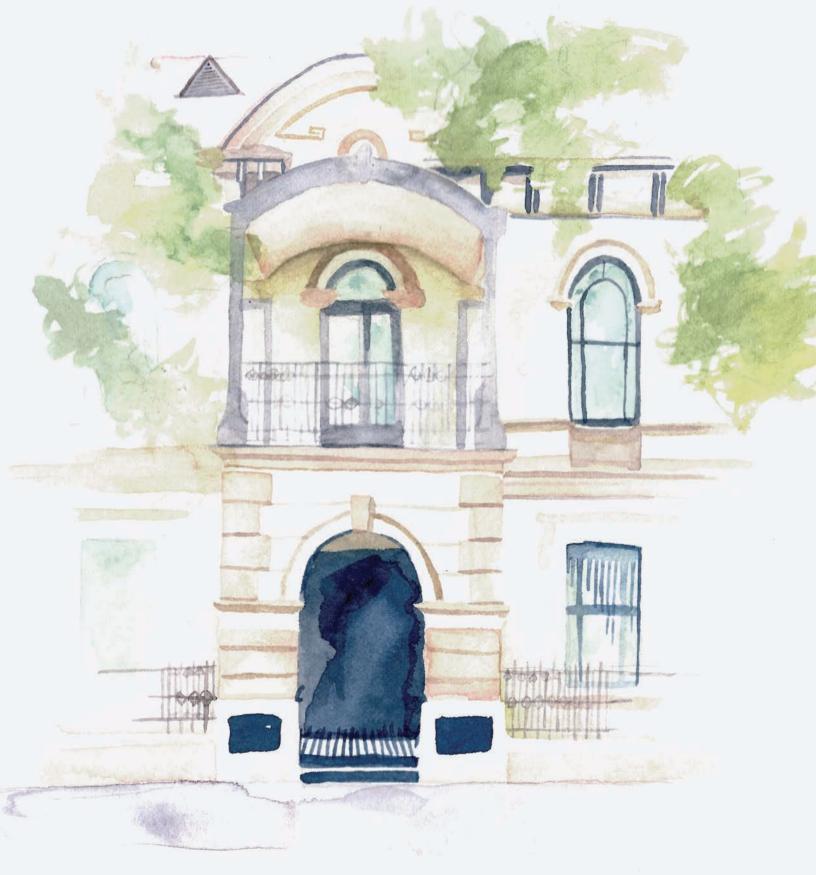


### Redfern Legal Centre

#### ANNUAL REPORT 2017-2018



#### **Redfern Legal Centre – Forty Years and Counting**

This year, Redfern Legal Centre concluded our fortieth anniversary celebrations and embarked proudly on our next chapter. This report outlines our impact and areas of focus across the 2017–18 financial year.

Throughout the report, you will also read quotes from people we have helped during the year, as well as personal stories that highlight systemic legal issues affecting the communities we serve.

As we look towards our next forty years, we continue to strive for greater equity under the law by ensuring that life-changing legal support is available to all those who need it most.



#### **Image credits**

#### Front cover Redfern Legal Centre (2018) by Thea Perkins Watercolour on Arches paper

Thea Anamara Perkins is an Arrernte and Kalkadoon woman who grew up in and around Redfern and has family ties to the community. Perkins is an emerging artist with a painting and installation practice that traverses themes of identity and personal history. She undertook her first solo show at Firstdraft in March 2018, with the works going on to be included in a group show at Sullivan & Strumpf, as well as participating in other projects like the restoration of the historical '40,000 Years' mural in Redfern.

#### Back cover Production still from *The Eviction* (2018) Directed by Blue Lucine Photo by Nic Porter

The Eviction is a groundbreaking Sydney documentary that tells the story of public housing residents in Millers Point fighting to save their homes, highlighting the work of RLC's Millers Point Advice Service, funded by City of Sydney, to support tenants. RLC was proud to assist in the development of the film by auspicing a grant to fund its production.

#### Acknowledgement

Redfern Legal Centre acknowledges that we work on Aboriginal land, traditionally the home of the Gadigal people of the Eora Nation. We pay our respect to the traditional owners of the land on which we work and in particular, to elders of this community, past and present.

Editors: Finn O'Keefe and Joanna Shulman.

Editorial team: Chitra Rangarajan, Amy Wang, Lauren Wang and Shirley Yeung.

Design and printing: тном

THOMSON REUTERS

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

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## Welcome from our Chair



The achievements recorded in this Report are a source of great pride for me and the other members of our Board. We are proud of our partners, our staff and our volunteers — each of whom demonstrates a commitment to the Centre and our objectives, in each of their endeavours. We are also enormously proud of our clients, who have often overcome great adversity to seek out and pursue justice.

The scale of casework imposed on our team is enormous. For example, in the period 1 July 2017 to 30 June 2018, our Sydney Women's Domestic Violence Court Advocacy Scheme provided assistance to 2,760 women and children victims of domestic violence. Yet casework is only the beginning of the achievements of our team.

Through their casework, our staff identify systemic issues to achieve the greatest impact. This year our Police Powers practice observed an increase in the use of traffic powers for conducting searches and considered whether searches extend to a mobile phone. Our team encourages those who have been affected by these issues to come forward, so that further work can be done. It is only through the courage of our clients that we can effect change.

Our casework is greatly assisted by the work of our volunteers and partners. Through their support, we are able to leverage the work of our staff. For example, this year we continued our successful partnership with Clayton Utz, to provide support for clients who have been underpaid or unpaid, and to provide representation in unfair dismissal and general protections conciliations and underpayment claims in the Federal Circuit Court. Without this service, many of our clients would

not be able to obtain representation and would be unfairly disadvantaged in their disputes with their employers.

In addition to casework, our staff are tasked to identify and seek to remove inequalities in the law. This year our Credit and Debt team joined forces with Community Legal Centres NSW to successfully advocate for the removal of particular provisions of the new State Debt Recovery Act 2018 (NSW), including the removal of the power to suspend certain occupational licences. A provision that is undoubtedly antithetical to the repayment of debt.

Our staff work with and within the community to assist vulnerable people to access justice and the legal system. For example, our Millers Point Relocation Service based in Millers Point supported those tenants affected by the relocation scheme for that area. This year saw the Service assist the final tenant affected by the scheme make a claim in the Supreme Court of New South Wales, and upon that claim being unsuccessful, assist her to relocate into a suitable acceptable property.

It is evident that Redfern Legal Centre is a leader in providing quality legal services to the community, but the community we serve has a reach far greater than Redfern itself. Much of the work we do is state-wide and our challenge is to reach each of those who may need our assistance. In order to do so, the Centre is working to empower international students across the state through the development of an "app": "My Legal Mate" is in its final states of development and will feature a multilanguage interactive pathway detailing legal and non-legal remedies, as well as interactive and user-friendly tutorials on legal rights and responsibilities.

The work of our staff, volunteers and partners is support by an increasingly enthusiastic alumni, as evidenced by the recent establishment of the RLC Young Professionals Committee. The Committee is dedicated to expanding the work of the Centre through fundraising, research and networking. We are thrilled to welcome the dynamic group of professionals to the team at RLC. They have awed us with their enthusiasm and commitment, and we very much look forward to working with them in the coming years.

On behalf of the Board, thank you to everyone who has played a part in the work of the Centre over the last year. We are indebted to you for your time and energy. I hope you too are proud of the achievements recorded in this Report. Those achievements are only possible through your commitment to the Centre.

Amy Munro
Chair of the Board



## Message from our CEO

The landscape has changed since Redfern Legal Centre first opened its doors over 40 years ago, staffed by a passionate team of students and law faculty volunteers from UNSW. The coffee may be better and the parking harder, but there still remains significant levels of chronic disadvantage. In fact, we are bigger and busier than ever.

The gentrification of many parts of Redfern has not eclipsed the need for legal support within our community. In fact, the demand for community legal assistance has only increased.

How do we explain this? As the area we serve becomes more desirable – and the gap widens between those who have and those who have not – the have-nots become increasingly vulnerable to a growing number of unlawful practices.

Our service is seeing people being evicted at higher rates, and more heavily targeted by predatory lenders. We have seen spates of unscrupulous door-to doorsalesman targeting Redfern's Aboriginal community with funeral insurance they don't need.

We see international students crammed into dwellings stretched well beyond capacity, with six people or more living in a room designed for two. We see the massive expansion of alcohol-free zones and move-on orders being regularly used to temporarily move those who are not welcome amongst the newly refurbished cafes.

With the rise of the 'gig economy', we see more workers – many of whom are students – deliberately targeted by unethical employers whose business model turns on the underpayment and exploitation of their staff.

And we are about to see the massive redevelopment of Waterloo Public Housing to make it into the most densely populated area in Australia.

And so, as the issues get more complex, we have become more creative and innovative in finding legal solutions to these problems, and in delivering targeted services in areas where the need is greatest.

We have expanded our partnerships with community organisations, working to provide holistic and multi-layered programs to support and strengthen the resilience of our diverse and vibrant community.

Our Tenants' Advocates give people the tools they need to fight unfair evictions and avoid homelessness, including running regular outreach services in Redfern, Glebe and Waterloo. Our statewide Police Powers practice monitors and supports a fairer and more accountable police service. Our Domestic Violence team works across the local court system, as well as in partnership with our Credit and Debt service, to shine a light on financial abuse and other forms of domestic abuse.

We place lawyers in hospitals to reach those who are so disenfranchised they would never find their way to us, and we use technology and social media to expand our reach. We are even working on the development of a mobile app — who would have predicted that!

As we embark on our next chapter, this year we bid a fond farewell to several much loved, long serving staff and welcomed passionate new social justice advocates into our team.

This year saw the retirement of our long-serving Principal Solicitor, Elizabeth Morley whose patience, compassion and sense of justice has changed the story for countless clients and has inspired hundreds of solicitors and volunteers to work in the sector. We welcomed Alexis Goodstone into this role, and she is doing

an incredible job.

Tom McDonald, a long-standing Tenants' Advocate, Acting Tenancy Coordinator, and an incredible advocate, left us to head overseas. He is replaced by Nicole Kennedy, who has brought a fabulous new energy and ideas to the team. We were also able to offer previous volunteers Ned Cooke and Amanda Brooker permanent roles in the team – unscrupulous landlords watch out!

Linda Tucker, our Employment Law solicitor, whose strategic nous has been drawn on by many in the sector, left us to pursue opportunities in Vietnam. She was replaced by Sharmilla Bargon, who is also a fierce advocate and great addition to our team. Liz Clark, our inaugural Fundraising Manager, also concluded her contract with us this year. Liz played an invaluable role in helping to raise the fundraising profile of RLC, and was a driving force in the establishment of our Young Professionals Committee.

Finally, we said farewell to Mel Bradshaw who started with us as a front desk volunteer six years ago, and worked in our tenancy team and then as our discrimination lawyer. We are sure she will go far.

And so, as we look to the future, the fight for social justice continues. One thing is certain – Redfern Legal Centre is not going anywhere just yet. Here's to the next forty years!

Joanna Shulman Chief Executive Officer



#### **Our Vision**

Our vision is that Redfern Legal Centre (RLC) is acknowledged as a leader in providing quality legal services to the community.

Our vision is that RLC will respond to the needs of the community through its development of core specialist skills in:

- Domestic violence
- Credit, debt and consumer complaints
- Tenancy and housing
- Police and government accountability
- Employment
- Discrimination and human rights, and
- An advice clinic for international students.

Our vision is that RLC will also provide generalist advice to clients on low incomes who experience disadvantages such as:

- Aboriginal and Torres Strait Islander people
- People with disability
- People that are, or are at risk of being, homeless

- Victims of domestic violence
- People of culturally and linguistically diverse backgrounds
- Single parents
- Young persons (under 21)
- Older persons
- Other vulnerable people, and
- Persons recently released from prison or a psychiatric institution.

As a result, RLC will be a Centre of Excellence, providing thought leadership and cutting-edge law reform in these areas for the benefit of our community.

#### **Our Purpose**

RLC promotes social justice by:

- Providing free legal advice, legal services and education to disadvantaged people in New South Wales; in particular to residents of inner Sydney and to the groups who advocate for them; and
- Participating in activities that reduce inequalities and defects in laws, the legal system, and administrative and social practices that impact on disadvantaged people.

#### **Our Values**

Equity and social justice

- Empowerment of individuals and communities to enjoy their rights, and
- Respect for clients, the communities we work within, and each other.

#### **Our Objectives**

#### 1. Legal Services

To assist vulnerable people and their advocates to access justice and the legal system.

#### 2. Legal Reform

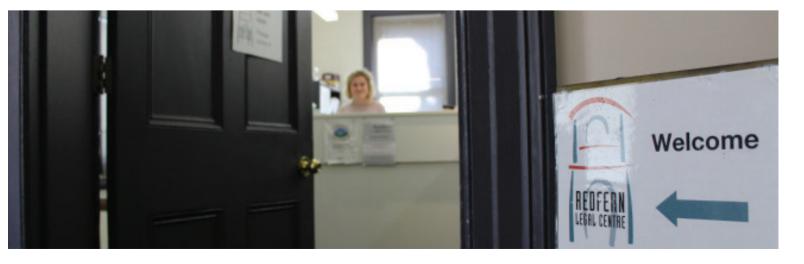
To identify and seek to remove inequalities in the law, legal system, administrative practices and society as a whole that affect vulnerable people by working for social and legal change to enhance respect for human rights.

#### 3. Legal Education

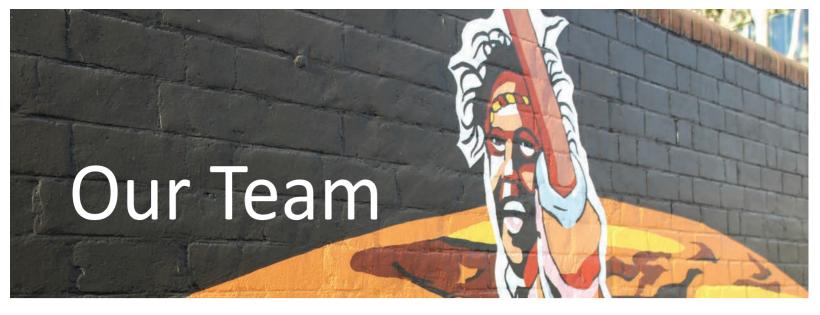
To empower individuals and advocates through the provision of legal education to resolve their legal issues and assert their rights.

#### 4. Organisational Resourcing

To sustain an infrastructure and administration that provides adequate resourcing for our activities and to effectively manage and maintain those resources.







#### Volunteers allow us to more than double our impact – producing more than 15,385 hours in free legal services each vear

Founded over 40 years ago, Redfern Legal Centre is the oldest Community Legal Centre in NSW. We are dedicated to upholding human rights and improving access to justice for communities in need.

RLC was formed in 1977, when a group of passionate social justice advocates, academics and other volunteers came together with a plan to create a more just society. This commitment to greater equity within the justice system underpins our work to this day.

For over 40 years, volunteers have remained integral to the work we do. Over 200 law students give their time staffing the frontline of our service. Skilled solicitors donate their evenings to provide advice. Practical legal trainees and office volunteers participate in research, writing and client engagement; and our expert Board oversees strategic directions and governance processes.

#### Our volunteers are as diverse as the communities we serve:

- Within our team, we have people of all ages and from all walks of life.
- Our youngest volunteer is 18 years old, and our eldest is 92!
- We speak over 15 community languages.

#### All this helps ensure that our service is as accessible and welcoming as it can be!

Our sincere thanks to the universities, student law groups and corporate partners who have supported us this year:

- University of Technology, Sydney (UTS) Law Students' Society
- Sydney University Law Revue
- The Hand Up Foundation
- New South Wales Bar Association
- Thomson Reuters
- PwC Australia

And last but not least, thank you to our volunteers for your passion, commitment and dedication. We couldn't do this without you. The 250 volunteers who worked with us during the 2017–18 financial year are listed below.

Aaron Massingham Adam Yu Adele Khor Ahmed Taleb Aidan Hammerschmid Aiko Wadley Aaron Perera Aileen Zheng Aishah Ali Alan Zheng Albert Cheng Alexa Roach Alexandra Royer-Guthrie Ali Zein Alice Chong Alina Kaye Alison Aggarwal Alison Pooley Alison Smith Allison Lenard Ally Hammond Ameisa Konneh Amelia Jenner Amelia Simpson Amrita Saluja Amy Munro Amy Wang Andrew Martin Angelica McCall Anh Tran Ankit Kapil Anna Harley Anna Holtby Anna Kedves Anna Marquard-Karp Anne Wang Antonia Fox Koob Asha Keaney Ashley Matthews Belinda Ramsay Ben Day Ben Salon **Benedict Cheung** Benjamin Hanson Bonnie Hart **Brendon Francis Bronte Sevil** Caelin Kramer Callum Hair

Camilla Clemente Carla Cristina Massai Fedatto Carla Ianni Caterina Presutti Cecilia Ngu Charlotte Reed Chen Zhang Chiara D'Ercole Chitra Rangarajan Chloe Andrews Chrissy Yinglin Chen Christina White Christine Weekes Christopher Lees Clare Yu Dalyna Khong Daniel Roff Daniela Marchetta Danuzia Pontes Darrell Bagang David Mulligan David Tilley Dean Tyler **Destiny Valencia** Diana Reid Dominic Keenan Dominic Longhurst Dominic Tran Dylan Munitz Elaine Yeo Eleanor Jones Eleanor Maxted Elinore Rema Elizabeth Clark Elizabeth Hunt Elizabeth Jones Elleni Zacharia **Eloise Boughton Emily Capener Emily Lau Emily Setter Erin Turner Manners** Esther Adeyinka **Esther Matthews** Ethan Paul Faye Gabrielle Schachter Ferdous Bahar

Fiona Trime

Gayatri Nair Georgina Rullis Hannah Farrell Helen Wei Huong Tran Ioan Milutin Isabella Noon Isabella Pearson Isabelle Ross Isobel Blomfield

Ivan Li Jacinta Wang Jacqueline Wong Jae Ho Lee Jaiparteek Singh Jairaj James

Jairaj James
Manoharachandran
Janet Simpson
Jason O'Neil
Jay Gillieatt
Jennifer Wu
Jenny Li
Jenny Xu
Jeremy Bradfield

Jeremy Bradfield
Jesse Park
Jessica Jin
Jevan Griffiths
Jia Yi Lee
Jie Nin Liang
Jimmy Ngo
Joanna Connolly
Johannah Lowe
Jordyn Price
Joshua Kang
Joshua Poon

Juhi Jin

Julian Charters

Karyn Wee

Kamani Krishnan

Kate Duke Kate Sammut

Retired Judge Kenneth Raphael

Kimberly Page Krista MacPherson Kristin van Barneveld

Laila Ali Laura Toren Lauren Mendes Lauren Stefanou Leanne O'Reilly

Lexie Henderson-Lancett

Lily Jones

Lindsay Blackburn-Hart

Lola Imawan
Louisa Cornock
Luciana Chong
Luckme Vimalarajah

Luke Simon
Luyao (Lucy) Zhou
Margaret Jones
Maria Wallis
Mary Hawkins
Matilda Vaughan
Matthew Coleman
Matthew Mewing
Max Moffat
Michael Gibson

Milarose Ramos Monique Bishop Montana Messina Nadezna Wilkins Nathalie Jones Neha Chopra Nicholas Commins Nicholas Peterson Nicholas Simpson Nicole Sammel

Michelle Chung

Nikila Kaushik
Osaigbovo Ojo
Oscar Eunseok Lee
Patrick Trieu
Paul Ahearn
Paul Tatarov
Paula Stafford
Paulina Fusitu'a
Pauline Tran
Pedram Mohseni
Peerce McManus
Peter Stapleton

Peter Stapleton
Philippa Meikle
Philippa Noakes
Phillip Zixiao Chen
Prasad Sarathchandra

Preeti Lo Prue Bolton Rachael Buckland Rachael Chadwick Rachel Spittaler Rafi Alam

Rebecca Koelmeyer Richard Clements Rita Caruana Robert Pichersky Rohit Sud Rory McLeod Rose Short Sabrina Ebrahimi Sahar Dickson Sally Giblin Samantha Santiago Samuel Cass

Sara Virk Sarah Abdou Sarah Avery Sarah Schwartz Sarahanne Moody Scott Venter
Senid Basic
Shahad Nomani
Shaun Ch'ng
Shelby Van Ooran
Shirley Yeung
Shona Scully
Sidnie Sarang
Simon Rice

Smeetha Jayakumar Sofia Bahas Stefanie Vogt Susan Winfield Tamara Sims Tara Hayes Tayla Williamson

Thinaranjini Balakisnan Tiffany Ha Tim Capelin Tim Forrest Tina Huang Tom Baena

Tom Baena
Umeya Chaudhuri
Uzma Sherieff
Vasili Maroulis
Veronica Clark
Victor Wai
Vijay Prakash
Yang Pan
Yasmine Ali
Yiwei (Karolyn) Liu
Yushu Xie
Yvette Edgell

Yvette Edgell Zachary O'Meara Zeinab Zein Zoe Behrens





### Partnerships

Each of our practices has partnered with a law firm to exponentially expand our reach and increase our capacity to provide access to justice.



#### Ashurst – Credit and Debt Pro Bono Partner

Redfern Legal Centre's credit and debt team continues its pro bono partnership with Ashurst. Lawyers from Ashurst provide assistance with advice and research for casework and community legal information, enabling the credit and debt team to take on more complex and difficult matters. They also accept referrals from the credit and debt practice, where possible. This partnership is an important resource for Redfern Legal Centre and we greatly appreciate Ashurst's continued support.

#### **CLAYTON UTZ**

#### Clayton Utz – Employment Law and Health Justice Partnership Pro Bono Partner

Redfern Legal Centre continues its highly successful partnership with Clayton Utz in the area of employment law, providing support for clients who have been underpaid or unpaid, representation in unfair dismissal and general protections conciliations and underpayment claims to the Federal Circuit Court. The scheme results in excellent outcomes for many of Redfern Legal Centre's clients who would otherwise be unable to obtain representation and be unfairly disadvantaged in their disputes with employers.

Clayton Utz also supports Redfern Legal Centre's innovative health justice partnership with the Sydney Local Health District, which delivers legal advice to people in a hospital setting and trains hospital staff to identify legal issues affecting their patients.



#### DLA – Piper Police Accountability Practice Pro Bono Partner

DLA Piper supports Redfern Legal Centre's police accountability practice.

DLA provides solicitors to help staff Redfern Legal Centre's Monday night police accountability advice clinic, and assists with the practice's advice and casework by drafting police complaints, undertaking research, developing resources and assisting in the investigation and conduct of test cases. The assistance provided by DLA Piper is invaluable to the police accountability practice.

#### FRAGOMEN

#### Fragomen – International Student Legal Service NSW Pro Bono Partner (Visa Advice)

In Redfern Legal Centre's targeted service to international students, effective legal advice often entails advice about the student's visa. Fragomen continues its pro bono partnership with Redfern Legal Centre by providing registered migration agents to attend Redfern Legal Centre advice clinics. Fragomen's expertise in migration law is a great asset to this service.



#### Gilbert + Tobin Lawyers – Domestic Violence Pro Bono Partner

Gilbert + Tobin Lawyers are the probono partner for Redfern Legal Centre's Sydney Women's Domestic Violence Court Advocacy Service (SWDVCAS), accepting referrals for clients not eligible for Legal Aid and assisting with law reform and policy submissions. Importantly, Gilbert + Tobin also provide invaluable administrative support to SWDVCAS, scanning all of its intake forms and copying and preparing information packs for all of its clients. Redfern Legal Centre greatly values the assistance of Gilbert + Tobin in this important work.

#### KING&WOD MALLESONS

#### King & Wood Mallesons – Tenancy and Housing Pro Bono Partner

Redfern Legal Centre's Inner Sydney Tenants' Advice and Advocacy Service (ISTAAS) is fortunate to enjoy continued support from the Human Rights Law Group at King & Wood Mallesons. Their invaluable legal advice and support has assisted us to provide representation for additional people in Tribunal matters. ISTAAS looks forward to continuing this successful partnership and working with them to develop new legal resources in the coming financial year.

King & Wood Mallesons also provides assistance to the inner city community legal centres by providing a venue and support for the volunteer solicitors' training program.



#### McCabe Curwood – International Student Legal Service NSW Pro Bono Partner

McCabe Curwood are the pro bono partner for Redfern Legal Centre's state-wide international students' service, funded by Study NSW to advise students in a range of areas of civil law, including credit, debt and consumer employment, complaints against education providers, family law and housing. McCabe Curwood provides much needed legal support for international students, who often lack sufficient resources and knowledge of the Australian legal system to avoid exploitation and access justice.

#### Watts McCray

#### Watts McCray Lawyers – Family Law Advice Pro Bono

Watts McCray has been providing family law advice to clients of Redfern Legal Centre on a weekly basis for many years, including in relation to divorce, children and property. Their support and expertise is invaluable to the people we assist, many of whom are victims of domestic violence and financial abuse. We look forward to continuing our partnership with Watts McCray for many years to come.



Lander & Rogers



#### wotton | kearney

#### Lander & Rogers, McCabe Curwood and Wotton + Kearney – Pro Bono Advice Clinic Partners

Redfern Legal Centre conducts a weekly pro bono advice clinic with assistance from Lander & Rogers, McCabe Curwood and Wotton + Kearney. The clinic assists people experiencing disadvantage with a range of legal issues, including credit and debt, consumer and tenancy matters, review of government decisions, victims' compensation applications, access to records and mental health and guardianship. The partners not only staff the clinic under the supervision of Redfern Legal Centre lawyers, but also consider the referral of pro bono matters from the clinic or otherwise, where appropriate. Redfern Legal Centre greatly values these pro bono partnerships, which enhance our capacity to provide quality legal advice and assistance to people experiencing disadvantage.

#### **Barristers**

We thank the following barristers for providing their services to our clients on

a pro bono basis:

- Larissa Andelman
- Luke Brasch
- Vanja Bulut
- Alexander Edwards
- Ben Fogarty
- James Leaver
- Christoph Leiderman
- Michelle McMahon
- Chris Ronalds SC
- Mark Seymour
- Kevin Tang
- Daniel Thomas
- Jocelyn Williams, and
- Raoul Wilson SC.



## RLC Young Professionals Committee

In January 2018, the Redfern Legal Centre (RLC) Young Professionals Committee (YPC) was formed by a group of socially conscious young professionals and final year students who had previously worked or volunteered for RLC. Its members currently work in a diverse range of legal environments and are at various stages of their careers but share the same dedication to expanding upon the vital work that RLC and the broader community legal centre space provides for the community.

#### Vision and goals

The RLC YPC aims to leverage the diverse range of skills, knowledge and networks of former RLC volunteers to support RLC's existing work with the goal of expanding the capacity of RLC and its reach. While the Committee is still in its early stages, it has identified the following focus areas in which it envisages making an impact:

- 1. Networking and connecting current and past volunteers and staff of RLC with a focus on students and young professionals.
- 2. Fundraising to contribute to the efforts of RLC's practice groups.
- 3. Policy and submissions produced by RLC can be supported by the efforts of the Committee by leveraging the diverse backgrounds and skills of its members and broader network to complement the casework RLC provides for the community.
- 4. Inspiring social justice in the next generation of young professionals to join us in fighting for justice in our community professionally, personally, or in a volunteer capacity.

#### **Fundraising in 2017-18**

#### **Comedy night**

In March 2018, the RLC YPC assisted Fundraising Manager Liz Clark with running RLC's inaugural comedy night to cap off its 40th birthday year. The event was held at the Giant Dwarf in Redfern, and featured a number of high profile and up and coming local and international comedians, including Tom Ballard and Rhys Nicholson.



RLC YPC runners at the 2018 Blackmore Sydney Running Festival.

#### **Blackmores Sydney Running Festival**

The Blackmores Sydney Running Festival is a fundraising marathon that takes place annually in September. The YPC oversaw RLC's participation in the event, liaising with fundraising platform provider Grassrootz to facilitate RLC's online presence and developing a fundraising strategy.





RLC YPC runners at the Blackmores Sydney Running Festival 2018.

#### **YPC Committee Members 2017-18**

Ali Zein –Treasurer Brendon Francis – General Member Cecilia Ngu – General Member Elizabeth Clark, – General Member Elizabeth Jones – General Member Ferdous Bahar – General Member Ivan Li – Co-Chair Jason O'Neil – General Member Lily Jones – Co-Chair Matthew Mewing, – General Member Rachel Spittaler – General Member Sarah Avery – General Member Shaun Ch'ng – General Member Shona Scully – General Member Sofia Bahas – Secretary

#### Join us!

If you have any questions about the RLC YPC and its work, or if you would like to be involved, please do not hesitate to contact the Committee for further information by emailing <a href="mailto:youngprofessionals@rlc.org.au">youngprofessionals@rlc.org.au</a>. We would love to hear from you!

#### Truth, Justice and the Redfern Way: RLC's 40th Birthday Comedy Show!

RLC's sold out 40th birthday fundraiser was held at Giant Dwarf Theatre in March 2018, attended by over 270 guests. Thanks to our amazing volunteer team and the RLC Young Professionals Committee for helping to make the night such a roaring success.

Special thanks to the fabulous performers who generously donated their time and had us all in stitches: Tom Ballard, Rhys Nicholson, Jen Carnovale, Fran Middleton Comedy Person, Cameron James, Stephanie Broadbridge, Craig Quartermaine, Frida Deguise & MC Joe Shaffer.







## Clients and Services (Statistics)

During the financial year, Redfern Legal Centre assisted a total of 5,349 individual people through the provision of 15,537 separate incidences of legal advice and/or casework.

In addition, our Volunteer Legal Assistants provided 2,844 occasions of information and referral, ensuring clients were able to connect with services appropriate to their legal and non-legal needs.

Due to the holistic service delivery model employed by Redfern Legal Centre, clients may receive casework services from a number of practices, and therefore be counted in more than one set of statistics.

#### **General Legal Team**

- Total number of clients: 1,701
- Total advice, advocacy and representation: 3,035.

#### People we represented

- 90% people experiencing financial disadvantage
- 20% Aboriginal and Torres Strait Islander people
- 31% main language spoken at home not English
- 17% people with a disability.

#### Issues we helped on\*

<ul> <li>Credit, debt and consumer law</li> </ul>	22%
<ul> <li>Police powers and government admin</li> </ul>	19%
<ul> <li>Employment</li> </ul>	18%
• Tenancy	8%
<ul> <li>Family law and family violence</li> </ul>	7%

#### Sydney Women's Domestic Violence Court Advocacy Scheme (SWDVCAS)

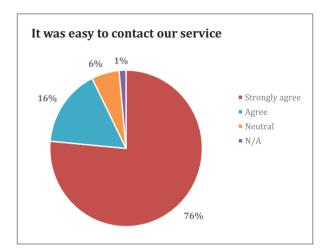
- Total number of clients: 2,759
- Total service events: 9,541.

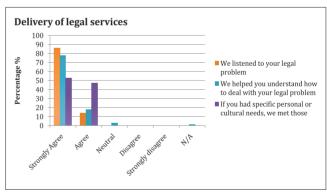
#### Inner Sydney Tenancy Advice & Advocacy Service Team (ISTAAS)

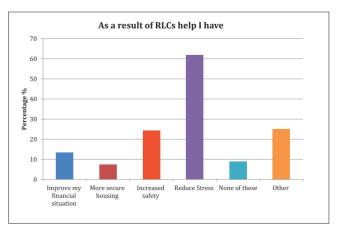
- Total number of clients: 889
- Total advice, advocacy and representation: 3,376
- Assisted 71 tenants at duty advocacy
- Represented at an NCAT hearing or conciliation on 101 occasions.

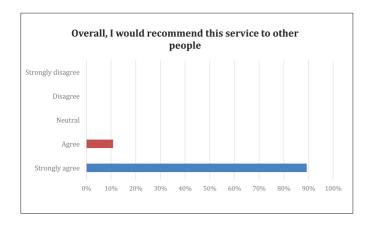
#### **Client survey**

During March 2018 Redfern Legal Centre conducted a client satisfaction survey. 68 clients responded with overwhelmingly positive feedback. A snapshot of the survey is presented here.











#### Feedback included:

"Excellent advice and service."

"Places like this help level a playing field strongly favouring big business and those with deep pockets."

"Helped me to understand the legal ramifications of my case. Very happy."

"Nice to know we have the support in a stressful situation living away from home country."

"Genuinely helpful guidance, quick understanding of my problem, expert-but-friendly! Thank you, R.L.C!"

"Service was prompt, efficient, and very helpful. The receptionist on booking my appointment was also wonderful."

"I can't thank you enough for your sound advice since March last year regarding my accident. You are fantastic at what you do and you made a big difference to my world. You offer such an important service."







## Credit, Debt and Consumer Complaints

#### "Good community exists only because of people like you ...Thank you for your patience and support!"

RLC's Credit, Debt and Consumer Law practice provides advice and advocacy in areas such as consumer credit, banking, insurance, superannuation, debt recovery and consumer complaints about products and services including telecommunications and utilities. We assist people in navigating the legal system through claims to the Ombudsman services, NSW Civil and Administrative Tribunal and Local Court Small Claims Division.

The team also works with our Sydney Women's Domestic Violence Court Advocacy Service (SWDVCAS) to provide legal support to help victims of financial abuse regain financial independence.

#### **Working for Change**

One of our key achievements this year concerned the new *State Debt Recovery Act 2018* (NSW). The Act gives Revenue NSW the power to bypass the court debt recovery process, dramatically changing the way state debts, such as council rates, are collected in NSW.

When the Bill was debated, RLC joined forces with Community Legal Centres NSW to successfully advocate for the removal of provisions that we feared would have the most detrimental impact on vulnerable people in our community. The most critical amendment was the removal of the power to suspend certain occupational licences such as tow truck licences, real estate licences and mechanic licences without notice. We argued that the suspension of any occupational licence is counterintuitive to the goal of encouraging payment of debt. We were glad the government saw sense in our position and agreed to remove that power.

We have since been involved in the consultation to finalise the debt recovery guidelines, which will influence the way Revenue NSW will use this power against people experiencing homelessness, mental illness, financial hardship, and substance addiction. As state debts begin to be referred and collected by Revenue NSW, RLC will continue to advise and advocate for people through our credit, debt and consumer law practice.

#### **Casework**

We commonly see clients who are owed money, or who owe money they cannot repay. Additionally, bankruptcy matters, credit card debts, problems with utilities providers, telephone bills and faulty goods or failure to provide services are other matters we frequently assist with.

#### Financial abuse: identifying and assisting victims

Money is a powerful tool that can be used to isolate and control. There may be no physical bruises, but the scars of financial

abuse are still clearly visible in a victim's bank statement, credit report and eroded financial confidence.

Over the last few years, RLC has noticed an increased number of people who have experienced financial abuse contacting our centre for advice and representation. According to research done by WIRE in 2014, among women who have sought help from domestic violence services, up to 90% have experienced financial abuse.

RLC has had great success in investigating cases of financial abuse and empowering people with advice on legal action and negotiating outcomes such as waivers, reduction of debt, payment plans, cancelling or severing contracts as well as some refunds and compensation.

We are currently developing a project to expand our capacity to help more victims of financial abuse. A core part of this work will be seeking greater involvement in initiatives that encourage banks, telecommunications providers, utilities companies and other creditors to create and implement family violence policies, train frontline staff and provide meaningful outcomes to victims.

#### Financial Abuse: Anna's Story

When Anna\* met David\*, she had moved from the UK some years prior and had established herself in Sydney with long-term stable employment and a good rental history.

Anna and David first lived together as friends, but after a few months progressed to a romantic relationship. Anna started working for David's business. She was promised a weekly salary and worked extremely hard, often after hours and on weekends. David withheld wages from Anna and she was never paid for any of her work. When Anna's savings were diminished, she was struggling without any income so she obtained a credit card. When David found out, he encouraged her to make him a second cardholder and used the card for his personal and business expenses. He also took out an expensive phone contract in her name.

Throughout the relationship, David was extremely violent assaulting Anna frequently. Anna bravely described occasions when she was strangled or run over by a car. Despite Anna getting an ADVO, David continued to intimidate Anna by regularly showing up at the front of her house at all hours of the night.

Anna was within days of being terminated from her rental accommodation because, unbeknownst to her until they separated, David never paid the rent so she was left with thousands of dollars of arrears, in addition to tens of thousands of dollars-worth of credit card debt and other bills. Anna was going to be made homeless if her tenancy was terminated.

As a result of the recent trauma and the ongoing intimidation, Anna had been unable to work. Anna was not eligible for Centrelink because of her visa status. She had no family in Australia. She had no savings and was unable to afford basic food and household items.

Anna was referred to RLC by our SWDVCAS service for advice about financial abuse. RLC has assisted Anna in the areas of tenancy, employment and credit, debt and consumer law. As a result, Anna has had nearly \$30,000 debt waived, her rental termination has been delayed while she finds an alternative, and we have facilitated referrals to counselling and charity services for crisis support.

\* Names and identifying details changed



#### **Education and training**

This year, the practice has presented webinars on financial abuse in intimate relationships as well as – partnering with the Police Powers practice to present a two-part webinar on fines.

#### **Community and government engagement**

This year we have had many opportunities to advocate for our local community at various government engagement events. We met with the NSW Minister for Finance, Services and Property in relation to the *State Debt Recovery Bill*, contributed to the Revenue NSW *Fairer Fines* workshop to review how the fines system could better protect people experiencing disadvantage, attended the annual Civil and Administrative Tribunal consultative forum on General, Commercial and Motor Vehicle claims and participated in a stakeholder consultation regarding NSW Fair Trading.

We have worked collaboratively with the Consumer Action Law Centre in relation to a submission on the Australian Consumer Law Amendments and the Economic Abuse Reference Group in relation to a submission for family violence policy for telecommunication providers. We have also joined the Economic Abuse Reference Group to contribute to national policy and law reform initiatives in relation to financial abuse.

#### **RLC** in the Media

Community Legal Centres NSW (CLCNSW), together with Redfern Legal Centre, has applauded key amendments made to the State Debt Recovery Bill 2017.

By Emma Ryan, Lawyers Weekly, 19 March 2018.

In March 2018, Lawyers' Weekly reported on RLC welcoming the new amendments made to the State Debt Recovery Bill (2017). "Community Legal Centres NSW made a number of suggestions to improve the bill and make it fairer for people, particularly those facing economic disadvantage and other forms of vulnerability. We're pleased that the government and the Greens supported a number of these and made the bill better."

Redfern Legal Centre solicitor Laura Bianchi said, "We still have concerns about how this bill will affect vulnerable people. It's really important that we get the Debt Recovery Guidelines right, otherwise the system is going to unfairly punish people".

"For example, is it really fair for a small debt to escalate into something completely unmanageable, and for the government to take money from someone's bank account without notice, simply because Revenue NSW has failed to obtain that person's current address?" she said. "Research from the Law and Justice Foundation shows that disadvantaged people are hit hardest by the impact of fines, because any inability to pay on time leads to escalating penalties and further financial strain. These new laws will impact our client's lives in the same way.

"The system needs to be designed to ensure that vulnerable people experiencing disadvantage do not fall through the cracks."

Full article is available at: <a href="https://www.lawyersweekly.com.au/politics/22916-new-debt-recovery-laws-welcomed-clcnsw">https://www.lawyersweekly.com.au/politics/22916-new-debt-recovery-laws-welcomed-clcnsw</a>



RLC Credit and Debt solicitor with a Practical Legal Trainee volunteer at Sydney Homeless Connect, Sydney Town Hall, May 2017.

## Police and Government Accountability

RLC's NSW Police and Government Accountability practice provides a state-wide service advising and representing clients in complaints against NSW Police. Our key focus is on preventing and deterring police misconduct through casework, policy and advocacy and strategic litigation.

#### Working for change

#### New police oversight body for NSW

On 1 July 2017, the Law Enforcement Conduct Commission (LECC) was established. The LECC is a permanent, independent investigative body responsible for the oversight of certain operations of the NSW Police Force (NSWPF), including complaints handling.

In March 2018, the LECC released its first public report, which raised serious questions about whether the LECC in its current form has the capacity to properly oversee the conduct of the NSWPF. Out of 376 finalised complaints, only one was referred back to the NSWPF for further investigation. The LECC also acknowledged that there were 51 matters which warranted further investigation by its Integrity team but were not investigated due to a lack of resources.

RLC is concerned about the LECC's inability to compel the NSWPF to take particular action in relation to individual complaints, both due to lack of resourcing and the legislative limits on the LECC's powers.

RLC has consistently maintained its position that the NSWPF should not be responsible for investigating the misconduct of its own officers. Given the findings of the LECC report, it appears that many potential misconduct matters will continue to go undetected and undeterred.

#### ALRC Inquiry into the incarceration rates of Aboriginal and Torres Strait Islander peoples

In September 2017, RLC's policing practice made a submission to the Australian Law Reform Commission (ALRC) focusing on the impact of policing on the incarceration rate of Aboriginal and Torres Strait Islander people.

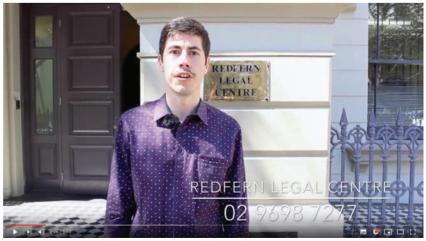
Our submission highlights how certain laws, the improper exercise of police powers, and certain kinds of proactive policing strategies negatively impact the frequency and nature of contact with Aboriginal and Torres Strait Islander communities, leading to further offending, unnecessary arrest and incarceration.

#### Review of the Surveillance Devices Amendment (Police Body-Worn Video) Act 2014

In June 2018, RLC and the Aboriginal Legal Service (NSW/ACT) made a joint submission to the NSW Government Review of the Surveillance Devices Amendment (Police Body-Worn Video) Act 2014.

Video footage of police activities is intended to improve accountability, but RLC and the ALS argue that it should not be left up to police to decide when to activate bodyworn cameras (BWCs). The joint submission calls for continuous recording at all times, or alternatively, strong and publicly available activation guidelines, with meaningful consequences if the guidelines are not followed.

Casework from both organisations reflects inconsistency in police decision-making in this context, resulting in a wide range of repercussions for clients with virtually no consequences for police. Operational and legislative changes are required to enhance the capacity of BWCs to improve policing practices, to restore community confidence in police, and to ensure that investigations into police misconduct are – and are seen to be – thorough, transparent, and fair.



During Spring semester 2017, UNSW clinic students at RLC researched and created short legal information videos.



#### **Suspect Targeting Management Plan (STMP)**

RLC is proud to have supported the development of the first publicly available study on the New South Wales Police Force Suspect Targeting Management Plan (STMP). The *Policing Young People in NSW* report, co-authored by Dr Vicki Sentas (UNSW Law and Redfern Legal Centre Police Powers Clinic) and Camilla Pandolfini (Public Interest Advocacy Centre), was published by the Youth Justice coalition in November 2017.

The STMP is both a police intelligence tool that uses risk assessment to 'predict' suspects, and a targeted program that seeks to prevent future offending by targeting repeat offenders and people police believe are likely to commit future crime. The report cautions that the STMP raises serious questions for civil liberties and police accountability, and disproportionately targets young people and Aboriginal and Torres Strait Islander peoples.

#### **RLC** in the Media

More than 50% of Those on Secretive NSW Police Blacklist are Aboriginal By Michael McGowan. The Guardian Australia, 11 November 2017.

The STMP has faced criticism from the legal profession and justice advocates, who say it unfairly targets minorities. It is also secretive. NSW police have refused to reveal what factors they use to determine who is placed on an STMP, and even those who are subject to one are not always informed.

Sophie Parker, a solicitor at the Redfern Legal Centre specialising in police powers, said it was evidence that Aboriginal people were being disproportionately targeted by the STMP.

"It is extremely alarming that Aboriginal people – who make up just 2.5% of the population – account for more than 50% of STMP targets," she said.

"This is a clear example of oppressive over-policing of Aboriginal and Torres Strait Islander communities. Given a child under 10 cannot be arrested or charged with a crime, it is highly inappropriate that they be subject to an STMP."

Full article available at: <a href="https://www.theguardian.com/australia-news/2017/nov/11/more-than-50-of-those-on-secretive-nsw-police-blacklist-are-aboriginal">https://www.theguardian.com/australia-news/2017/nov/11/more-than-50-of-those-on-secretive-nsw-police-blacklist-are-aboriginal</a>





#### **Advice and casework**

Throughout the year, our practice has focused on a number of systemic issues through our casework.

#### Use of traffic powers for criminal investigations

We have a number of past and current clients who have been stopped for a random breath test (RBT) and, despite returning a negative reading, subsequently detained for the purposes of a search. RLC is concerned that the RBT power may be being misused by some police officers to stop and detain suspects for the purposes of extraneous criminal investigations.

#### **Mobile phones**

RLC has been considering whether the search power conferred by s 21 of the Law Enforcement (Powers and Responsibilities) Act 2002 extends to the search of a mobile phone. RLC is currently looking for clients who have had their phones searched by police.

Through our casework, we have also become aware that police officers across various Local Area commands (LACs) have either prevented civilians from filming incidents involving police, or have deleted footage recorded by civilians on their mobile devices.

This issue is critical because of the significant power imbalance in the police complaints process. In many of our matters, complaints are not sustained due to conflicting versions of events. Video footage can sometimes be the only independent evidence of police misconduct.



#### Stop and search: Bella's story

Bella\* was driving along a Sydney street when she was pulled over for a random breath test. The breath test returned a negative reading, but Bella was asked to get out of her car. Bella was concerned about what was going to happen next, so she pulled out her mobile phone and started filming. Bella's phone was seized and the footage deleted by police.

Bella's version of events in relation to the stop and search differ markedly from the police version of events. Unfortunately, there is no footage to corroborate either claim.

This case study demonstrates the importance of independent evidence in complaints. It is also support for our submission that body-worn video should be mandatory and automatically activated when a police power is exercised.

\* Name has been changed

## Tenancy and Housing

#### Inner Sydney Tenants Advice and Advocacy Service (ISTAAS)

"I didn't know that I had rights as a renter, or that there were rules for me. I am glad to know about the free tenancy service number at Redfern Legal Centre, when I have issues."

#### **Working for Change**

RLC's ISTAAS Tenants' Advocates engage in all areas of tenancy advocacy, ranging from the provision of legal advice and case management, through to full representation in NCAT and Supreme Court of NSW.

Throughout the year, the service also engaged in targeted policy work and continued to educate on tenancy law through its Community Legal Education (CLE) program. ISTAAS is a collaborative service and works closely with all the practice areas of RLC.





Community outreach with Tenants' Union on Youth Homelessness Matters Day, April 2018.

RLC and Tenants' Union team promoting the Make Renting Fair campaign, March 2018.

#### **Working for Change**

This year has seen the continuation of the five-year review of the *Residential Tenancies Act 2010* (Act). In addition to this, the Department of Family and Community Services (FACS) Housing NSW has introduced the Local Allocation Strategy (LAS) for the Redfern, Surry Hills, Waterloo and Glebe areas.

#### Inner City Local Allocation Strategy

ISTAAS, together with RLC's discrimination practice, lobbied to prevent the implementation of the Inner City Local Allocation Strategy. This strategy requires social housing applicants to consent to a criminal check if they apply to live in Redfern, Waterloo, Surry Hills or Glebe. Any individual found to have a conviction for drug manufacture or supply in the last five years will not

be offered a property in these suburbs.

We have significant concerns around the operation of this strategy and its punitive and discriminatory nature. The strategy continues to be rolled out; we continue to work towards amendments and a halting of the strategy altogether.

#### Residential Tenancies Act 2010 review

We continue to make submissions to address a number of systemic issues through the 2018 Act Review. Our service has joined with RLC's Sydney Women's Domestic Violence Court Assistance Service (SWDVCAS) to achieve strengthened rights and protections for domestic violence victims under the Act. Additionally, we are working to remove 'no grounds' terminations, 'frequent

failure' to pay rent terminations and addressing Section 10 so that share house occupants are extended the protections of the Act.





#### Case Study: Caroline's Story

Caroline\* responded to an ad on Gumtree for a room in an apartment in Glebe. The room was being let by Jan\* who was renting the apartment and occupied the main bedroom. Caroline got a receipt for the \$1,200 bond that she paid, but didn't think to ask for a written tenancy agreement from Jan.

Over the next two months, Jan became increasingly hostile and on one occasion this hostility turned to violence with Caroline having to call the police. Caroline decided to leave for her own safety. Jan refused to pay Caroline any of her bond or the one week of rent that she had paid in advance.

Caroline applied to NCAT to get her bond and rent back but her case was thrown out under Section 10 of the *Residential Tenancies Act 2010*. Under this section, the Tribunal could only recognise Caroline as a tenant if she had a written agreement with Jan, which she did not have. Caroline never got her money back.

RLC has persistently been calling for changes to the Residential Tenancies Act so people in Caroline's situation can have NCAT resolve their dispute

\* Names have been changed

#### **Advice and casework**

This year we continued to address systemic issues through the provision of advice and casework. Additionally, the service widened its scope by offering telephone advice to all private rental tenants within our catchment on first contact.

#### Issues we helped on:

- 44% were about going to NCAT
- 38% involved termination
- 33% bonds and compensation
- 34% for tenants in social housing
- 18% about shared accommodation or boarding houses.

#### Social housing repairs

Social housing tenants are among the most vulnerable of our tenant pool. Successfully negotiating with the large governmental organisation that is Land and Housing Corporation (LAHC) to request necessary and often urgent home repairs has long been a problem for social housing tenants. This year, our service continued to support tenants to successfully navigate the NCAT process and get orders for repairs. Our Tenants' Advocates have also achieved orders for compensation for extremely vulnerable tenants left living in appalling conditions, as well as orders for repairs.

The service has established and maintained a number of different direct communication lines for the strict purpose of quickly raising social housing repairs with LAHC within our catchment. This has resulted in the successful management of some repairs issues without the need for NCAT applications.

Our service has also engaged and collaborated with volunteer solicitors from King & Wood Mallesons, through our pro-bono partnership, working on and successfully representing clients in repairs matters before the Tribunal.

#### Social housing terminations

Less than 1% of rentals are affordable in Sydney for a person on benefits. (Source: *Anglicare Affordable Rental Snapshot*, 2018).

ISTAAS has long been concerned with the termination of social housing tenants, causing these tenants to become homeless. The removal of the safety net of social housing from an individual's life is an act which directly deprives that person of the fundamental human right to a shelter over their head.

Social housing is subsidised and tenants that are terminated from these premises have no hope of affording a property in the private market in Sydney. This is confirmed by studies such as Anglicare's Affordable Rental Snapshot.

In light of this information, ISTAAS has worked tirelessly to restrict and overturn the termination of social housing tenancies, especially for relatively minor issues such as rental arrears. Many social housing tenants have mental health issues and high complex needs. The ISTAAS Advocates have intervened in a number of these tenancies to prevent termination and link the tenant with the appropriate services and specialist trained officers within FACS Housing NSW.



RLC Tenants' Advocates.



#### **Education and training**

Our Tenants' Advocates have conducted training and community workshops on key systemic issues throughout the year, including how to successfully pursue repairs in social housing premises. These workshops and CLE sessions have been run for a variety of audiences including tenants and tenant representatives.

Our Advocates have also continued to respond to the call for training around tenancies for community workers assisting vulnerable clients. This training has been delivered to the caseworkers of organisations including Asylum Seeker House, Newtown.

#### Working with partners to deliver tenancy training

In collaboration with our pro bono partner DLA Piper and a local Aboriginal Support service, Weave, we designed, wrote and delivered a 'Rights and Obligations of the Tenant' training.

This training was specifically targeted at young people heading into their first tenancy, ensuring that they are fully aware of all their rights and obligations under the *Residential Tenancies Act 2010*. This training also provided participants with an attendance certificate that could be used to assist young renters to secure their first tenancies.

#### Community and government engagement

#### **Millers Point Relocation Service**

The Millers Point Relocation Service, a service made possible by the support of the City of Sydney, has this year completed the relocation of the last Millers Point Tenant affected by the FACS Housing NSW relocation scheme in this area. The final tenant was supported and represented by the Service through her Supreme Court bid for recognition in her claim for life tenancy. Unfortunately, the bid was unsuccessful however, the tenant has since been successfully relocated into a suitably acceptable property. Subsequent to this final relocation, the Millers Point Relocation Service has commenced winding up its operations.

#### **Waterloo Relocation Service**

The NSW government has announced that the next social housing area to be subject to the relocation project is Waterloo. With the continued support and partnership offered by the City of Sydney, ISTAAS has established the Waterloo Relocation Service. This service will call on all of the experience of the Millers Point Relocation Service to ensure that the Waterloo social housing tenants are supported, assisted, informed and represented vigorously throughout the Waterloo Relocation project.

This service has already established an outreach and has started communicating and supporting Waterloo social housing tenants.

#### ISTAAS media and publications

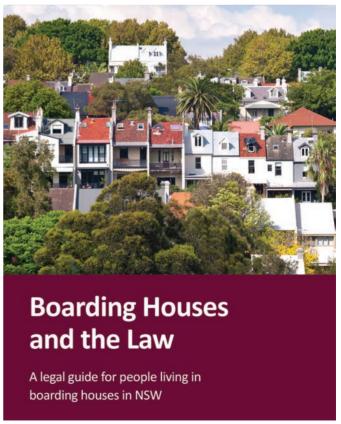
This year the ISTAAS Advocates have focused media on the 'Make Renting Fair' campaign. This campaign is designed to highlight the 'no grounds' terminations available to landlords under sections 84 and 85 of the Act, and how these sections lead to real insecurity for renters.

There have been numerous media appearances by our Advocates relating to this campaign, ranging from social media publicity and interviews on community radio, through to traditional print and television media appearances. Our messaging has consistently called for a fairer deal for renters, and has been highly successful at garnering public support and increasing media debate.

#### **Boarding Houses and the Law**

Work on our *Boarding Houses and the Law* publication has been completed and the resource has been printed. This valuable resource was produced with the support of City of Sydney and will be officially launched later this year. The resource is already available online and has been shared widely on social media.

ISTAAS has had a busy but successful year and is looking forward to continuing to deliver the high standard of tenancy advice and advocacy, training and policy work in the future.



Boarding Houses and the Law in NSW (2018).

### **Employment**

#### Working for change

#### Wage theft

This year, the practice has assisted a growing number of people being underpaid or not paid wages and other employment entitlements. Within the Australian legal framework, an underpaid worker cannot go to the police and ask them to investigate their employer for wage theft. It is not a crime for an employer to fail to pay their workers.

An underpaid employee must initiate civil proceedings against their employer to recover back paid wages, annual leave, sick leave, superannuation and other entitlements. Going to court is challenging for anyone, but going to court as an individual pitted against a business with an HR team and the money to brief lawyers can be an even greater challenge. Many of Redfern Legal Centre's underpaid clients are disadvantaged or vulnerable, and without assistance, going to court is not an option.

The Fair Work Ombudsman can help underpaid workers sometimes, but they too have limited resources and cannot help everyone. RLC supports law reform initiatives that empower workers to reclaim their workplace entitlements, improves access to justice and deters employers from exploiting their employees.

#### **Casework**

"I was significantly bullied, sexually harassed and then abruptly dismissed after making a complaint to my workplace. My heartfelt thanks to the lawyers and staff at the Redfern Legal Centre, your help made the world of difference."

#### Sexual harassment

Following the #MeToo movement, we are seeing a distressingly high number of women coming to Redfern Legal Centre to seek advice about sexual harrassment at work. It can be very hard for these clients to take action against their employers because of the structural obstacles in the current legal framework.

#### Sexual harassment: Aanya's story

Aanya\* came to RLC for help with an employment matter. She had been fired from a large and well-known company where sexualised bullying was so widespread that it was seen as 'no big deal'. Aanya's boss had sexually harassed her many times in public settings. After she reported this harassment to another manager, she was fired shortly afterwards.

Our Employment Law practice helped Aanya explore her legal options and brought a general protections claim to the Fair Work Commission. A fantastic result was achieved in conciliation, and Redfern Legal Centre achieved long-term systematic change: Aanya's employer agreed to implement sexual harassment training for all staff and the manager was subjected to disciplinary action.

Thanks to Aanya's bravery, we were able to change the culture of harassment in her workplace.

\* Name has been changed





#### **Pregnancy discrimination**

A number of employees we saw throughout the year were discriminated against in the workplace because they were pregnant or had taken maternity leave. These women would tell their boss they were pregnant, and were then made redundant, dismissed or demoted. Some employers would accept parental leave pay from the Australian Government and then fail to pass this payment along to the new parent.





Volunteers workshopping a legal issue with our employment law solicitor.

#### Domestic violence and employment exploitation

RLC's Employment law practice has also worked side-by-side with the Credit and Debt team on cases where there has been a domestic violence or financial abuse situation where the woman has also been exploited in her employment. A common story for many migrant workers involves coming to Australia, forming a relationship with an Australian man who owns a small business, and then working, unpaid, in the man's business for many years. At the end of the relationship, these men pursued our clients for a debt, despite owing our clients large sums in unpaid wages. The Employment law practice calculated how much the clients were owed in wages, and successfully used these unpaid wages claims as counter-claims to stop unmeritorious debts being claimed against our clients.





"Somehow just saying thank you doesn't seem like enough. But I hope you know how much your kindness has meant to me!"

Redfern Legal Centre's (RLC) International Student Legal Service NSW, funded by Study NSW and Fair Work Ombudsman, is the only independent specialist legal service available to the 206,000 international students studying in NSW. It provides specialist legal advice, advocacy and casework relating to the complex socio-legal problems impacting international students, alongside ongoing work in law reform and education.

Throughout the year we maintained strong relationships with NSW's diverse international student population, including students from India and China – the two largest communities of international students in NSW. Over the year we also increased our engagement with the growing body of international students from South American nations.

#### Working for change

Our state-wide practice plays a leading role in identifying and responding to emerging trends affecting international students. Working at the frontline, the practice is highly conscious of the concerns and issues impacting international students, which is vital when engaging with the wider Australian community, media, and government on behalf of students.

Issues identified by our early recognition program over the 2017–18 year included:

- Sexual assault on Australian university campuses and residential colleges
- Problems with university accommodation suppliers
- Chronic workplace exploitation
- Concurrent mental health ramifications.

#### Purpose-built student accommodation

The practice has identified issues with housing (halls of residence) provided to international students by universities and student accommodation providers. This housing falls outside current legislation, including the *Residential Tenancies Act 2010* (NSW) and the *Boarding Houses Act 2012* (NSW), instead falling into contract law.

These matters present a unique set of problems within contract law, and the practice is assisting a growing number of international students seeking remedies for these unjust contracts. We are working with government to find a law reform solution to this problem.

#### The Fair Entitlements Guarantee (FEG) Scheme

The international student practice continues to see companies target international students as employees as part of their business model. A great concern is the inability of these international student employees to access the Fair Entitlement Guarantee scheme, which leaves our clients exposed to potential financial exploitation, including wage theft on a large scale. The international student practice is currently in the early stages of exploring possible law reform avenues in this area.



RLC International Student solicitor meeting with students from Western Sydney University during Orientation Week.



#### Fair work guarantee: George's story

George\* was one of more than 30 international student workers owed more than \$300,000 in unpaid wages and entitlements when the construction company they worked for went into bankruptcy.

George, who was owed just under \$5,000 for several months' worth of wages and superannuation, approached Redfern Legal Centre on behalf of his colleagues.

The students were being paid different hourly rates for performing the same role, and many were being paid below award wages. The employer claimed they were independent contractors, rather than employees, thereby denying them access to superannuation, annual leave, annual leave loading, sick leave and casual loading.

RLC's International Student Legal Service NSW is now in partnership with pro bono lawyers assisting 12 former employees of this company to recover their entitlements via the liquidators.

International students do not enjoy the same protections under the Fair Entitlements Guarantee (FEG) granted to other Australian citizens. The FEG provisions cover a range of unpaid entitlements for individuals who lose their job due to their employer's bankruptcy or liquidation.

Legal intervention for international students in this area is essential if they are to be accorded the same protections as their domestic counterparts.

\* Name has been changed

#### **Education and training**

The practice continues its innovative approach to legal education for international students and the wider community, through the development of culturally-sensitive, multilanguage resources.

#### My Legal Mate

'My Legal Mate' is a 'self-service' legal assistance app designed specifically for international students. The app is in its final stages of development, with an anticipated roll-out date of February 2019. Its design features a multi-language interactive pathway detailing legal and non-legal remedies, as well as interactive and user-friendly tutorials on legal rights and responsibilities.

#### **UTS Student Clinic**

Our highly successful international student clinic – run in partnership with the University of Technology, Sydney (UTS) as an elective subject – continued its second and third session.

Clinic students work directly with the practice's solicitors, receiving hands-on experience and participating in the practice's weekly advice night. Students assist with legal research, client interviewing, case management, and the identification of emerging trends through the practice's early recognition program. They also play a leading role in the development of education resources for their peers, including our extremely popular 'Tip of the Week' video series.

#### **Government and corporate engagement**

The practice works to address systemic legal issues through participation in roundtables and forums with key stakeholders, including Australian and international governments, embassies of nations with student communities in NSW, and corporate Australia.

#### Industry roundtable on migrant worker exploitation

In March, we attended an industry roundtable alongside major retailers to provide a briefing of what to expect from the prospective Modern Slavery Act. At this meeting, we worked with retailers to take action to stamp out exploitation of their workers.

Our team has been supporting a joint effort by UNSW and UTS to host a meeting with supply chain retailers and investors, to be held in the final quarter of 2018. This forum aims to support an evidence-based approach in response to the underpayment of migrant workers within supply chains in Australia, as well as hearing solutions proposed by legal experts, researchers, and relevant civil society players, particularly in light of the industry's forthcoming legal responsibilities under the Modern Slavery Act.

#### Migrant worker taskforce

The practice contributed a proposal to the federal government's Migrant Review Taskforce for a new Ministerial Direction under section 499 of the *Migration Act 1958* (Cth). This proposal considers the cycle of international students working over the 40 hours per fortnight threshold in order to financially survive. A report is expected to be released in September

2018 to address the unreported breaches of workplace laws when there is a risk to these students visa status.

#### Sexual assault forum

As part of the practice's law reform work around sexual assault on university campuses, the practice established a series of forums featuring key stakeholders, hosted in partnership with City of Sydney and Study NSW.

The forums focused on improving existing support services, and developing new ones, as well as raising awareness about sexual harassment and sexual assault among international students.

A key outcome of this process was to inform the development of a culturally-sensitive, multi-language resource to support students who have experienced sexual assault and highlighting the various avenues of support available, including medical, legal and emotional support. RLC took the lead on developing the resource, working together with City of Sydney and Study NSW

#### International student housing project stakeholder advisory group

Due to our ongoing law reform work surrounding exploitation of international students in purpose-built student accommodation, RLC was invited to take part in UNSW Human Rights Clinic's stakeholder advisory group regarding its new empirical research and advocacy project on accommodation issues encountered by international students.

#### **Practice funding and partnerships**

The practice receives its funding from Study NSW and the City of Sydney, as well as the Fair Work Ombudsman (FWO) Community Engagement Grants Program. Thanks to the generous support of our funders and pro bono partners Fragomen and McCabe Curwood Lawyers, we have been able to expand our services at a critical time. We also remain the only non-government legal service provider receiving referrals through Service NSW.

#### **RLC** in the Media

'You won't graduate': Claims international students are being exploited by housing providers'.

By Jarni Blakkarly and Leesha McKenny, SBS News, 23 March 2018.

Farhan Chowdhury said he had "no idea what was coming" when he was told leaving his university-owned accommodation early would cost him almost 10-times his weekly rent in outstanding fees. "They just said the amount was \$2,700 and this needs to be paid or else I won't be able to graduate," the 24-year-old told SBS News.

"A lot of the protections are stripped away which allows the owners and operators to pretty much do whatever they want to do," Sean Stimson, an international student services solicitor from the Redfern Legal Centre, said.

In both NSW and Victoria, the two states with the most international students, housing located within or owned by an institution is exempt from providing regulatory protections required under their respective *Residential Tenancy Acts*, Mr Stimson said. This exemption also applies to any housing provider that has a written agreement to provide accommodation for the students of that institution.

Mr Stimson said the exemption potentially opened up students to excessive fees or bonds, unfair notice periods and a narrower avenue for determining disputes.

"You can write anything into these contracts, but certainly the contracts we've reviewed there are not those protections in place that are in place under the Residential Tenancy Act," Mr Stimson said

Full article available at: <a href="https://www.sbs.com.au/news/you-won-t-graduate-claims-international-students-are-being-exploited-by-housing-providers">https://www.sbs.com.au/news/you-won-t-graduate-claims-international-students-are-being-exploited-by-housing-providers</a>



In May 2018, RLC convened a forum with City of Sydney, Study NSW and key stakeholders to examine how universities and other agencies can better support international students who have experienced sexual assault.

# Sydney University Postgraduate Representative Association (SUPRA) Legal Service

#### "[SUPRA staff are] most helpful and a wealth of knowledge"

The RLC branch office at the Sydney University Postgraduate Representative Association is funded by SUPRA, via the compulsory Student Services Amenities Fee (SSAF) paid by University of Sydney (USyd) students.

The service provides free legal services to postgraduate students from any of USyd's seven campuses. It also provides regular legal and strategic advice to the seven Student Advice and Advocacy Officers employed by SUPRA to handle student's academic or welfare matters. Additionally, the service also assists and advises other SUPRA staff, such as the publications team and the Council and office bearers of SUPRA.

#### Advice, Assistance, and Representation

As the legal service is independent from USyd, it is able to advise and represent students in matters relating to the university. Mostly these are in the areas of intellectual property law, administrative matters, discrimination complaints, and privacy law.

Additionally, the service provides advice and representation to postgraduate students in external legal matters. In the last year, we mainly provided assistance in the following areas:

#### Accidents on the road

A large number of students seek advice to recover damages and/or defend claims for damages following accidents on the road. The financial impact can be significant for students who are uninsured and have a low income and/or limited financial resources. Over the 2017—18 financial year, the service has assisted many clients to obtain compensation for the damage done to their cars or bikes, or to defend matters against them. The practice has also helped students to successfully enforce orders obtained against other

parties and recover the money awarded to them that had not been paid.

#### Credit, debt, and consumer complaints

The legal service receives a large number of inquiries about consumer contracts and matters relating to credit and debt. Many of these are in relation to consumer contracts with telecommunications service providers for mobile phone or internet services. During the last year, the legal service has negotiated successful outcomes for a number of students in a range of matters in these areas.

#### **Employment**

Many students work outside the university to supplement their income, which often consists of parental support, scholarships, study benefits, or part-time employment within the university faculties where the student is studying.

In the last year, the legal service has helped many students to recoup underpaid and unpaid wages and entitlements, as well as assisting students to resolve other concerns about working conditions.

#### Road, traffic and motor vehicle regulatory offences

Inexperience or lack of familiarity with the road rules, coupled with having older or less well-maintained vehicles often means students present with penalty notices.

Where students elect or are required to appear in court, the legal service has either represented or assisted them in preparing their case. Overwhelmingly, the involvement of the legal service has resulted in more favourable outcomes.

#### **Community Legal Education**

#### Information and education sessions

The legal service continues to provide community legal information and education sessions, both at USyd's main Camperdown campus and at external USyd campuses, such as Camden.

Topics covered include intellectual property law, traffic offences and fines, consumer contracts (specifically telecommunications service provider contracts), motor vehicle accidents (regarding property damage), as well as tenancy, privacy law, and employment



#### **Publications**

The service wrote the Legal Section of SUPRA's 2018 *Postgraduate Survival Guide*. This included legal information on matters of interest to the postgraduate student population including cyberlaw, intellectual property law, contracts, privacy, consumer law, tenancy, and fines.

We also wrote the following sections of the revised 2018 *Thesis Guide*: 'Research Integrity'; 'Intellectual Property Law'; 'Harassment, Discrimination & Bullying'; and 'Access to Your Thesis'.

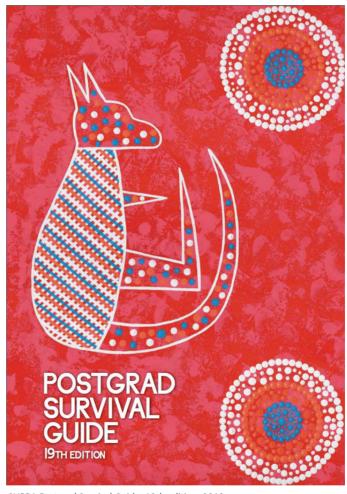
Additionally, the legal service published a regular legal information section in the fortnightly SUPRA email bulletin, eGrad. Topics covered included dealing with various accommodation issues, recording staff/other students at the University, the use of University ICT resources, avoiding or dealing with fines on public transport, and regular alerts about scams, such as Rental Scams. The service also produced a range of legal factsheets in areas of special interest to postgraduate students.

#### **Working for Change**

#### Policy and law reform

The service contributed to both internal university submissions and external submissions written by SUPRA staff and Council members on matters relevant to postgraduate students generally, and to international postgraduate students.





SUPRA Postgrad Survival Guide, 19th edition, 2018.



#### **Case Studies**

#### Wage theft: Jim's story

Jim\* was an international student. He got a job at a restaurant and was told he would be paid \$18 an hour. He worked seven hours every Saturday and Sunday for four months and was paid weekly. After four months of work, one week he didn't get paid. He asked the manager who told him it was an oversight and he would be paid for two weeks the week after. When he was paid the next week he was only paid for one week.

Jim came to the service for help getting his week's pay and was surprised that he had also been underpaid his wages for the whole time he had worked there. With the service's assistance, Jim was able to recover his underpaid wages for the entire period as well as his unpaid wages. Jim also successfully found another job.

#### Jenny's story: Bond recovery

Jenny\* was an international student. When she had moved in to her former place the landlord had told her she had to agree to pay rent monthly in advance. She also made Jenny pay an extra month's rent in advance plus a bond.

Towards the end of her lease, Jenny decided to move. Despite giving her landlord the proper notice, and paying for end of lease cleaning, the landlord refused to give her back the extra month's rent and the bond. Josie took the landlord to NCAT, and NCAT ordered the landlord to pay the extra month's rent and the bond back to Josie. The landlord told Josie that she wasn't going to pay her back.

With the service's assistance, Jenny was able to take enforcement action and obtain a garnishee order against the landlord's bank account into which Josie and the other tenants used to pay her rent. Jenny successfully received her bond money back in full.

#### Kim's story: Bicycle accident

Kim\* was riding her bike when she was hit by a car turning right. The driver claimed he did not see her. The bike was seriously damaged and Kim ended up in hospital. Once she recovered she contacted the driver who said that since his car only had minor damage he was not going to make an insurance claim, so would be unable to pay for her bike, helmet, and the clothing that had been damaged in the accident. The legal service was able to explain the law to Kim and the other driver, and assist Kim to recover the money needed to repair her bike and replace her helmet and clothing.

\* Names have been changed.



### Discrimination

#### "I felt like I had fallen through the cracks and RLC picked me up. I could finally breathe."

RLC's Discrimination practice assists people who have experienced discrimination because of their disability, race, sex or age. We advocate on behalf of individuals, advise on policy and law reform, and contribute to public debate to address and educate on human rights issues.

#### Working for change

The majority of clients seen by our practice come to RLC for assistance with disability or racial discrimination. Other matters we have assisted with throughout the year include workplace bullying, sexual discrimination and harassment, racial and age discrimination, discrimination on the basis of sexuality or transgender status, and direct or indirect discrimination by service providers.

#### The Inner-City Local Allocation Strategy

In early March 2018, people on the public housing waiting list received letters from Family and Community Services (FACS) Housing stating that they must consent to police checks before they are offered a property in Glebe, Waterloo, Redfern or Surry Hills. Applicants found to have a conviction "related to drug supply" in the past five years would be "ineligible" to live in those suburbs, effectively cutting them off from over three-quarters of the public housing stock in Inner Sydney.

Redfern Legal Centre was concerned that there was little to no consultation before such a significant policy was introduced. As well as greatly restricting access to housing, our other concern with this strategy is that if the individual does not consent to the police check, does not respond, or does not receive the letter – due to being homeless for example – then they will automatically not able to get housed in that area (regardless of whether they have a relevant conviction). That is, the policy is sweeping up many more than it intended, by affecting those who don't send in the form consenting to the police check, regardless of the reason.

From a discrimination angle, we are concerned this strategy will disproportionately affect certain groups of people, including the large population of Aboriginal and Torres Strait Islander people residing in Waterloo/Redfern area and people with disability, who are statistically more likely to have had contact with the criminal justice system or be less likely to respond to the process.

Our concerns regarding the possible discriminatory effects of the policy were raised with FACS Housing directly. Along with RLC's Tenancy team, we met with politicians, organisations, and people on the waiting list to talk about their concerns, to come up with a group approach to dealing with these issues. This work is still ongoing; however, we have already persuaded FACS Housing to change the threshold from a *charge* for drug supply to a *conviction* for drug supply, as the grounds for refusing housing for individuals. This would have otherwise precluded a larger group of people from accessing housing and raised many other issues penalising people not found guilty under the law.



USyd students with RLC's Discrimination Solicitor on the last day of our Human Rights Legal Clinic, October 2017

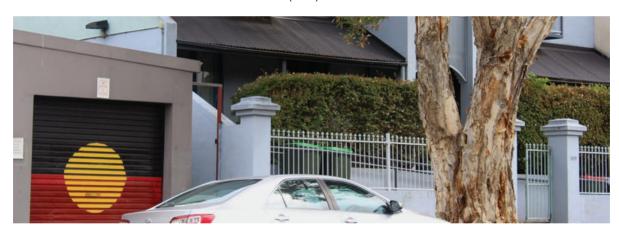


#### **Casework**

Redfern Legal Centre's Discrimination practice provided legal advice, assistance and representation to a range of clients throughout the year. We made applications to the Anti-Discrimination Board and the Human Rights Commission, advocating on behalf of our clients and negotiating settlements to resolve disputes.

Many clients benefited from our advocacy without lodging a complaint. Often simply advocating on their behalf directly with the other party was enough to resolve disputes.

Disability discrimination is one of the most common discrimination complaints, according to statistics from the Australian Human Rights Commission and the NSW Anti-Discrimination Board (ADB).



#### Sarah's story: Safe housing

Sarah\* and her two sons lived in a Family and Community Services (FACS) Housing property in Glebe. Her eldest son John\*, had severe mental health issues and was morbidly obese. Sarah visited Redfern Legal Centre after she had sought a transfer to more suitable accommodation that Housing had not approved for two years. Sarah and her two sons faced extraordinary health and safety issues because of John's size and his inability to access either the toilet or shower in their home

RLC lodged a complaint of disability discrimination in the Australian Human Rights Commission (AHRC) on Sarah's behalf, following unsuccessful attempts to negotiate a resolution with FACS Housing. During this process, Sarah had found a property in Glebe that would be suitable and we asked FACS Housing to consider offering this property to the family. At the AHRC conciliation, the property was formally offered to Sarah and her family and we negotiated repairs and modifications to make it accessible. Sarah and her family relocated to the new property in Glebe and modifications have already begun to ensure that it is safe for John.

This case demonstrates how clients with mental health issues and disabilities can be particularly vulnerable and face challenges in securing safe housing. The Centre was able to obtain a positive outcome for Sarah and her family by enforcing her and her family's right to non-discrimination in the provision of accommodation services.

\* Name has been changed

#### Sydney Women's Domestic Violence Court Advocacy Scheme

"My heartfelt thanks to the lawyers and staff at the Redfern Legal Centre, your help made the world of difference."

Sydney Women's Domestic Violence Court Advocacy Scheme (SWDVCAS) operates at the Downing Centre, Newtown and Waverley local courts to assist women and children victims of domestic violence to obtain effective legal protection from violence. In the period 1 July 2017 to 30 June 2018, SWDVCAS provided assistance to 2,760 clients.

SWDVCAS also hosts the Waverley and Newtown Local Coordination Points and Safety Action Meetings which cover the Eastern Suburbs and Inner West as part of the NSW Government's domestic violence service delivery model, Safer Pathway. The Local Coordination Point receives direct referrals from police for female victims after any domestic violence incident. At Safety Action Meetings, members develop plans for victims at serious threat of death, disability or injury as a result of domestic and family violence.

Under the NSW Justice Strategy, SWDVCAS has also received direct referrals from police for all female victims of domestic violence in the Redfern, Kings Cross, Surry Hills and Sydney City Local Area Police Local Area Commands. From November 2018 these referrals will become part of the new Central Sydney Local Coordination Point and Safety Action Meetings, hosted by SWDVCAS.

Since 2017, the social support element of the Family Advocacy and Support Service (FASS) at the Sydney Registry of the Family Court has been hosted by SWDVCAS. The FASS and its integration with the WDVCAS has proven to be a valuable and essential service for women going through the process of separation and child custody arrangements.

Since its inception in 1989, SWDVCAS has given priority to their clients' wishes and safety needs and ensured clients are provided with specialist advocacy and assistance. SWDVCAS clients have always had access to representation and legal advice provided initially by RLC solicitors or private solicitors acting pro bono, and then since 2009, legal advice has been provided by solicitors from Legal Aid's Domestic Violence Duty Scheme.

#### Isabelle's story: ADVO

A referral was received from police for Isabelle. Police had applied for an ADVO to protect Isabelle\* from her estranged husband after she had reported an assault. Isabelle and her husband had been married for thirty-two years, and were separated but living under the same roof for four years. Isabelle made a statement to police, but did not want her husband charged for the assault. No charges were laid, but police applied for an ADVO to protect Isabelle which included a condition that he not approach her.

When Isabelle was contacted by the SWDVCAS worker she was very distressed and expressed her desire for the ADVO to be removed or else varied to remove the 'not to approach' condition so that she and her estranged husband could attend family events together. Isabelle attended court and told the WDVCAS specialist worker that her husband had moved out of the family home and was living elsewhere. The SWDVCAS worker discussed safety planning with Isabelle and her adult daughter, and advocated for her with the police Domestic Violence Liaison Officer to have the orders varied to the mandatory orders only and the length of the orders shortened to six months rather than two years. The Domestic Violence Liaison Officer then spoke with Isabelle's husband's solicitor, and her husband consented to a final ADVO with the standard conditions for six months. Warm referrals were made for Isabelle to Victims Services and Staying Home Leaving Violence, and the locks on her house were changed that same afternoon.

Isabelle was also referred to the Family Advocacy and Support Service (FASS) at the Family Court for information and advice about her property matter. Isabelle and her daughter were very happy with the outcome, which they felt would address Isabelle's safety after her husband moved out of the house and at the same time allow them to come together for family events.

\* Name has been changed

#### Maree's story: Family support

Maree\*, a single mum with two small children, presented at FASS for legal and social assistance. She was having difficulty during handover times for the children to see their father. Previous family court orders were not working as her parents had started drinking heavily when the children were with him and used the handover times as an opportunity to abuse mum. FASS assisted with legal advice and an application for legal aid and FASS social support provided assistance with referrals to counselling and some further family support for the children who were reacting their father's behaviour.

\* Name has been changed

#### **Community legal education and presentations**

In addition to our busy casework, the SWDVCAS team continued to deliver expert community legal education and presentations to groups and conferences.

Our year's training activities included:

- presenting a session titled 'Critical Resistance in a Community Legal Centre' at the National Association of Community Legal Centres (NACLC) in Canberra, which was very well received by conference delegates.
- providing a briefing the NSW Police Force Assistant Commissioner and Domestic Violence Corporate and Region Sponsors on systemic issues and the offence of strangulation
- facilitating training on domestic violence screening and safety assessment
- delivering information about Safety Action Meetings to emergency nurses and social workers at St Vincent's Hospital
- presenting a session on the Family Advocacy and Support Service to North Sydney WDVCAS.

Our SWDVCAS team also delivered a range of one-off training and capacity development sessions on domestic violence, AVOs and service provision to various organisations and community workers, including holding 24 Pre-Hearing Clinics in conjunction with Police Prosecutors at Downing Centre and Waverley Local Courts.

We also increased awareness about our services by holding stalls at community events including White Ribbon Day and Vahun

#### Law reform and policy

The SWDVCAS team has once again been at the forefront of domestic violence law reform in NSW, principally through the coordinator's membership of three NSW statutory boards, the NSW Domestic Violence Death Review Team at the Coroners Court, the NSW Victims Advisory Board and the NSW Domestic and Family Violence and Sexual Assault Council, and through invitations to team members to attend domestic and family violence related consultations and roundtables.

#### Offence of strangulation

In 2017 SWDVCAS made recommendations for a review of the NSW offence of strangulation in the context of domestic violence after noticing a rise in the number of clients reporting strangulation, but with the defendant only being charged with common assault. These concerns were also raised by the Domestic Violence Death Review Team, and the Attorney General has now announced new laws will be introduced with less elements to prove and tougher penalties to address the

issue of non-fatal strangulation.

#### **Tenancy laws**

SWDVCAS, together with other domestic violence services, called for stronger protections for domestic violence victims renting properties in NSW. The government has recently introduced the Residential Tenancies Act (Review) Bill 2018, which provides significant protections for victims of domestic including the ability to terminate their tenancy without penalty.

#### **Consultations and roundtables**

Team members participated in the following consultations and roundtables:

- Sexual assault roundtable for City of Sydney
- ODPP consultation regarding victims' involvement in sentencing
- Victims Advisory Board and ODPP consultation regarding review of the Domestic Violence Prosecution Guidelines
- Service delivery consultation for Muslim Women Association, and
- Review of the Domestic Violence Evidence in Chief.



SWDVCAS staff attending White Ribbon Day events, November 2017.

## Health Justice Partnership with RPA

#### "The HJP solicitor is absolutely amazing and has helped me so much, thank you."

RLC's Heath Justice Partnership (HJP) is an early intervention program designed to identify and intervene in the potential legal issues that frequently exist for patients in healthcare settings. Our overarching and focused objective is to improve health outcomes for all patients, and in particular Aboriginal and Torres Strait Islander people who would not have otherwise sought legal assistance to address their problems.

Established at Royal Prince Alfred Hospital in 2015 as the first hospital-based HJP in NSW, the service assists patients with a broad range of legal issues including child protection, domestic violence, tenancy, financial abuse and debt matters. All of our cases are for significantly disadvantaged people who would not otherwise be accessing legal services.

#### Working for change

The HJP continues to have a significant impact on the lives of vulnerable people, using legal assistance to reduce the impact of the social determinants of health including debts, insecure or unsafe housing, reducing domestic violence and keeping children within Indigenous families. Impacts include reduced stress, secure and healthy homes and increased safety for Aboriginal and Torres Strait Islander women and children.

The HJP solicitor provides intake, advice and (where needed) referrals for all areas of law. This means there is one clear entry point for help. The solicitor also provides training for social workers and health staff in identifying legal issues, to help increase referrals to the service.

A key focus of the service has been working with at-risk pregnant women to engage with Family and Community Services and access support services earlier in their pregnancy, and along with other factors, this has resulted in a significant increase in babies leaving hospital with their mothers since the HJP started.

In 2017, the service was a finalist in the Sydney Local Health District Child Protection and Wellbeing Awards, receiving an honourable mention for the work done in the area of child protection. RLC's HJP is a highly valued, integrated service at RPA and continues to provide a model for subsequent Health Justice Partnerships across Australia.



RLC HJP solicitor with Elaine Doherty, NUM Drug Health, Royal Prince Alfred (RPA) Hospital, Sydney.



#### Family fleeing domestic violence housed safely: Beth's story

Beth\*, a pregnant woman, had fled a violent relationship and was living in refuges. Her son, who had previously been in the care of FACS, was placed with his mother, with FACS retaining parental responsibility. Due to his age however, he was unable to stay in the refuge with his mother, so for several days he had been sleeping rough on the streets.

Beth came to the solicitor for advice about the delay in being allocated public housing. We advocated to FACS that child was their responsibility and at risk, and requested they advocate to the housing provider on his behalf to allocate the family suitable housing immediately. Within two days of our correspondence to FACS, the family were housed.

\* Name has been changed

#### **Education and training**

In our commitment to the holistic health and wellbeing of our clients, RLC's HJP provides legal education to health staff and Junior Medical Officers of RPA. Throughout the year, our HJP solicitor also attended numerous meetings at RPA to develop best practice, and clear referral pathways.

Professionals work in tandem to build the capacity to address the potential effects of compound health and legal problems. Since 2015, RLC has trained countless Sydney Local Health District (SLHD) staff in identifying legal needs and referral pathways, including SLHD Social Work, Drug Health and Post Natal departments.

#### **Community and government engagement**

Our HJP solicitor regularly attends and presents at various conferences including Health Justice Australia, Sydney Local Health District Domestic Violence Forum, Domestic Violence Routine Screening Committee, Australian Association of Social Workers Symposium and Sydney Local Health District Domestic Violence Forum. The solicitor provides general advice and

assistance to workers from these forums on a weekly basis.

#### **Expansion of the HJP**

Our solicitor has built up successful networks within the hospital to such an extent that we cannot currently meet demand for the service. Over the coming year we are looking to expand this service to other sites within the Sydney Local Health District (SLHD).

#### Relief from credit card stress: Min's story

RLC's HJP solicitor was asked to see an inpatient at RPA. Min\* had recently returned to Australia from his home overseas to seek treatment for lymphoma. The client had no fixed address and was highly agitated about outstanding debt issues.

The solicitor saw Min on the day he was referred to us, and ascertained that he owed approximately \$30,000 on a credit card. The client was in his late 60s, homeless and unable to work, due to his chemotherapy and age. The client had been receiving letters of demand, was distressed at the sum of the debt, and was concerned that the bank would take him to court

The solicitor explained how the debt recovery process works, that the bank would not approach him whilst he was in hospital and that they would now contact us as his representative and not him directly. We advised that we would seek a waiver of the debt due to the futility of the bank pursuing someone without any means to pay and on hardship grounds. Working with the patient's doctor and social worker, we obtained detailed medical information, which included his prognosis, and importantly his inability to return to employment. The social worker also provided a letter of support with confirmation of his homeless status (which they were providing support on). We made submissions to the bank on behalf of the client, and were successful in a full waiver of the outstanding debt within seven days. Min was relieved and was able to concentrate on his health and treatment.

\* Name has been changed



# THE OLD FIRE STATION PEOPLES HALL Outreaches

#### RedLink outreach

Working in collaboration with Legal Aid NSW, Redfern Legal Centre (RLC) has been running a weekly law clinic at the Redfern Housing Estate since July 2015.

The clinic is part of the NSW Department of Family and Community Services' (FaCS) RedLink Outreach Service, first developed in 2014. RedLink is a health justice partnership which brings together a range of community service providers into one local service hub to improve the health and wellbeing of residents in social housing in Redfern by providing wrap-around services within the community.

With more than 1,500 residents, the Redfern Towers are the most concentrated public housing estate in NSW. RedLink is located at the McKell Building on Walker Street, Redfern.

By focusing on early intervention wherever possible, RedLink aims to break the cycle of disadvantage, tackling complex, entrenched problems such as intergenerational disadvantage, debt stress, social isolation and alcohol and drug dependence.

RedLink includes a variety of weekly activities. On Tuesdays, a legal clinic is staffed alternately by solicitors from Redfern Legal Centre and Legal Aid NSW. Solicitors help clients with a range of complex legal issues, including tenancy, credit and debt, fines, employment and discrimination.

#### **Glebe Legal Outreach and Advice Service**

The Glebe Legal Outreach and Advice Service first launched as a pilot program in July 2016.

It operated out of the 'Have a Chat Cafe in Glebe's old Fire Station on Mitchell Street every Thursday between 9:30 am and 12 pm, and both pre-booked appointments and drop-ins were welcomed by the clinic staff.

The legal clinic provided confidential legal services, alongside legal information sessions on issues identified as relevant by the local community. Legal information sessions covered topics including Centrelink debt, and housing repairs. These sessions provided a safe place for people to obtain information without having to identify themselves, and in turn, have prompted people to feel safe following up with action.

The service was staffed by Redfern Legal Centre and Legal Aid NSW solicitors, and was supported by the Glebe Community Development Project.

RLC and Legal Aid NSW have taken the difficult decision not to continue the legal clinic at the Have a Chat Café beyond July 2018, due to budget constraints and low numbers of client attendance. Instead, RLC has committed to engaging with the Glebe community in other ways, by reaching out to community organisations and their clients and attending key community events, to ensure access to our services.

## Community Engagement and Education

This year, RLC continued to participate in a range of events in our local community. This included holding stalls at community information days such as at Poets Corner in Redfern and Homeless Connect at Sydney Town Hall, where we talked about the services that RLC provides, and gave on-the-spot legal advice on a few specific matters.

In July, we hosted stalls at NAIDOC celebrations at Redfern Aboriginal Medical Service and at the National Centre for Indigenous Excellence; we also attended the annual Yabun Festival in Prince Alfred Park on 26 January.

Our attendance at these and other events throughout the year provided many opportunities for RLC staff and volunteers to engage with people, and discuss how we can best meet the legal needs of our community.

#### **Community legal education**

Our community worker training program was busy this year, with 14 separate webinars, presented to a total audience of several hundred people. Webinars included:

- Repairs in NSW public housing and private rentals
- Fines and penalty notices 1: Challenging the fine
- Fines and penalty notices 2: Instalments, Waivers & WDOs
- Police street powers
- Introduction to Social Housing Law & Policy
- Money Matters in Social Housing.

Our annual subscription remains extremely popular, with more than 20 agencies and several individual community workers taking out subscriptions during the year. Subscribers are notified about all upcoming webinars and can access recordings of past webinars.

On two occasions we brought community workers to the Downing Centre Local Court to observe the courtroom process and speak to our domestic violence advocacy staff, in order to gain insight into how we assist women escaping domestic violence.

We arranged several customised training sessions for specific

audiences, including:

- Police street powers: A talk with residents in Wollongong
- Sex workers and police: A talk for workers in Surry Hills
- Claims against the State: Stolen Generations; Institutional and Historical Abuse Claims: A webinar for solicitors in CLCs and Legal Aid, presented by staff of Carroll & O'Dea Lawyers.

We continued to receive strong feedback on the quality of our community education programs throughout the year:

"Thank you! I learnt a lot today." [Introduction to Social Housing Law]

"... the Police Street Powers webinar was informative and not too long. The documents supplied were comprehensive". [Police street powers webinar]

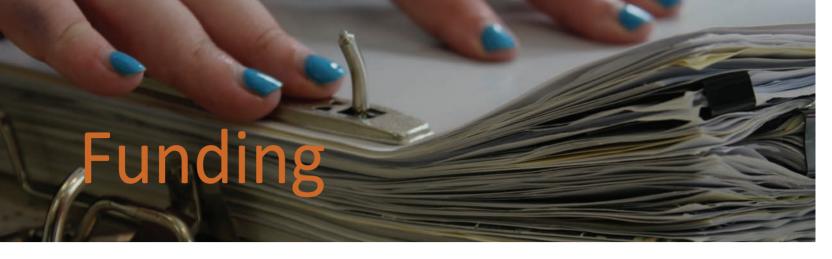
Contained useful information not easily accessed elsewhere. [Introduction to Social Housing Law]

"Thank you ... the presentation flowed and was very informative." [Money Matters in Social Housing]

"Well explained concepts, procedures and examples, non-legally trained people can understand. used legal terminology with clarification. Excellent presentation."



Staff and volunteers celebrating Yabun, January 2017.



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 the Community Legal Services Program, which is administered by Legal Aid NSW and the Commonwealth Attorney General's Department.
- Legal Aid NSW funds the Care Partners service, which assists parents engaged in Parent Responsibility contracts or Parent Capacity Orders in particular through our Health Justice Partnership.
- Legal Aid NSW funds the Women's Domestic Violence Court Advocacy Service; also the Waverley and Newtown Local Coordination Points, which provide victims with case coordination, risk review and referral to a Safety Action Meeting, if needed.
- Legal Aid NSW funds the new Family Advocacy and Support Service, whereby Sydney Women's Domestic Violence Court Advocacy Service trains and manages a Family Violence Support Worker based at Sydney Family Court.
- Fair Trading NSW funds the Inner Sydney Tenants Advice & Advocacy Service.
- Study NSW funds the state-wide International Student Legal Service NSW.

- The Office of the Fair Work Ombudsman funds the International Student Employment Law Service and assists with development of the employment section of an interactive app for International Students
- The Sydney University Postgraduate Representative Association (SUPRA) funds the SUPRA Legal Service through funds received from the Student Services and Amenities Fee (SSAF).
- The Sydney Institute of TAFE funded the legal service for its students.
- The City of Sydney provides RLC with premises at Redfern Town Hall.

#### **Grants**

From time to time RLC is successful in gaining grants or donations for specific projects. We thank the following organisations for their support:

- Thomson Reuters Australia
- University of NSW
- University of Sydney Law School
- Students from the University of Sydney Law Revue
- University of Technology Sydney
- Students from the UTS Law Students' Society
- City of Sydney Council.



## Our Board of Directors



#### Amy Munro chair

Amy Munro is a barrister practising from Eleven Wentworth in Sydney. Prior to being called to the bar, Amy was a Senior Associate in the Dispute Resolution Group at Mallesons. Amy began her association with RLC as a volunteer in 2002, moving on to become a Tenant Advocate with the Inner Sydney Tenants' Advice and Advocacy Service and the Project Manager of the Share Housing Survival Guide. Amy was elected to the Board in 2010.



#### Tamara Sims secretary

Tamara Sims is a lawyer in Gilbert + Tobin's Pro Bono Practice. Her practice covers human rights, administrative law, discrimination, native title, victim compensation, tenancy, guardianship, refugee claims and Aboriginal stolen wage matters. Prior to joining Gilbert + Tobin, Tamara worked in the community legal sector practising criminal law, undertaking policy and law reform work and community legal education, particularly in matters involving people with intellectual disability. Tamara first became involved with RLC as a Volunteer Legal Assistant, then worked with the Inner Sydney Tenants' Advice and Advocacy Service before becoming a Director of the Board.



#### **Peter Stapleton**

Peter Stapleton, a retired partner of Ashurst, remains active in social justice. Peter was instrumental in establishing Blake Dawson Waldron's (now Ashurst) national Pro Bono Practice. Peter was initially involved with Redfern Legal Centre as a volunteer when it was established. Peter was Chair of the RLC Board for a number of years. Despite his grey hairs, Peter still seeks to assist the Centre achieve its primary goal of helping vulnerable people access justice. Peter is a Director of the Board of the Aboriginal Legal Service NSW/ACT and is the Chairman of the National Pro Bono Resource Centre. Peter was awarded the Justice Medal in 2006.



#### Kristin Van Barneveld

Kristin van Barneveld began volunteering at RLC in 2005 as a student and went on to provide evening advice as a solicitor on employment matters. Kristin has been a Director of the Board since 2006. After many years working at the University of Sydney, Kristin has since worked for various unions providing legal, industrial and policy advice. Kristin is currently a researcher and academic at UTS and Macquarie universities.



#### Sally Giblin

Sally Giblin is a Senior Manager at PwC's Experience Centre, where she consults on customer experience to government, corporate and not-for-profit clients. With multi-disciplinary experience across corporate (PwC's Experience Centre, David Jones), not-for-profit (Young UN Women Australia, Caritas Australia), and social enterprise (40K Group), Sally has particular interests in customer experience design, design thinking, shared value, social justice, social impact and social innovation



#### Alison Aggarwal

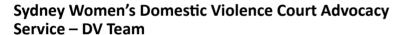
Alison Aggarwal is Director, Women's Economic Security at the federal Office for Women. Previously she was a Principal Advisor/Manager on gender equality at the Australian Human Rights Commission. She has worked on the Commission's Australian Defence Force Cultural Reform project, led the work of the Sex Discrimination Team and previously was a Senior Policy Officer with the Social Justice Unit. Prior to that she has worked on advocacy, law reform, policy and human rights issues with community legal centres in Australia and women's human rights NGOs in the Asia Pacific region. Alison provides human rights training in Australia and internationally.

### Our Staff 2017-18

#### Permanent and fixed-term staff

#### Inner Sydney Tenancy Advice & Advocacy Service - Tenancy & Housing Team

**Melanie Bradfield** Tenants' Advocate **Amanda Brooker** Tenants' Advocate **Ned Cooke** Tenants' Advocate Tenants' Advocate **Jade Henshaw Nicole Kennedy** Coordinator **Kimberley Mackenzie** Tenants' Advocate **Tom McDonald Acting Coordinator** Tenants' Advocate **Hayley Stone** 



**Kath Chegwidden** Assistant Coordinator **Katie Henderson-Brooks** Intake & Referral Officer

Leah HolmesSafety Action Meeting CoordinatorKate HunterIntake & Referral Officer / Admin OfficerFiona KoutsoukisSafety Action Meeting Coordinator

Rayila Maimaiti CALD Specialist Worker
Sidnei Pettit Intake and Referral Officer
Helen Shelton Assistant Coordinator

Susan Smith Coordinator

Amie Stevenson Intake & Referral Officer
Janice Waring Assistant Coordinator

Susan Smith Coordinator

Amie Stevenson Intake & Referral Officer

Janice Waring Family Violence Support Worker

**Charmaigne Weldon** Aboriginal Specialist Worker / Assistant Coordinator

**Alena Wilson** Assistant Coordinator

#### **General legal team**

Sharmilla BargonEmployment SolicitorLaura BianchiCredit and Debt SolicitorMelanie BradfieldDiscrimination Solicitor

**Sue-Ellen Hills** Care Partners / Health Justice Partnership Solicitor

Alexis Goodstone Principal Solicitor
Elizabeth Morley Principal Solicitor

Sophie ParkerNSW Police and Government Accountability SolicitorSean StimsonInternational Student Legal Service NSW Solicitor

**Linda Tucker** Employment and Discrimination Solicitor

**Ingrid van Tongeren** Senior Solicitor, SUPRA Branch











#### Administration, support and management

**Hilary Chesworth** Finance Officer / Administrator

**Liz Clark** Fundraising Manager

Nick Manning Community Engagement and Education Officer /

Front Desk Supervisor

Finn O'Keefe Communications and Volunteer Manager

Joanna ShulmanChief Executive OfficerJacqui SwinburneChief Operations OfficerWendy WangAdministration Assistant /

Data Entry Officer

#### Casual staff 2017-18

#### Inner Sydney Tenancy Advice & Advocacy Service - Tenancy & Housing Team

David TilleyData entry assistantLeanne O'ReillyTenancy AdviserKerry Ann PankhurstTenancy AdviserJessica RaffalTenancy AdvisorGeorgina RullisData Entry AssistantSamara SabounTenancy AdviserJanice YeungTenancy Advisor



Katie DavernIntake & Referral OfficerCarly GuymerIntake & Referral OfficerChamindri VeitchActing CoordinatorBethany GroomData Entry AssistantJodie LeeIntake and Referral OfficerMilarose RamosData Entry AssistantMegan SchauerIntake and Referral Officer

#### General legal team

Kamani KrishnanCredit and Debt SolicitorRadhika KumarDiscrimination SolicitorShaun ChngLegal Assistant

#### Administration, support and management

Laila AliSupervisor, Day Information ServiceLily JonesSupervisor, Day Information ServiceFerdous BaharSupervisor, Day Information ServiceKate DukeSupervisor, Day Information Service

Jack Fu Cleaner

Smeetha Jayakumar Administration Assistant / Data entry
Ameisa Konneh Supervisor, Day Information Service

**Sharrn Nish** Locum Administrator **Georgina Rullis** Data entry assistant

**Shona Scully** Supervisor, Day Information Service

#### **Consultants**

Adaptive Solutions IT support

CLCNSW Financial Service Financial services











## Awards and Recognition

#### **Health Justice Partnership**

In September 2017, RLC's Health Justice Partnership service was a finalist in the Sydney Local Health District Child Protection and Wellbeing Awards, and received an honourable mention for the work done in the area of child protection. The award recognises individuals and organisations that promote the safety, welfare and wellbeing of children/young people and their families.

RLC's HJP helps to identify and intervene in legal issues that commonly arise for patients in healthcare settings. These include child protection, domestic violence, tenancy, financial abuse and debt matters.

RLC's hospital-based service is a highly valued, integrated service at RPA and continues to provide a model for other Health Justice Partnerships in NSW and across Australia.

#### 2018 Redfern and Waterloo Volunteer Awards

In May 2018, during National Volunteering Week, one of RLC's longest-serving volunteers was awarded top honours at the 2018 Redfern and Waterloo Volunteer Awards. Margaret Jones received the Counterpoint Founders' Choice Award in recognition of her tireless volunteering work and her continued advocacy for social justice issues.

Margaret embarked on a long and successful career as a managing clerk at various Sydney law firms during the 1940s. She first joined Redfern Legal Centre in 1977 as an evening volunteer office manager and went on to volunteer at other social justice organisations, including Welfare Rights Centre.

An ardent feminist and self-described lesbian separatist and political activist, Margaret has remained at the forefront of social change politics in Australia, advocating for women's liberation, the union movement and championing the achievements of women in public life.

In 2006, Margaret returned to RLC, where she has worked tirelessly on our front desk every twice a week ever since, helping with client intake and assisting with requests for our busy Justice of the Peace service. We are all immensely proud of Margaret's achievements and are incredibly grateful for her continued service to RLC!

During the ceremony, the work of RLC's entire volunteer team was acknowledged with a separate award, accepted on behalf of the team by RLC's Volunteer Manager and our Principal Solicitor.



Counterpoint Volunteer Awards 2018.

Our Communications and Volunteer Manager and our Principal Solicitor at the Counterpoint Volunteer Awards.

In May 2018, RLC volunteer Margaret Jones was awarded the Founders' Choice Award for over 12 years of dedicated service to her community.

### **Our Financials**

#### REDFERN LEGAL CENTRE ABN 31 001 442 039

#### **DIRECTORS' DECLARATION**

The directors of the company declare that:

- 1. The financial statements and notes, as set out on pages 8 20, are in accordance with the *Australian Charities and Not-for-profits Commission Act 2012*; and
  - (a) comply with Australian Accounting Standards Reduced Disclosure Requirements and the Australian Charities and Not-for-profits Commission Regulations 2013; and
  - (b) give a true and fair view of the financial position as at 30 June 2018 and performance for the year ended on that date of the company.
- 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, Pursuant to Schedule 1, Section 7(3) of the Charitable Fundraising Regulations 2008;
  - (a) the Statement of Profit and Loss and Other Comprehensive Income is drawn up so as to give a true and fair view of income and expenditure of the company for the year ended 30 June 2018 with respect to fundraising appeals;
  - (b) the Statement of Financial Position is drawn up so as to give a true and fair view of the state of affairs of the company as at 30 June 2018 with respect to the fundraising appeals;
  - (c) the provisions of the *Charitable Fundraising Act 1991* and the Regulations under the Act and the conditions attached to the company have been complied with for the year ended 30 June 2018; and
  - (d) the internal controls exercised by the company are appropriate and effective in accounting for all income received and applied by the company from any of the fundraising appeals.

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

Director:

Amy Munro

Dated this Sth day of No Vember 2018

## Auditor's Report



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Tel: +61.2 9221 2099 Fax: +61.2 9223 1762

www.pitcher.com.au partners@pitcher-nsw.com.au

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REDFERN LEGAL CENTRE
ABN 31 001 442 039
INDEPENDENT AUDITOR'S REPORT

TO THE MEMBERS OF REDFERN LEGAL CENTRE

#### Report on the Audit of the Financial Report

#### Opinion

We have audited the financial report of Redfern Legal Centre, which comprises the statement of financial position as at 30 June 2018, the statement of profit or loss and other comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information, and the directors' declaration.

In our opinion, the accompanying financial report of Redfern Legal Centre, is in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- (a) giving a true and fair view of the Company's financial position as at 30 June 2018 and of its financial performance for the year then ended; and
- (b) complying with Australian Accounting Standards Reduced Disclosure Requirements and Division 60 of the Australian Charities and Not-for-profits Commission Regulation 2013.

#### Basis for Opinion

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Company in accordance with the *Australian Charities and Not-for-profits Commission Act 2012* "ACNC Act" and the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* "the Code" that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Other Information

The directors are responsible for the other information. The other information comprises the information included in the Company's annual report for the year ended 30 June 2018 but does not include the financial report and our auditor's report thereon.

Our opinion on the financial report does not cover the other information and accordingly we do not express any form of assurance conclusion thereon.

## Auditor's Report



In connection with our audit of the financial report, our responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or our knowledge obtained in the audit or otherwise appears to be materially misstated.

If, based on the work we have performed, we conclude that there is a material misstatement of this other information, we are required to report that fact. We have nothing to report in this regard.

Responsibilities of the Directors for the Financial Report

The Directors are responsible for the preparation and fair presentation of the financial report in accordance with the financial reporting requirements of the ACNC Act and for such internal control as the Directors determine is necessary to enable the preparation and fair presentation of a financial report that is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the Directors are responsible for assessing the Company's ability to continue as a going concern, disclosing, as applicable, matters relating to going concern and using the going concern basis of accounting unless the Directors either intend to liquidate the Company or to cease operations, or has no realistic alternative but to do so.

The Directors are responsible for overseeing the Company's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Report

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not a guarantee that an audit conducted in accordance with the Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of this financial report.

As part of an audit in accordance with the Australian Auditing Standards, we exercise professional judgement and maintain professional scepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial report, whether due to fraud
  or error, design and perform audit procedures responsive to those risks, and obtain audit evidence
  that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a
  material misstatement resulting from fraud is higher than for one resulting from error, as fraud may
  involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal
  control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures
  that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the
  effectiveness of the Company's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the directors.

## Auditor's Report



- Conclude on the appropriateness of the directors' use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Company's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial report or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Company to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial report, including the
  disclosures, and whether the financial report represents the underlying transactions and events in a
  manner that achieves fair presentation.

We communicate with the Directors regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Report on Other Legal and Regulatory Requirements

#### In our opinion:

- the financial statements of the company show a true and fair view of the financial results of charitable and fundraising activities for the year ended 30 June 2018;
- the financial statements and associated records of the company have been properly kept during the year in accordance with the Charitable Fundraising Act 1991;
- (c) money received as a result of charitable and fundraising activities conducted during the year has been properly accounted for and applied in accordance with the Act; and
- (d) there are reasonable grounds to believe the company will be able to pay its debts as and when they fall due.

mark oou

PITCHER PARTNERS

Pitcher la

SYDNEY

Partner

12 November 2018

Mark Godlewil

## Comprehensive Income

#### REDFERN LEGAL CENTRE ABN 31 001 442 039

#### STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2018

	Note	2018 \$	2017 \$
Revenue	3	3,352,272	3,057,168
Less: expenses			
Advertising expense - Program Related		(10,209)	(3,140)
Fundraising and venue costs		(4,014)	(49,034)
Depreciation and amortisation expense	4	(30,673)	(27,249)
Employee benefits expense		(2,810,132)	(2,499,080)
Telephone		(25,683)	(26,327)
Occupancy expense		(189,241)	(168,056)
Repairs and maintenance expense		(20,049)	(23,851)
Consultancy - Program Related		(73,457)	(72,638)
IT Support		(35,295)	(35,801)
Travel & Accommodation		(19,637)	(18,672)
Printing and stationary		(18,154)	(19,289)
Other expenses		<u>(79,176</u> )	(72,344)
		(3,315,720)	(3,015,481)
Surplus		36,552	41,687
Other comprehensive income for the year		Market Control of the	
Total comprehensive income		36,552	41,687

### **Financial Position**

#### REDFERN LEGAL CENTRE ABN 31 001 442 039

#### STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2018

	Note	2018 \$	2017 \$
Current assets			
Cash and cash equivalents	6	1,406,233	929,047
Receivables	7	23,624	62,552
Other financial assets	8	700,000	700,000
Other assets	10	22,473	21,860
Total current assets		2,152,330	1,713,459
Non-current assets			
Property, plant and equipment	9	44,965	<u>55,654</u>
Total non-current assets		44,965	<u>55,654</u>
Total assets		2,197,295	1,769,113
Current liabilities			
Payables	11	1,164,786	748,563
Provisions	12	375,862	415,665
Total current liabilities		<u>1,540,648</u>	1,164,228
Non-current liabilities			
Provisions	12	132,192	116,982
Total non-current liabilities		132,192	116,982
Total liabilities		1,672,840	1,281,210
Net assets		524,455	487,903
Equity			
Retained surplus	13	<u>524,455</u>	487,903
Total equity		524,455	487,903

## **Equity Changes**

#### REDFERN LEGAL CENTRE ABN 31 001 442 039

#### STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2018

	Retained Surplus \$
Balance as at 1 July 2016	446,216
Surplus for the year	41,687
Total comprehensive income for the year	41,687
Balance as at 1 July 2017	487,903
Surplus for the year	<u>36,552</u>
Total comprehensive income for the year	36,552
Balance as at 30 June 2018	524,455

## Cash Flows

#### REDFERN LEGAL CENTRE ABN 31 001 442 039

#### STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2018

	Note	2018 \$	2017 \$
Cash flow from operating activities			
Receipts from funding agreements and grants		3,543,414	3,220,378
Receipts from other income sources		535,160	278,107
Payments to suppliers and employees		(3,621,509)	(3,192,066)
Interest received		40,102	37,937
Net cash provided by operating activities		497,167	344,356
Cash flow from investing activities			
Payment for property, plant and equipment		(19,980)	(50,425)
Payment for other financial assets			(200,000)
Net cash provided by / (used in) investing activities		(19,980)	(250,425)
Reconciliation of cash			
Cash at beginning of the financial year		929,046	835,115
Net increase in cash held		477,187	93,931
Cash at end of financial year		1,406,233	929,046

### Join us!



- Like us on facebook <u>www.facebook.com/redfernlegal</u>
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- Follow @TeamRLC on Instagram
- Subscribe to Redfern Legal's monthly ebulletin via our website www.rlc.org.au
- Volunteer with us www.rlc.org.au/jobs-volunteers

#### Donate to support our work

Generous support from individuals, foundations, law firms and others is vital for RLC to continue providing its services. Your contribution helps RLC provide free legal advice services to people who would not otherwise be easily able to access the justice system.

Donate \* online at <a href="www.givenow.com.au/redfernlegalcentreappeal">www.givenow.com.au/redfernlegalcentreappeal</a> or call us on (02) 9698 7277 to make a donation.

\*Donations of \$2 and over are tax deductible.



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