phillips	Tanya Vincent
Anna Byrne	Peter Mobbs	Adam Pope	Greg Walsh
Desley Campbell	Michael Moldrich	Mike Race	Elizabeth Wells
Charles Cassimatis	Sina Mostafavi	Aaron Rathmell	Mary Wignall
Jason Chai	Kerrin Murray	Philip Relf	Michael Windsor
Joyce Chan	Marie Nagy	Shannon Richards	Sarah Winter
Joanne Cheoung	Dian Neligan	Lenny Roth	Sarah Wyatt
Yvonne Chong	Christina Nguyen	Christopher Rudge	Erik Young
			Yvonne Zhang



Staff & Volunteers

STAFF 2004/05

PERMANENT AND FIXED TERM STAFF IN 2004/05:

Ambrith Abayasekara	<i>Tenancy Worker</i>	Nicole Urban	<i>Tenancy Worker</i>
Hilary Chesworth	<i>Administrator</i>	Helen Campbell	<i>Director</i>
Lyndal Gowland	<i>WDVCAS Coordinator</i>	Dixie Gordon	<i>WDVCAS Assistant</i>
Robyn Holden	<i>Volunteer Coordinator</i>	Matthew Hazard	<i>SRC Solicitor</i>
Elizabeth Morley	<i>Principal Solicitor</i>	Kirillie Moore	<i>Senior Solicitor</i>
Ann Petrou	<i>Administrative Assistant</i>	Sri Ogden	<i>Tenancy Worker</i>
Penny Quarry	<i>Senior Solicitor Credit & Debt</i>	Nicki Petrou	<i>Solicitor Credit & Debt</i>
Amy Richardson	<i>Tenancy Worker</i>	Jeremie Quiohilag	<i>Front Desk Coordinator</i>
Jacqui Swinburne	<i>Tenancy Coordinator</i>	Susan Smith	<i>WDVCAS Coordinator</i>
		Sue Thomas	<i>Tenancy Worker</i>

LOCUMS AND CASUAL WORKERS:

Anna Baltins	<i>WDVCAS Assistant</i>	Bridget Burton	<i>Day Information Service</i>
Alicia Chrysochoides	<i>Tenancy Adviser</i>	Lachlan Cumming	<i>Locum solicitor</i>
Lala Daniel	<i>Leaflet design</i>	Yu Zhang	<i>Cleaner</i>
Sally Deans	<i>Day Information Service</i>	Yuan Ding	<i>Cleaner</i>
Mary Flaskas	<i>Tenancy Adviser</i>	Ben Fogarty	<i>Locum Solicitor</i>
Paulina Fusitu'a	<i>Night Advice Service</i>	Catherine Gleeson	<i>Night Advice Service</i>
Susie Grey	<i>Data entry</i>	Michael Holloway	<i>Locum Solicitor</i>
Andrew Howell	<i>Day Information Service</i>	Anna Kerr	<i>Locum solicitor</i>
Angel Kwo	<i>Administrative assistant</i>	Natasha McCarthy	<i>Women's Domestic Violence Court Assistance Scheme</i>
Amie Meers	<i>Tenancy Adviser</i>	Lila Oldmeadow	<i>Night Advice Service</i>
Ben Patrick	<i>Night Advice Service</i>	Aaron Rathmell	<i>Day Information Service</i>
Belinda Russon	<i>Locum Solicitor</i>	Tim Stainton	<i>Day Information Service</i>
Joshua Stern	<i>Legal assistant</i>	Ingrid van Tongeren	<i>Locum solicitor</i>
Mary Wignall	<i>Day Information Service</i>	Susie Williamson	<i>Women's Domestic Violence Court Assistance Scheme</i>

CONSULTANTS

Meerkat Computer Services	<i>Computer support</i>
Access Programs	<i>Employee Assistance Program</i>
Shanon Maguire	<i>Employment consulting</i>

SELECTED CLIENT AND SERVICE STATISTICS

Information activities	3 100
Number of advices undertaken	1 864

Casework:

Number of files opened	944
Number of files closed	634
Community legal education projects	19
Law reform projects undertaken	31
Research projects undertaken	40
ATSI clients	8%
CALD clients	34% (72 different countries of origin)
Clients with a disability	14%

GENERAL CASEWORK

Consumer/legal system/complaints	23%
Domestic Violence	12%
Tenancy	11%
Employment	10%
Government admin/Centrelink	9%
Motor vehicle	7%
Family law	6%
Victims comp/personal injury	5%
Crime	4%
Discrimination	2%

SRC OUTREACH

There were 78 active cases in total during the year
The most common matters were:

Consumer complaints
Employment
Criminal offences
Fines/ Debts
Administration complaints
Motor vehicle accidents

WOMEN'S DOMESTIC VIOLENCE COURT ASSISTANCE SCHEME

Total client contacts:	1 183
ATSI clients	12%
CALD clients	17%
Clients with a disability	19%
AVO applications	80%
Police initiated AVO	70%
Defendant male ex partner	73%

INNER SYDNEY TENANTS' ADVICE AND ADVOCACY SERVICE

Total client contacts	2007
ATSI clients	20%
CALD clients	31%
Involving public housing	80%
Representation in tribunal	22%

CREDIT AND DEBT SERVICE

Total client contacts	716
ATSI clients	6%
CALD clients	31%
Debts	10%
Contract disputes	4%
Credit legislation	13%
Centrelink	9%
Other	62%

GENERAL LEGAL SERVICE

Redfern Legal Centre provides free legal information and advice, and legal casework to disadvantaged people who live and/or work in the Sydney, Leichhardt and Botany local government areas, and in some instances beyond this region. We provide general legal advice and specialist advice in credit and debt, domestic violence, tenants' rights, and employment law. We also conduct community legal education and participate in law reform campaigns.

OPERATING HOURS

On Monday to Thursday we are open from 9am to 8.30pm, and on Friday we are open from 9am to 5pm. We are closed each day for lunch between 1pm and 2pm.

ADVICE AND CASEWORK

It is an overall aim of the Centre's general casework that clients should be provided with as much information and as many skills, as we can, to take control of their own situations. Our clients face many barriers to achieving fair treatment within our society. It is both effective delivery of service and consistent with practising in a human rights context, to enhance our clients' ability to act for fair outcomes themselves.

A fair and inclusive society, where individuals feel that their grievances are listened to, are taken into consideration, are fairly balanced against competing interests and redress is available is one which people will want to participate in, rather than act against. The economic and social costs of allowing people to be alienated, or for an underclass to develop, are unsustainable.

Legal advice is provided at a number of advice sessions each week. Some ongoing casework assistance is provided – we use casework guidelines to determine which matters to take on. The weekly file intake meeting also determines – and monitors - how much work is done on each file.

The Centre cannot take on all cases. It is funded by the government and has limited resources. Most of the advice is given by lawyers, who volunteer after work hours. We try to make the best use of our resources and to help as many people as possible, and we only have experience in specific areas.

In deciding whether to take on a case, the Centre considers whether there are other forms of assistance available, whether it is an area of work the centre does, what the chances of success are, whether the case will assist a large number of people or change the law, and how much other work the Centre is doing at the time.

We have implemented a policy whereby indigenous clients – resources permitting - have access to immediate legal advice. If we are not able to provide the advice required immediately, we take initial instructions and give the client an appointment the same evening. This policy has been implemented and we have noted an increase in the number of indigenous clients accessing our service. We have also promoted the policy to the Aboriginal Interagency group for the inner Sydney region.

The Centre's general advice hours are as follows:

- ◆ *Monday to Thursday evenings from 6:30pm to 8.30pm*

We see up to 10 clients per session, and provide advice by telephone. Priority is generally given to clients who have a pre-arranged appointment.

All evening advice sessions provide advice on a range of general legal matters; two evening advice sessions also provide specialist advice in credit and debt matters. The aim is, as far as possible, to resource our clients to take the next step by themselves. This may include:

- ◆ Providing them with the information they require to advocate for themselves;
- ◆ Assisting them with drafting a letter, statement or other document they can use to progress their matter;
- ◆ Identifying the issues and appropriate referrals and how to access those referrals; or
- ◆ Where appropriate, assisting the client to come to terms with the limitations of the justice system to provide remedies in their circumstances.

Where clients require an interpreter, or are unrepresented litigants requiring assistance with the drafting of court documents or have, for instance, a mental health/intellectual disability we provide a longer appointment time to ensure they have the access they need.

- ◆ *Tuesday afternoon*

We provide afternoon general legal advice service each Tuesday with the assistance of Paul Farrugia, Henry Davis York, Keddies Solicitors and Fosters Lawyers. We try to make these appointments available to clients who have difficulty accessing the evening service, for example if they have the care of young children, or are frail.

- ◆ *Thursday morning*

From July to December 2004 the Centre continued to provide a specialist daytime credit and debt advice service with the assistance of Blake Dawson Waldron.

- ◆ Outreach Clinics

We have developed a program of resources provided to the local ATSI community through the Mudgin-gal Women's Centre to provide outreach services to women and families on credit and debt matters.

CASEWORK

The main areas of law we advised people in included:

- ◆ Crime
- ◆ Fines
- ◆ Family law
- ◆ Domestic violence
- ◆ Care and Protection matters
- ◆ Victims compensation
- ◆ Credit and debt

- ◆ Employment
- ◆ Police complaints
- ◆ Discrimination
- ◆ Local Government and urban planning

The Centre provided representation on a number of matters during the year, some of which settled and some of which are still going at the time of this report. It is obviously difficult to report much of the cases in view of settlement conditions of confidentiality and client confidentiality. We also often do not know about successful conclusions of matters as we resource the client to deal with the matter themselves.

Cases included:

- ◆ Housing providers
 - ◆ A successful conciliation of race and sex discrimination complaint against a housing provider.
 - ◆ A successful conciliation of a disability discrimination complaint against a housing provider
 - ◆ Continuing monitoring of the Dept of Housing for completion of the repairs and security measures arising in the Crown St case. A subsequent fire at the same premises has shown the value of the protection of people and property of the work done to the structure achieved at least partly as a result of this case.
 - ◆ Consideration of complaints to the Consumer Trader and Tenancy Tribunal by boarders and lodgers in its General Division.
- ◆ Consumer
 - ◆ Numerous matters referred to the Consumer Trader and Tenancy Tribunal for follow up by the client with varying levels of support and assistance eg recovery of money for an elderly female client, with little spoken English, from a pay TV antenna installer
- ◆ Administrative Fairness
 - ◆ Assistance to a man querying the management of his foster mother's estate by the Office of the Protective Commissioner .
 - ◆ Representation in an appeal to the District Court against a decision in the Local Court on a prosecution by a Local Council where the prosecution was based on unreliable evidence.
 - ◆ Assistance to people appearing in the Social Security Appeals Tribunal on presentation of their case.
 - ◆ Assisting an elderly and frail woman in a disability and age discrimination complaint against a local council regarding access to her premises while a nearby development proceeded.
- ◆ Assistance to a number of women about the removal of their children by DOCS with a view to ensuring that in all cases, all steps are taken properly including:
 - ◆ In the care and protection proceedings themselves

- ◆ In the way DOCS treat individuals and families in the investigation and preliminary stages eg should a discrimination complaint on sex/race grounds be made; and
- ◆ In the way DOCS treats the parents and families subsequently in contact arrangements and maintenance of continuing monitoring of the wellbeing of the children eg complaint to the Ombudsman.
- ◆ Family violence
 - ◆ Assisting a woman, seriously injured in an assault arising from domestic violence, in ensuring the full facts were available at all appearances of the defendant when Police administration systems proved inadequate and he was being released on bail, only to assault her again.
 - ◆ A number of ongoing victims compensation matters particularly focusing on family violence situations and the issues of a life time of violence treated as one “act of violence” by the law and compensated at the standard domestic violence rate. The Centre was successful in appealing a decision and having the degree of harm done to the client recognized as significant psychological injury.
- ◆ Complaints about Police conduct – the need for checks and balances to ensure that the Police maintain the confidence of the community and act appropriately:
 - ◆ Settlement of a claim by an Aboriginal family against the Police arising from an illegal search.
 - ◆ Assistance in the writing and lodging of complaints against Police mainly arising from racial or disability issues of the complainant.
- ◆ Apprehended Personal Violence Order (APVO) matters
 - ◆ Representation, with the assistance of pro bono counsel, in two matters where applications for APVOs were successfully defended. In one the grandparents were applying for the order effectively to control their daughter (our client) and access to the grandchild who resided with them. In the other, the issue was about the control of robust debate and criticism in a community organisation and the use of the APVO application to restrict membership participation.
 - ◆ Informal representations resulting in the withdrawal of an APVO application by an employment service (which our client was required to attend by Centrelink and which could “breach” him under social security law) when he complained about their treatment of him.
 - ◆ Successful representation of an elderly Aboriginal woman in an APVO matter where she was receiving continuing racial harassment from a neighbour.
- ◆ Criminal Law
 - ◆ Assistance with achievement of representation in criminal matters eg a traumatized refugee who was involved in a car accident in which a child died
 - ◆ Representation for a young single mother with a long and difficult history of sexual assault and domestic violence on charges to do with driving without license arising from unpaid fines
 - ◆ Assistance for a number of clients seeking withdrawal or waiving of fines and so on, eg the diabetic who stopped in a “no standing” zone to get a juice and the Aboriginal man whose identity was stolen.

COMMUNITY LEGAL EDUCATION

The Centre is asked to provide a number of community legal education sessions for a wide range of community organisations. During this reporting period we presented community legal sessions or provided information on a range of topics including

- ◆ human rights
- ◆ credit and debt
- ◆ employment law
- ◆ criminal law
- ◆ mental illness
- ◆ information about access to legal services
- ◆ family law and care and protection matters
- ◆ aged care
- ◆ information for students, volunteers and youth workers
- ◆ local planning and environment issues
- ◆ discrimination, and
- ◆ domestic violence

We produce fact sheets and brochures, which provide legal information in an accessible way. We have information about our services available in five community languages.

WEBSITE AND OTHER MATERIALS

Redfern Legal Centre, along with other legal centres, remains constrained in information it can provide to the public as a result of regulations prohibiting advertising of legal services to do with personal injuries. The definitions are very broad and catch many areas of the law. While community legal centres have been specifically exempted in a couple of specific areas, there are many others that still hamper us communicating with the public about seeking help or practical access to justice in many areas. The Centre participated in a challenge to the regulations in the High Court which unfortunately was lost.

REDFERN WATERLOO AUTHORITY

We have continued to monitor the RWA. Redfern Legal Centre continues to engage closely with the community groups, services, local residents and planning authorities to represent the views of those whose lives and neighbourhoods may be affected by the proposed redevelopment of this area.

We have been providing community legal education to residents of Redfern/Waterloo in relation to their rights to consultation in the proposed redevelopment of the area. In particular we prepared discussion materials about the Redfern Waterloo Authority Bill which was made available to resident action groups, on our website, to members of parliament and to the media. We are currently working on further information about the Act and the operations of it.

COMPENSATION FOR VICTIMS OF DOMESTIC VIOLENCE

The Centre has been developing a resource kit for use by advocates to assist the accessibility of the victims compensation scheme to Aboriginal victims of domestic violence. It is hoped that the successful completion of this project will result in enhanced understandings by service providers of the particular needs of this group of victims and a sympathetic response from the tribunal to applications that address their needs.

Plans for other community legal education opportunities were in train as at the end of the year including further work with local Aboriginal women around issues to do with fines, debts and imprisonment. This will build on work done by our credit and debt team in this year.

LAW REFORM

Like other CLCs, our primary aim is to achieve a fair and accessible legal system that really delivers justice. Therefore we participate in a range of law reform activities and campaigns. We are able to identify obstacles to justice from the advice and casework we do as well as information gathered during the provision of community legal education as well as general networking.

Our priority areas of law reform and policy work during 2004/2005 were:

- ◆ Residents' rights in the Redfern/Waterloo redevelopment
- ◆ Rights for boarding house residents
- ◆ Domestic violence and associated debt and credit matters
- ◆ Compensation for victims of family violence
- ◆ Removal of children from families by DOCS
- ◆ Police complaints
- ◆ Discrimination law
- ◆ Administrative fairness

REMOVAL OF CHILDREN

Redfern Legal Centre has taken its work around care and protection matters, originally identified as a priority issue by the clients of our Women's Domestic Violence Courts Assistance Service, and worked with the NSW Combined Group of Community Legal Centres to develop a law reform campaign. The aim of the campaign is to ensure that DOCS is complying with its legislation and delivering its services genuinely in the best interests of the children and their right to family. The Centre will continue to monitor cases and work with local community groups to identify failures in the systems and the high cost to the families involved.

LOCAL POLICE ISSUES

As part of looking for resolution of issues arising from police matters in the Local Area, the Centre continued to meet with the Local Area Commander and with senior officers. An effective, fair and mature Police service is an important service to the community. Our assault victims need to be respected and to have their matters treated seriously. Our clients on the other hand do not need to be charged with resist arrest/assault officer/offensive language because the

manifestation of their disability makes them stand out from the crowd and attracts Police attention. One of our clients, who has an intellectual disability, has been charged recently with “larceny by finding” when he removed an old and thrown out television from rubbish in the street! We will continue to meet with the Police to look for ways in which we can improve outcomes for all.

ACCESS AND EQUITY AND COMMUNITY DEVELOPMENT

We aim to ensure our service is accessible and appropriate to people/communities in our area. As well as general centre-wide access and equity policies, some staff work with specific communities to ensure access and assist communities' ability to be able to assert their rights.

Many of our information resources are available in a range of community languages. We use interpreters when required. We continue to seek recurrent funding for an Aboriginal Access worker.

RLC is also active in a range of local, statewide and national networks and campaigns including:

- ◆ Combined Community Legal Centres Group NSW (including participation in a number of networks and working groups)
- ◆ South Sydney Interagency
- ◆ Financial Counsellors of Australia Network
- ◆ Youth Justice Coalition
- ◆ NSW Council of Social Services
- ◆ National Association of Tenants' Organisations
- ◆ South Sydney Domestic Violence Committee

2005-2006

Redfern Legal Centre anticipates that many of its ongoing issues will remain current but has identified local youth issues as a priority area for its general law service in the coming year. Discussions have already started with the community about which issues are the most relevant for this service to tackle and in which way. Starting off the process has been the establishment of a dialogue and of training with local youth and community workers about issues on which they would like more information to be able to provide services to their young clients.

CREDIT AND DEBT LEGAL SERVICE

Our Credit and Debt Legal Service provides legal advice and casework assistance to people who live and/or work in our local government areas, and State-wide in some instances.

We provide telephone and face to face advice to clients, and to financial counsellors and their clients. We also conduct community legal education and undertake law reform and policy activities.

The Credit and Debt Service is staffed by Penny Quarry, senior solicitor and Nicki Petrou, solicitor. In addition, Blake Dawson Waldron, Solicitors, provide a pro bono solicitor to the Service one day a week.

POLICY/LAW REFORM

FINANCE BROKERS

We commented upon and co-signed a submission by the Consumer Credit Legal Centre to the New South Wales Office of Fair Trading, on proposals to reform the law regarding finance brokers. The proposals are long overdue; finance brokers have been unregulated and some have been involved in shady practices for many years.

DEBT COLLECTION GUIDELINES

At the request of the ACCC/ASIC, we prepared a submission on their 2005 Draft Guidelines on Debt Collection Practices. The ACCC and ASIC said a lot of changes were made to the Draft Guidelines as a result of the submissions, and, at the time of writing, they intended to release a second consultation draft. They asked whether our submission could be placed on their respective websites.

UNFAIR TERMS IN CONTRACTS

In our last Annual Report, we mentioned this major ongoing project which is considering legislative or other methods of ensuring that consumers, and particularly those who are vulnerable or disadvantaged, are protected from unfair contracts. Although New South Wales citizens are not in the worst position in the country with regard to legislative protection in this area, we are not on a par with world's best practice. As a corollary, other States and Territories (with the possible and partial exception of Victoria) are in a worse position than NSW. In 2004, the Working Party of the Standing Committee of Consumer Affairs Officials asked if our submission could be placed on the official website. Work on possible reforms continues.

SUGAR INDUSTRY REFORM PROGRAM (SIRP)

During the reporting period we received funding from the Department of Family and Community Services (Commonwealth Financial Counselling Program), to prepare a training package for financial counsellors from Northern NSW who were engaged in providing crisis counselling to sugar farmers. An important component of the program, albeit unrelated to the element we provided, was to assist farmers whose crop practices were unsustainable (whether environmentally or economically) and who wished to change to more sustainable crops or move out of the industry altogether. (See also below, under "Community Legal Education").

FINES REFORM

The Credit and Debt team is party to a submission to the Attorney-General and other agencies by a group of concerned community legal centres and other interested stakeholders. This is in relation to the inherent unfairness of the current fines system and how this and the dealings with the Infringement Processing bureau and State Debt Recovery Office adversely impacts on marginalised and disadvantaged members of a community, or a community as a whole.

This advocacy arose due to an overwhelming influx of clients experiencing growing frustrations difficulties and limitations not only at the point of issue but within the enforcement system.

CASE WORK

UNSCRUPULOUS/INCOMPETENT FINANCIAL ADVISORS

Two of our young female clients during the year had fallen into the trap of entering credit contracts with two different credit providers linked with two different companies controlled by a well-known businessman. The credit providers had lent our clients money so that they could undertake courses to improve their financial knowledge. Fortunately, through our legal contacts in Sydney, we were able to refer one of our clients to a firm of solicitors in Melbourne which is running a class action on behalf of borrowers from the first-mentioned credit provider. In relation to the second client, we wrote to the lender company, saying that it was our view that it had breached the Trade Practices Act.

UPDATE ON QUESTIONABLE TAX ADVICE

In our 2003-04 Annual Report, we mentioned the case of a client we had assisted, who, in our opinion, had been unfairly dealt with by a financial adviser, Mr. Tunde Doja.

In January 2005, ASIC permanently banned Mr. Doja from providing financial services. ASIC said that Mr. Doja [and another adviser] had failed to perform [their] duties fairly.

UNFAIR CHILD CARE CONTRACTS

Our client enrolled her daughter at a child care centre. The centre required 2 weeks notice of any cancellation of enrolment. Thirteen months later, our client gave notice of cancellation of her child's enrolment. In the meantime, however, the centre had changed its policy and now required that notice could only be given when the centre was (physically) open. The centre had not told our client about this change in policy. (In effect, it did not give our client notice!) The centre withheld hundreds of dollars of our client's deposit monies, on the ground that our client had not given sufficient notice of cancellation. We wrote saying that the centre could not change a fundamental term of the contract between our client and the centre, without telling our client.

The centre returned all of our client's deposit monies to her.

SUPREME COURT FEE WAIVER

In our 2003-04 Annual Report we mentioned a case in which we had managed to settle a third party mortgage/guarantee in our client's favour. During the proceedings, we had cross-claimed against the lenders/plaintiffs, and the solicitor who had purported to advise our client even though he and our client spoke no common language. The Supreme Court registry waived our client's filing fees for the cross-claims.

CHILD SUPPORT DEBT THAT REALLY ISN'T MINE

Due to an administrative error by Centrelink and the Child Support Agency (CSA), our client incurred a child support debt which included a significant penalty fee covering the past ten years. Our client only discovered this when his wages were garnisheed. Our client protested that he was never the biological or adoptive father of the child. However the CSA failed to investigate the matter or to review its original decision. This was despite the fact that both Centrelink and the CSA had evidence on their records indicating that someone else was the biological father.,

After ongoing negotiations with the CSA, and with the assistance of Legal Aid, it was acknowledged by the CSA that an administrative error had occurred, and that our client should never have been registered as the liable parent.

As a result the garnishee order was stopped, the debt extinguished and the monies paid to date refunded.

Our client was an Aboriginal man who had assumed temporary care of his cousin's son in accordance with his cultural practice. Consequently the CSA had applied a broad definition of the concept of 'child of the marriage' without consideration of how this might produce inequities when applied to indigenous cultures.

COMMUNITY LEGAL EDUCATION

The Commonwealth Financial Counselling Program provided us with a grant to undertake training for financial counsellors in Northern NSW who were being or might be approached by farmers with debt crises. According to all reports, the training was excellent. Prior to this, we gave a Panel Session presentation at a Workshop about the Sugar Industry Reform Program, run by the Commonwealth Financial Counselling Program.

As usual, we gave a number of ad hoc presentations at monthly meetings of the Financial Counsellors Association of New South Wales ("FCAN").

INNER SYDNEY TENANTS' ADVICE AND ADVOCACY SERVICE (ISTAAS)

During the last 12 months ISTAAS recorded 2007 contacts by clients. 155 files were opened by the team.

ADVICE

Telephone advice is available 20 hours per week during advertised advice line hours, and an estimated 4 hours of telephone advice per week is provided for urgent calls outside of these hours. During this period ISTAAS recorded 1688 as phone advice in the TAAP database. 108 of initial contacts were also given follow-up phone advice.

ISTAAS provides face to face advice by appointment, immediate face to face advice to persons who drop into the Centre, if the matter is urgent and they are unable to use a telephone due to disability or a legally complicated matter; and face to face advice at other times as part of ongoing casework.

During this period ISTAAS saw 203 clients for face-to-face advice as the initial type of contact. In addition, 137 clients were seen face-to-face as a follow up to the initial contact (of phone or face-to-face advice). Clients were also given face to face advice as part of ongoing casework which is not recorded in the TAAP Database.

81 initial contacts were from Aboriginal or Torres Strait Islander tenants which represents 20% of open files. 31% of contacts were from people born outside of Australia.

WRITTEN INFORMATION

ISTAAS places high importance on the sending out of tenancy information material to all callers. This is to empower tenants to be informed and take action on their own behalf wherever possible.

During this period 969 clients were sent or given forms and photocopied information. This represents 48% of all callers. 20% of clients had been previously assisted and so may have already been sent information. In addition 5% of callers were referred to 'other' indicating the TU website. (In some cases people may be referred to the website for factsheets and also sent information which cannot be gained from the website, such as the Tribunal Kit).

Where the caller speaks another language more fluently than English and there are TAAP pamphlets in that language, a whole set of factsheets in that language will be sent.

ADVOCACY

INVOLVING REAL ESTATE AGENTS

ISTAAS advocated for tenants in matters involving Real Estate Agents. Of initial contacts, 47% of clients dealt with Real Estate Agents. Of opened files, 21% of clients dealt with Real Estate Agents. In some matters the telephone advice worker may call a Real Estate Agent to clarify a situation or discuss a solution. Often this initial step results in a positive outcome for the tenant. In more complex matters the advice worker would refer the tenant for face-to-face advice with the view to providing advocacy. Matters requiring advocacy were initially fielded by telephone advice workers.

Casework may be undertaken in accordance with guidelines including: language barriers, age or disability, legal complexity of the case, and the level of hardship the tenant may face if not advocated for.

Examples of cases in which ISTAAS was successful in advocating to Real Estate Agents include negotiating against illegal lockouts and negotiating for Agents to withdraw their applications from the Consumer, Trader & Tenancy Tribunal (CTTT).

INVOLVING PRIVATE LANDLORDS

While fewer tenants deal directly with private landlords, they can require advocacy more often. This is due to Agents generally having a better working knowledge of the Residential Tenancy Act.

Of initial contacts, 16% of clients dealt with private landlords. Of open files, 8% dealt with private landlords including head-tenants, caretakers and boarding house owners.

An example of a case in which ISTAAS was successful in advocating to a private landlord was a tenant in rent arrears; ISTAAS negotiated with the landlord not to pursue termination. A deed was executed where the Landlord agreed to absolve the tenant from a portion of his debt in exchange for the tenant moving out by a certain date.

DEPARTMENT OF HOUSING AND COMMUNITY HOUSING

Of initial contacts, 25% of clients dealt with other landlords such as the Department of Housing or Community Housing Providers. Of the 155 open files, 70% dealt with other landlords. This indicates the higher level of assistance required with many public housing tenants. 55 open files involved Termination by the Department of Housing or a Community Housing Provider, being 33% of all open files. This means that 80% of open files regarding termination by landlord involved a public housing landlord.

Examples of high intensive advocacy include preparing appeals to the Housing Appeals Committee for matters such as clients who have been deemed “unsatisfactory former tenants” and who are applying to be let back into public housing. Often this is due to debts or damage to a previous premises as a result of the client escaping domestic violence situations.

INVOLVING ASSISTANCE IN PREPARING FOR CTTT

During this period ISTAAS maintained a high level of assistance to tenants in preparing their application, evidence and arguments for the CTTT. The figures are in addition to clients who were sent information (such as the CTTT kit) and indicates higher intensive assistance such as ongoing casework, face to face advice and follow up.

During this period 5% of clients (94) were assisted in preparing their application, evidence and arguments for the CTTT.

Examples of extensive assistance to tenants in preparing for the CTTT are compensation matters and applications for rehearings. An application for rehearing must contain all evidence and arguments, unlike a usual application. They require a high level of work to complete in often a very short timeframe.

INVOLVING REPRESENTATION AT THE CTTT

During this period 34 tenants (2% of contacts) were represented at the CTTT. This figure also represents 22% of open files and 15% of face-to-face advices.

Two examples where ISTAAS represented in major Department of Housing eviction matters concerned tenants with mental health illness, who were being evicted for rent arrears and noise and nuisance.

In the first case a Department of Housing tenant with mental health issues was terminated for rent arrears. ISTAAS successfully got a rehearing and her tenancy was reinstated after negotiations for specific performance orders for the payment of rent which she complied with.

In the second case a Department of Housing tenant also with mental illness was to appear for termination for noise and nuisance. ISTAAS conciliated with the Department of Housing and obtained specific performance orders that the client obey the terms of the agreement.

TARGETING EXTENSIVE ASSISTANCE TO DISADVANTAGED TENANTS

An example of case studies – Department of Housing evictions of women due to Domestic Violence .

An Aboriginal women with young children was rejected for Department of Housing priority housing because she was, according to the Department “able to resolve her housing need in the private market”. The client had a debt from more than 5 years ago due to damage to the property when she fled due to domestic violence. ISTAAS assisted with an appeal to the Housing Appeals Committee and the Department of Housing housed the client before the appeal was determined.

DOWNING CENTRE COURT OUTREACH

ISTAAS continues to make available a tenants advocate on an outreach basis at Downing Centre Court to assist tenants when taking out Domestic Violence Orders. The service attends Wednesday mornings when Domestic Violence matters are listed.

In this period ISTAAS assisted 66 clients in Domestic Violence situations, being 3% of all contacts.

COMMUNITY EDUCATION

During this period examples of CLE sessions ISTAAS conducted or attended were:

- ◆ College of Law training session in Tenancy Law and Domestic Violence
- ◆ Conducting Community Education session in tenancy for Community Workers
- ◆ Conducting Tenancy and Domestic Violence training for Tenancy Workers for the Tenants Union of NSW.
- ◆ Outreach Tenancy Information at Redfern Community Centre twice a month
- ◆ Fact sheet regarding illegal lockouts, Domestic Violence , Boarder and Lodger and Neighbourhood disputes forwarded to Redfern Police.

Newspaper articles and other media:

- ◆ Sydney Morning Herald published 1 December 2004 on How to break a lease.
- ◆ Article in Tenants News on implications for Public housing tenants and the implementation of the Redfern-Waterloo Authority. April 2005

- ◆ The Wire National Community Radio, Acceptable Behaviour Agreements for Public Housing Tenants in NSW. July 2004
- ◆ Article on Squatting Sydney Morning Herald December 2004
- ◆ Article on CTTT matters relating to Bonds Daily Telegraph May 2004

POLICY AND LAW REFORM

ISTAAS continued to participate and contribute to working groups such as Boarders & Lodgers Action Group; Public Housing Issues Working Party; and Tenancy Legal Working Party and the Consumer Trader and Tenancy Tribunal Consultative Forum.

UPDATING OF PAMPHLETS AND FACT SHEETS

ISTAAS continue to update pamphlets and fact sheets including Uncollected Goods and Domestic Violence and Tenancy.

VOLUNTEERS

Inner Sydney Tenants' Advice & Advocacy Service would like to give special thanks to the volunteers who have provided an exceptional contribution to the team in either phone advice or policy and law reform work, in particular Amy Richardson and Andrew Howell.

UNIVERSITY OF SYDNEY STUDENTS' REPRESENTATIVE COUNCIL BRANCH OFFICE

ABOUT THE LEGAL SERVICE

The legal service at the Students' Representative Council (SRC) is provided by Redfern Legal Centre and operates as a branch office of the legal centre. Redfern Legal Centre provides a solicitor and legal support and supervision. The SRC funds the service.

The solicitor is an employee of the legal centre but spends the major part of his time at the SRC offices, working there five days a week.

The service is available to undergraduate students at the University and students at the affiliated campuses of Sydney College of the Arts, The Conservatorium of Music, Orange Agricultural College and Camden Farms.

The solicitor provides a very busy advice service four days per week.

Appointments are available one and a half days a week (or more often as required) with two afternoons dedicated to a drop in service. Students at distant campuses can also make telephone appointments and receive advice by email. The solicitor visits the Conservatorium of Music and the Sydney College of the Arts Campus each once per month.

The solicitor also provides legal assistance and back up to the student advisors at the main office and the offices of affiliated campuses.

The solicitor provides ongoing casework services representing clients in legal action or providing assistance for clients to represent themselves. Wherever possible, the decision to take on more extensive work for a client is made with consideration of the other legal services available to the client as well as the client's resources, and the ability of the client to manage the matter themselves with assistance from the solicitor. The aim is to provide the most efficient and useful service to the student community and also to allow the solicitor to spend greater time on clients with a high degree of need, who are unable to access any other services.

The solicitor also undertakes policy work and community legal education. Policy or law reform work is work that may not be related to any one particular client but aims to achieve some systemic change in the legal system or the University in order to benefit a group of students or all students.

Community education aims to increase the ability of clients to avert legal problems or to solve them themselves by providing legal information, for example in the form of fact sheets or information brochures.

A close link is maintained between the branch office of the legal centre and the main office. The SRC office benefits from the support offered by the Director and administrator of the legal centre.

The current Branch Office Solicitor has an unrestricted Practising Certificate. He is supervised by a solicitor at the main office of the legal centre. He also receives valuable assistance from the other workers at the legal centre and in particular the credit and debt solicitors, the tenancy workers and the Principal solicitor of Redfern Legal Centre. The Branch Office is covered by the RLC Professional Indemnity Insurance. In addition to the duties at the SRC the solicitor participates in the

organisational life of the main office of the legal centre through attendance at staff meetings and file intake meetings.

CASEWORK

UNIVERSITY MATTERS

The legal service also advises on University matters and can act against the University, as it is independent of the University. Matters often relate to the University's internal procedures such as chapter 13 misconduct proceedings, expulsions or disputes over results.

The University often fails to observe procedural fairness in a variety of administrative process making decisions and we have an on-going strategy of identifying these areas and recommending changes to the University as well as making complaints to the Ombudsman.

We advised many other students in relation to their complaints about the actions of the University such as negligent misstatement about course requirements and HECS determinations.

MOTOR VEHICLE ACCIDENTS

Motor vehicle accidents continue to be a major source of legal problems for students. The advice in this area is often to young drivers who are liable for the damage to another and have no property damage insurance. We have also advised students in relation to their rights and obligations arising out of their own contracts of insurance in matters such as disclosure and legal fees. Debts claimed can be significant and where possible we have assisted the client to negotiate a favourable settlement or withdrawal of proceedings against them.

CRIME

A significant number of students sought advice on criminal matters. The solicitor represented students in relation to charges which included: Centrelink fraud; train fines; drive whilst suspended; three students on charges of wilful exposure arising out of college rituals; jury fines; low range drink drive; parking fines and drive unlicensed.

TENANCY

Many students, particularly young and overseas students, find themselves enmeshed in legal problems related to share housing, boarding and tenancy, and we help clients to negotiate these problems. Tenants have no automatic right to be represented by lawyers before the Residential Tenancy Tribunal (now part of the Consumer, Trader and Tenancy Tribunal).

CONSUMER

We continue to have a number of inquiries about consumer matters. These problems arise with students purchasing goods and services and then finding themselves vulnerable either to aggressive sales techniques or the victim of dodgy sales or credit contacts.

PERSONAL INJURY

Proceedings have been issued against the State of NSW in the District Court in relation to false imprisonment and assault upon two students.

The incident was captured on closed circuit television cameras set up by the City of Sydney. An internal police investigation found that excessive force was used on one occasion. The police maintain that our clients were properly arrested before the excessive force was used whereas we are alleging false imprisonment and numerous assaults.

EMPLOYMENT

Most students work part time and many experience difficulties with employers over pay and other conditions. A number of students were successfully assisted in the recovery of unpaid wages at the end of their employment. One claim for unfair dismissal was lodged and the student represented at the conciliation where the matter was settled with compensation.

Attendance at Courts and/or tribunals-

The SRC solicitor attended at courts and tribunals at Liverpool, Newtown, Ryde, Downing Centre, North Sydney and Balmain on 17 occasions.

SRC AS CLIENT

The solicitor assisted the SRC with a number of matters relating to University procedures and SRC internal procedures as well as external bodies.

OUT REACH WORK

The SRC solicitor visited the Sydney College of the Arts campus and also the Conservatorium of Music to give legal advice once a month. Students off the main campus are able to phone in or send in enquiries by email.

Policy and Law Reform/Legal Education

The SRC solicitor undertook policy work related to the student community in relation to policies applying to Jury by bringing to the attention of the NSW Attorney General changes in the policies of Sydney University which could have disadvantaged students.

PRO BONO ASSISTANCE

The SRC service received invaluable assistance from a number of people including the following.

- ◆ Barbara Maher of Sydney Migration Consultancy provided advice in relation to Immigration law.
- ◆ Neale Dawson, barrister provided advice in relation to employment law.

WOMEN'S DOMESTIC VIOLENCE COURT ASSISTANCE SCHEME

The Redfern Women's Domestic Violence Court Assistance Scheme has had another full and exciting year. We have been active in a range of initiatives from law reform to community projects to promote violence prevention, provide better support for women seeking legal protection from domestic violence and shape policies and law that better allow women to attain justice. We have been active in maintaining the profile of domestic violence as a crime and not a private matter.

POLICY, LAW REFORM AND PROJECTS

NSW Law Reform Commission Review of Community Justice Centres:

The NSW Law Reform Commission released their report on Community Justice Centres in February 2005 (NSW Law Reform Commission Report 106: Community Justice Centres). We made extensive submissions to the Commission after conducting consultations in the Aboriginal and wider community, to ensure that community views on the referral of domestic violence matters to Community Justice Centres were considered. These views formed the basis of a number of the recommendations contained in the report.

AVLICCC:

We have taken an active role on the Attorney General's Apprehended Violence Legal Issues Coordinating Committee. During the period 2004/2005, the committee made a number of recommendations to the New South Wales Law Reform Commission, including the following:

- ◆ That the interests of children be given more consideration by the courts in applications for exclusion orders in ADVO matters.
- ◆ That in cases involving exclusion orders, courts give primary attention to the safety needs of women and children, rather than the accommodation needs of defendants.

The committee also made recommendations regarding proposed changes to the content and conditions of AVO forms and is currently considering ways to investigate the high rate of withdrawal of ADVO applications.

DOWNING CENTRE ATSI PROJECT:

We have completed a twelve month project, with funding from the Department for Women, to develop strategies to support Aboriginal women who seek the protection of court orders at Downing Centre Local Court and to identify underlying policy issues affecting Aboriginal and Torres Strait Islander women in domestic violence.

Dixie Gordon was employed to work two days per week on this project. As a result of the project we now have ATSI workers - seconded from local Aboriginal and non-Aboriginal agencies in the Redfern area – trained to provide support for ATSI women on Friday mornings at the Downing Centre Local Court.

As part of the project we have also produced an information brochure on domestic violence and the court process, specifically for Aboriginal women in the Redfern area.

STAYING HOME LEAVING VIOLENCE PROJECT:

We have taken an active role on the 'Staying Home Leaving Violence' Advisory Committee. The aim of the project is to expand the range of choices available to women and children at risk of homelessness because of domestic and family violence; to develop a coordinated service framework that supports women to remain in their homes after domestic violence; to challenge systemic barriers to women staying in their own homes. The project is an outcome of the Staying Home Leaving Violence research completed in 2004 by the Australian Domestic and Family Violence Clearinghouse with the University of NSW Centre for Gender Related Violence, and is located within the NSW Department of Housing's Homelessness Unit. The project is funded by the NSW Department of Community Services.

DOWNING CENTRE 'HEARINGS' RESEARCH:

We have completed a research project which looked at the results of defended hearings at the Downing Centre over a sixteen week period. The research highlighted the high rate of failure of ADVO applications at defended hearings, despite sufficient grounds and evidence for the granting of orders. The study identified a number of areas where further support might result in better outcomes for complainants.

As a result of this research, we have attempted to provide women with volunteer support workers for hearings, wherever possible. We have also taken a far more pro-active role in facilitating contact between the complainant and the police prosecutor prior to hearings.

LOBBYING**WOMEN'S DOMESTIC VIOLENCE COURT ASSISTANCE PROGRAM:**

As part of the WDVCAS Network we have lobbied to raise awareness of WDVCA's need for greater funding. We have lobbied for funds to enable us to provide full-time instead of part-time services and paid court-support workers, to allow workers to accompany clients to hearings as well as court-list days.

As a result of this lobbying, the NSW program has received an increase in funding for 2005/2006.

COMMUNITY EDUCATION AND INITIATIVES**'BLACKOUT VIOLENCE' CAMPAIGN:**

In partnership with Mudgin-Gal, the Inner City Domestic Violence Action Group and the Metropolitan Local Aboriginal Land Council, we initiated the 'Blackout Violence' campaign. The campaign united Aboriginal and non-Aboriginal services to address the impacts of violence on inner city and regional Aboriginal communities.

The 2004 campaign utilised the New South Wales Aboriginal Rugby League Carnival as a promotional vehicle by encouraging attendees to wear purple armbands in recognition of their united commitment to reduce violence in Aboriginal communities. 1,700 Aboriginal football players from 85 participating football teams across the state of New South Wales wore the armbands to demonstrate their opposition to family violence and sexual assault against women.

Supporters of the campaign distributed promotional bags, water bottles and other materials to women and their families attending the event, from 29 September to 4 October, 2004.

In recognition of her work for the Blackout Violence campaign, WDVCAS Assistant Coordinator, Dixie Gordon, won this year's Violence Prevention Projects Award from the New South Wales Strategy to Reduce Violence Against Women (VAW). Due to Australia wide interest in the campaign as a preventative strategy, Dixie has been instrumental in developing a campaign kit, which is now being sent to interested communities across Australia.

'WHAT'S WITH DOMESTIC VIOLENCE?' DAY:

Over 40 participants attended 'What's With Domestic Violence?' Day at Redfern Legal Centre, hosted by WDVCAS and the Inner City Domestic Violence Action Group on 16 June, 2005. The day consisted of workshops and presentations on domestic violence and initiatives, and showcased the artwork of a number of Aboriginal women survivors of domestic violence.

The day was successful in raising awareness of domestic violence and its impact on families, and facilitating discussion about what steps can be taken by the community to prevent violence.

STOP DOMESTIC VIOLENCE DAY 2004:

In partnership with the Inner City Domestic Violence Action Group, we organised and hosted Stop Domestic Violence Day 2004 which was held in Redfern Park. A short play, 'Desiree's Decision', written by a survivor of domestic and starring Leah Purcell and local women, was presented. The day was a great success.

INNER CITY DOMESTIC VIOLENCE ACTION GROUP:

The WDVCAS continues to host and chair the Inner City Domestic Violence Action Group monthly meetings attended by police domestic violence liaison officers and local community workers.

DOMESTIC VIOLENCE AND COMMUNITY LEGAL EDUCATION:

In March we held a training session on domestic violence and legal issues for community workers from the Redfern area. A number of these community workers now provide court support at the Downing Centre Local Court.

STAFFING

COORDINATOR:

Lyndal Gowland is currently on twelve months leave without pay. Susan Smith is the locum coordinator.

ASSISTANT COORDINATOR:

Dixie Gordon is the Assistant Coordinator two days per week.

ATSI PROJECT:

Dixie Gordon coordinated the project to enhance ATSI women's access to the Downing Centre Local Court for assistance in domestic violence matters, on two days per week.

COURT ASSISTANCE WORKERS:

A combination of volunteer law students and seconded workers have provided court support for WDVCAS at the Downing Centre Local Court and at Redfern Local Court. This represents a major policy change from recent years where seconded workers provided court support, and is contrary to our commitment to the principle that all women should be paid for their work and that victims of domestic violence require skilled support-workers. However, insufficient funding has put pressure on supply agencies so that support workers are less available to attend court, resulting in a deficiency in the number of available workers.

The volunteer students are doing an excellent job: they are enthusiastic, committed and have strong advocacy skills. They work well with clients, police and court staff.

Since the closure of Redfern Court, seconded workers from local agencies staff the Friday morning roster at Downing Centre Local Court.

ADMINISTRATIVE ASSISTANT:

Enhancement funding received from WDVCAAP will allow us to employ a part-time administrative assistant.

COURT MATTERS**CLOSURE OF REDFERN COURT HOUSE:**

The closure of Redfern Court House in May 2005 has had a profound effect on the number of women in the area seeking the protection of apprehended domestic violence orders. Women must now travel to the Downing Centre Local Court to initiate a private application for orders through the chamber magistrate, and to attend court.

PRO-BONO SOLICITORS:

The majority of ADVO matters listed for mention at the Downing Centre are now police matters. For women making private applications for ADVOs, or for women who are defendants in ADVO matters, pro-bono solicitors provide representation.

During 2004-2005, pro-bono representation was provided by solicitors from Gilbert + Tobin on Wednesdays, and on Fridays by solicitors from Mallesons Stephen Jaques, Redfern Legal Centre and by barrister Narelle Butler.

REFURBISHMENT OF THE WOMEN'S ROOM AT DOWNING CENTRE:

A small kitchen area has been installed in the Women's Room at the Downing Centre. We now have cupboards, a sink, and a water heater, and can offer tea and coffee to women who are waiting to go into court.

COURT SAFETY:

Clients and workers at court remain at risk. We have continued to lobby for changes to improve safety measures at court to benefit both clients and workers. In particular, we continue to make recommendations to Downing Centre Local Court regarding the presence of a sheriff on Level 4 on AVO list days.

COURT SUPPORT MEETINGS:

We attend monthly meetings at Downing Centre Local Court where we liaise with police prosecutors, police domestic violence liaison officers, the chamber magistrate and court staff.

COMMITTEES

Representation on Committees:

- ◆ Apprehended Violence Legal Issues Coordinating Committee (AVLICCC).
- ◆ Combined Community Legal Centre Group – Domestic Violence Committee.
- ◆ Inner City Domestic Violence Action Group.
- ◆ Women's Domestic Violence Court Assistance Program Advisory Committee.
- ◆ 'Staying Home – Leaving Violence' Advisory Committee.
- ◆ Women's Domestic Violence Court Assistance Program – 2005 Conference Committee.

Our work over the past year has been broad-ranging and valuable, and we are looking forward to implementing even more initiatives over the next year to improve the WDVCAS, to help effect necessary legal change and to further promote anti-violence against women practices.

DIRECTORS' DECLARATION

The directors of the company declare that:

1. The financial statements and notes, as set out on pages 4 to 16 are in accordance with the Corporations Act 2001:
 - (a) comply with Accounting Standards and the Corporations Regulations 2001; and
 - (b) give a true and fair view of the financial position as at 30 June 2004 and of the performance for the financial year ended on that date of the company, including the income and expenditure and state of affairs with respect to fundraising appeals.
2. In the directors' opinion there are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.
3. The provisions of the Charitable Fundraising Act, the Regulations under the Act and conditions attached to the authority have been complied with; and
4. The internal controls exercised are appropriate and effective in accounting for fundraising income.

This declaration is made in accordance with a resolution of the directors.

Director



Director



Dated this 11th day of October 2005

Director's Declaration



PITCHER PARTNERS

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D S MCGILL
Y E PIETSCH
R M SHANLEY
D W STAPLES
D G YOUNG

CONSULTANTS:
J S YOUNG
D G BARNSDALL
P S ROWE

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

Scope

We have audited the financial report of Redfern Legal Centre Limited for the financial year ended 30 June 2005 comprising the Directors' Declaration, Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows and notes to the financial statements.

The company's directors are responsible for the financial report. We have conducted an independent audit of this financial report in order to express an opinion on it to the members of the company.

Our audit has been conducted in accordance with Australian Auditing Standards to provide reasonable assurance whether the financial report is free of material misstatement. Our procedures included examination, on a test basis, of evidence supporting the amounts and other disclosures in the financial report, and the evaluation of accounting policies and significant accounting estimates. These procedures have been undertaken to form an opinion whether, in all material respects, the financial report is presented fairly in accordance with Accounting Standards and other mandatory professional reporting requirements in Australia and statutory requirements so as to present a view which is consistent with our understanding of the company's financial position and performance as represented by the results of its operations and its cash flows.

The audit opinion expressed in this report has been formed on the above basis.

Audit Opinion

In our opinion, the financial report of Redfern Legal Centre Limited is in accordance with:

- (a) the Corporations Act 2001, including:
 - (i) giving a true and fair view of the company's financial position as at 30 June 2005 and of its performance for the financial year ended on that date; and
 - (ii) complying with Accounting Standards in Australia and the Corporations Regulations 2001; and
- (b) other mandatory professional requirements in Australia.
- (c) the accounts and associated records have been properly kept in accordance with the Charitable Fundraising Act 1991 and its Regulations; and
- (d) monies received as a result of fundraising appeals conducted during the year have been properly accounted for and applied in accordance with the Charitable Fundraising Act and its Regulations.

Pitcher Partners

Pitcher Partners

Mark A Godlewski

Mark A Godlewski

Partner

11 October 2005

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2005

	Notes	2005 \$	2004 \$
Revenue from ordinary activities	2	1,036,016	971,211
Employee benefits expense		(846,501)	(761,563)
Depreciation and amortisation expenses	3	(21,493)	(24,395)
Insurance		(14,577)	(17,274)
Program and related expenses		(35,473)	(35,192)
Subscriptions		(10,077)	(13,322)
Telephone, facsimiles and internet		(16,018)	(15,811)
Printing, Stationery and Postage		(25,321)	(29,920)
Other expenses from ordinary activities		(59,418)	(70,277)
Borrowing costs expense	3	<u>(2,073)</u>	<u>-</u>
Profit from ordinary activities		<u>5,065</u>	<u>3,457</u>
Total changes in equity other than those resulting from transactions with owners as owners	13	<u>5,065</u>	<u>3,457</u>

Financial Performance

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2005

	Notes	2005 \$	2004 \$
CURRENT ASSETS			
Cash assets	5	243,792	159,641
Receivables	6	1,890	3,613
Other financial assets	8	342,256	324,812
Other	7	<u>13,256</u>	<u>4,976</u>
TOTAL CURRENT ASSETS		<u>601,194</u>	<u>493,042</u>
NON-CURRENT ASSETS			
Property, plant and equipment	9	<u>52,357</u>	<u>47,472</u>
TOTAL NON-CURRENT ASSETS		<u>52,357</u>	<u>47,472</u>
TOTAL ASSETS		<u>653,551</u>	<u>540,514</u>
CURRENT LIABILITIES			
Payables	10	266,282	183,357
Interest-bearing liabilities	11	3,066	-
Provisions	12	<u>63,455</u>	<u>70,757</u>
TOTAL CURRENT LIABILITIES		<u>332,803</u>	<u>254,114</u>
NON-CURRENT LIABILITIES			
Interest-bearing liabilities	11	13,749	-
Provisions	12	<u>89,852</u>	<u>74,319</u>
TOTAL NON-CURRENT LIABILITIES		<u>103,601</u>	<u>74,319</u>
TOTAL LIABILITIES		<u>436,404</u>	<u>328,433</u>
NET ASSETS		<u>217,147</u>	<u>212,081</u>
EQUITY			
Retained profits	14	<u>217,147</u>	<u>212,081</u>
TOTAL EQUITY	13	<u>217,147</u>	<u>212,081</u>

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2005

	Notes	2005 \$	2004 \$
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts from customers		36,514	29,777
Grant receipts		1,038,519	926,234
Payments to suppliers and employees		(988,937)	(897,510)
Borrowing costs		(2,073)	-
Interest received		<u>27,013</u>	<u>24,200</u>
Net cash provided by operating activities	18 (b)	<u>111,036</u>	<u>82,701</u>
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for property, plant and equipment		(10,393)	(39,718)
Payment for investments		(17,444)	(62,667)
Proceeds from sale of assets		<u>952</u>	<u>182</u>
Net cash used in investing activities		<u>(26,885)</u>	<u>(102,203)</u>
Net increase/(decrease) in cash held		84,151	(19,502)
Cash at beginning of financial year		<u>159,641</u>	<u>179,143</u>
Cash at end of financial year	18 (a)	<u>243,792</u>	<u>159,641</u>

Cash Flows