

You're
innocent
until proven
black.
Poor
or
different.

**Redfern
Legal
Centre**

**Annual
Report**

1997-1998

Redfern Legal Centre

**Annual Report
1997-1998**

Contents

- 2 The year's highlights
- 3 The Centre's Management Structure
- 4 Organisational objectives
- 4 Funding
- 5 Staff
- 5 Pro bono support
- 6 Volunteers
- 7 Total client statistics
- 8 Project reports
 - Aboriginal access
 - Drug Policies & Law Reform
 - Access to affordable banking and credit
- 12 Generalist Service
- 17 Women's Domestic Violence Court Support Scheme
- 19 Credit & Debt Service
- 23 Inner Sydney Tenants Advice Service
- 26 University of Sydney Students Representative Council
Branch Office
- 30 Financial reports

The year's highlights....

1997-1998 has been a hectic, somewhat disrupted, year. RLC's home for the past 20 years, the Old Redfern Town Hall, is undergoing a facelift. During this time we've been located at 195 George Street in the rambling old hospital building. The move went surprisingly smoothly, with client numbers actually increasing!

Casework

It is difficult to pick out 'the year's highlights' in terms of casework as every client (rightly) feels their case was the most important of the year. For a case to be a highlight does not require a victory - for many clients it is simply about exercising their rights. Some of the more notable cases for the year involved (for more details see later in the report):

- Sexual harassment
- Challenging unfair employment practices
- Challenging claim of overpayment of DSS benefits caused by a marriage breakdown
- Challenging mobile phones debts and contracts
- Having warehouse tenants covered by Residential Tenancies Act despite signing a commercial lease
- Challenging unjust rent increase
- Improving the protection of boarding house tenants
- Complaining about University handing of disciplinary action and expulsion

Policy & Law Reform

- Continued activism around the impact of the Olympics on low cost housing in the Inner City
- Establishment of committee advocating for the medical use of cannabis.
- Preliminary work for the establishment of Job Watch.
- Spearheaded a campaign to ensure adequate controls in relation to the outsourcing of debts owed to the NSW government.
- Advocacy in relation to the introduction of Youth Allowance.

Community Legal Education & Community Development

- The annual Community Legal Education for Community Workers program was highly successful again this year, and as always the bus trip (tour of the courts) proved the most popular session. Community workers find it invaluable to actually see the courts in action and realise what their clients have to endure when brought before the magistrates.
- Instigation of a weekly column in the South Sydney Bulletin on all areas of law. The topics covered and the response from the public has been very rewarding.
- Launch of RLC Website.
- Publication of Rough Deal: Your Guide to the Drug Laws
- Establishing stronger links with local Aboriginal residents and community agencies.

The Centre's Management Structure

Redfern Legal Centre is a company limited by guarantee. It has six elected directors who have delegated responsibility to the Centre Management Committee.

This Committee is made up of:

- 4 staff members
- 6 volunteers (at least 2 practitioners and 2 legal assistants)
- 4 others at least one of whom is from a community organisation and one who is not a lawyer.
- 1 Director

Directors

Member's Name	Occupation	Basis of Appt	How Appt
Stamatia Stamatellis	Community worker	Member	Elected at AGM
Virginia Bell	Senior Counsel	Member	Elected at AGM
Nigel Vertigan	Solicitor	Member	Elected at AGM
Peter Stapleton	Solicitor	Member	Elected at AGM
Clare Petre	Social Worker	Member	Elected at AGM
Gerard Craddock	Barrister	Member	Elected at AGM

Management Committee

Name	Occupation	Basis of Appt	How Appt
Jenny Lovric	Law Student	Volunteer	Election
Katherine Biber	Law Student	Volunteer	Election
Susan Price	Solicitor	Volunteer	Election
Justin Smith	Barrister	Volunteer	Election
Rob Davidson	Solicitor	Volunteer	Election
Kirsti Samuels	Law Student	Volunteer	Election
Joanna Quilty	Social Worker	Community	Appointed
Paul Farugia	Solicitor	Community	Appointed
Clare Petre	Social worker	Director	Appointed
Margot Rawsthorne	Co-ordinator	RLC staff	Elected
Marion Davies	WDVCAS Co-ordinator	RLC staff	Elected
Beth Jewell	Policy Co-ordinator	RLC staff	Elected
Denele Crozier	Administrator	RLC staff	Elected

Organisational Objectives

- To provide a legal advice and referral service
- To provide ongoing casework services to people who live or work in the RLC catchment area and who cannot afford the services of a private solicitor or obtain adequate assistance from the Legal aid Commission of NSW.
- To identify the inequalities in the laws, legal system, administrative practices and society as a whole that affect RLCs clients and disadvantaged people generally and to work for social and legal change to remove those defects and inequalities.
- To promote community legal education
- To investigate and if appropriate develop new ways of providing legal services to RLC's clients in the interests of improving access to RLC's services and to ensure that the quality of those services is maintained and improved.

Funding

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

- The General Legal Service is funded principally through the Community Legal Centres Funding Program which is administered by the NSW Legal Aid Commission and the Commonwealth Attorney Generals Department (Legal Aid and Family Services).
- The Credit & Debt Services is funded from a range of agencies, specifically the NSW Department of Community Services, the NSW Department of Fair Trading and the Commonwealth Consumer Affairs Division.
- 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 Department of Fair Trading.
- South Sydney Council provides the Centre with a community worker, concessional rent, and from time to time small grants to cover some printing and stationery costs.

From time to time the centre is successful in gaining funds for non recurrent projects or joint projects.

- Law Foundation
- Western Sydney University Students' Association
- Management Support project of the NSW CLC Secretariat
- Canterbury Bankstown Migrant Resource Centre

The Centre also receives income from donations and costs in successful cases. Donations were gratefully received from C. Roach, S.L. Furi, and R. Cogswell.

Staff

Recurrent projects

Generalist service

Susan Davitt - Principal Solicitor (F/T)
Angela Jones - Solicitor (21 hrs)
Pat McDonough - Solicitor (F/T)

Women's Domestic Violence Court Support Scheme

Marion Davies - Co-ordinator (F/T)

Credit & Debt service

Penny Quarry - Financial Counselling Resource Worker & Solicitor (28 hrs)
Gabrielle Sullivan - Solicitor (F/T)

Inner Sydney Tenants Advice Service

Fiona Britton - Tenant's worker (Psychiatric disabilities) (21 hrs)
Mary Flaskas - Tenant's worker (F/T)
Polly Porteous - Tenant's worker (F/T)

Sydney University Students Representative Council Branch Office

Sarah Nielsen - Solicitor (28 hrs)

Centre wide positions

Denele Crozier - Administrator & Financial management (F/T)
Robyn Holden - Administrative Officer/Volunteer Co-ordinator (28 hrs)
Beth Jewell - Policy Co-ordinator/Community worker (employee of South Sydney Council) (F/T)
Jason Mumbulla - Equipment, Computer & Supplies (21hrs)
Margot Rawsthorne - Co-ordinator (F/T)

Project workers (short term)

Trevor Bates - Aboriginal Worker February 1998-1999 (28 hrs)
Timothy Moore - Drug Law Project February 1998-1999 (14 hrs)
Hal Greenland - Affordable Credit Research Project June 1998
Hazel Blundel - Census Research and Tenancy worker June 1998

Pro bono support

One of the keys to the success of the Centre is the large number of people who give their time and knowledge freely. On the following page is the list of volunteers who staff the Centre's day time and evening rosters without whom the Centre would simply not be able to offer the wide range of services it does.

A number of legal professionals and firms also provide assistance from their own resources including Blake Dawson Waldron, Clayton Utz, Justin Smith, Chris Ronalds, Michael Windsor, Bridget Godwin, Michelle Warner, Michelle Hannon, Anne Milson, Jackie Dawson, Kate Fitzgerald, Arthi Patel, Toni Mossman, Belinda Burgess, Jim Macken and Sylvia Winters. The Centre also refers clients to the Law Society's Pro Bono Scheme and the Bar Associations' Legal Assistance Scheme. Thank you all.

Volunteers

Thanks!!!

Shauna Alexander
Nick Andronics
Maryse Aranda
Elizabeth Avery
Irene Baghoomians
Robert Baker
Paul Barnier
Mark Bastic
Melissa Bellanta
Jonathon Benson
Terese Berrigan
John Binnie
Anthony Bowen
Zarina Braybrooke
Natasha Breitman
Jemima Brewer
Lyndsay Brooker
Libby Brookes
Marianna Brungs
Daniel Chan
Suzanne Christie
Betty Chung
Michelle Chung
Libby Ciesiolka
Leanne Clark
James Clements
Jeremy Colville
Marriette Corby
David Cory
Jane Crittendon
Emma Davies
Paul Davies
Greg Davoren
Shay Deguara
Laila Demelo
Julianna Demetrius
Richard Donaldson
Maria Doukas
Leisa Driscoll
Trish Drum
Marie Duignan
Jenny Edgar
Seth Eeles
Shadi Ehsani
David Evenden
Melanie Faithfull
Sammy Fang
Brett Feltham
Darren Fitzgerald
Sally Forbes
Chris Froissard
David Fullerton
Sari Galapo
Kaitlin Galy
Suzanne Garland
Fiona Gayler
Krista Gerrard

Ann Genovese
David Gibbons
Natasha Gluhin
Kara Goodsell
Bridget Godwin
Conrad Gray
Jason Gray
Anne Greenaway
Alison Haines
Scott Hall-Johnston
Sadie Hamer
Liz Hayes
Alexandra Hicks
Maria Hunter
Xylia Ingham
Michael Izzo
Rebecca Johnstone
Simeon Joyce
Jennifer Jude
Alison Jury
Nerissa Keay
Samantha Kennedy
Amit Khanna
Christina King
Yvette Kingston
Joseph Kouper
Ivana Kovacevic
Peter Krockenberger
Victor Kwok
Winifred Kyomuhendo
Cathy Lam
Veronica Lavulo
Hieu Le
Joseph Lee
Craig Lenahan
Michelle Levy
Liang Lim
Jenny Locke
Julia Lonergan
Andrea Loon
Arlie Loughnan
Jenny Lovric
Amanda Luby
Thi Luc
Susan Lynch
Andrew Ma
Jennifer MacLean
Sarah MacLean
Martine Magers
Fania Manolias
Christine Maple-Brown
Michelle E L McGrath
Sheila McMahon
Collen McWigam
Anthony Melov
Amelia Montague

Camilla Newcombe
Gloria Nichol
Phillipa O'Dea
Andrew O'Donnell
James O'Halloran
Maria O'Sullivan
Pier Parisi
Peter Penklis
Judith Pini
Allison Pitty
Emma Pritchard
Ovid Prosilis
Lisa Pryor
Astrid Raetze
Roque Raymundo
Steven Reeves
Helen Roberts
Jill Robertson
Tom Roche
Scott Roulstone
Janice Saddler
Bounchanh Saenphoumy
Kirsti Samuels
Mehera San Roque
Paul Sanderson
Helen Sarlas
Ben Saul
Joanne Sarah
Liam Shaw
Jaskaran (Jack) Singh
Adrian Smetsers
Belinda Smith
Stamatia Stamatellis
Sarah Stewart
David Sulan
Tania Sulan
Craig Swan
Jo Tan
Miriam Taouk
Michael Tardif
Jonathon Taylor
Elizabeth Thomas
Fenella Thomas
Van Tran
Gordana Tuzovic
Amanda Wales
Margaret Walsh
Cathie Warburton
Hugh Watson
Mary Whitehead
Carla Wienicki
Janean Williams
Michael Windsor
Jenny Wong
Tony Wong
Therese Young

Total Client Statistics*

These statistics represent the services provided by all programs of the Centre. The introduction of new data collection procedures for the Tenants Advice Service and the Women's Domestic Violence Court Assistance Scheme over the last year makes comparison with the previous financial year misleading. Integration of data collection procedures will be a priority for the coming year.

Total number of clients 7 0 2 4

Files opened	477
Face to face information	675
Face to face advice	1405
Telephone information	2255
Telephone advice	2212

Major areas of law

Tenancy	1881
Family Law	898
Domestic Violence	630
Credit & Debt	747
Legal system or process	313
Employment	277
Motor vehicle/traffic	224
Discrimination	143
Wills	142
Government administration	127

These statistics also highlight important changes over the past year in service provision, particularly:

- The Centre has actively sought to develop a strong employment, unfair dismissal and discrimination caseload. The focus on these areas of law reflects broader legislative changes in industrial relations and the desire to build precedents which protect the rights of workers in this new era. Carriage of these cases, due to their lengthy and complex nature, has affected the overall case load.
- There has been an increase in the number of people seeking face-to-face advice, possibly as a 'flow on' from cuts to legal aid services. The extent of telephone advice, due to the structure of our service which gives priority to face-to-face advice, has correspondingly decreased.

*As there is still not an acceptable level of confidence in the validity of NIS data, the statistics included in this report indicate trend only.

Project reports (short term)

Each year RLC undertakes a range of specific projects aimed at addressing a community priority. This year the priority issues were: establishing stronger links with the local Aboriginal community; reform of drug policies and laws; and, access to affordable credit.

Aboriginal Access

In the past 12 months RLC has employed an Aboriginal Access Worker with the aim of improving links between the Centre and the local Aboriginal community. Redfern has long been the home of Aboriginal people, many of whom live on or below the poverty line. RLC was concerned that Aboriginal people were not able to use the full range of services available from the Centre. The objective of this project is to enhance the accessibility, relevance and appropriateness of services provided by Redfern Legal Centre to Aboriginal people living in the Inner City.

Community liaison

Since June, the access worker has established links with:

- Fifty three Aboriginal organisations explaining the functions of the Centre and distributed pamphlets and posters.
- Forty four community and Government organisations explaining the functions of the centre and distributed pamphlets and posters.
- Constructed a questionnaire survey and interviewed thirty Aboriginal people at random on the streets of Redfern.
- Handed out sixty Redfern Legal Centre business cards to Aboriginal people on the streets in the inner city area.
- Held information stall during NAIDOC week at Redfern and Alexandria.
- Attended community meetings in the inner city such as Redfern and Glebe.
- Community liaised on a weekly basis on the 'Block'.
- Collected from Aboriginal and other agencies pamphlets and videos for information stall at the Centre.

Concerns

After three months of community liaising and networking the Access Worker has found that:

- Many Aboriginal organisations and Aboriginals on the streets believed that the Redfern Legal Centre and the Aboriginal Legal Service were the same organisation.
- Aboriginal people who require legal assistance did so at the Aboriginal Legal Service.
- A number of Aboriginal organisations did not know that Redfern Legal Centre existed.
- The majority of Aboriginal people did not know that Redfern Legal Centre existed.

Future plans

In the next nine months the Access Worker will:

- Hold a cultural awareness seminar with Legal Centre staff to improve their communication with and understanding of Aboriginal people and their culture.
- Organise with staff workshops for Aboriginal people and Aboriginal organisations regarding: Tenancy; Credit and Debt; and Domestic Violence.
- Liaise more efficiently with the Aboriginal Legal Service.
- Conduct ongoing community liaison.
- Obtain more information on other organisations i.e. pamphlets and posters, for an information stall at R L C.
- Questionnaire survey of the Aboriginal community in La Perouse.
- Report on the project i.e. write report with specific ideas on how to maintain the links established.

The last three months has been a hectic period, establishing links with various organisations and speaking to numerous Aboriginals on the streets of the inner city regarding the functions of the R L C. As a result, awareness of what RLC can offer among Aboriginal organisations and the 'grass roots' koori community has increased. It is hoped in years to come many more Aboriginals will start accessing this Centre.

Drug Policies & Law Reform

At the planning meeting for the Drug Policy Project held in April four areas of activity were identified. These were:

- # Medical Cannabis;
- # Cannabis Decriminalisation;
- # Public Dialogue; and
- # Support for Harm Reduction.

- **Medical cannabis**

The project has overseen the formation of the committee for the medical use of cannabis. This independent committee, though still seeking a patron has been able to bring together expertise in the medical, pharmacological, legal and medical cannabis area. This committee is well advanced in developing strategies for the campaign to gain access to cannabis as medicine.

- **Cannabis decriminalisation**

Although taking a largely 'watching brief' on the issue of cannabis law reform in NSW the project has been able to address the issue in some manner. The project worker was able to attend the international cannabis policy symposium held in London in September, "Cannabis Control in the 21st Century", with additional assistance of the NSW Law Foundation and the Australian Drug Law Reform Foundation.(ADLRF). Further activity will occur as appropriate in the electoral cycle.

- **Public dialogue**

In an attempt to improve the public dialogue on drug use issues the drug policy project has been involved in a range of press and public speaking engagements. Some of the groups addressed have been Radio JJJ, Out FM, Young Labour, NSW Council for Civil Liberties, Redfern Drug Action Team, the cross benches of the NSW parliament, NCOSS, University of Sydney and Uni of Technology, and a number of articles for the South Sydney Bulletin. Assistance was also provided to the ADLRF with the development of their strategic plan.

Other areas of participation in the public dialogue have been through the promotion of materials through the RLC web site and through the promotion of the project with community organisations.

- **Support for harm reduction**

Harm reduction has been under threat both in NSW and nationally through erosion of services and through changing policy direction and emphasis at the national level. The project has been actively involved in the support and promotion of harm reduction. This has been through submission and participation in the development of the national drugs strategic framework, through the challenge of the charge of manslaughter in a case of a person providing a needle in Campbelltown and participation in a range of community and government consultations. Recently the project worker, Timothy Moore, was invited to be a member of the Commonwealth expert advisory committee on illicit drugs.

- **Future direction**

The project has developed good relationships with a wide range of community organisations and individuals and looks forward to enhancing and continuing activities into the future.



Graffiti from Old Town Hall

Access to affordable banking & credit

Since 1994/95 (see Redfern Legal Centre's Annual Reports for 1994/95 to date), the Credit and Debt Service has been involved with other community groups seeking alternative banking services following the closure of local Bank branches.

Many of the clients in the Redfern Legal Centre's catchment area are denied access to credit and banking services on fair terms because of the failures associated with the profit motive underpinning the mainstream financial service providers. Specifically,

- The mainstream banks have been deserting small depositors/lenders by closing bank branches, installing A.T.M.'s, and charging increasing fees for the use of transaction accounts;
- Clients are unable to get credit at all, or on fair terms, from mainstream providers of financial products, and so have to pay exorbitant rates for credit from finance companies, pawnbrokers, rental companies etc.

Governments have been reluctant to regulate banks adequately, so the Credit & Debt Service has been looking at alternatives for our clients. This year, the Service undertook to compile its existing research on the effects of bank closures, and alternatives to the current banking system. By the end of the reporting period, a draft study entitled "Access to affordable banking and credit" had been prepared. The report is a feasibility study into setting up alternative and ethical banking and credit services in socio-economically disadvantaged communities.

It is expected that the report will be released by the end of 1998. The report will be distributed to interested parties, and the recommendations of the report considered in 1998/9.

Generalist Service

The Generalist Service provides face to face and telephone advice to residents of the Botany, South Sydney, Sydney and Leichhardt Local Government Areas as well as undertaking casework in priority areas of law. This service employs 2 full time solicitors, 1 part time solicitor (21 hours per week) and relies on some 40 volunteer solicitors. It operates four nights per week, Monday to Thursday, and is the 'bread and butter' service of RLC. In addition the staff employed in the Generalist Service are involved in policy and law reform activities and provide Community Legal Education sessions.

Casework

Discrimination

The Centre continues to give advice through its evening service and to assist people make their complaint in discrimination matters. We also provide representation in a small number of cases.

Sexual harassment

We act for the former employee of a sporting club who was sexually assaulted at the Club's staff Christmas party by the President of the Club. The Equal Opportunity Tribunal found in May 1997 that the employee had been sexually harassed and that the President and the Club were liable. The Club appealed to the Supreme Court but did not pursue their appeal until the Centre commenced enforcement proceedings for the judgement debt. Although the Centre lost an interlocutory application to have the appeal struck out, costs were awarded against the Club for their tardiness. The Club's appeal against the EOT decision is yet to be heard. The Club argues that it cannot be liable for the actions of the President whose position is a voluntary one.

Pregnancy discrimination

The Centre's client is a former policewoman who was denied training and transfer opportunities in a country police station because she was pregnant and took maternity leave. Because she also complained about her treatment, the client suffered additional discrimination and victimisation which finally forced her to resign. The Centre has attended with our client at a conciliation conference at the Anti-Discrimination Board and two mediation conferences at the Equal Opportunity Tribunal. The case is ongoing.

Race Discrimination

Settled a race discrimination claim for a client against a big retailer. Client was from the Pacific Islands and worked in the food distribution centre. He was subjected to taunts such as "orangang" "monkey" "coco nut head" etc, he had red ink put on the wheel of his forklift truck, butter put inside his jacket. He was subjected to a worker aping a monkey. He went on stress leave and started a workers compensation claim. His medical certificates were supplied by a psychiatrist. The employer investigated his claims and told our client at a conciliation that they couldn't be substantiated, as they were denied by the workers involved. They offered his job back.

On his return to work, the toilet wall had been adorned with racist graffiti of a similar nature to which had been subjected to previously together with a swastika sign. The employer denied that it had anything to do with the company. Our client was also completely isolated as none of the workers would speak to him and went back on unpaid sick leave. The matter was conciliated again and settlement was reached that our client be paid \$10,000 in compensation for pain and suffering. The usual amount is anything between \$1000 and \$5000. He was allowed to continue with his workers compensation claim. He could return to work on another shift and the employer supplied a reference and agreed to put in place lots of training on discrimination for all the workers and managers.

Employment Law

The Centre's evening advice service continues to give advice to people seeking help following dismissal from their employment. The Centre also provides representation in these matters.

Factory workers

The Centre acted for two women, one NESB and another close to retirement age, who were dismissed just before Christmas from a nut factory. Although the factory initially indicated the dismissals were the result of a downturn in business, when the matters came before the Industrial Relations Commission, the factory alleged the women were dirty, caused trouble with other workmates, and fell asleep on the process line. After lengthy negotiations and a return to the Commission after the employer reneged on the terms of a settlement, the matter was finalised and our clients happy.

Bingo callers

The Centre acted for two sisters employed as Bingo callers at a large Leagues club who were dismissed when the club hired a new manager who set about rationalising services. Although the sisters had worked at the club for about 18 years they had only been in the Club's direct employment for the last 12 months. The sisters also alleged they had been underpaid. After numerous appearances before the Commission and a visit by the Centre's solicitor to the Club, this matter also settled.

Social Security

Given its close proximity to the local Centrelink office, the Centre does not get the number of requests for advice or representation in this area of work as we would expect. The Centre is developing its experience in this area and plans to liaise with local community agencies about referral of clients to the Centre.

Overpayment

The Centre acts for the parent of two children who incurred a large debt to the Department of Social Security during a period when she was estranged from her now former husband and he was working and not declaring his income. The Social Security Appeals Tribunal accepted our client's explanation that because of the poor nature of our client's relationship with her husband she did not know her husband was working. The SSAT directed the Department to write off the debt and the Department appealed this decision to the Administrative Appeals Tribunal. In the meantime on the basis of submissions the Centre has made about the client's financial circumstances, the Department has reduced the rate at which it was recovering the debt.

Victims of Crime

In 1997 RLC decided to reduce its victims compensation practice as a specialist area. Nonetheless, we still have numerous matters under the 1987 Victims Compensation Act and under the new restrictive 1996 Victims Compensation Act which have yet to be finalised. In the last 12 months, RLC has had a number of successes.

Maximum award

A client who was sexually assaulted for many years as a child by a family member was awarded the maximum amount by the Tribunal, slightly reduced as the client chose not to participate in criminal proceedings. The Tribunal relied on similar factual evidence provided by members of the client's family who had also been sexually assaulted by the same family member.

Increased award

A District Court appeal was successful for another client whose two applications for separate acts of violence were treated lightly by the Tribunal. Despite sufficient evidence supporting the applications, the Tribunal dismissed one application and awarded a small amount for the second application. The matter settled at the District Court for an amount the client was more than happy with.

Other General Casework

The Centre continues to provide representation to clients who are least able to afford a private solicitor, who are least able to help themselves but whose cases do not fit within legal aid guidelines. A number of these matters do not bring about change to the current law or practice but they do assist individuals exercise their rights and get on with their lives. Occasionally Centre solicitors act in criminal and negligence matters e.g.

Breach of Apprehended Violence Orders

The Centre acted in two defended hearing matters for a client we had previously assisted obtain mutual consent orders. Our client was young, had three children under five and serious housing problems. She and one of her children had been the victims of serious violence by her ex-defacto but was charged by police for breaches of the orders against her after she allegedly made telephone calls to the home of her ex-defacto and his family.

Theft by Care Worker

The Centre acts for an elderly incapacitated client whose life savings were gradually reduced over a period of time by a care worker who our client trusted to buy her groceries and pay her bills. The employing agency of the care worker do not dispute the theft and the Centre is assisting the client quantify her losses and negotiate a settlement with the agency.

Wills, Divorces and Complaints

Local residents continue to request assistance with preparation of wills and clients from non-English speaking background often require help with less straightforward divorces. Clients sometimes seek advice and information about rights of burial and dealings with funeral funds.

As well the Centre provides assistance to clients seeking information about their police, medical or mental health records and either advises or represents clients who wish to complain to the Ombudsman about treatment by the police. This year complaints about police have included complaints about applications by police to have clients scheduled, about the insensitivity of conducting a strip search in front of our client's children before she visited her defacto in gaol, about selling our client's car for \$50.00, and about police harassment and brutality including not calling off a police dog who severed the client's tendon

Policy & Law reform

Human Rights

This year marked the 50th Anniversary of the International Declaration of Human Rights. At a time when the maintenance and enhancement of human rights is at risk for many disadvantaged people in Australia human rights have been a focus of RLC policy and law reform activities over the past year. RLC was on the organising committee of this years NSW Community Legal Centre's State Conference, called "Human Rights for All". RLC is also actively involved in the Combined Group's Human Rights Committee. Other issues of concern during the year has been the new street legislation targeting young people, increased Police powers (despite the Royal Commission), the introduction of capsicum sprays and the erosion of appeal rights in the legal system.

Job Watch - Employment & Industrial Relations Issues

RLC has been involved in the establishment of the Combined Group's Employment Committee which keeps abreast of legislative changes in the industrial relations and employment area as well as monitoring their impact on disadvantaged workers. Significant preliminary work has been done on the establishment of a project similar to the Victorian JobWatch project, seeking to provide legal advice and advocacy for exploited and victimised workers.

Victims Compensation

RLC continued its involvement in campaigning for a better deal for victims of crime. RLC was active in the Combined Community Legal Centre Group's Victims Compensation Committee. Despite the introduction of a new law in NSW for victims of crime, a Joint Select Committee of NSW Parliament has continued to reassess the victims compensation scheme. RLC has been active in drafting submissions to the Committee urging an improved system for victims of crime.

Section 409B Crimes Act NSW

The NSW Law Reform Committee sought submissions to its Issues Paper on section 409B of the Crimes Act NSW. Section 409B restricts the questioning of witnesses and evidence permitted in sexual assault criminal proceedings. This section was introduced in 1981 by the NSW Parliament in an attempt to limit the distressing experiences of witnesses in sexual assault matters. As a result of comments from the High Court of Australia questioning the efficacy of this particular law, the NSW Attorney-General Jeff Shaw referred the matter to the NSW LRC. RLC participated in numerous meetings organised by different women's groups. RLC also assisted in drafting a submission to the NSW LRC, with other CLCs, demanding Section 409B be maintained, and, if anything, strengthened.

Community Legal Education & Community Development

RLC has continued to provide education sessions and workshops for community organisations in relation to issues such as: victims of crime; Wills; Family Law; Age Discrimination; Race Discrimination; Courts and the legal system; and, Domestic Violence.

RLC has continued its involvement in the production of plain English legal information resources, including: participation in the steering committee of the Rights for All, a kit on the rights of people with Intellectual Disabilities and the Editorial Committee of the Lawyers Practice Manual and providing up-dates.

We have maintained a close association with Sexual Assault Services in NSW and have participated in Court Preparation Seminars designed to prepare victims of sexual assault for the criminal trial process and to inform them of their rights to Victims Compensation.



*Moving times
RLC leaves Redfern Old Town Hall
but only for a short time*

Women's Domestic Violence Court Support Scheme

The Women's Domestic Violence Court Assistance Scheme (WDVCAS) is a specialist court assistance scheme, operating successfully at Redfern Local Court since March 1990 and the Downing Centre Local Court since October 1996. The scheme recognises the necessity of providing a co-ordinated and holistic response for women attending court for AVOs and operates on the principle of empowerment. The scheme aims to provide appropriate legal advice, representation and empathetic professional support both within and outside the court room. The scheme also emphasises the different needs of women in relation to their cultural background, age, social isolation or disability. The scheme operates with a roster system where local community workers and a solicitor are available to represent and support women seeking AVOs on the courts list day.

Program development

- Three training sessions have been held to recruit and train new support workers for the Scheme. Two training sessions have been held to recruit and train three new pro bono solicitors for the Downing Centre roster.
- A new women's support room was opened at Redfern Court in June, 1998. The room now has a kitchen and inbuilt toilet to help the safety of women attending court.

Casework

- All women are interviewed by a solicitor and a community worker. They are given legal advice in relation to their restraining order and any other relevant issue. Initial advice may be given in other areas such as overlapping family law problems or victims compensation, and appropriate referrals are made.
- All women are represented in Court by a solicitor.
- All women are seen by a local community worker who offers support and makes an assessment of any other related needs. Women are referred to relevant services such as counselling, housing and tenancy services and support groups and community centres.
- Legal files for all cases are maintained and supervised at RLC. After the first court appearance, various matters are followed up. Tasks may include checking with police that the summons has been served, or confirming that a client who is eligible for legal aid has an appropriate solicitor to represent her.
- When a matter has been finalised, RLC is still available to women wanting advise concerning breaches of the AVO or any other matters.

Community Legal Education & Community Development

- A successful planning day in August 1997 was convened at RLC for the South Sydney Domestic Violence Committee, where a mission statement and future goals for the committee were formulated.
- Redfern Multicultural Speakout was held on 5 March, 1998 in conjunction with several other local agencies. 150 local women were able to have their say about what concerns them. The day was launched by The Hon. Faye LoPo MP. Other speakers included Jenny Munro from the Metropolitan Aboriginal Land Council and Councillor Gill Lay from South Sydney Council.
- On 23 April 1998 RLC helped organise a local "Stop Domestic Violence Day" in Redfern. There was a march up Redfern Street and a sausage sizzle was held at Redfern Public School, where speakers addressed local residents and community workers.
- Participated as a representative on the Reference Group for the local Regional Specialist of the Violence Against Women Council.

Policy & Law Reform

- Participated in a committee of domestic violence workers to meet with representatives from the Judicial Commission to look at appropriate training for magistrates and judges in the area of domestic violence.
- Made representations to the magistrate at the Local Court Downing Centre about our concerns about the transfer of AVO matters to the Local Court Family Matters where there Scheme does not operate.

Client profile

Total number of clients	630
Aboriginal & Torres Strait Islanders	15%
Non-English Speaking Background clients	27%

Services provided

Court support at mention	68.2%
Advocacy	22.6%
Information or Referral	5.3%
Court support at hearing	2.8%

Credit & Debt Service

Redfern Legal Centre's Credit and Debt Service provides casework assistance, legal advice, and legal education to consumers, financial counsellors, and community workers, and undertakes policy and law reform work, in the areas of credit and debt.

Casework

Unjust contracts

AGC strikes again: A local couple, both with cognitive defects, bought a car on finance from a finance company. One month later, at AGC's instigation, they re-financed with AGC. This transaction cost our client several thousand dollars extra. While the monthly loan repayments were actually cheaper, the loan went over a longer period of time. Our clients were not aware of this. They paid off the vehicle for several years, until the car was written off in an accident. The car was fully insured and our clients bought a new car with the insurance monies. They continued paying off the repayments on the old car. Some 18 months later, an AGC agent called, uninvited, at pm at our clients' home. Our clients were under the influence of sedative medication at the time. The agent got them to sign yet another finance contract, with the new car as security, with yet another few thousand dollars in added interest. Our clients did not understand what they were signing, and came to us for advice.

RLC was able to get this contract set aside, and have our client's liability reduced to what it would have been had the original finance agreement been on foot.

When is a debit card not a debit card?

RLC also settled a banking litigation matter in our client's favour. Our client, who had a mental illness predisposing him to spending sprees, decided to protect himself by opening a debit account with St George bank. The product was advertised as one where account holders would 'use their own money': it was not a credit card account. Our client embarked upon a whirlwind tour overseas, frequently withdrawing money from his account. He was never given a balance, and because the transactions were in foreign currency, our client was unable to work out the balance of his account. He thought, because of the nature of the account, that they would not extend credit to him. He was wrong. St George and international visa gave him \$12,000 credit, and then sued him to get it back. RLC eventually managed to get St George to agree to settle the matter in our client's favour.

Delayed debt recovery

On two occasions during the reporting period, RLC was unsuccessful in convincing magistrates not to allow debt buyout companies to continue to enforce debts after 12 years had elapsed since judgment had been entered. Community Legal Centres have been swamped with clients who are being chased for very old debts, often when they haven't heard from the creditor or their assignee for up to 9 years. This is particularly unfair, when debtors believe the debt is no longer owing, or have entered into new financial and/or living arrangements on the understanding that the debt no longer exists. They are understandably shocked when they are belatedly harassed about repaying this debt, which is often 4 times its original amount due to interest accruing. Our lack of success in the courts led us to consider policy responses. At the time of writing, we had not received a satisfactory response from the NSW Attorney General's office, and have commenced investigating other political avenues to amend the Local Court Civil Claims Act to address this problem.

Hire Car scams:

Read the fine print when you hire a car on holidays! On countless occasions we are contacted by holiday makers who are being ripped off by hire car companies. More often than not, the rip-off occurs when the company claims you have caused minor damage to the vehicle when the damage was already there, and retains your deposit (or zaps your blank credit card slip!). Hirers often sign the contract without reading it properly, thereby certifying that the car was in pristine condition. Unless you happen to be travelling with a JP or a priest who will back up your statement that "I didn't cause the damage", you are probably going to lose your deposit. Even worse, some hire car companies offer insurance with these vehicles, which includes an enormously wide exclusion clause written in 4 point font on the back of the contract. The clause says that the company won't pay out for property damage or injury to persons if you were driving in any way contrary to the traffic laws of the State. Of course such laws cover even minor traffic offences. They also prohibit negligent driving, which is the very thing the driver is seeking to insure against when s/he forks out for the premium. This exclusion clause is unfair, and defeats the whole purpose of insurance. RLC wrote to the Insurance and Superannuation Commission suggesting a test action under S55A of the Insurance Contracts Act. We await their response.

Fraudulent loan brokers

The dangers of using loan "brokers" were demonstrated when a victim of a fraudulent operator came to us. The client had needed money quickly for family reasons, but already had a home loan and a car loan. He sought the help of a "broker", who arranged a loan for him with a Bank. The client actually received less than half of the loan monies; the remainder was supposed to be invested by the "broker" to assist with repayments on the loan. The broker stole the balance of the loan monies and left Australia. The Bank had no connection with the fraudulent banker, but agreed to allow our client to repay the balance owed on a monthly basis. The "broker" is now under investigation by the NSW Police and the Australian Competition and Consumer Commission.

Mobile Phones

A large number of clients came to RLC with mobile phone debt problems. Problems included:

- Clients "winning" mobile phones on television programs or at clubs;
- Not signing any contract regarding the phones;
- The phone being taken or "borrowed" by someone else and used to make enormous numbers of expensive calls, without our clients' knowledge;
- Clients deciding that they did not want a mobile after all; selling the phone to someone else, only to discover that they were still responsible for calls being made from that phone;
- Clients not realising that the calls made from the phone (and hence, much of the phone "bill") follow the sim card, not the phone; and
- Many clients are being billed for items not set out in the original contracts.

On a number of occasions, the phone companies could not find the contracts allegedly signed by our clients. RLC argued that without the contract, the companies could not "prove" the debt. The companies withdrew their claims.

Policy & Law Reform

Over the year, the credit and debt service was involved in the following campaigns which were aimed at enhancing the rights of economically disadvantaged consumers of financial and other services:

- Submission to the Department of Fair Trading ("DFT") concerning the structure and administration of the DFT's consumer tribunals (such as the Commercial Tribunal, Consumer Claims Tribunal, and Residential Tenancies Tribunal). Our submission included a recommendation that these tribunals be subject to accessible appeals mechanisms on facts of law. (Such mechanisms do not currently exist);
- Co-authored submissions to the Federal Bureau of Consumer Affairs in response to its second audit of Consumer Protection Laws;
- Co-authored a submission to the Federal House of Representatives Standing Committee on Financial Institutions and Public Administration's "Inquiry into Alternative Means of Providing Banking and Like Services in Regional Australia" (the "FIPA Inquiry");
- Spearheaded a campaign to ensure adequate controls in relation to the outsourcing of debts owed to the NSW government. This campaign is still under way, but progress is being made in terms of anti-debt collector harassment policies, alternative dispute resolution mechanisms for aggrieved consumers and early, funded financial counsellor involvement;
- Submissions were made in support of proposals by the NSW Consumer Credit Legal Centre seeking the establishment of an alternative dispute resolution scheme for finance companies;
- Discussed possible law reform strategies and case law approaches in relation to mobile phone contracts with a range of other solicitors, including Legal Aid Commission solicitors and private solicitors. During the year, we noticed that advertisements for the sale of mobile phone contracts were improving in that the terms of the contracts were beginning to be included in the advertisements;
- Participated in discussions on a national basis, with other credit and debt workers and financial counsellors, about the possibility of organising national law reform on legislation regarding harassment by debt collectors;
- A Credit and Debt Service solicitor held the position of Community Representative on the NSW Attorney General's Local Court Civil Claims Rules Committee, and was convenor of the NSW Combined Community Legal Centre's Group Credit Committee.

Community Legal Education & Community Development

The Credit and Debt team undertook a variety of CLE initiatives in 1997/8. These included the following:

- RLC's credit and debt team obtained one-off funding to prepare and deliver a credit & debt community legal education and advice program to rural Australians in Wagga, Griffith and West Wyalong early in 1999. The project was initiated in response to the Department of Industry Sport & Tourism's 1997 report on the consumer education needs of rural Australians, which highlighted the dearth of legal services in rural and remote Australia. The program will take two weeks to deliver, and if successful, may be taken to other country venues which are deprived of access to such legal information;
- Conducting an intensive workshop for local community workers entitled 'Debt: When can the law help?', as part of the Centre's annual CLE program of legal education for community workers;
- Wrote a fact sheet on the NSW Fines Act 1996. This was circulated to financial counsellors through their peak body (Financial Counsellors Association of NSW), to local chamber magistrates, other community legal centres, and community workers in NSW;
- Gave regular training to financial counsellors, including special education sessions at financial counsellors' regional offices;
- Media contacts/articles:
 - article in *Sydney Morning Herald* concerning what causes credit problems;
 - article in *Sun Herald* on credit cards as an inappropriate credit product;
 - live-to-air spot on radio 2BL, with Richard Glover, on credit card debts/interest rates;
 - information supplied to the *Australia Financial Review* concerning banker's rights to recover monies paid by mistake;
 - 2 articles written for the *South Sydney Bulletin* (RLC regular column) concerning sexually transmitted debt and the poverty trap;
 - interview on community radio station *2RES* on the causes of indebtedness in Australia and what can be done about it; and
 - legal information supplied to *Women's Weekly* concerning defective product legislation.

Inner Sydney Tenants Advice Service

After receiving funding the Inner Sydney Tenants Advice Service in 1995, the demand for tenancy advice has increased dramatically. The service assisted some 1,420 tenants over the year and achieved many accomplishments in policy and community legal education.

Casework

Rent reduction for lack of repairs

The tenant was a Fijian woman who did not speak English. Her flat in Redfern was badly in need of repairs to the hot water system, electrical wiring, kitchen furnishings and carpets. The tenant had gone on a rent strike and was in substantial rent arrears. The landlord commenced eviction proceedings. The Service successfully assisted with a number of cross applications to the Tribunal for orders for repairs to be done, rent to be paid into the Tribunal and a rent reduction for six months. The rent reduction counterbalanced the rent arrears so the tenant was able to maintain her tenancy.

Warehouse tenants covered by Residential Tenancies Act despite signing a commercial lease

The Service assisted some tenants who had signed a commercial lease for a warehouse in Newtown to make an application to the Tribunal to prove they were covered by the Residential Tenancies Act. This case was important as it clarified that even though a commercial lease was signed the Residential Tenancies Act overrides this lease. The tenants were therefore entitled to have the stamp duty and solicitors fees charged for the lease refunded and their bond lodged at the Rental Bond Board.

Sharehousing and uncollected goods dispute

The Service assisted a sub-tenant whose head tenant refused to allow her to access her belongings as she owed rent. The head tenant had instructed a solicitor who threatened to sell the goods for the rent debt. The Service made an application to the Tribunal for the return of the goods. The matter was settled prior to hearing in the sub-tenant's favour.

Department of Housing and community housing association

The Department of Housing (DOH) sought termination of the tenancy of a community housing association in Glebe. The association had been a tenant of the Commonwealth (of Australia) prior to the stock being transferred to the State of NSW. The DOH sought termination of the association's tenancy for no grounds. RLC assisted the tenants to prepare for the Tribunal hearing and participated in protracted negotiations with the DOH. The final result was that the majority of the members of the association were housed as public tenants and the remainder were assisted with obtaining private tenancies through the Rental Assistance Scheme.

Compensation cases

The service helped 10 tenants take cases to the Tribunal for compensation for damage to personal property caused by the landlord's failure to repair, and for rent reduction. In most cases the Service assisted tenants in the preparation of their cases, providing constant back-up and advice but encouraging the tenants to represent themselves. As a result of this we have developed factsheets on compensation that we now give to each tenant

Rent increase cases

The Service has been flooded with requests for help from tenants whose rents have increased dramatically. In one case, the tenant faced an increase of \$70 per week and was able to successfully negotiate a reduced increase. In another case, an elderly long-term tenant was able to negotiate a 'lower' rent increase with our assistance.

Boarding house tenants

The Service has represented or assisted about 30 tenants/boarders of boarding houses in the inner-city. In one case we helped tenants to get lump sum settlements from the landlord to compensate for being evicted.

Department of Housing policies regarding tenants with psychiatric disabilities

We have had four cases involving tenants of the Department of Housing with psychiatric disabilities, which have shown up some problems with the DOH policies. These areas have been highlighted for research by the Service's new Psychiatric Disabilities and Tenancy policy worker (who began work in June 1998).

Community Legal Education & Community Development

The service targeted communities from Non-English speaking backgrounds and has conducted tens of sessions through the Adult Migrant Education Service. In addition our workers have developed a specialised training package for these communities.

Contributed articles to Tenant News which is distributed throughout membership of the Tenants Union as well as local community centres. Wrote 3 articles for South Sydney Bulletin, were quotes in 4 articles of the Bridge Inner City Community Paper. We also participated in Women and Housing law panel for the Women and Law Conference.

RLC TAAS information has been distributed at local community festivals and information days including the Multicultural Women's Speakout in Waterloo, UTS Law Information Day.

We have now developed a CLE program in conjunction with that provided by Redfern Legal Centre as a whole. In addition, we have developed and delivered the "Basic Tenancy Law Training Module" for the Tenants Union of New South Wales. This exceptional training package will form the basis of a diploma in Housing in tertiary institutions.

The Service completed the writing of Safe as Houses: domestic violence and tenancy law - an information, training and referral manual in October. This was a project of Canterbury Bankstown Migrant Resource Centre, conducted by Redfern Legal Centre. This publication and training manual has proved so popular that we will have to reprint and conduct a similar number of workshops in the coming year.

The Service edited the Housing chapter in the Intellectual Disability Rights Service publication, Rights for All.

Some of the CLE sessions included:

- 5 workshops: Safe as Houses: domestic violence and tenancy law – 94 participants
- Bosnian community - 40
- Financial counsellors - 32
- St Vincent's de Paul - 18
- National Union of Students - 30
- Thai community - 60
- Chinese community - 10
- Vietnamese community - 25
- TAAP New Worker Training - 20
- TU Hotline workers - 5

Policy & Law Reform

During the period the most overwhelming policies issues have been:

The Olympics and Housing: the continued work of rentwatchers has been both extensive and exhausting for the workers. Major achievements:

- Launch of first alternative rent report
- Lobbied government to form a Cabinet sub-committee of Ministers to meet regularly with housing advocates to monitor the adverse effects of the Olympics
- Enormous media coverage in local, State and National papers, radio and television
- Instigation of international interest in the issue – most notably from Atlanta housing and homelessness activists.

Other areas of policy input included:

- Domestic violence amendments to the Residential Tenancies Act
- Safe as Houses
- Commenced the project: housing needs and people with psychiatric disabilities
- Department of Housing eviction policies
- Boarding house legislation
- Review of the RTA

University Of Sydney Students Representative Council Branch Office

The University of Sydney SRC Branch Office of the Redfern Legal Centre has been opened for over 7 years. The office is funded by the Students Representative Council who have contracted Redfern Legal Centre to provide a solicitor at the SRC office for three days per week. The solicitor attends the SRC offices on Mondays, Tuesdays and Thursdays.

The solicitor provides advice, representation, community legal education and law reform work for students at the University who are members of the SRC and students at the affiliated campuses of Sydney College of the Arts, The Conservatorium of Music, Orange Agricultural College and Camden Farms.

The current Branch Office Solicitor has an restricted Practising Certificate. She is supervised by a solicitor at the main office of the legal centre. She 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 past SRC solicitor, Pat McDonough.

The Branch Office is covered by the RLC Professional Indemnity Insurance.

The Branch Office operates in accordance with the agreement between the SRC and the RLC Directors. The Office is staffed by a solicitor from the RLC. Pat McDonough, the solicitor at the branch office for 6 years transferred to a position at the main office of the Legal Centre in March 1998. The position was advertised and Sarah Nielsen became the new solicitor in March.

Pro bono assistance

Bridget Godwin, solicitor, provided pro bono defamation advice for the Editors of Honi Soit;

Clayton Utz provided pro bono advice and representation in relation to a number of matters

Casework

The statistics show the types of matters students sought advice on. Only undergraduate students are eligible for assistance.

During the year 333 appointments were made. Appointments are available on Mondays and Tuesdays. Students can also come to a drop in Service on Thursday afternoons.

Statistics

'File' means that the matter required more than one-off advice or referral so that a file was opened for the conduct of the matter.

'ASO' means that the student saw the solicitor at least once for advice or referral and that an Advice Sheet Only was completed i.e. no file was opened.

'Phone' means that advice or referral was given by phone and no file was opened.

Type of Matter	File	ASO	Phone	Total
Austudy/YA ¹	4	5	-	9
University complaint	5	1	-	6
Special consideration	3	1	-	4
Misconduct	3	2	1	6
Exclusion	2	5	-	7
University fees	3	1	-	4
Academic appeal	1	1	-	2
Debts	4	10	-	14
Tenancy	7	17	2	26
Family law	2	9	-	11
Complaints	6	12	-	18
Victims compensation	3	4	-	7
Transport injuries	-	2	-	2
Work injuries	-	1	-	1
Personal injuries	3	4	1	8
Domestic violence	1	2	-	3
Other criminal	2	28	3	33
Traffic offences	1	15	-	16
MV property damage	7	15	3	25
Wills / probate	-	2	-	2
Immigration	-	4	-	4
Social security (other than AUSTUDY)	-	2	-	2
Stat Dec/JP	-	9	-	9
Organisation	5	10	-	15
Intellectual property	2	6	-	8
Employment	6	12	-	18
Other fines	-	17	-	17
Discrimination	1	1	-	2
Defamation	-	-	1	1
Other	4	3	-	7
Totals	75	201	11	287

¹Youth Allowance

The demand for the advice service continues to grow and the numbers of advices given has increased from previous years. A number of trends can be identified from the advice and casework.

Motor vehicle accidents

Motor vehicle accidents continue to be of major concern to students. The service is seeing problems not just about the initial accident but also significant debt problems as a result of accidents with uninsured drivers. The credit and debt solicitors at the main office of the legal centre have provided valuable advice and back up on these debt matters.

The amount of casework undertaken in this area is limited and many matters are resolved by providing students with the material to resolve matters themselves. However, students continue to find themselves at a disadvantage when dealing with insurance companies and their legal representatives.

University matters

Matters concerning the University such as complaints about the University and disciplinary action and expulsion are also a significant part of the advice work and casework. The service successfully represented a student accused of cheating in exams when the University withdrew their complaint.

Matters such as this reveal real problems with the way the University deals with misconduct investigations into students. Of particular concern is the Universities unwillingness to release details of the nature of the allegations to the accused student or their representatives. The solicitor will continue to work with the SRC welfare and education workers on students access to information.

Crime

Students continued to seek advice on a range of criminal matters. The service offers initial assistance and referral. Unfortunately the restrictions in legal aid have meant that many students, without the funds for a private solicitor find themselves without representation.

Tenancy

Tenancy is another significant area of inquiry. The more complicated inquiries arise out of various share housing arrangements and their breakdown. The tenancy workers at main office of the legal centre have provided great assistance with these matters.

A number of landlords (including the university itself) continue to attempt to evade the Residential Tenancies Act through licensee arrangements. This office is still keen to test the limits of these arrangements.

Consumer

One student found himself being pursued by a mobile telephone service provider for significant amounts of money in relation to two mobile service contracts. The student was only 19 years old and it was unlikely he would be able to pay the large debts that had accrued. We successfully assisted the student to negotiate a lesser settlement. Unfortunately in cases such as this there is no way to challenge the contract or debt and the only option for the student was settlement. Mobile telephones are very attractive, and much of the advertising is particularly targeted at young people and many find themselves signed up to complicated contracts without realising their likely liability. There is a real lack of information for people alerting them to the things to watch out for in mobile telephone contracts. We have identified this issue for a education project for the next year.

Policy & Law Reform

The end of this year saw the abolition of the Austudy system of benefits to students and the introduction on 1 July 1998 of Youth Allowance. Youth Allowance has been billed by the Federal Government as a single simple benefit scheme for all people under 25 years. The reality for student advisers was that it has been confusing and badly structured. Significant time was spent learning the new system and providing back up assistance for the great work done by the Welfare and Education workers at the SRC in alerting students to the new system.

Youth Allowance brings with it a number of onerous reporting requirements for students and breaches of these requirements attract a series of penalties and benefit reductions. Students over 25 years are not covered by Youth Allowance and receive instead a new Austudy Allowance.

It is anticipated that as the 1998/9 year progresses we will see increased caseload in this area as students adjust to the new regime.

The two year waiting period for new migrants to Australia has also worked to complicate the system of benefits in Australia and to place added hardship on students new to the country. We assisted a client to successfully appeal the refusal of Youth Allowance on the basis that he was subjected to the 2 year waiting period.

We continue to see students who have been seriously disadvantaged by the actual means test under the old Austudy system. The delay in the appeal system means that inquiries about Social Security Appeals Tribunal or Administrative Appeal Tribunal appeals relating to Austudy are still coming to the branch office.

Community Legal Education & Community Development

The Branch Office Solicitor has been responsible for the following:

- Provision of legal advice for the publication of the Counter Course Handbook
- Organising and staffing of a stall at Orientation Week
- Ongoing provision of legal advice to the SRC Education Research Officer and the Welfare Officer in regard to matters such as Austudy, tenancy and university complaints. Back up assistance with production by SRC Welfare Officer of factsheets on Youth Allowance.
- Provision of legal advice to students working on the Tenants Union Hotline Service
- Provision of legal information and education materials to International Student Services Unit.
- Providing article for Youth Allowance for RLC's column in South Sydney paper.
- Provision of a workshop on activism and the law to student environmental officers.

Redfern Legal Centre Limited A.C.N. 001 442 039 Trading and Profit & Loss Account 1997/98
--

Year Ended 30 June 1998	1998	1997
	\$	\$
FUNDRAISING		
Fundraising Events	-	25,455
LESS:		
Cost of Fundraising Events	-	10,252
GROSS PROFIT FROM FUNDRAISING	<u>-</u>	<u>15,203</u>
OTHER INCOME		
Donations Received	685	220
Interest Received	21,333	28,700
Other income	5,010	5,116
Recoveries	3,435	289,626
Grants	749,866	724,300
TOTAL OTHER INCOME	<u>780,329</u>	<u>1,047,962</u>
EXPENDITURE		
Accounting fees	2,200	1,600
Audit fees	5,363	5,358
Bank charges	964	918
Consultancy Fees	1213	0
Depreciation	21,773	17,561
General expenses/disbursements	1,585	1,256
Insurance	3,152	3,585
Loss on disposal	1,283	0
Office Equipment	5,771	6,222
Printing, & stationery	82,955	66,751
Rent	6,000	7,000
Repairs & maintenance	5,481	3,717
Salaries & Wages	570,414	574,800
Staffing costs	25,759	20,584
Subscriptions	14,547	15,144
Sundry Expenses/Activities	4,837	8,641
Superannuation	25,213	23,552
Telephone	16,121	11,778
Travelling Expenses	10,392	7,457
TOTAL EXPENSES	<u>805,023</u>	<u>775,924</u>
NET PROFIT	<u>(24,694)</u>	<u>287,241</u>
OPERATING PROFIT AFTER		
INCOME TAX	<u>(24,694)</u>	<u>287,241</u>

Redfern Legal Centre
73 Pitt Street
Redfern NSW 2016

Telephone (02) 9698-7277
Fax (02) 9310-3586
TTY (02) 9699-8039

<http://www.rlc.org.au> .
