



Redfern Legal Centre

REDFERN LEGAL CENTRE
ANNUAL REPORT 2002-2003

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Contents

Our Vision	3
Management Structure	4
Funding	5
Staff and Volunteers	6
Client Statistics	10
General Legal Service	11
Credit and Debt	14
Tenants' Service	18
The SRC Legal Service	23
Women's Domestic Violence Court Assistance Scheme (WDVCAS)	27
Director's Declaration	32
Auditor's Report	33
Financial Performance	34
Financial Position	35
Cashflow Statement	36

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.

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	Director, National Pro Bono Resource Centre	Member	Elected at AGM
Mary Perkins	Community Service Agency Director	Member	Elected at AGM
Nigel Vertigan	Solicitor	Member	Elected at AGM
Gary Moore	Community Service Agency Director	Member	Elected at AGM
Chris Elenor	Strategic Analyst	Member	Elected at AGM
Clare Petre	Ombudsman	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 Family Law, Legal Aid Division of the Commonwealth Attorney Generals Department.
- ◆ The Credit & Debt Service is funded by the NSW Department of Community Services, the NSW Department of Fair Trading and the Commonwealth Department of Family and Community Services through its Financial Counselling Program
- ◆ 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 concessional rent, and occasional small grants for specific purposes.

From time to time the centre is successful in gaining funds for non recurrent projects or joint projects. This year project funding was provided by South Sydney Council to develop a court assistance scheme at Redfern Local Court.

We are also seeking funding from the Law and Justice Foundation for support to undertake strategic research with a view to addressing systemic issues and thus reducing the potential demand on our services.

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 130 volunteers during 2002/2003 – 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 \$360,000 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

A number of legal professionals and law firms provided substantial pro bono assistance to our clients or to the Centre. Without this assistance, we would not be able to continue to provide such a comprehensive range of services.

This year we have received support from the following:

FIRMS

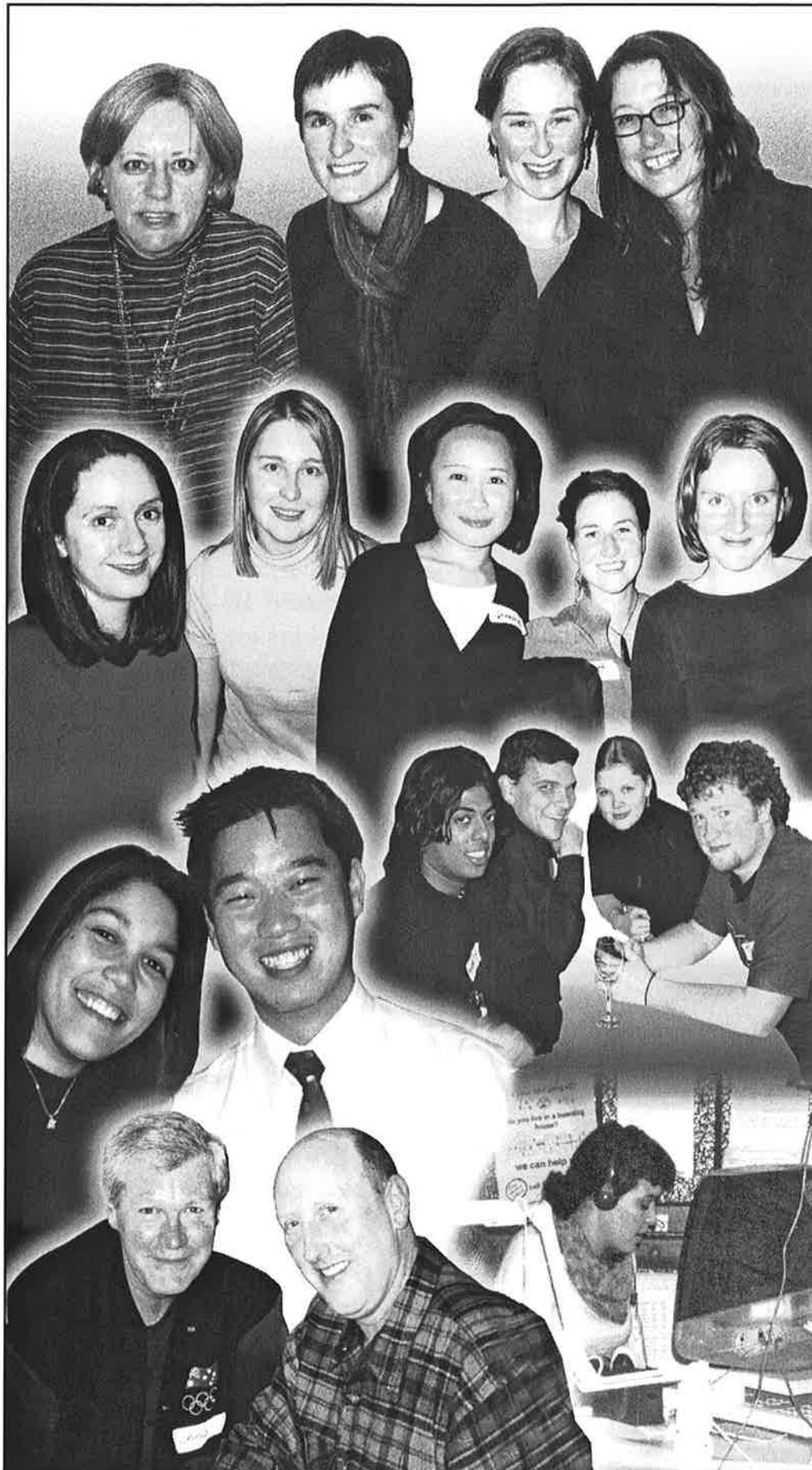
Blake Dawson Waldron
Gilbert & Tobin
Henry Davis York
Clayton Utz
Keddies
Graham Jones

BARRISTERS

Michael Windsor
Kate Eastman
Michael Crowley
Matthew Tyson
Iain Todd

We also refer clients to the Law Society's Pro Bono Scheme and the Bar Association's Legal Assistance Scheme.

We would also like to thank Microsoft for software donation and Vodafone for mobile phones for the Women's Domestic Violence Court Assistance Scheme.



At the Volunteers dinner...

At the Volunteers dinner

REDFERN LEGAL CENTRE VOLUNTEERS 2002/3

Ambrith Abayasekara	Lisa Emanuel	Carrie Liew	Gordon Renouf
Belinda Abey	Belinda Epstein	Andrew Logan	Amy Richardson
Michael Adamo	Jessica Evans	Rhonda Luo	Sam Robinson
Pauline Adraskelas	Cara Fairbanks	Kirsti Makinen	Tom Roche
Jan Alewood	Elizabeth Favaloro	Charles Maltby	James Roden
Anna Baltins	Ben Fawcett	Emma Maple-Brown	Ben Rolleston
Mimi Barbaro	Davin Fernandez	William Marshall	Kirsty Ruddock
Anne Barnes	Simon Filer	Anthony Martin	Kristen Rundle
Kate Behncken	Nick Finlayson	Joanna Martin	Belinda Russell
Melissa Bellanta	Paulina Fusitu'a	James Mayne	Stephen Sander
Katherine Biber	Annette Gent	Alison McClung	Elyse Sanders
Michael Blair	Eric Ghosh	Lucy McGrath	Tom Sansom
Alicia Boothby	Rob Gibson	Stephen McKenzie	Helen Service
Anna Boucher	Catherine Gleeson	Ross McKinnon	Melanie Shanker
Diana Brown	Annabelle Golsby	Sheila McMahon	Lauren Sharp
Nikki Brown	David Graham	Verity McWilliam	Tina Shepley
Emily Bui	Chris Grey	Belinda Michalk	Shanthi Silva
Karen Bulluss	Libby Gunn	Rocky Mimmo	Susan Smith
Joanna Burke	Mayank Gupta	Lena Mirzabegian	Harshanie
Bridget Burton	Kate Halliday	Alexander Moriarty	Sooriyabandara
Brianna Butt	Penny Hollott	Jane Muir	Caroline Spruce
John Cahill	Yvette Holt	Kiersten Mulligan	Tim Stainton
Kirsty Campbell	Johnathon Horan	Lisa Munro	Elizabeth Steer
John Catarinich	Nancy Housalas	Kerrin Murray	David Sulan
Diane Causer	Camilla Howes	Ross Nicholas	Emily Sunman
Patrick Chan	Yasmin Hunter	Gloria Nicol	Keith Swan
Selena Choo	Luis Izzo	Rosemary Norgate	Julia Sweeney
Suzanne Christie	Samantha Jager	Gina Nott	Ingrid Switzer
Michelle Chung	David Jay	Morgan Nyland	Juliana Tang
Cristy Clark	Katharine Jeffreys	Peter O'Grady	Wendy Tang
Emma Clarke	Megan Jenkins	Claire O'Moore	Rodney Teoh
Bill Cotsis	Terry Johnston	Vanessa O'Sullivan	Mark Teutsch
Emma Crause	Llewellyn Judd	Joanna Oakey	Sue Thomas
Joff Crawford	Chris Jurd	Sri Ogden	Gary Tiu
Lachlan Cumming	Muhunthan	Lila Oldmeadow	Katy-Jo Turner
Yolanda D'Aquino	Kanagaratnam	Kate Owens	Nicole Urban
Anne Dale	Ann Kinghan	Elizabeth Paine	Karinya Verghese
Azadeh Dastyari	Melinda Kunjasich	Sarah Parker	Karen Websdale
Alison Davidian	Katherine Lane	Elisabeth Passmore	Mary-Rose West
Katrina Dawson	Stuart Lawrance	Ben Patrick	Michael Windsor
Sally Deans	Jodie Lee	Nicolas Patrick	Helen Wodak
Rosalind Dixon	Sewmay Lee	Nerida Peart	Rob Worthington
Andrew Djemal	Joel Lehrey	Sharn Preece	Elizabeth Wright
Rebekah Donaldson	Craig Lenahan	Jeremie Quiohilag	Emily Yin
Helen Donovan	Lynette Leung	Michelle Rabsch	Erik Young
Laura Duesbury	Judith Levitan	Emily Raetz	Anika Zeman
Yvette Dulfer-Hyams	Jeremy Levitt	Elizabeth Raper	
Troy Edwards	Mario Licha	Abigail Rath	

STAFF 2002/03

PERMANENT STAFF IN 2002/03

Narelle Anderson	WDVCAS Assistant Coordinator	Robyn Holden	Volunteer Coordinator/ Admin Officer
Helen Campbell	Director	Pat McDonough	Principal Solicitor
Julie Carter	Community Worker	Elizabeth Morley	Principal Solicitor
Hilary Chesworth	Administrator	Rebecca Neil	Senior Solicitor
Mathew Deighton	Solicitor Credit and Debt	Sri Ogden	Tenancy Worker
Chris Dodds	Drug Law Policy	Ann Petrou	Administrative Assistant
Emma Golledge	Tenancy Coordinator	Nicki Petrou	Solicitor Credit & Debt
Lyndal Gowland	Womens Domestic Violence Court Assistance Scheme Coordinator	Penny Quarry	Solicitor Credit & Debt
Raelene Hampton	Administrative Assistant	Jacqui Swinburne –	Tenancy Coordinator
Matthew Hazard	SRC Solicitor	Sue Thomas	Tenancy Worker
		Nicole Urban	Tenancy Adviser
		Viviana Villamar	Tenancy Coordinator
		Lisa Woodgate	General Solicitor

LOCUMS AND CASUAL WORKERS

Katherine Biber	Night Advice Service	Libby Gunn	Women's Domestic Violence Court Assistance Scheme
Alicia Boothby	Archives assistant		
Gregory Brown	Tenancy Adviser	Mayank Gupta	Archives Assistant
Karen Bulluss	Tenancy Adviser	Katherine Jeffreys	Night Advice Service
Bridget Burton	Day Information Service	Muhunthan Kanagaratnam	Night Advice Service
Patrick Chan	Day Information Service		
Kate Chater	Day Information Service	Katherine Lane	Credit and Debt Service
Yuan Chen	Cleaner	Edwina MacDonald	WDVCAS Administration
Lachlan Cumming	Day Information Service	Bridget McDermott	Administration
Elizabeth de Freitas	Tenancy Adviser	Trish Mundy	Locum Solicitor
Sally Deans	Day Information Service	Bob Nanva	Archives Assistant
Laura Duesbury	Women's Domestic Violence Court Assistance Scheme	Hung Nguyen	Cleaner
Ben Fearnley	Sander, Night Advice Service	Sarah Nielsen	Day Information Service
Amanda Frost	Women's Domestic Violence Court Assistance Scheme	Morgan Nyland	Archives Assistant
Dixie Gordon	Women's Domestic Violence Court Assistance Scheme	Lila Oldmeadow	Archives Assistant
		Jeremie Quiohilag	WDVCAS Administration
		Amy Richardson	Day Information Service
		Paula Rix	Day Information Service
		James Roden	Day Information Service
		Fei Shen	Cleaner
		Tamara Sims	Day Information Service
		Phoenix Van Dyke	Tenancy Adviser

CONSULTANTS

Tilda Communications – Computer Support
Davidson Trahaire – Employment consulting
Shannon Maguire – Employment consulting
Ann Mara – Acting Director
Fay Frischer – Acting Principal Solicitor
Michael Holloway – Locum Solicitor, Credit & Debt

CLIENT STATISTICS: GENERAL SERVICE

Total number of clients assisted	9059
Files opened	614
Ongoing	5914
Information and referral	3333
Advice	1810

MAJOR AREAS OF ASSISTANCE

Domestic Violence	486
Tenancy	2433
Family Law	1319
Credit and Debt	1157
Crime	1412
Legal System/Process	168
Wills	540
Motor Vehicle property damage	314
Victims Compensation	310

TENANCY SERVICE

Total number of clients	1932
Files opened	104
Face to face advice	300

SRC SERVICE

Total number of clients	256
Files opened	149
Information referral and advice	107

Major areas of assistance

Tenancy	20
Crime	53
Family	27
Motor vehicle property damage	31
University issues	23

WDVCAS

Total number of client contacts	1800
Number of ATSI clients	185
Number of NESB clients	344
Number of clients with a disability	174
Number of clients as defendants	137
Time spent follow-up service of AVO	12.5%

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, South 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 and tenants' rights, employment law conduct community legal education and participate in law reform campaigns.

OPERATING HOURS

During this reporting period the centre continued to operate during similar opening hours as in recent years. 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

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.

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 south 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. Information and referral is provided as appropriate during these advice sessions.

Where clients require an interpreter or have, for instance, a mental health/intellectual disability we provide a longer appointment time to ensure they have the access they need.

◆ *Thursday morning*

We provide a specialist daytime credit and debt advice service with the assistance of Blake Dawson Waldron.

◆ *Tuesday afternoon*

We provide afternoon general legal advice service each Tuesday with the assistance of Paul Farrugia, Henry Davis York, Keddiess Solicitors and Graham Jones 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.

◆ *Outreach Clinics*

We are working with South Sydney Youth Service and seeking a pro bono partnership to provide an outreach service to young people, predominantly indigenous unemployed people, at Waterloo.

We are also actively engaged with the community in relation to the proposed redevelopment of the Redfern/Waterloo area. We have developed a team of volunteer lawyers and we are working with public housing tenants to ensure their needs are taken into account in the town planning process.

CASEWORK

The main areas of law we advised people in included:

- ◆ Crime
- ◆ Family law
- ◆ Domestic violence
- ◆ Victims compensation
- ◆ Credit and debt
- ◆ Employment
- ◆ Police complaints
- ◆ Discrimination

COMPENSATION FOR VICTIMS OF DOMESTIC VIOLENCE

One area the Centre has concentrated on is compensation for victims of domestic violence. The Centre, from its experience with the Women's Domestic Violence Court Assistance Scheme and victims compensation casework, has identified several concerns:

- victims are not pursuing their rights
- the law and practice relevant to victims compensation needs further development; and
- there is a perceived lack of knowledge and skills and/or willingness within the legal profession to take these matters on.

In the past year the Centre has conducted a number of cases for victims of domestic violence as part of a strategy of clarifying the law, developing expertise to use in training and to look at other barriers to access that women victims particularly face. While the Centre has some views about what those barriers might be, we are planning a research project to examine the issues and make recommendations. The project will focus on the experience particularly of indigenous women victims of domestic violence.

This method of approach illustrates the way the Centre integrates its casework, community legal education and law reform activities to achieve improved systemic outcomes.

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 approximately 48 community legal sessions on a range of topics including

- ◆ Human rights in action
- ◆ Understanding residents rights in town planning
- ◆ Credit and debt matters for Aboriginal communities
- ◆ Don't get caught red-handed: criminal law local courts processes
- ◆ Domestic violence
- ◆ Tenancy
- ◆ Law for welfare workers

We produce fact sheets and brochures, which provide legal information in an accessible way. We are currently preparing a new information brochure about our services and have obtained funding from South Sydney Council for the cost of translating this information into five community languages. We are also working, in collaboration with the Inner City Community Legal Centre, on an information brochure about fines.

Development of information resources on our website was impeded during this period by the new rules prohibiting certain forms of solicitors' advertising. Now that our status has been clarified we hope to increase the content of the website in the year ahead.

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. We have prepared and delivered a series of community workshops and education sessions on these issues and provided and distributed substantial resource material on "The RED Strategy - Understanding the legal Framework". We acknowledge the assistance of the Environment Defenders' Office with these materials. We have also been able to draw on our pro bono partnerships for assistance and expertise in planning law.

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 2002/2003 were:

- ◆ Residents' rights in the Redfern/Waterloo redevelopment
- ◆ Rights for boarding house residents
- ◆ Homeless persons rights, including contribution to the review of the Inebriates' Act
- ◆ Proposed changes to eligibility of NGOs for charitable tax status
- ◆ Unfair dismissal
- ◆ Domestic violence - submission to NSW Law Reform Commission
- ◆ Domestic violence - shared custody - submission to Senate Inquiry
- ◆ Submission to Senate Inquiry into Legal Aid and Justice
- ◆ Participation in the welfare reform round table

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 centrewide 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.

During the past year we have engaged in an extensive process of community consultation to assist our strategic plan development process.

RLC is 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)
- ◆ Public Housing Issues Working Party
- ◆ Boarders and Lodgers Action Group
- ◆ South Sydney Interagency
- ◆ Financial Counsellors Association of NSW
- ◆ Consumers Telecommunications Network
- ◆ Youth Justice Coalition
- ◆ NSW Council of Social Services
- ◆ National Association of Tenants' Organisations
- ◆ South Sydney Domestic Violence Committee

CREDIT AND DEBT SERVICE

Our Credit and Debt Legal Service provides legal advice and some casework to people who live in the Botany, Leichhardt, South Sydney and Sydney local government areas, and beyond this region in some instances.

We provide telephone and face-to-face legal advice to financial counsellors and their clients across NSW on a day-to-day basis, and our telephone advice is available to people statewide. The Credit and Debt Legal Service also conducts community legal education and participates in law reform and policy activities.

The Credit and Debt Service is staffed by Penny Quarry, solicitor (part-time) Nicki Petrou, solicitor (commenced November 2002) and a solicitor provided pro bono by Blake Dawson Waldron for one day per week.

LAW REFORM/WORKING GROUPS AND COMMITTEES

TREASURY REVIEW OF COMPENSATION FOR LOSS IN THE FINANCIAL SERVICES SECTOR

Federal Treasury conducted a review of compensation arrangements in the financial services sector, and released a discussion paper. ASIC's Consumer Advisory Panel funded the Financial Services Consumer Policy Centre (FSCPC) to prepare a submission to its paper. FSCPC called together consumer representatives from around the country (including one of our credit and debt solicitors) to discuss our joint response to the most important issues raised by Treasury to date. An extremely useful preliminary meeting was held. However, it is expected that this work will be ongoing for several years due to the current timetable.

FINANCIAL INDUSTRY COMPLAINTS SERVICE (FICS) REVIEW

An independent review of FICS is reaching its final stages, and again, consumer representatives have been asked to prepare a response to an Issues Paper prepared by the reviewers. A group of consumer reps. (including one of our credit and debt solicitors) met with two members of the review committee, and then amongst themselves, to discuss major issues raised by the Paper, and to discuss a joint response on behalf of consumers.

FINANCIAL COUNSELLORS' ASSOCIATION OF NSW (FCAN).

One of our credit and debt solicitors regularly attends monthly meetings of the Financial Counsellors' Association of NSW (FCAN). At these meetings, we discuss legal issues which arise during the meetings, and also case matters with individual financial counsellors.

SECOND ANNUAL CONSUMER REPRESENTATIVES/ALTERNATIVE DISPUTES RESOLUTION SCHEMES CONFERENCE

One of our Credit and Debt solicitors was again invited by the Office of the Telecommunications Industry Ombudsman to attend this three-day conference in Melbourne. The Conference was organised by Industry Alternative Dispute Resolution Schemes (including TIO, ABIO, EWOV, FICS, IBD, IEC), the Consumer Law Centre Victoria, the Consumers' Federation of Australia, and the Consumer Credit Legal Service Victoria. Sponsors included the Schemes, and agencies such as ASIC, ACCC, and the Commonwealth Consumer Advisory Committee. The main

purpose of the Conference was to enable the ADR Schemes, consumer representatives and financial counsellors to exchange information about policy and casework issues. Among the many issues raised during the conference were debt collection practices, unfair terms in telecommunications contracts and inaccuracies in credit reporting. Once again, the conference was extremely constructive and stimulating, and we believe will have valuable flow-on effects.

SUBMISSION TO TREASURY

We wrote a submission to Federal Treasury regarding low cost bank accounts.

COMMUNITY LEGAL EDUCATION

Our community legal education program and other public activities enables us to gauge the success of our public image and the quality of our response to expressed needs. Our Credit and Debt team gave the following training/media during the reporting period:

- ◆ One of our solicitors recorded a radio session on debt collection (general principles; what is allowed and what isn't; what are your options; and so on) with a journalist from an SBS radio youth programme.
- ◆ Advice to a meeting of the Financial Counsellors' Association of NSW (FCAN), on how to make a complaint about a solicitor, and Legal Profession Act requirements about solicitor/client costs.
- ◆ At the request of Tranby Aboriginal College, training was given to second year students from the Diploma of Indigenous Legal Studies, on credit and debt law and consumer protection law.
- ◆ On request by participants, two 20-minute presentations were given to consumer representatives from around Australia, at the Consumer Representatives' Conference in Melbourne
- ◆ At the request of the Salvation Army Moneycare Financial Counselling Service, we provided training to financial counsellors on Door-to-Door Sales, Pawnbrokers and Moneylenders, and Buying a Car, as part of their 2003 Training Course.
- ◆ We ran training for volunteer solicitors from various law firms and other community legal centres, on Local Court Procedures, the Fines Act, the State Debt Recovery Office, and Alternative Dispute Resolution Schemes.
- ◆ One of our solicitors travelled to Bourke, Brewarrina and Lightning Ridge with workers from Warringa Baiya, an Aboriginal Women's Legal Centre, to establish contact with the local financial counsellor and community workers in those areas. The aim is to build networks to assist Aboriginal victims of domestic violence who have associated debt problems.

CASE HIGHLIGHTS

LIQUORLAND CAN'T FIND RECEIPTS

We assisted a client in relation to a complaint he wanted to make about his Coles/Myer card. In November 2001, our client had made some purchases at Liquorland and charged these to his Coles/ Myer account. These purchases were not charged to his account at the time of purchase. However Coles/ Myer were unable to

provide us with copies of the receipts evidencing our client's signature as apparently they were "lost" by Liquorland.

Coles/ Myer agreed to remove the charges from our client's account.

ST GEORGE RETURNS MONEY

A client came in to see us in relation to a debt that she was paying off to St George. In 1998, our client gave her keycard and pin number to her fiancée's brother so that he could close an account she held with St George bank. The account had a zero balance. Her fiancée's brother withdrew \$3000,00 from the account even though the balance was zero.

St George required our client re-pay the money. As our client was having difficulty meeting the fortnightly payments of \$50.00 she came to see us. On reviewing the terms and conditions of the account, a provision was found stating that a customer's liability for the unauthorised use of her account is limited to the smallest of, amongst other things, the funds available in an account including any agreed line of credit. Our client had no agreed line of credit. As a result our client's liability for the unauthorised transaction was limited to zero being the funds available in her account. St George refunded the money our client had paid towards the debt.

A LOAN GUARANTEE WITHOUT INDEPENDENT ADVICE

A case still in progress may lead to better protection for those who 'guarantee' loans for the benefit of relatives without independent advice about the risks and their rights. Due to her cultural background, our client's relationship with her son-in-law was of the kind which should be protected. The matter went to mediation before a retired Supreme Court Judge, but was not resolved, and therefore continues in the Supreme Court. The barrister who has been assisting us with this case has written to us to thank us for our "diligence, fine work and assistance to (our client) and to me through the course of these proceedings".

THE CREDIT CODE

We gave advice to a financial counsellor about the Credit Code and various settlement options, during the reporting period. The financial counsellor's client's debt was reduced by half from almost \$16,000.

THE STATE DEBT RECOVERY OFFICE

We provided legal assistance to a man who had difficulty paying a \$2000. State Debt Recovery Office fine. We wrote letters on behalf of the client and succeeded in obtaining for him a suitable payment plan. Our client then became ill and entered a Rehabilitation Centre, and was unable to continue the agreed payment. We wrote to the SDRO and it agreed to cancel the payment plan and review the matter in a year's time.

CENTRELINK DEBTS

We provided assistance to an elderly pensioner who had his pension suspended by Centrelink over the issue that he was not considered legally separated from his wife. We managed to successfully have his pension reinstated and back payments made.

MOTOR VEHICLE DEBT

We assisted a woman on a disability pension who was involved in a motor vehicle accident and could not afford to pay the debt caused to the other vehicle. We managed to negotiate satisfactory terms which included a reduced amount and payable over a number of instalments.

OUTLOOK

As a result of the solicitor's visit to western NSW as outlined above we have been asked to conduct follow up work including additional visits in the coming year. Unfortunately we do not have sufficient funds to meet the expressed needs.

The linked disadvantages of Aboriginal women facing domestic violence family breakdown and associated debt problems is exacerbated by living in relatively isolated areas without easy access to support services. We are seeking project funding to develop and enhance our service delivery capacity for this high needs group.

INNER SYDNEY TENANTS' ADVICE AND ADVOCACY PROGRAM (ISTAAS)

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.

Telephone advice is available 22 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.

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.

Information sent includes:

- a) TAAP (Tenants' Advice and Advocacy Program) Factsheets;
- b) Sample letters;
- c) Tenants' Kit for attending the CTTT (consumer, Trader and Tenancy Tribunal);
- d) The Renting Guide;
- e) ISTAAS Factsheets (eg for rent reduction and compensation claims);
- f) Share housing guide;
- g) Thru the Roof – A guide to fighting a rent increase in the CTTT;
- h) CTTT, Rental Bond Board and Dept of Housing Application Forms;
- i) Relevant sections of legislation;
- j) Relevant previous caselaw (eg Swain case);
- k) Estimation of proportion of costs due when breaking agreement early;
- l) Lists of referrals such as to community housing providers and support agencies.

Where the caller has access to the internet they are referred to the Tenants' Union (TU) website for factsheets and sample letters. They may also be referred to other useful websites such as austlii (legislation and caselaw). They would still be sent a CTTT kit when needed.

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.

ISTAAS identified areas where written resources are needed. One result of this is the development of a draft factsheet about DV and Tenancy Law as a quick summary of 'Safe as Houses'. This is intended to be used primarily for tenants that are seeking AVOs to be aware that the orders fit with tenancy law.

During this period ISTAAS has received positive feedback from tenants and other TAAP and community workers on resources such as the Tenants' Kit for Attending the CTTT and the Share Housing Guide.

ADVOCACY

INVOLVING REAL ESTATE AGENTS

ISTAAS advocated for tenants in matters involving 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:

- a) One off calls to Agents as part of telephone advice. A common example is successful negotiation for tenants to retrieve uncollected goods where Agents had previously refused to allow them to. Advocacy involves explaining the law around uncollected goods to Agents and then negotiating a time for the tenant to have access to the property. This can often fast track a solution for the tenant.
- b) Ongoing advocacy as part of casework in an attempt to conciliate without application to the Consumer, Trader and Tenancy Tribunal (CTTT). An example of this has been where one co-tenant has vacated a premises due to hardship reasons such as domestic violence. ISTAAS achieved successful negotiations with Real Estate Agents to let one co-tenant off the Residential Tenancy Agreement, where they have previously been uncooperative. This has led to positive outcomes for matters in which the CTTT does not have jurisdiction.

INVOLVING LANDLORDS

ISTAAS advocated for tenants in matters involving private landlords in a similar way as to Agents. This was provided in the same manner as described above. 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. Examples of cases in which ISTAAS was successful in advocating to private landlords include:

- a) Cases where private landlords do not return or lodge tenants' bonds with the Rental Bond Board. This is often the case with International students who are young and have language barriers. ISTAAS has been successful in resolving many of these cases with informal advocacy. However, some tenants had to proceed to the Tribunal for resolution.
- b) Other examples include negotiating with boarding house owners on behalf of caretakers. In other cases ISTAAS has had to negotiate with caretakers on behalf of other residents. These cases involve evictions and lockouts of tenants. Strong advocacy skills are required to stop an owner from evicting without seeking an order from the CTTT.

DEPARTMENT OF HOUSING AND COMMUNITY HOUSING

ISTAAS advocated for tenants in matters involving other landlords such as the Department of Housing (DoH) and Community Housing Providers in a similar way as to Agents and private landlords. Examples of high intensive but successful advocacy without recourse to the CTTT includes:

- a) Negotiating on behalf of a long term local public housing resident to get urgent and non urgent repairs completed. Due to not having a telephone the tenant was unable to arrange for repairs to be done due to DoH policy. ISTAAS persevered with the Department, both verbally and in writing until the repairs were done.
- b) A public housing tenant who had been accused of Rental Fraud under DoH policy. Her rental subsidy was cancelled retrospectively and DoH had begun termination proceedings in the CTTT for rent arrears. As the CTTT has no jurisdiction to hear arguments relating to DoH Policy it was likely the tenant would be evicted without any question about how the rental arrears arose. ISTAAS advocated successfully to DoH to withdraw the matter from the CTTT until the tenant had the opportunity to defend the allegations of rental fraud through the internal appeal process. The appeal was successful and the matter withdrawn from the CTTT.

ISTAAS has followed up these common issues with written complaints to DoH to improve the situation of all public tenants and bring DoH operational policy in line with the Residential Tenancy Act. ISTAAS will continue to follow up these issues in the next six months.

ISTAAS has seen an increase in matters involving alleged rental fraud with DoH. We anticipate further increases in contacts from public tenants due to recent public housing reforms about bonds, guarantees and renewable tenancy agreements.

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. This figure is 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.

INVOLVING REPRESENTATION AT THE CTTT

During this period ISTAAS provided representation at the CTTT to 46 tenants in accordance with casework guidelines.

One ongoing and time intensive case with numerous clients involved a block of units in DoH. A fire had destroyed property in the car park and common areas, along with damage to individual units. This case has now been passed to the general legal section of Redfern Legal Centre who continue to represent the tenants.

Another example involves representation of a tenant in community housing who was threatened with termination as she was on a short term lease while awaiting an offer from DoH. ISTAAS successfully conciliated at the CTTT for the tenant to remain until offered a premises from DoH.

OUTREACH DV TENANCY WORKER AT REDFERN COURT

ISTAAS has trialled providing a tenancy worker at the Local Court where Domestic Violence (DV) applications are heard. The tenancy worker attends each Friday morning to assist tenants who may have a problem with their tenancy during the process of obtaining DV Orders. The worker gives on the spot advice, makes appointments and records advice given.

During the first six months, 28 clients were assisted, of which most required rehousing from DoH tenancies. 8 clients were successfully rehoused within 6 weeks of contact.

Other advice given has been with respect to repairs, for example where damage was caused by the perpetrator and in some cases a phone call to the DoH on behalf of the client has assisted in quick resolution of the matter.

ISTAAS also developed a factsheet about DV and Tenancy Law to be given to tenants at the Local Court.

COMMUNITY EDUCATION

Target groups that have been provided community legal education include:

- ◆ Police Headquarters
- ◆ Turkish DoH tenants with use of an interpreter at Botany Migrant Resource Centre (with Eastern Area Tenants Service)
- ◆ Participation in Surry Hills Fair Day
- ◆ ISTAAS attended a meeting with other services and WDVCS to discuss with the then Police Liaison Officer at the Goulburn Street Headquarters the services available at Redfern for victims of DV.
- ◆ Public and private tenants in the Eastlakes area (at East Sydney Neighbourhood Centre).
- ◆ Tenancy information was given at community events such as:
- ◆ Sydney University O-Week, Stall at Redfern Park for Women's Day,
- ◆ Stall at Downing Centre for Law Week
- ◆ Stall at Ultimo / Pyrmont Festival
- ◆ Community education was given through an article written for a newsletter produced by Inner Sydney Regional Council for Social Development on getting repairs done in Department of Housing premises.

POLICY AND LAW REFORM

Submissions to resource services, peak bodies and government agencies include:

- ◆ Research of National Boarders and Lodgers Legislation for BLAG.
- ◆ Contribution to submissions produced by the TU and PHIWP.
- ◆ Participation in Dept of Family & Community Services and Dept of Employment & Workplace Relations Roundtable consultation on the Reform of Income Support for Working Age Australians.

BOARDERS AND LODGERS PROJECT

ISTAAS prepared a detailed summary of Boarding House legislation. This examined the differences in the law between the States of Australia. This was produced for the Boarders & Lodgers Action Group (BLAG) with funding from South Sydney Council. This report will assist BLAG in lobbying for legislation to protect boarders and lodgers.

LAW REFORM/WORKING GROUPS AND COMMITTEES

- ◆ Boarders & Lodgers Action Group (BLAG)
- ◆ Public Housing Issues Working Party (PHIWP)
- ◆ Tenancy Legal Working Party (TLWP)
- ◆ Participated in consultation groups for Public Housing reforms
- ◆ CTTT Consultative Forums on behalf of the TAAP network.
- ◆ Redfern / Waterloo Project.
- ◆ National Association of Tenant Organisations (NATO)
- ◆ NCOSS Forum on Public Housing Eligibility
- ◆ NCOSS Forum on Community Housing
- ◆ NCOSS Forums on Mental Health
- ◆ Law Reform Commission regarding Domestic Violence Issues
- ◆ Participation in TAAP Community Education / Access Forum
- ◆ Participation in South Sydney Interagency Meetings
- ◆ Participation in NSW Combined Community Legal Centres Group Quarterly Meetings

UNIVERSITY OF SYDNEY STUDENTS' REPRESENTATIVE COUNCIL BRANCH OFFICE

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, legal support and supervision. The SRC funds the service. 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 three days per week. Appointments are available one and a half days a week with two afternoons dedicated to a drop in service. Students at distant campuses can also make telephone appointments. 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. 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 or 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.

CASEWORK

A number of trends can be identified from the advice and casework.

UNIVERSITY MATTERS

The legal service 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.

As part of an ongoing Freedom of Information Strategy we requested documents from the University in relation to the conduct and procedures of the University Security Services. We obtained a copy of the Security Guards training handbook with some exemptions claimed by the University. These documents are available for students to read in our office and have been made available to activists in the SRC.

We have acted and continue to act for two students who have been banned from attending campus due to allegations of threatening violence. In one case criminal charges were also taken against our client and the client was ordered to pay a sum of \$12,000.00 to the University for the cost of providing extra security. That matter is presently on appeal in the District Court.

The University has the power to terminate the licence (ie permission) to be on campus of persons who are not currently enrolled students. There is no clear criteria or appeal mechanism for this process and persons, typically former students, have been banned by security guards from setting foot on campus for 18 to 24

months for minor infractions. We have taken one matter to the Human Rights and Equal Opportunity Commission.

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.

CRIME

A significant number of students sought advice on criminal matters. The service represented over 50 students in relation to charges which included assault police, resist arrest and hinder police in the context of demonstrations and hotel incidents.

One student who was a passenger in a car stopped for drink driving was handcuffed and dragged along the ground by police by his hair. The student was charged with offensive language and hinder police. The charges were eventually dropped after it was discovered that there was a video of the whole incident. We anticipate that we will lodge proceedings for compensation after the police investigation of the officer concerned is over.

We arranged representation for seven students in South Australia who were arrested at a demonstration at the Port Hedland Detention Centre. We also acted for two students in relation to arrests arising out of the demonstrations at the World Trade Organisation meetings in Sydney.

We represented two students who were arrested at a demonstration outside the Nike store in Sydney. No penalty was imposed (under s.10 of the *Crimes Act*).

We represented three students with serious mental illnesses in criminal matters for whom we obtained psychiatric reports. We made three applications to have charges dismissed on the grounds that our clients were suffering from a mental illness for which treatment was available in hospital.

We were only successful in one case. In another matter, the magistrate said that many people managed to function highly when depressed and on medication. It would appear that with the lessening of the stigma about mental illness there is less willingness by the courts to excuse the behaviour of those who suffer from it.

We also represented a number of students on drink drive charges, graffiti and shop-lifting charges. Most of these students have no previous convictions and if it is appropriate to plead guilty no penalty may be imposed (under s.10 of the *Crimes Act*) except in the case of drink driving.

VICTIM'S COMPENSATION

We acted for one student on an appeal against a refusal of a claim which had been poorly dealt with by a private firm of lawyers. Compensation in the sum of \$40,000.00 was awarded to our client on the basis that domestic violence orders of no contact had been breached by a series of harassing and obscene phone calls.

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 before the Consumer, Trader and Tenancy Tribunal. In two cases landlords have advised tenants that they are liable for fire damage to properties. In one case we arranged for a private insurance assessor to visit the unit and give an oral opinion for free. If the student is ever sued he will be able to obtain a report to support his defence.

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 to becoming the victim of dodgy sales or credit contracts.

DISCRIMINATION

There were a number of enquiries in this area and two claims were made on behalf of one client to the Human Rights and Equal Opportunity Commission.

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. Unfair dismissals are also common.

We acted for one student who had been dismissed from St Vincent Hospital. The case was in the Industrial Relations Commission for conciliation and the case was settled with a payment to the student of \$3000.00.

We conducted a hearing in the Chief Industrial Magistrates Court claiming underpayment of wages and obtained a judgment in the sum of \$5,675.58 against the Truffle Group Pty Ltd. The company went into receivership after proceedings were commenced but the company is presently trading and we are hopeful our client will be paid out in full. The client was a kitchen hand who had been paid under award wages over a year.

We represented another client in the Chief Industrial Magistrates Court against a security company and settled a claim in favour of our client for over \$4000.00 in respect of under award wage payments.

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.

The issue of Voluntary Student Unionism was raised in the jurisdiction of the Australian Competition and Consumer Commission (ACCC) pursuant to a notification by James Cook University in Queensland. The ACCC provides a mechanism for organizations to refer their own conduct to the ACCC by way of a request for a determination as to whether or not the conduct breaches

Competition law. This is called a notification. The ACCC then calls for submissions from relevant parties and makes a decision.

In this case the conduct in question was that the University required its students to join the Student Association as a condition of enrolment. The Student Association was an incorporated association, which means it is a separate legal entity to the University. This type of conduct is called "third line forcing".

When a party notifies the ACCC of particular conduct there arises an immunity from prosecution for any alleged breaches of competition law.

If the ACCC decides the conduct breaches the law then it revokes the immunity either immediately or allows time for parties to restructure their business/ organization.

The SRC lawyer, with our pro bono advisers from the firm Gilbert & Tobin, assisted the SRC to put further material to the ACCC for consideration.

The ACCC decided in April 2003 not to revoke the immunity because it found that there was considerable public benefit in relation to maintaining the current level of independent representation provided by the Student Association and because the University advised the ACCC that it may not be able to maintain the current level of service and facilities provided to students if it was required to restructure.

The participation of the SRC and other organizations in the process contributed to the finding that there was public benefit in the existence of compulsory student membership and this finding by the ACCC is evidence which can be used in the debate with the Federal Government over the proposed abolition of compulsory student unionism.

PRO BONO ASSISTANCE

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

Clive Evatt, barrister provided advice in relation to defamation matters for Honi Soit and others.

Barbara Maher provided advice in relation to Immigration law

Michael Crowley, barrister provided advice in relation to criminal law

Neale Dawson, barrister provided advice in relation to employment law

Gilbert & Tobin provided advice in relation to competition law

Professor Susan Hayes of Sydney University provided a medical-legal report and attended at the local court to give evidence.

WOMEN'S DOMESTIC VIOLENCE COURT ASSISTANCE SCHEME (WDVCAS)

The Women's Domestic Violence Court Assistance Scheme was developed in 1991 in response to the recognition that women seeking protection from violent relationships were finding it difficult to negotiate the court system and obtain legal information or advice. Further many women were not receiving follow up services and these problems were often exacerbated by communication difficulties for women of non-English speaking backgrounds, Indigenous women and women with disabilities.

Redfern Legal Centre's Women's Domestic Violence Court Assistance Scheme operates at both Redfern and the Downing Centre Local Courts. The scheme provides assistance and support to women seeking legal protection from domestic violence – a process which can be confusing and disempowering without support. The scheme co-ordinator arranges a roster system where local community workers and a solicitor are available to represent and support women seeking Apprehended (Domestic) Violence Orders on the courts' list day.

Highly skilled workers from approximately twelve community organisations participate in the scheme through a roster system. In January 2003, four of the contributing agencies were Indigenous-specific. Unfortunately, because of the scarcity of resources and the seconded nature of the support workers' role, attendance at court by these workers is often sporadic.

Women who are not represented by the police prosecutor or private solicitor may obtain representation through the Scheme. Solicitors from Redfern Legal Centre, Wirringa Baiya Aboriginal Women's Legal Centre and Craddock, Murray and Neumann provided representation at Redfern Local Court. Gilbert & Tobin provided representation to clients at Downing Centre. Blake Dawson Waldron provided pro bono representation for hearings at the Downing Centre Local Court.

CULTURALLY SENSITIVE ASSISTANCE

The scheme has a commitment to assisting women in a culturally sensitive manner. The establishment of an identified Aboriginal position affirms the scheme's ATSI access and equity strategy. The implementation of inclusive approaches to assisting women through the court process is also demonstrated by the *Walking through the Court* Project.

Lyndal Gowland, the WDVCAS Co-ordinator, found that more than seventy per cent of Apprehended Domestic Violence Orders that go to a hearing with assistance from the Redfern WDVCAS are to protect women from non-English-speaking backgrounds and that there is no appropriate information available to support them.

She established an inter-agency team including South Sydney Domestic Violence Liaison Committee and Immigrant Women's Speakout which developed a series of brochures, posters and a training module explaining the legal process and outlining support agencies. The brochures are available in English, Chinese, Arabic and Vietnamese. Thanks to the Violence against Women Unit and the Department of Corrective Services for financial support for the printing costs.

Walking Through the Courts continues to be a success. Redfern Legal Centre has responded to numerous requests for the brochure from various government and

non-government agencies and has distributed the brochure across NSW. To celebrate Stop Domestic Violence Day four additional languages were produced by the VAW Unit, and South Sydney Domestic Violence Liaison Committee.

CREATING EMPLOYMENT OPPORTUNITIES AND IMPROVING SERVICES TO ABORIGINAL WOMEN

The ATSI identified Assistant Co-ordinator has maintained links with relevant Aboriginal agencies including Mudgin-gal and Aboriginal Children's Services. A major role of this position has been to ensure the availability of culturally sensitive assistance for Aboriginal women.

PARTICIPANTS IN THE WOMEN'S DOMESTIC VIOLENCE COURT ASSISTANCE SCHEME

The Scheme continues to maintain strong networks with the local community sectors. All rostered workers have been professional and dedicated in their approach to the work and the Scheme's reputation and effectiveness is largely due to their efforts. This year 12 new workers have completed their initial training and orientation and have commenced work at court.

During 2002/3 the following local community organisations seconded staff to work on the Scheme:

- ◆ Aboriginal Children's Service
- ◆ Redfern Financial Counselling Service
- ◆ Australia-Chinese Community Association
- ◆ South Sydney Community Aid
- ◆ Centrelink, Darlinghurst & Redfern
- ◆ Elsie's Refuge
- ◆ SCARBA
- ◆ Department for Women
- ◆ Mudgin-Gal Aboriginal Corporation
- ◆ Wallamulla Family and Community Support
- ◆ The Shop: Women and Children's Centre

Legal representation is provided for clients at both courts. We would like to thank the following law firms, community legal centres and individual practitioners for their support for the scheme in 2002/3:

- ◆ Wirringa Baiya: Aboriginal Women's Legal Centre
- ◆ Gilbert and Tobin
- ◆ Blake Dawson & Waldron
- ◆ Craddock, Murray & Neumann

COMMUNITY LEGAL EDUCATION

The Scheme maintains strong links with both the Inner City and Southern Sydney Local Government Areas.

- ◆ Child Protection & Domestic Violence Pilot Project – In collaboration with Scarba House and the South Sydney Domestic Violence Liaison Committee, the WDVCS piloted the provision of support groups for women and children survivors of domestic violence. This pilot was highly successful and the program continues to be supported by the SSDVLC.
- ◆ The Indonesian Commission on Violence Against Women visited Redfern WDVCS to learn about our women's domestic violence court assistance models.
- ◆ The Northern Territory Justice Department visited Redfern WDVCS to investigate the WDVCS model of court assistance.
- ◆ Redfern WDVCS organised and hosted the Community Consultation on the 'Review of Apprehended Violence Legislation'. The Review was attended by the NSW Law Reform Commission.
- ◆ Redfern WDVCS in collaboration with South Sydney Council organised and hosted the "Stop Domestic Violence Day 2003 – Child Protection Forum". The Keynote speaker was Magistrate Scott Mitchell (Family Matters and Children's Court) and other guest speakers included Sally Steel (Essies Refuge Centre), Julie Druce and Robyn Gilbert (DVAS Solicitor). The event was well attended by the local Indigenous community. Awards were presented for South Sydney domestic violence community workers.
- ◆ We launched the Mobile Phone Project at the 'Stop DV Day' Event. There was tremendous support from Vodafone and the community. There was a Radio National interview to promote the mobile phone project and raise awareness of domestic violence.
- ◆ ***Walking Through the Courts*** pamphlets and posters were developed as a result of a partnership between 10 agencies. Redfern Legal Centre conducted a needs analysis, with extensive NESB/CALD community consultation. Four additional languages were produced to celebrate Stop Domestic Violence Day 2003 and were launched at the interagency (Commonwealth and NSW governments and non government agencies) Stop Domestic Violence Day Event.
- ◆ At the 2002 National Community Legal Centres Conference, the Coordinator presented information about the Redfern court assistance model.
- ◆ The Coordinator organised the Older Women's Forum for service providers. The forum aimed to raise the awareness and highlight the issues involved with domestic violence against older women. The forum included workshops on how to identify key issues and how to engage older women. A highlight was the Older women's theatre group.
- ◆ The Coordinator attended the Corroboree 2002.
- ◆ The Coordinator is chair of the South Sydney Domestic Violence Committee, who organised the International Women's Day Event.
- ◆ We joined the WDVCA and Waverley Court Assistance in the International Women's Day March under the WDVCA banner.
- ◆ CAS Chat – the Coordinator reports on all committees on which she is Network representative and informs regarding law reform and emerging policy issues.

- ◆ Media Interviews: SBS radio interview promoting the AVO hearings brochure and raising awareness of the incidence of domestic violence amongst NESB/CALD communities; Radio Eastside interview to raise awareness of how the community can assist in the prevention of domestic violence;
- ◆ Electoral Campaign to raise awareness of the lack of sufficient resources to appropriately and effectively address the needs of domestic violence victims.
- ◆ St George DV Hypothetical – acting assistant coordinator, Dixie Gordon, presented information in relation to the needs of Aboriginal women and ADVOs.

POLICY & LAW REFORM

- ◆ The Coordinator participated in the Chief Magistrate's Court User's Forum; advocated for improved safety and operations at Downing Centre Local Court
- ◆ Local Courts law reform information sessions: recommended streamlining the process of service of AVOs to simplify and expedite service.
- ◆ The Coordinator assisted in a research project on cross applications.
- ◆ The Coordinator arranged for NSW Law Reform Commission to consult with the WDVCS Network.

COMBINED COMMUNITY LEGAL CENTRES GROUP (CCLG)

The Coordinator is the Combined Community Legal Centres Group (DV) representative on the WDV Network. At the CCLG, we advocated for legal centres across the state to refer cases to us to appeal in order to establish favourable precedents. Blake Dawson and Waldron agreed to take on these appeals to the District or Supreme Court.

APPREHENDED VIOLENCE LEGAL ISSUES COORDINATING COMMITTEE (AVLICC)

The Coordinator continues to represent WDVCS Network on the committee, which is convened by the NSW Attorney-General's Department.

The focus during the year was on identifying and addressing the systemic issues in apprehended violence order processes. This included general review of AVO legislation with a view to law reform as well as a review of the procedural practices.

AVLICC proposed a research project to examine these issues, including looking at the ACT model which has a pro-arrest policy. The purpose is to address the whole system and the necessity of integrated responses from police and magistrates, not only the law itself. The pro-arrest policy shifted the rate of 75% pleading not guilty to 75% pleading guilty. An evaluation of why this and other models are successful is to be included in the project.

The Coordinator advocated for a change in police procedures to promote the use of exclusion orders.

WDVCAP LEGAL AID ADVISORY COMMITTEE

The Coordinator continues to be a representative of the WDVCS Network, which is convened by Legal Aid. This committee is responsible for the management

of the Court Assistance Schemes. The main focus this year has been on securing funding for paid support workers and higher wages for ATSI and NEBS/CALD specialist workers.

The Coordinator was the representative of the WDVCAS Network on the Cluster Model Pilot sub-committee. The sub-committee provides comments and recommendations on the best way to evaluate the pilot.

DIRECTORS' DECLARATION

The directors of the company declare that:

1. The financial statements and notes, as set out on pages 3 to 14 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 2003 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

R.C. ELENOR

R.C. ELENOR

Director

A. RENOULT

A. RENOULT, CHAIR

Director

Director

Dated this 24th day of September 2003



PITCHER PARTNERS

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P S ROWE

AN INDEPENDENT MEMBER OF BAKER TILLY INTERNATIONAL - OFFICES THROUGHOUT THE WORLD

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 2003 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 2003 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 Godlewski

Mark A Godlewski

Partner

26 September 2003

An Independent New South Wales Partnership. ABN 35 415 759 892
Formerly Young Barnsdall & Co.
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approved under the Professional Standards Act 1994 (NSW)

Auditor's Report

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

STATEMENT OF FINANCIAL PERFORMANCE
FOR THE YEAR ENDED 30 JUNE 2003

	Notes	2003 \$	2002 \$
Revenue from ordinary activities	2	950,625	860,269
Employee benefits expense		(805,093)	(766,174)
Depreciation and amortisation expenses	3	(17,158)	(19,671)
Insurance		(12,191)	(10,190)
Program and related expenses		(37,632)	(27,135)
Subscriptions		(18,343)	(18,556)
Telephone		(15,629)	(13,545)
Other expenses from ordinary activities		(80,989)	(66,834)
Profit from ordinary activities		(36,410)	(61,836)
Total changes in equity other than those resulting from transactions with owners as owners	11	(36,410)	(61,836)

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

STATEMENT OF FINANCIAL POSITION
AS AT 30 JUNE 2003

	Notes	2003 \$	2002 \$
CURRENT ASSETS			
Cash assets	5	179,143	154,766
Receivables	6	3,417	7,037
Other financial assets	8	262,145	250,000
Other	7	15,731	18,404
TOTAL CURRENT ASSETS		<u>460,436</u>	<u>430,207</u>
NON-CURRENT ASSETS			
Property, plant and equipment	9	27,404	36,053
TOTAL NON-CURRENT ASSETS		<u>27,404</u>	<u>36,053</u>
TOTAL ASSETS		<u>487,840</u>	<u>466,260</u>
CURRENT LIABILITIES			
Provisions	10	63,209	60,292
Other		151,119	99,708
TOTAL CURRENT LIABILITIES		<u>214,328</u>	<u>160,000</u>
NON-CURRENT LIABILITIES			
Provisions	10	64,888	61,226
TOTAL NON-CURRENT LIABILITIES		<u>64,888</u>	<u>61,226</u>
TOTAL LIABILITIES		<u>279,216</u>	<u>221,226</u>
NET ASSETS		<u>208,624</u>	<u>245,034</u>
EQUITY			
Reserves	12	57,150	57,150
Retained profits	13	151,474	187,884
TOTAL EQUITY	11	<u>208,624</u>	<u>245,034</u>

Financial Position

REDFERN LEGAL CENTRE LIMITED
ABN 31 001 442 039

STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED 30 JUNE 2003

	Notes	2003 \$	2002 \$
CASH FLOW FROM OPERATING ACTIVITIES			
Receipts from customers		35,278	24,546
Grant receipts		941,914	921,708
Payments to suppliers and employees		(954,535)	(971,435)
Interest received		<u>22,326</u>	<u>17,747</u>
Net cash provided by/(used in) operating activities	17 (b)	<u>44,983</u>	<u>(7,434)</u>
CASH FLOW FROM INVESTING ACTIVITIES			
Payment for property, plant and equipment		(8,596)	(12,440)
Payment for investments		(12,145)	(250,000)
Proceeds from sale of assets		<u>136</u>	<u>-</u>
Net cash used in investing activities		<u>(20,605)</u>	<u>(262,440)</u>
Net increase/(decrease) in cash held		24,378	(269,874)
Cash at beginning of financial year		<u>154,765</u>	<u>424,639</u>
Cash at end of financial year	17 (a)	<u>179,143</u>	<u>154,765</u>



Redfern Legal Centre

REDFERN LEGAL CENTRE

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