

**Redfern
Legal
Centre**

**Our Impact
2021–2022**

This impact report provides a snapshot of our activities, and highlights the impact of our work over the 2021–2022 financial year.

Our Theory of Change

At Redfern Legal Centre, we believe that:



Because ...

- There are gaps and flaws in the design of services, policies, and laws in the legal system that are failing people and communities
- People experience inequality and injustices, and
- Marginalised communities lack a voice.



We respond by ...

- Providing free legal services including legal advice and representation and referrals to provide holistic solutions
- Engaging in policy and law reform work to change the system, and
- Empowering and building capacity in the community and within the legal profession through legal education and providing an effective volunteer program.



Which results in ...

- Increased access to justice for people experiencing disadvantage
- Increased capacity in our community to understand and address legal issues
- Integrated and effective responses to the needs of people experiencing disadvantage
- Empowered and resilient individuals and communities
- Systemic injustices being addressed.

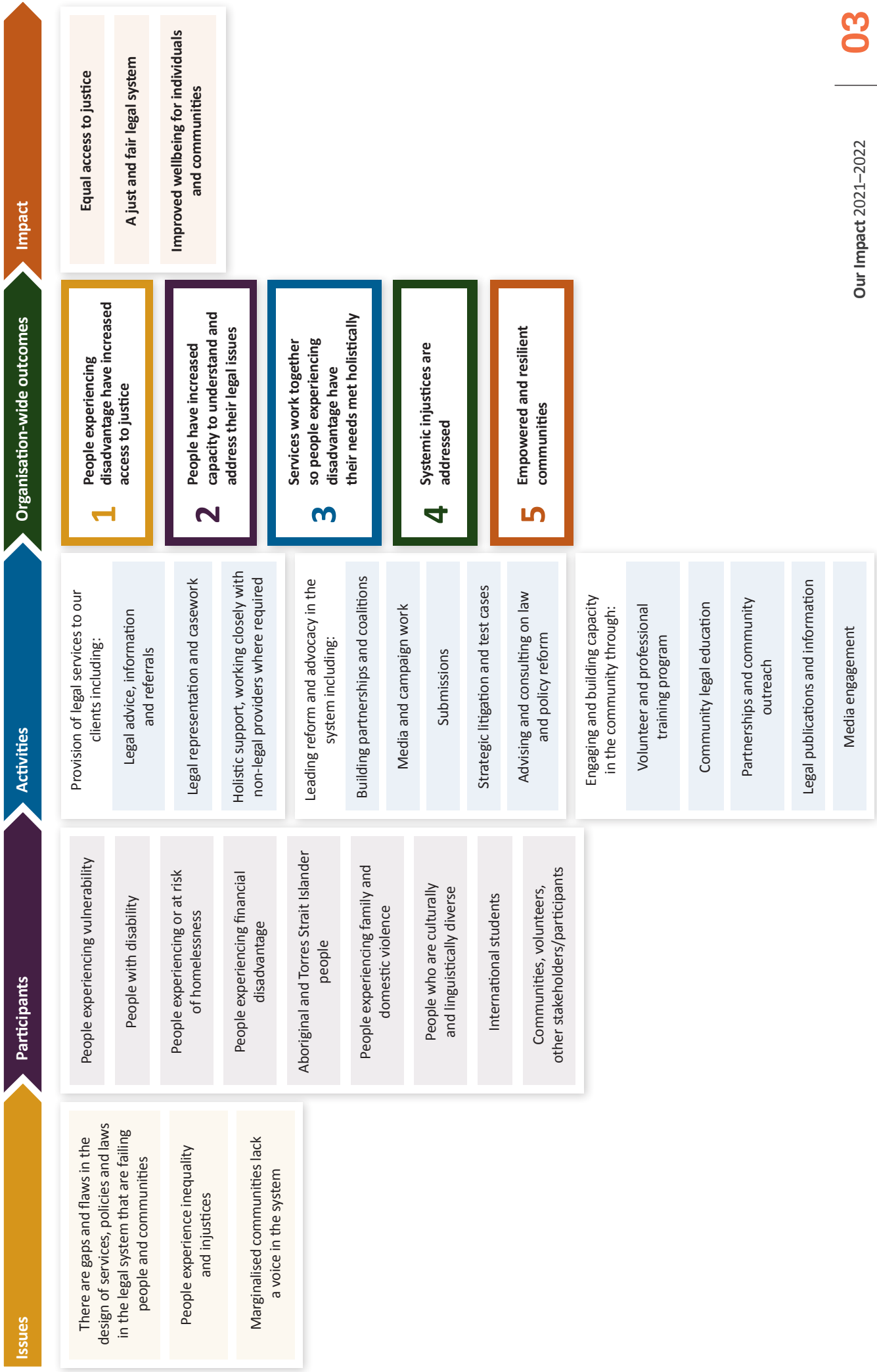


Ultimately this will lead to ...

- Equal access to justice
- A just and fair legal system
- Improved wellbeing for individuals and communities.

At Redfern Legal Centre, we measure and track our performance against outcomes to hold ourselves accountable for the impact we have on people and communities. Our *2020–2025 Strategic Plan* is grounded on the belief that by achieving our goals, we will positively impact the people and communities we work with.

Redfern Legal Centre's Theory of Change



RLC's Theory of Change – Achieving Outcomes

Outcome

1

People experiencing disadvantage have increased access to justice

Legal advice and information

In 2021–2022, we assisted **2,759 people** with **4,542 occasions** of legal advice and information and completed **1,261 legal tasks** such as drafting a letter or Tribunal application. We also provided **2,145 referrals** during casework, representation and intake services, and our First Nations Legal Access Worker assisted **17 clients** with intensive non-legal support.

Client satisfaction

71%

of clients surveyed indicated that they were satisfied or very satisfied with the service they received

Personal and cultural needs

15%

of clients surveyed had personal or cultural needs that RLC needed to consider

80%

of those clients agreed or strongly agreed that RLC met those needs

Representation and casework

We increased access to justice through the completion of **158 occasions of casework and representation**. Of the clients we supported in this way:

29%

were experiencing family violence

91%

were experiencing financial hardship

21%

First Nations people

36%

people from culturally and linguistically diverse backgrounds

16%

people with disability or mental health condition

Casework outcomes

31 clients had a combined total of **\$295,518** in debts, contracts, fines (including many COVID fines) and credit defaults waived, written off, cancelled or removed from credit reports. **2 clients** were given refunds totalling **\$5,856**.

9 clients were awarded a combined total of **\$412,152** in compensation, victims' compensation and insurance.

4 clients were awarded a combined total of **\$410,000** in compensation under the Stolen Generations Reparations Scheme.



In 2 matters, **child removal was prevented** and in 4 matters, **child contact was improved**, for a total of **10 children**.



8 evictions prevented in public and community housing. **3 people accessed social housing**, **2 housing transfers** were achieved, and **1 social housing repair** was undertaken. In **3 matters** a debt or rent arrears was waived or reduced for a total of **\$25,379** and in **2 matters** a **rental housing subsidy was reinstated**.



6 people received a combined total of **\$40,417** in compensation awarded for unfair dismissal. **4 apologies** were issued in relation to employment conduct. **4 discrimination issues** were resolved.



In **11 matters**, charges were dismissed and in **14 matters** the criminal sentence was reduced. **1 matter** was investigated by the Police Professional Standards Command.



85%

of stakeholders agreed we were effective or very effective at providing access to justice for people experiencing disadvantage.

We supported self-represented clients in the completion of **1,261 legal tasks**. We built legal capacity in the community by publishing **44 community legal education resources** and conducting **41 community legal education activities** in response to high needs legal areas.

79% of stakeholders agreed we were effective or very effective at engaging and building capacity in the community.

75% agreed we were effective or very effective at having a positive impact on increased understanding of the law by individuals in the community.

74% agreed we were effective or very effective at services working together to meet clients' needs holistically.

Building capacity: hot water reimbursement for social housing tenants

In 2020, RLC's Inner Sydney Tenants' Advice and Advocacy Service (ISTAAS) successfully assisted a client to recover payments on historical gas bills on the basis that a tenant cannot legally be charged for the supply of gas unless there is a separate meter in place for the premises. The *Residential Tenancies Act 2010* (NSW) has since been amended to permit social housing landlords to pass on these gas supply charges; however, as a result of our case, the Department of Communities and Justice (DCJ) was forced to acknowledge that tenants with centralised hot water systems could not be charged for gas usage under the previous legislation.

As a result, the department undertook to implement a reimbursement scheme. In the second half of 2021, DCJ held consultations with ISTAAS and the tenancy team at Marrickville Legal Centre (who had run a separate matter at the Tribunal on the same issue) on the details of the reimbursement scheme. The scheme was launched by DCJ in February 2022. Tenants who lived in a property equipped with a centralised hot water system can now apply to be reimbursed for up to six years' worth of gas bills.

Building capacity: supporting international students' return to NSW

RLC runs the only dedicated specialised legal service supporting NSW international students. Throughout the pandemic, our service remained a significant referral point for NSW international students and other organisations in relation to accommodation, travel restrictions, disputes with education providers and humanitarian issues.

In late December, RLC created a comprehensive *Welcome Back Guide* to support the return of international students to NSW. Created especially for NSW international students, this comprehensive guide covers topics including employment, tenancy and health care, information on obtaining free COVID-19 tests and vaccinations, and advice on how students can use their Overseas Student Health Cover (OSHC) to claim back part of the cost of medical expenses while in Australia.

“RLC has made me feel supported and empowered which in turn improves mental health and general wellbeing. Empowerment also makes you feel safer.”

“I feel so happy that I didn't need to go to court or pay a huge unjustifiable fine. You saved me from compromising my personal integrity.”

— Client survey, 2022

During the delivery of advice and casework, we provided **690 referrals to additional services**, ensuring **holistic wraparound support** to address clients' complex and overlapping legal and non-legal needs. In addition, we provided **1,455 referrals at our front desk**, ensuring clients were able to connect with services appropriate to their legal and non-legal needs, even while our service was operating remotely. We conducted **120 stakeholder engagement activities**, working collaboratively with community services, government and industry to raise awareness, expand our impact and increase our reach.

Working together: fines

RLC's credit and debt practice continues to advocate on behalf of people on low incomes unable to afford large COVID-19 fines and quarantine fee debts. We have also been working on law reform with Community Legal Centres NSW (CLCNSW) and NSW Legal Assistance Forum (NLAF) to improve the effectiveness and reach of the NSW Government's 50% fine reduction scheme to assist those most affected by fines hardship.

RLC worked with Revenue NSW on the establishment of a successful online fines write-off pilot program, streamlining and making it easier to seek write-offs on behalf of community legal centre clients. This pilot scheme was subsequently expanded to all community legal centres throughout NSW. RLC also provided training to community legal centres in how to navigate the online portal. This work resulted in an exponential increase in the amount of fines debt written-off for people experiencing heightened vulnerability across NSW, including young people and people in remote and regional Aboriginal communities.

First Nations Justice

Access to Justice for First Nations Australians is central to our work at RLC. We work closely with Aboriginal community controlled organisations to address access to justice issues for First Nations people.

RLC's Aboriginal and Torres Strait Islander Legal Access Worker works across the organisation to ensure that all of RLC's services are accessible and culturally safe, as well as conducting community outreach and building relationships with external organisations to ensure that access to justice issues are addressed. The Access Worker provides and reviews referrals to and from services that support First Nations people, as well as liaising with non-Indigenous service providers.

In May 2022, RLC employed a First Nations Solicitor to further expand our capacity to provide legal services to First Nations people and to achieve systemic change in areas affecting First Nations communities. Via weekly appointments, drop-in sessions and outreach, the First Nations Solicitor has been providing advice on a range of legal issues such as tenancy, guardianship, collapse of the Youpla funeral fund, victim's compensation, rights of victims in giving evidence, lawyer's billing, reclaiming animals from RSPCA, and the Stolen Generation Reparations Scheme. The First Nations Solicitor is also actively involved in the community by attending local meetings, open days and events.

Working together: COVID fines

Data uncovered by RLC throughout the pandemic continued to reveal the disproportionate number of COVID-19 fines issued in lower-social economic areas and regional towns where high numbers of First Nations people reside. We also drew attention to the fact that as COVID fines are not means tested, they impact people on low incomes more. There are serious financial outcomes that can arise from unpaid fines, including loss of drivers licences and property.

In collaboration with the Aboriginal Legal Service (NSW/ACT) Ltd, Public Interest Advocacy Centre (PIAC) and other organisations, RLC called on the NSW Government to provide meaningful relief from COVID-19 fines debt. We also assisted vulnerable clients to challenge COVID-19 fines that had been incorrectly issued, including children, pensioners and people experiencing homelessness. RLC's COVID fines advice service provided significant support to people throughout the COVID pandemic on COVID fines issues. We are now preparing to run a COVID fines test case in the Supreme Court of NSW.

Working together: Funeral Insurance – Collapse of Youpla /ACBF

In March 2022, the collapse of funeral insurer Youpla Group (formerly known as Aboriginal Community Benefit Fund [ACBF]) saw more than 10,000 First Nations policyholders lose their benefits. In response, RLC joined 140 organisations to call on government to compensate victims through a remediation scheme to enable Aboriginal families the opportunity to provide a dignified burial for their loved ones.

Working closely with RLC's First Nations Solicitor, the credit and debt practice has been advising the local Aboriginal community of the changing circumstances by attending community events, developing resources such as a factsheet and offering legal advice and assistance.

Working together: Health Justice Partnership

RLC's Health Justice Partnership sees solicitors embedded in health services to provide holistic assistance to support clients with multiple and complex needs.

Maree's story

Maree's* partner tragically died a month after Maree gave birth to their first son. The legal question was whether Maree was entitled to a life insurance death benefit given the nature of her relationship with the deceased. RLC HJP solicitor assisted the client to prepare and lodge all relevant documents on the basis Maree was his de facto partner. The deceased partner's father lodged an objection to the claim. Matters stood on hold for six months until a subsequent review by the Trustees confirmed Maree was entitled to the benefit. The client was awarded \$240,000.

Maeve's story

Maeve*, an Aboriginal grandmother, was de-authorised as a respite carer by the Department of Communities and Justice (DCJ) and its agent service provider, based on an assessment of her care for her two young grandchildren. DCJ removed the grandchildren from the grandmother's care. The grandchildren were placed with a non-Aboriginal family on a short-term basis.

The RLC solicitor filed an application for joinder in the existing proceedings relating to the children and sought interim sole parental responsibility for Maeve. The Court agreed with the grandmother and the grandchildren were ordered to be returned to her care. The Presiding Magistrate in her decision said:

"The Court can only wonder if all the resources that were devoted to the multiple assessments and foster care placements had been channelled into the children's care, whether we would be here today. I can only recommend that the Secretary look at this matter with fresh eyes from the children's perspective ... I will request the Registrar write to the executive director of the South Western District attaching the transcript and request that she ensures the file and it's these reasons for judgment are reviewed."

* Names have been changed



74%

of stakeholders surveyed agreed we were effective or very effective at having a positive impact on increased understanding of the law by staff in health or community organisations.

RLC forges collaborations and partnerships that assist us to make positive changes in laws and the legal system. We work to address systemic issues by engaging with government, industry and community organisations.

In 2021–22, we conducted

422 law reform activities

including:

14 policy submissions

140 policy consultations

12 roundtable discussions

Our law reform work generated over 300 media stories on key legal issues

Working to change the law: strip searches in NSW

RLC's police accountability practice is the only specialised statewide legal service providing free legal advice, representation and education about police powers and the complaints system in NSW. Since 2018, through our 'Safe and Sound' campaign, the practice has been working to change law and policy in relation to strip searches undertaken by NSW Police.

Ten years ago, the average number of strip searches undertaken by NSW Police in a year was around 300. Now it's 5,000, with young people and First Nations people among those disproportionately represented. The majority of strip searches find nothing illegal.

Over the past 12 months, RLC's police accountability practice has been working with the law firm Slater and Gordon on investigating a class action against NSW Police for unlawful searches. The class action seeks to achieve judicial consideration of police power to strip search and to add pressure to our multi-faceted campaign to achieve law reform and practical change in relation to strip searching by police in NSW.

On 21 July 2022, class action proceedings were filed on behalf of people who have been unlawfully searched by NSW Police at all music festivals in NSW since 2016. This landmark action seeks compensation and redress for the significant number of people believed to have been unlawfully searched at music festivals over the past six years. We are also looking to the courts to make findings that will ensure this harmful and traumatic practice becomes the exception, not the rule, in all locations.

Financial Abuse Service NSW: Fairer outcomes for complaints at the intersection of consumer and family law

RLC's Financial Abuse Service is NSW's only specialist statewide service providing free legal and non-legal support to people experiencing financial abuse in intimate partner relationships. We also work to address systemic issues and improve policies and laws which enable financial abuse to occur. Our change-making work is supported by the Ecstra Foundation.

While assisting our clients to make complaints to the Australian Financial Complaints Authority (AFCA) about misconduct by a bank or lender, we identified that AFCA was rejecting complaints where the debt in dispute was included in a Family Court property settlement with their ex-partner. This left victim survivors with no avenue for recourse where their ex-partner's financial abuse was facilitated by their bank's misconduct (for example where the bank allowed their ex-partner to draw down on a joint mortgage or mortgage their property without their consent).

Alongside other members of the Economic Abuse Reference Group (EARG), our team consulted with AFCA to understand their concerns and improve their handling of banking and finance complaints that have interconnected family law financial matters. AFCA has now developed a resource, in consultation with the EARG, to guide its handling of complaints by consumers who say their financial firm enabled wrongful conduct by their ex-partner, and to clarify that it can still resolve complaints where there has been a family law settlement. This fact sheet will provide certainty for consumers who have complaints against financial firms and will lead to fairer outcomes for victim survivors, regardless of where they are at in the Family Court process.

Measuring our impact: client surveys

Our work aims to improve the wellbeing of our communities. When asked if the help from RLC made the following issues better, no different or worse:*



72% reported better knowledge of the law and legal system



19% reported increased safety



63% reported better stress levels



18% said our help had improved their housing situation (36% of tenancy law service)



51% reported a better sense of control over their own life



9% said our help had improved their employment situation (14% of employment law service)



40% indicated we helped them improve their financial situation



4% reported a better visa situation (19% of international student service)



26% indicated their physical health was improved



57% said that overall the help from RLC made their situation better



25% indicated it improved their family wellbeing

“The [advice] and people at Redfern legal were incredible ... I did not know who or where to go and this service was invaluable. They listened, went away, researched and came back to me with an in-depth discussion. It made a very stressful situation a whole lot easier to deal with.”

“I was absolutely lost and had no idea how I was going to sort out my financial life because of my ex husbands control and demanding nature. Redfern legal has given me my life back and I cannot even begin to express my gratitude and support for this amazing corporation. Thank you all again.”

“The charge against me was dropped after the first mention. [RLC] has also encouraged me to make a civil claim against the police, which i have done.”

— Client survey, 2022*

* Clients received a survey within one week of advice and again three months later. Responses are from clients surveyed three months after their initial advice.

Our Impact 2021–2022

Activities





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