

# Redfern Legal Centre

**ANNUAL  
REPORT**  
2013-2014



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

**Acknowledgement**

Redfern Legal Centre acknowledges that we work on Aboriginal land, traditionally the home of the Gadigal people of the Eora Nation. We pay respect to elders past and present.

**Editor:** Nick Manning

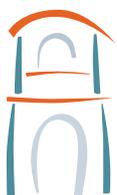
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## Redfern Legal Centre

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# Welcome from our Chair



Redfern Legal Centre specialises in six areas of law: domestic violence, tenancy, credit and debt, employment, discrimination and complaints about police and other governmental agencies, in addition to providing generalist legal services to vulnerable clients, including international students, and students from the seven campuses of the University of Sydney and the eight campuses of the Sydney Institute of TAFE.

With the exception of our domestic violence and tenancy teams, our specialist areas are each staffed by one solicitor, and in the case of employment and discrimination, one solicitor staffs both areas. Each staff member works tirelessly to provide holistic assistance to their clients, build rapport with the community, and build networks within the sector. Our staff are committed to delivering quality legal services and community legal education, in addition to identifying systemic issues and advocating for law reform. They are the backbone of the Centre, and are inspiring.

Given our limited number of staff, volunteers and pro bono support are essential to our ability to deliver quality legal services and to effect change for our clients. The structure of the Centre enables us to use the generous contributions of the legal community to maximise the outcomes for the most vulnerable.

The shopfront of our Centre is open to the public and staffed by volunteers. It is open from 9am five days a week, and until 6pm most days. In addition, the Centre offers a free advice service four nights a week. That service is staffed by volunteer solicitors and barristers. In the 2013- 2014 financial year, RLC benefitted from the support of over 300 volunteers, contributing 11,600 hours of work, which we have conservatively estimated at a value of \$2,160,000.

Additionally, each of our specialist teams is supported by a partner law firm from the big end of town, who provides a substantial amount of pro bono advice and support. The strength of our partnerships has enabled us to grow our capacity to assist the most vulnerable. For example, this year saw the expansion of our unfair dismissal and general protections advocacy scheme. With the invaluable assistance of Clayton Utz, we are now able to provide representation in general protections conciliations before the Fair Work Commission, as well as unfair dismissal conciliations.

We are indebted to our volunteers and pro bono partners for their generosity and enthusiasm. Your support enables us to maximise the value of every dollar invested in the Centre. I would urge those who are considering reducing the funds allocated to the Centre to give great consideration to its unique ability to

leverage the goodwill of the wider legal community.

The support for the Centre was apparent at our first "Rock Trivia Fundraiser", which was held this year. That night, the excitement in the room was palpable. Staff met with those who established the Centre. Old volunteers swapped stories with new. And everyone put their hand in their pocket to raise funds for their beloved RLC. The fundraiser was a huge success, not only because of the money raised, but because it reminded us all that our passion for the Centre is shared by many.

Thank you to everyone who has contributed to the Centre this year. Without your dedication, diligence, commitment and kindness, the Centre would not be able to assist the most vulnerable members of our community. We are very grateful for your support.

A handwritten signature in black ink, appearing to read 'Amy'.

**Amy Munro**  
Chair of the Board

**We are indebted to our volunteers and pro bono partners for their generosity and enthusiasm. Your support enables us to maximise the value of every dollar invested in the Centre.**



# Message from our CEO

In another challenging year for Community Legal Centres, RLC lost one-off funding granted to us by the previous federal government's Attorney-General and gained one-off funding from the current federal Attorney-General. While we are still in the unfortunate position of having uncertain funding and having to employ staff on temporary contracts, the additional funding has allowed us to maintain current staffing levels and provide services in the six key areas of credit and debt, housing, domestic violence, police powers and administration law, employment and discrimination. We have also been able to maintain our statewide service to international students which is gaining recognition as a highly valuable, successful service, filling a gap in the need for legal services and helping to further NSW's reputation as a great place for international students to come to study.

The Centre has accomplished many things this year and continued to develop new ways of innovatively delivering legal services to our clients and community. We launched our new website which, after consulting with focus groups and undertaking user testing, organises information and resources in a far more user-friendly way. Through the website people can now subscribe to our e-bulletin, make donations to the Centre or subscribe to our community worker mailing list to receive information about our community worker training as well as information and legal updates on areas of law they are particularly interested in.

Our community worker legal education training program has been very successful, being delivered to large numbers of community workers with very positive feedback, in both face to face and webinar formats, reaching regional areas of NSW and successfully helping to capacity-build the skills and knowledge of the workers

that support our clients. This has been made possible by funding from both the federal Attorney-General's Department Regional Legal Assistance Program and the City of Sydney Community Grants program.

The federal Regional Legal Assistance Program funding also enables us to provide advice via videolink to international students in partnership with UNE Armidale. This year we were able to expand our assistance to clients of Coffs Harbour Neighbourhood Centre. This has been a great case study of using new technology to make use of the pro bono resources we have access to at Redfern Legal Centre to provide assistance in regional areas. While Coffs Harbour has a Legal Aid service, it does not have a Community Legal Centre and there are many positives to having both of these services, including being able to advise where Legal Aid has a conflict, being able to use an interpreter in a face to face interview who is not from the local community and being able to complement each other in the areas of advice we can assist in. With that funding coming to an end we are currently trying to find ways to continue delivering this service.

Our staff are continuously focussed on how to best meet the changing needs of our community. Another achievement, in this case by our tenancy team, has been the support and assistance to tenants at Millers Point, with the generous assistance of City of Sydney which allowed us to employ additional staff to meet this new demand. Our staff have been a great support to the local community providing both legal information at community events and advice and support to residents on an individual basis. This has been an important service as each resident needs individual, confidential advice on their situation in order to be able to make informed decisions on the options in front of them.

Another example is the policy work of the domestic violence team which contributed to the current NSW reforms in delivering services to women at threat. Our service was chosen to run one of the two launch sites for the delivery of a local coordination point and safety action meetings in which the police and government departments work together to ensure the safety of women at high risk.

These are just some of the achievements of the Centre you can read about in more detail in the reports and case studies from each team. Without the dedication of our staff and volunteers, our Board members who volunteer their time, our pro bono partnerships and the support from local, state and federal government as well as private funders, we would not be able to deliver these much needed services to our community. Thank you to all of those people and organisations for helping the Centre to go from strength to strength. I am so proud to work for an organisation that makes such a difference to the community and I look forward to another year of achievements for the Centre.

Jacqui Swinburne  
Acting Chief Executive Officer

# Our Special Thanks

## Funding

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

- The General Legal Service is funded principally through the Community Legal Services Program which is administered by Legal Aid NSW and the Commonwealth Attorney General's Department.
- The Credit and Debt Service is part funded by the Commonwealth Department of Family and Housing, Community Services and Indigenous Affairs through its Financial Counselling Program.
- Legal Aid NSW funds the Women's Domestic Violence Court Advocacy Service.
- Women NSW (part of NSW Family & Community Services) provides funding for a Domestic Violence Early Referral Service (the Yellow Card Project).
- The NSW Office of Fair Trading funds the Inner Sydney Tenants Advice & Advocacy Service.
- 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 funds the legal service for its students.
- The City of Sydney provides RLC with concessional rent.

## Grants And Donations

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

- The Commonwealth Attorney-General's Department funded legal services via the National Broadband Network (NBN) to international students in Armidale, and to clients in Coffs Harbour.
- Thomson Reuters Australia supported the Lawyers' Practice Manual and our Annual Report.
- Family & Community Services NSW supported a Care & Protection Forum.
- City of Sydney Council gave grants for:
  - community education program
  - advocacy for Millers Point tenants.
- Gandevia Foundation supported our medical/legal partnership.
- Microsoft gave software.
- Lisa Duff and Eora TAFE assisted with our client video story-telling project.
- Individuals and organisations gave donations to RLC, generally and specifically for the Rock Trivia fundraiser.

## Friends of RLC

Many people made donations to RLC during the year. We thank them all. In particular, we acknowledge and thank the *Friends of RLC* for making substantial donations to assist the work of the centre.

## Pro Bono Assistance

We would like to express our gratitude to the following firms and organisations for their assistance over the last twelve months:

- Ashurst
- Clayton Utz
- Corrs Chambers Westgarth
- DLA Piper Australia
- Fragomen
- Gilbert + Tobin Lawyers
- Henry Davis York Lawyers
- King & Wood Mallesons
- Lander & Rogers Lawyers
- Mills Oakley Lawyers
- Shine Lawyers
- Slater & Gordon Lawyers
- Watts McCray Lawyers

## Barristers

Many thanks to the following barristers for their pro bono assistance to our clients:

- Nicholas Eastman
- Brenda Tronson
- Ben Fogarty
- Hilbert Chu
- Nicholas Read
- Emma Beechey
- Anais d'Arville
- Talitha Fishburn
- Kirralee Young
- Darren Jenkins
- Jeunesse Chapman
- Ramesh Rajalingam
- John de Greenlaw
- Oshie Fagir





## Partnerships

RLC is highly appreciative of the assistance and partnership of the following firms, each of which is connected to one of our key areas of law.

### Ashurst

The Credit and Debt team continued its pro bono partnership with Ashurst. Lawyers from Ashurst provide assistance with research for casework and community legal information, enabling the Credit and Debt team to take on more involved matters. This partnership is a highly valuable resource to the RLC Credit and Debt team.

### Clayton Utz

RLC continued its highly successful partnership with Clayton Utz in the area of employment law. During the year, RLC and Clayton Utz expanded the Unfair Dismissal and General Protections Advocacy Scheme, to include new secondee solicitors and representation in general protections conciliations before the Fair Work Commission as well as unfair dismissal conciliations. The Scheme has resulted in excellent outcomes for many of RLC's clients, who would otherwise have been unable to obtain representation and would have been unfairly disadvantaged when representing themselves against businesses or companies that may have access to legal resources.

RLC has also appreciated the support and assistance of Clayton Utz during the year in developing its discrimination practice.

### Gilbert + Tobin Lawyers

Gilbert + Tobin Lawyers continued to act as the pro bono partner for RLC's Sydney Women's Domestic Violence Court Advocacy Service, accepting referrals for clients not eligible for Legal Aid and assisting with law reform and policy submissions. RLC values the assistance of Gilbert + Tobin and looks forward to continuing this partnership in years to come.

### King & Wood Mallesons Lawyers

RLC's Inner Sydney Tenancy Advice and Advocacy Service (ISTAAS) has been fortunate to enjoy continued support from the Human Rights Law Group at King & Wood Mallesons. We received invaluable legal advice in a number of our cases and were able to greatly expand our Tribunal duty advocacy program. ISTAAS looks forward to continuing this successful partnership.

### Mills Oakley Lawyers

RLC was pleased to begin a new pro bono partnership between Mills Oakley Lawyers and our Administrative Law Practice this year. We gratefully acknowledge the assistance of Mills Oakley in providing resources and support to enable us to develop a range of resources to assist lawyers, community workers and members of the public in understanding the key features of administrative law issues. We look forward to being able to extend our administrative complaints service and offer greater assistance to our clients as a result of this new partnership.

### Fragomen

In RLC's targeted service to international students, effective legal advice often entails advice about the student's visa. During the year, Fragomen continued its pro bono partnership with RLC by providing registered migration agents to attend these advice clinics and providing backup and support to those agents. Fragomen's expertise in migration law has been a great asset to this service.



LAWYERS



# ROCK TRIVIA

## FUNDRAISER

In May RLC held the *Rock Trivia* fundraising night. Everyone who attended contributed to its success as both a social event and a fundraiser. As well as cash purchases and donations on the night, a number of individuals, local small businesses and organisations made in-kind contributions which we are very grateful for. We would like to say a special thank you to our sponsor The Woolpack Hotel in Redfern who donated drinks for us to sell on the night.

### Rocking out in Redfern

The crowning event of Law Week this year was Redfern Legal Centre's *Rock Trivia* fundraising event.

The invitation encouraged contestants to "get competitive" and "get mean" and "claim the title of 'Most Rockin' Law Dudes Ever'".

I was recruited to help out as a

scorekeeper on the night. I agreed... for the feel-good factor; for something to write about; and for a couple of cold slices of pide. All in all, the deal was not that much different from when I worked as a lawyer at the Centre about a decade ago.

I readied myself at the scorekeeper's table while the teams took their places. As promised in the invitation, it was "firm vs. firm, chambers vs. chambers, lawyers vs. students" and everyone vs the bar.

The MC hushed the crowd, and thanked the sponsors- especially the Woolpack Hotel for donating the booze. "We sponsor them every week," she said. "So it's only fair."

She introduced the band, *Old Play* (aka *The Ex-Pistols*, *Silverhair* and *Age Against the Machine*). They grooved us into Round One, and the MC moved into the questions.

After the round, the Sydney Law School and the Women's Legal Service had an early equal lead and, alas, Legal Aid was in last place. Perhaps you do get what you pay for sometimes.



Next up was a round dedicated to guessing riffs. The Australian Council of Social Service and the Australian Government Solicitor both scored full marks with this one, proving the old adage that to be a good lawyer it helps if you are a good listener.

The pide arrived. Redfern Legal Centre's Principal Solicitor roamed the tables, casting pide and homemade gluten-free treats into cake-holes.

Holman Webb was jostling up the rankings. The Women's Legal Service remained just ahead.

"We've had a noise complaint," said the MC. "From the neighbours." Everybody cheered! The band played on. Centre staff scurried around slamming shut windows.

Half-time. I mentioned to somebody that no-one had thought to bribe the scorekeepers with a drink. This was soon remedied – by the



Justice Virginia Bell AC

Women's Legal Service – and fortified, I returned to my work.

In the second half, a group calling themselves the Public Servants threw a round. They had ten out of ten answers correct, but then crossed out every answer to replace each with 'Hall and Oates'.

"The silent auction is nearly over," said the MC. "We have something for everyone: pole dancing lessons... two nights of dog minding... drumsticks signed by the drummer from Icehouse...".

### For whom the [Justice] Bell tolls

The quiz came to a close, and I sat checking totals while an innovation in fundraising unfolded: people could now pay to sing with the band.

Roger West- one of the Centre's original staff – came up to the stage and announced that if everybody donated \$20, then Justice Virginia Bell would sing. A collection box went around. Dollars were chucked in – about a thousand I'm told – and Justice Bell took to the stage.

"I would like to know how much money is in that box," she said. "Because it's not clear to me that everybody here has put in twenty dollars... And I'm not going to associate myself with a scam."

She went on... "As it happens, Roger West – one of the old champions of the Centre – has said that he will



double the take if I don't sing. And so, that's what I'm going to do."

In the end, first place went to Holman Webb. The Aboriginal Legal Service came second, and third place was a draw between the RLC of the Seventies and the Women's Legal Service. For its part, the Redfern

Legal Centre raised about \$14,000 – in no small part due to the good humour of Justice Bell.

Anthony Jucha, lawyer and writer. First published in *Lawyers Weekly* 10 June 2014



# Our Vision

## Our Vision

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

That RLC will deliver 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
- An advice clinic for international students.

That RLC will also provide generalist advice to clients on low incomes who experience disadvantage such as:

- People with disability
- Aboriginal and Torres Strait Islander people
- People of culturally and linguistically diverse backgrounds
- People that are, or are at risk of being, homeless
- Victims of domestic violence

- Single parents
- Students.

As a result, RLC will be seen as a centre of excellence, providing thought leadership and cutting-edge law reform in these areas for the benefit of the 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 disadvantaged people and their representatives to access justice and the legal system.

### 2. Legal Reform

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

### 3. Legal Education

To educate disadvantaged people and their representatives in legal rights so they can resolve problems 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.



# Domestic Violence

## Sydney Women's Domestic Violence Court Advocacy Service (Sydney WDV CAS)

Redfern Legal Centre's Sydney Women's Domestic Violence Court Advocacy Service (Sydney WDV CAS) assists women and children in court proceedings for Apprehended Domestic Violence Orders (ADVOs) at Downing Centre, Balmain, Newtown and Waverley courts.

During the year Sydney WDV CAS assisted 1,723 clients in 1,994 matters:

- 555 criminal charge matters
- 1,373 ADVO matters
- 66 Apprehended Personal Violence Order (APVO) matters.

### RLC's Susan Smith appointed to Domestic and Family Violence Council

During the year, the Coordinator of Sydney WDV CAS was appointed to the newly established NSW Domestic and Family Violence Council. Minister for Women Pru Goward announced the appointment of Susan Smith as one of eight non-government members of the Council, who sit alongside six senior executives from various NSW Government agencies to advise the NSW Government on all aspects of domestic and family violence policy and programs.

### NSW domestic and family violence reforms

Sydney WDV CAS has been chosen to implement the urban launch site at Waverley (Orange is the rural launch site) of an innovative approach to the prevention of domestic and family violence in NSW, based on successful models in other jurisdictions. The NSW Domestic and Family Violence Reforms will commence in September 2014 and are an action plan for the whole of government, including the justice cluster, health, housing, education, family and community services and corrective services. The most important element of the reforms will be a new service delivery model for responding to domestic violence, with the main priority being a pro-active and collaborative approach

to domestic and family violence, with a strong focus on prevention.

Sydney WDV CAS has been at the forefront of the law reform work leading to the NSW Domestic and Family Violence Reforms. We have made comprehensive submissions to a number of domestic and family violence inquiries, including the Australian and NSW Law Reform Commissions' Family Violence Inquiry – Improving Legal Frameworks and the NSW Parliamentary Inquiry into Domestic Violence Trends and Issues, recommending an integrated response to domestic violence by service providers, and the implementation of new mechanisms for inter-agency collaboration. One of the recommendations of the Australian and NSW Law Reform Commissions' inquiry was that 'state and territory governments should establish and further develop integrated responses [to domestic and family violence], including mechanisms for inter-agency collaboration, including those to ensure information sharing'.

The new service model is designed to

make things much simpler for women at threat of domestic violence. Women will now have one point of contact to be assisted and referred to services, and will no longer have to seek out services themselves; instead the relevant services will come to them. In cases where women are at serious threat, police and other justice agencies, health professionals, housing, community services, social workers and other service providers involved with the parties, will be able to share information between services. This will ensure that action can be taken to minimise the risk of further violence and to empower these women by giving them a range of options for their safety.

In the Waverley Local Court catchment area, Sydney WDV CAS will be the Local Coordination Point (LCP) to receive referrals from NSW Police and make contact with the woman, conduct a comprehensive risk assessment and make warm referrals to appropriate services. Women assessed at 'serious threat' will be referred to a local Safety Action Meeting (SAM), chaired by NSW Police and attended by senior



Bridie Abbott, Charmaine Weldon, Rebecca Louttit, Tom Sands, Gary Jennings, at the DVLO and WDV CAS seconded worker morning tea.



representatives from Corrective Services, Housing NSW, NSW Health (including drug and alcohol services, and mental health services) and other local service providers.

SAM members will develop an action plan for each woman, with the aim of securing their safety and the safety of their children. The SAM will be apprised of the woman's wishes, and the action plan will be implemented by the relevant services. The woman can then choose whether she wants to accept the safety options available to her, for example, a change of housing or the offer of case management.

Sydney WDVCS has received funding for two new full-time positions to service the Waverley launch site.

## NSW Domestic Violence Justice Strategy

Under the NSW Domestic Violence Justice Strategy, senior officers from NSW Police have commenced issuing ADVOs, and from January 2015 under the same strategy, all female victims of domestic violence will be immediately referred to a Women's Domestic Violence Court Advocacy Service (WDVCAS). These two strategies, together with the NSW Domestic and Family Violence Reforms, will mean an increase in pre-court referrals to WDVCSs across the state.

## Changes to legislation

An amendment to the NSW Crimes (*Domestic and Personal Violence*) Act 2007 will allow the sharing of personal information about victims and perpetrators of domestic violence

for the purpose of providing domestic violence support services to victims. This legislation will permit NSW Police to make an automatic referral to a WDVCS, so that victims may be contacted and offered assistance immediately after a domestic violence incident.

A further amendment to the Act will allow information to be shared without consent if there is a serious threat to the victim. This legislation will permit NSW Police and other government and non-government agencies to share information at the Safety Action Meetings.

The review of the NSW *Crimes (Domestic and Personal Violence) Act 2007* is still not finalised. Sydney WDVCS made a comprehensive submission to the review, and has continued to contribute through membership of the Apprehended Violence Legal Issues Consultative Committee (AVLIC), at the Criminal Law Division of the NSW Department of Justice.

Sydney WDVCS continues to make warm referrals for victims to approved counselling services, recognition payments and victims support, pursuant to the provisions of the NSW *Victims Rights and Support Act 2013*. In particular, we have assisted clients to complete Applications for Support under the Victims Support Scheme, and we have referred clients in person to the Victims Services case worker at the Downing Centre Local Court.

## Yellow Card Project

The Yellow Card Project received 817 referrals for 760 individual women from Botany Bay, Eastern Beaches,

Eastern Suburbs, Kings Cross, Redfern, Rose Bay, Surry Hills and Sydney City police local area commands during the year. These referrals were for women attending Downing Centre and Waverley Local Courts in Apprehended Domestic Violence Order (ADVO) proceedings. Marrickville Legal Centre's DVPASS Project also refers clients from Leichhardt, Newtown and Marrickville local area commands for women attending Newtown and Balmain courts.

Automatic referrals to WDVCSs under the roll-out of the NSW Domestic and Family Violence Reforms and the Domestic Violence Justice Strategy will replace the Yellow Card referral system.

## ▶ YELLOW CARD?

**Police offer victims the option of signing the Yellow Card when attending a domestic violence event. The card gives permission for police to pass on the victim's details to a support service, which will then contact the victim prior to their first court date and offer information and targeted referrals aimed at addressing the victim's safety and their ongoing legal and welfare needs.**

**Most Yellow Card referrals are made electronically by police, which allows contact with the victim very quickly after a domestic violence incident. Sydney WDVCS statistics show a strong correlation between pre-court contact and the victim engaging in the court process, often with an early resolution of the ADVO.**

## Prosecutor Hearing Clinics

Sydney WDVCS and police prosecutors have worked in partnership to provide pre-hearing clinics at the Downing Centre and Waverley Local Courts. These have been held monthly, with an invitation being sent to all WDVCS clients with a defended hearing in the following month.

The clinics provide an opportunity for victims to attend the relevant court and to hear information from a trained domestic violence prosecutor prior to their hearing date. Clients attending the clinics report they feel far more confident about giving evidence and much better prepared for the ordeal of cross-examination.

## Vulnerable clients

Aboriginal women and women from culturally and linguistically diverse (CALD) backgrounds continue to be over-represented in the Sydney WDVCS statistics. During the year RLC assisted 124 Aboriginal clients and 571 clients of CALD background

– 156 of whom required the services of an interpreter. Sydney WDVCS's Aboriginal and CALD Specialist Workers have provided culturally appropriate, specialist assistance to these clients.

During the past twelve months 138 clients identified as having a disability and a large number of these clients identified as having an intellectual disability or mental illness.

## Case Study: Amy

Amy\* was referred to Sydney WDVCS via the Police Yellow Card, and we made contact with her prior to the first court mention of her AVO. Amy was an international student and English was not her first language. She had been in a relationship with the defendant for three years.

The defendant was charged with assaulting Amy three days prior to our first contact with her. Police had applied for an AVO with an order excluding the defendant from their apartment, but instead of the defendant removing himself from the property, Amy had left the apartment because she feared a further assault and because she did not understand the terms of the provisional AVO. Amy told us she could afford to rent the property on her own and said she wanted to go back there to live if she could do so safely.

At court, the defendant's solicitor tried to persuade the court to remove the exclusion order by telling the Magistrate that Amy had left the unit of her own volition and had gone to live elsewhere. It took some negotiation to correct the misinformation provided to the court and eventually the defendant was told by police that he must leave the unit and allow Amy to return. Sydney WDVCS made arrangements for Amy's locks to be changed the same afternoon so Amy could return home safely.

On the first day at court Amy received legal advice about the AVO and about items of property that had been bought in her name by the defendant, and an appointment was made for Amy to receive further advice. With Amy's permission we have also made an online application to the Victims Support Scheme for counselling.

\*not her real name

## Case Study: Barbara

Barbara\*, an Aboriginal woman, had a long relationship with Tony. Barbara reported the relationship was marked by Tony's controlling behaviour and violence. Shortly after they separated, Tony went to the police and complained that Barbara had assaulted him. Barbara agreed that she had hit Tony, but said it was in the context of violence against her. She made a plea of guilty to the assault charge and an ADVO was made against her for a period of two years.

Soon after the ADVO was finalised, Tony complained to police when Barbara attended a party for mutual friends within the exclusion zone stipulated in the ADVO. Barbara was arrested within the exclusion zone and spent several days in jail. When the initial ADVO was due to expire, Tony asked police to extend the order on the grounds of the breach. When the application for an extension went to court, Barbara consented to the two-year extension of the ADVO because she felt fearful of the consequences of giving evidence against Tony at court.

Almost two years later, and shortly before the second ADVO against Barbara was due to expire, Tony made a private application through the Chamber Registrar to again extend the order for a further two years. Tony claimed that Barbara was contacting him. On this occasion Barbara's niece referred her to Sydney WDVCS.

During our interview with Barbara, it became clear that it was Tony who had been instigating contact with her since their separation. On many occasions Tony had contacted Barbara by text message and asked her for money. On occasions he had invited her to different events and to his apartment. On the most recent occasion, Tony had texted Barbara and invited her to his house to have a drink, and to see her cat (which he had kept). There were witnesses to say that Tony and his new partner visited Barbara at her house on many occasions. It was evident that when it suited Tony to complain about Barbara, usually because she would not lend him money, he would contact the police.

Sydney WDVCS encouraged Barbara to defend the third ADVO and arranged legal representation for her through the Domestic Violence Practitioner Scheme (DVPS). Sydney WDVCS assisted Barbara and her witnesses to write statements and when these were served on Tony, he withdrew his application for an extension of the ADVO.

\*not her real name

# Tenancy and Housing

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

The Inner Sydney Tenants Advice and Advocacy Service (ISTAAS) has a long history of providing advice, assistance and advocacy to the local community, with a key focus on the provision of information and services to public and private tenants and strong emphasis on the prevention of homelessness.

ISTAAS assists vulnerable and marginalised tenants in both private and public housing. The inner Sydney area has had a steady increase in rental properties, as well as a significant number of people living in public housing. (There are now approximately 9,450 public housing dwellings in this area).

The narrow eligibility criteria for public housing means that it is now responsible for housing the most vulnerable and disadvantaged in our community. Our clients have a wide range of complex issues, and a high number of people assisted are non-English speaking or are social housing tenants.

Working with tenants who have complex issues requires a high level of engagement from our caseworkers to assist clients through their tenancy matters. In addition we also work to connect clients with support services to ensure tenancies are viable in the long term. Our primary focus remains in the prevention of homelessness as well as assisting tenants to understand their tenancy rights and protections under the law.

### Housing NSW Repairs

During the year ISTAAS continued to focus on Housing NSW repairs matters. ISTAAS assisted a number of public tenants in their efforts to get Housing NSW to address serious and overdue repairs to homes including collapsed ceilings, leaking roofs and mould infestations. Our work included advocacy and representation at the Tribunal for repairs to be carried out. During this process we also worked with the Land and Housing Corporation to address and improve the chronic failure to carry out repairs on its

properties in a timeframe and to a standard that complies with the law.

We extended our work to include a lot of community legal education and in cooperation with other community legal services, we have achieved some positive changes.

Although maintenance of public housing continues to be a serious issue

in the inner Sydney area, there has been a marked improvement in the response to requests for repairs in individual matters and, as a result, fewer of these matters progressed to the Tribunal in the 2013-14 year. An increase in funding for the maintenance of public housing was announced in the 2014-15 state budget: a development we welcome.

### Case Study: Susan

Susan\* and her family lived in a Housing NSW (HNSW) property. About 17 years ago, they started to experience major flooding in the property. Susan contacted HNSW many times about this and various other repairs and maintenance issues but nothing was done to address them. At times the flooding was so severe that the water level was over Susan's feet. The flooding caused considerable damage to the flooring and eventually, with the permission of HNSW, the family re-layed the flooring at their own expense.

The State Emergency Service (SES) attended the property a few times to assist when it flooded. The SES sandbagged the points of entry and an officer told Susan that no one should be living in the property in the state it was in.

After years of repeatedly reporting multiple repair issues to HNSW, without resolution, Susan contacted ISTAAS. By this time, Susan was extremely distressed about the conditions her family was living in and felt completely powerless to do anything about it.

When ISTAAS visited the property, there were various other issues including extensive water damage and mould on the ceiling and walls, leaks in the ceiling, possums living in the roof (gaining entry through a hole in the roof gable), and insecure locks on both the front and back doors.

ISTAAS advocated directly to Land and Housing Corporation (LAHC) to arrange an assessment of the work required to address the critical repairs and maintenance issues, and bring the property back up to standard. As a result of the extensive advocacy of ISTAAS, extensive repairs and maintenance work was completed within 3 months of our initial contact. The property was brought up to standard and Susan and her family's living conditions were significantly improved.

Had ISTAAS not been able to work directly with LAHC, this matter would have required an application to the Tribunal for orders for repairs. Susan would not have been able to avoid the additional stress of having to prepare for and appear at a Tribunal Hearing.

\*not her real name



## Submission to the Select Committee on Social, Public and Affordable Housing

Public housing is the most important type of affordable housing in NSW, because it is targeted towards those most in need. The Auditor-General's report indicated that in mid 2012 there were 55,000 applicants on the waiting list for public housing, with that number expected to grow to more than 86,000 by 2016. With the tightening of eligibility criteria for public housing, this figure does not nearly represent the number of people in NSW who struggle to meet their housing needs in the private market.

While selling and transferring Land and Housing Corporation-owned properties may address the capital shortfalls in the short-term, it will not address

housing need in the long-term. ISTAAS submitted to the Legislative Council's Social, Public and Affordable Housing Inquiry that an increased investment in public housing, and acquiring properties suitable for all tenants, particularly those with disabilities, would be needed to meet the current housing need identified in the Auditor-General's report. A report from the Committee has not yet been released.

### Apartment residents fined, locked out of their homes

At the beginning of 2014, ISTAAS was contacted by a large number of unrelated tenants complaining of being locked out of their units for days by the building management of Regis Towers, the largest strata plan building in Australia.

It was discovered that the Regis Towers owners' corporation had recently introduced heavy-handed rules concerning the use of electronic swipe cards (ie. the residents' house keys) under the banner of tackling the overcrowding and illegal activity that it said was rife in the building. These rules allowed for tenants' swipe cards to be cancelled over matters as trivial as lending the card to a visitor to go out to buy a bottle of milk. In order to get back into the building, the rules required locked-out residents to pay an access card 'reactivation fee' of \$150. ISTAAS heard reports of tenants being locked out for days on end and others having to pay accumulated penalties in the thousands of dollars just to get back in to their homes. Most of these tenants had nothing to do with overcrowding or illegal activity.



Terence. RLC advocated to Housing NSW to rectify the damp problem in Terence's property. See his video story at [rlc.org.au/publications/videos](http://rlc.org.au/publications/videos).

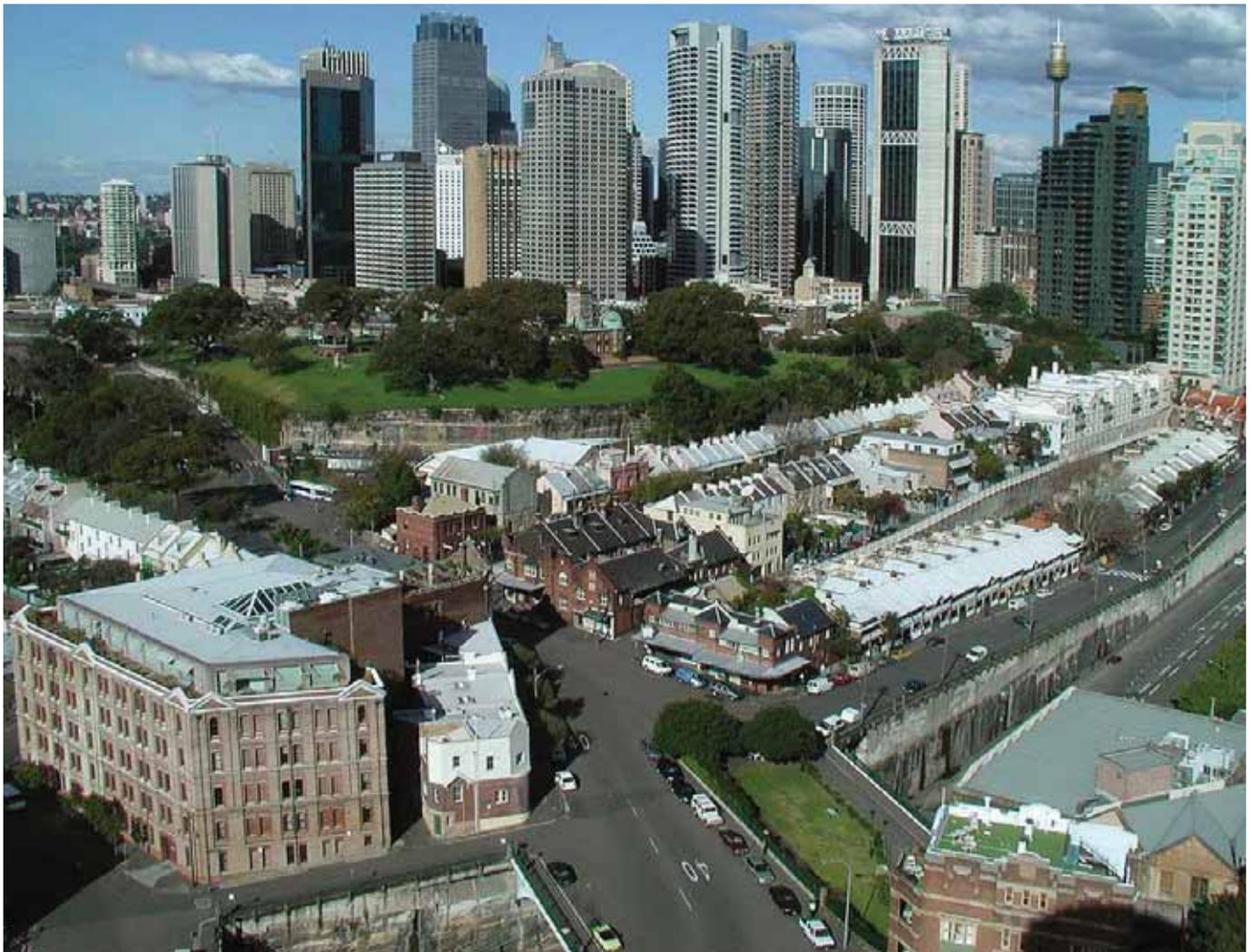
Attempts to assist some of these tenants to regain entry to their homes or demand refunds of reactivation fees revealed that legal remedies under existing laws are difficult and expensive to obtain for tenants. NSW Fair Trading has also said it is powerless to take action under existing laws.

ISTAAS continues to hear from Regis Towers tenants affected by the

lock-out rules and has learned of other buildings introducing similarly oppressive rules. With the spread of centralised electronic key systems in city apartment buildings, locking people out has never been easier for building managers.

The government is currently reviewing the state's strata laws and a draft bill is expected in late 2014. In the wake of

the problems experienced by tenants at Regis Towers, ISTAAS and the NSW Tenants' Union are pushing for reforms that would provide effective protection for all apartment residents (both tenants and owners) against unreasonable interference with access to their homes by owners' corporations and building managers.



## Millers Point public housing

In March 2014, the Minister for Family and Community Services announced the NSW Government plan to sell 293 social housing properties in Millers Point, Dawes Point and The Rocks. The decision means that the NSW Government intends for over 400 tenants to be removed from their homes and relocated to other parts of Sydney and the state. The Minister has given a special team within Housing

NSW two years to relocate all tenants from the area.

ISTAAS is opposed to the sale of these properties and the reduction of inner Sydney public housing it will likely cause. The decision will have, and has had, a devastating impact on many tenants in the area, particularly the elderly and those with strong ties to the community.

ISTAAS, supported by the City of Sydney, provided advice, advocacy and

representation to affected residents in the area. ISTAAS assisted tenants affected by the relocation by:

- advising them of their rights regarding relocation
- attending relocation interviews and other meetings with Housing NSW
- preparing appeals against the suitability of offers of alternative accommodation
- advocating to Housing NSW about tenants' entitlements.

# Credit, Debt and Consumer Complaints

## General Team

RLC recognises that the protection of financial and consumer rights is an important mechanism to secure other rights and freedoms such as secure housing, effective education and social and economic participation. RLC runs a specialist practice, which focuses on credit, debt and consumer law issues. We also provide advice to Financial Counsellors across NSW.

## Casework

During the year RLC advocated on behalf of vulnerable clients, and negotiated settlement outcomes, for a range of credit, debt and consumer issues including:

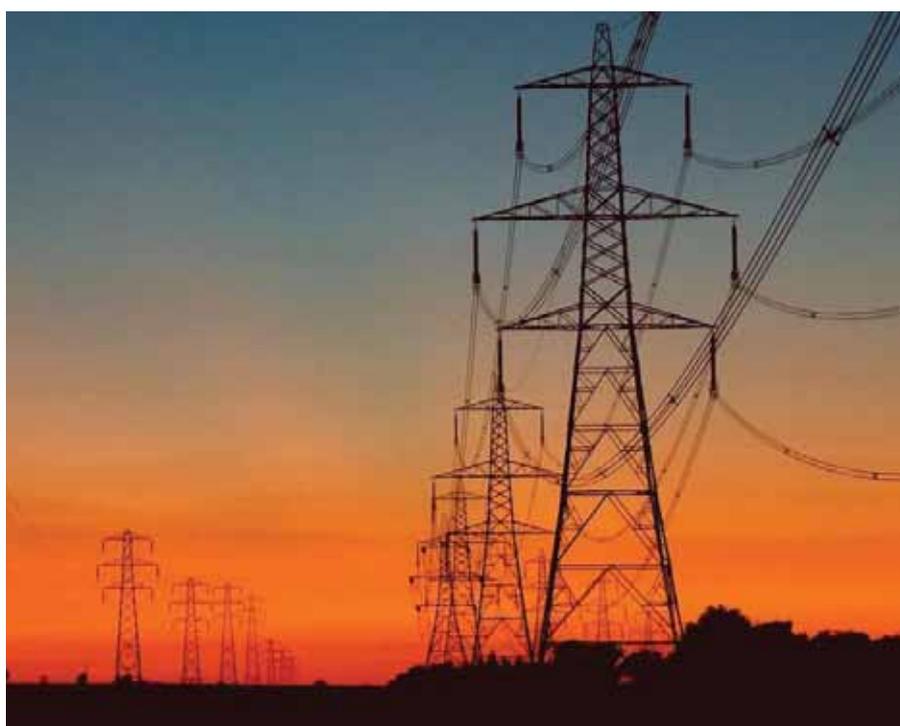
- disputes with and complaints about essential service providers, particularly telco and utility companies
- complaints to external dispute resolution schemes including the Financial Ombudsman Service, Telecommunications Industry Ombudsman and the Energy and Water Ombudsman NSW
- negotiating hardship variations with a range of creditors for clients who are struggling to manage their liabilities due to a change in circumstances or acute disadvantage
- complaints about the conduct of financial services providers in relation to debt collection, responsible lending and maladministration
- dealing with debt collectors and seeking relief from recovery and enforcement, particularly for unrecoverable debts and for clients dependent upon Centrelink income
- complaints about goods and services which do not meet the standards required by the Australian Consumer Law
- motor vehicle accidents and uninsured third party property damage – dealing with insurance companies to avoid recovery action against impecunious clients
- infringements – helping clients challenge infringements, negotiate time to pay or instalment

arrangements, the removal of Roads and Maritime Services sanctions on driving licences and car registration, and providing information and assistance with Work and Development Orders.

## Centrelink payments lack protection

RLC regularly sees clients who are being pursued by debt collectors. We are concerned with a range of issues connected to the debt recovery process and its impact upon vulnerable and disadvantaged people. We continue to have concerns about the impact of garnishee orders, particularly for people dependent on Centrelink income.

Those living solely on social security benefits are already in a highly vulnerable position. Pensions and benefits barely cover the basic costs of living. Disadvantaged people, and their income, should be afforded the full protection of the law. NSW law currently prioritises a creditor's entitlement to garnishee above the protection of social security payments for society's most vulnerable people. In our submission to the NSW Parliamentary Inquiry into *Debt Recovery in NSW*, and our appearance at the Inquiry's hearings, RLC strongly advocated for changes to increase the legal protections for social security income against garnishee, and improved legal processes, to ensure broad protection for vulnerable and disadvantaged consumers.





### Case Study: Ben and Big Telco

Ben\*, a Disability Support Pensioner and then an Age Pensioner, lived in public housing and had no assets of significant value. Ben lived with schizophrenia, and had been receiving ongoing treatment. His schizophrenia meant that he was often confused and his thinking disorganised, which limited his ability to navigate complex consumer transactions.

Ben went to Big Telco\*\* to get a mobile phone, so that he could keep in contact with his terminally ill mother. He was unsure about how mobile phone arrangements worked, but was coaxed by Big Telco staff to enter into a 24-month agreement for a \$35 per month plan. From the outset, the Big Telco staff failed to properly explain the nature of the agreement and terms and conditions which governed it. They did not provide Ben with a critical information summary or information about coverage in his area. Ben was confused about how many calls he could make and unaware of the risks of exceeding his monthly call allowance.

A few weeks later, after realising he was approaching the \$35 monthly limit, Ben went back to Big Telco. Big Telco had failed to properly identify that Ben was a vulnerable consumer. The Big Telco representative did not effectively explain, in clear and simple language, the material terms and conditions of the contract, in particular: cooling off rights, termination and break fees, and disclosure in relation to mobile coverage areas.

Ben's confusion about phone plans, and the failure by Big Telco staff to properly explain the arrangements to him, led Ben to enter into another \$35 per month plan. Ben's mistaken belief was that he could only make calls to the value of \$35 on each plan, per month. Ben had now doubled his liability to Big Telco and faced two sets of monthly service fees, and other late payment and early termination fees.

Ben had little or no reception in his home. He had difficulty calling out and was uncertain that his mother could contact him in case of an emergency. Ben advised us that, had he known of his cooling-off rights, he would have cancelled the contract at first instance.

Ben had also asked Big Telco to manage his account through direct debit, as he had difficulty managing paper bills. Big Telco failed to set up the direct debit as requested and Ben did not become aware of the arrears on his account until some three months later. By that stage he was a long way behind, and had no capacity to pay the outstanding balance on his limited income.

Ben complained to Big Telco about the lack of reception at his home and the failure to set-up the direct debit. Big Telco were unhelpful and Ben became frustrated with trying to deal with them. He told them to cancel the phone. Some months later, Ben began receiving letters from a debt collector claiming he owed nearly \$2,000.

A friend advised Ben to come to RLC for advice. We drafted a complaint to the Telecommunications Industry Ombudsman, citing breaches of the Telecommunications Consumer Protection Code and the Australian Consumer Law.

Big Telco then offered to waive the early termination fees. This still left Ben with a significant liability, which he had no capacity to repay. RLC did not feel this was an adequate solution, or one which reflected contrition for Big Telco's misconduct. We escalated our complaint within Big Telco and, after pointing out the impact of their substantial misconduct upon a vulnerable and disadvantaged consumer, were able to successfully negotiate for the outstanding balance to be waived entirely and the account closed. We then helped Ben to get a pre-paid mobile phone.

\*not his real name

## Managing utility costs

The rising cost of energy is a real concern for many of our clients. We assisted clients to:

- negotiate hardship variations with their energy retailers,
- make complaints of misconduct through the Energy and Water Ombudsman NSW (EWON)
- obtain assistance from the Energy Accounts Payment Assistance Scheme.

We also made a submission to an EWON discussion paper in relation to prepaid energy meters. Our submission examined the impact of prepaid energy meters for vulnerable and disadvantaged consumers. We noted that prepaid meters might increase the capacity to control individual energy usage, but remain concerned that the visibility of disconnections will be substantially diminished. We also

noted our concerns that a prepaid tariff will invariably be higher and that low-income consumers will bear the cost of the rollout and servicing of prepaid meters. Our submission recognised the value of controlling energy usage, but noted that any mechanisms which increase the cost of energy will not substantially benefit low-income consumers, who already struggle with rising energy costs.

## Supporting Financial Counsellors and community workers

RLC continued to provide support to Financial Counsellors across NSW:

- We provided a phone line for Financial Counsellors to discuss legal issues with the Credit and Debt Solicitor.
- We conducted training for students of the Diploma of Community

Services (Financial Counselling) course run by the Financial Counsellors Association of NSW.

- We held two training sessions for new financial counsellors, which covered the National Credit Code and responsible lending principles, as well as practical measures to assist clients negotiate hardship variations with creditors.

RLC ran several training sessions for community workers, on topics such as financial and consumer rights, navigating debt recovery and enforcement, hardship variations and dealing with unpaid fines and the State Debt Recovery Office.

RLC published and distributed *Financial Rights Updates* on topical issues and changes to the law, to over 400 Financial Counsellors and other community workers across NSW.

## Case Study: Thirteen years of anxiety

Around 13 years ago John,\* a mechanic, got a personal loan of \$1,000 from his industry credit union, to pay for expenses around Christmas time. Shortly afterwards he lost his job and his marriage ended. He incurred significant costs involved with his family breakdown, including selling the family home and paying child support. John made one repayment on the personal loan, but was unable to continue servicing the loan after he lost his job.

By 2014, John, then aged 62, relied on the Disability Support Pension, lived in social housing, and had no substantial assets. John came to RLC with escalating letters of demand from a debt collection agency. They sought repayment of the debt, which had grown to over \$6,000. They sought to enforce a court judgment obtained by the creditor 11 years earlier. John was desperate to clear the debt, but had no capacity to repay this amount.

We assisted John to articulate his personal and financial circumstances to the creditor as well as the commercial reality that this debt was unrecoverable. The creditors eventually recognised that it would be impractical and unfair to pursue recovery.

While John was overwhelmed by the escalation of the debt, he insisted on making a nominal repayment on the original loan, as a matter of principle. RLC helped John to negotiate a settlement figure of \$500, which the creditors accepted as full and final settlement.

Had John been able to get a loan through a No-Interest Loan Scheme (NILS) 13 years ago, this protracted, costly and inefficient recovery process could have been avoided. John's decade long experience of anxiety, and the time expended by the lender, the debt collector, the Local Court and RLC could have been avoided.

\*not his real name

# Police and Government Accountability

## General Team

RLC's police powers practice assists people with advice and representation on formal complaints and civil litigation against the NSW Police Force.

We also regularly assist in death in custody matters and criminal record disputes. Complaints against police officers are an important part of improving transparency in the NSW Police Force and key to maintaining confidence in the criminal justice system in NSW.

## Police powers increase

Over the past year, several police powers have been expanded by legislation, including:

- Police now apply a lower standard when deciding whether or not to make an arrest – NSW *Law Enforcement (Power and Responsibility) Amendment (Arrest without Warrant) Act 2013*.

- Police now have the power to breath test people they have arrested within two hours of an assault – NSW *Crimes and Other Legislation (Assault and Intoxication) Amendment Act 2014*.
- Police now have the power to search, without a warrant, the home of anyone covered by a firearm prohibition order made by the Commissioner – NSW *Firearms and Criminal Groups Legislation Amendment Act 2013*.

Our experience is that these new and modified powers have not had effective checks and balances added. RLC plays an important role in charting the unintended consequences of new police powers and policies. We strongly believe that our justice system benefits

from calm consideration and analysis of potential consequences before changes are made. We are currently seeing the financial and social costs of rushed decisions to change legislation, through court delays, increased time in custody, and family disruption.

## Police powers casework

RLC assists people with both formal complaints against police officers and civil claims against the State of NSW. Due to legislative provisions and settlement agreements, many of these cases can never be reported in detail. During the year, RLC's Police Powers practice represented clients on matters such as:

- Police repeatedly stopped and searched a person because they looked suspicious by wearing a hoodie.
- Police refused a concussion victim medical assistance, then followed them to perform a breath test before they got to hospital.
- Police made regular, disruptive early morning house checks on a juvenile offender, causing a sibling to defer their HSC studies.
- Police used capsicum spray to subdue a non-violent person so they could be taken to hospital.
- Police constantly stopped and searched a young Aboriginal man, with the result that he presented to a police station asking to be shot.
- Police destruction of property and use of firearms entering a property without a warrant.





- Police withdrew charges on the basis that no formal complaint be lodged.
- Police failure to secure CCTV footage of a man's death.
- A child sexual assault matter where police refused to explain the decision not to charge, despite a confession.
- Police instructing a victim to perform CPR on their attacker.
- Police breach of protocol in interviewing child witnesses.
- Police returning a deceased person's property to the wrong family, who would not return it.

This level of Monday to Friday casework would not be possible without the additional resources provided by

students from the UNSW Police Powers Clinic (see box). Their energy and dedication is a testament to the professionalism of lawyers of all ages, and their work compels greater professionalism from the NSW Police Force.

### Government accountability

The Independent Commission Against Corruption (ICAC) has played a very important role in pursuing the NSW public interest over the past year. But government action does not need to be corrupt to cause lasting harm to innocent people. Our clients cannot go to ICAC – they have to use other mechanisms to achieve transparency

and accountability in the many government decisions that affect their lives. We work to make this simpler and easier for them.

### GIPAA

RLC presented to NSW community legal centre solicitors on using the NSW *Government Information (Public Access) Act 2009* (GIPAA) as an effective tool in legal advocacy. We advised members of the public on GIPAA issues through our evening advice service, often avoiding the need for time-consuming tribunal hearings. We strongly believe that access to a tribunal is ineffective if the person does not also have access to legal advice.

## Police Powers Clinic

The Police Powers Clinic, a UNSW and RLC joint experiential learning program, commenced in August 2013, headed by UNSW Lecturer Vicki Sentas and RLC Senior Solicitor David Porter.

The clinic involves both client casework and policy research work. Students help clients by drafting formal complaints to police and the NSW Ombudsman. If appropriate, they also assist with preparations for civil litigations against the police.

During my time as a student in the clinic, we investigated: systemic excessive bail checks; allegations of assaults by police; racial profiling; unlawful arrests; and police targeting of vulnerable persons including inappropriate targeting of clients under the NSW Police Suspect Target Management Plan.

We've also requested the return of client's personal items seized by police and investigated possible police breaches of their legal obligations regarding people in custody. This work is very much a practical learning process and complements the more academic elements of the clinic.

The clinic also involves seminars where we examine the socio-legal aspects of crime and policing. We discuss issues such as policing methods and practices, statutory police powers and racial profiling. We are also writing research pieces on police related incidents. For example, one student analysed the release of the Ombudsman's and Coroner's findings on the death of Brazilian student Roberto Curti.

I have found the clinic a worthwhile experience. Not only have I learnt many practical skills that I would not have learned in the classroom, I feel the work we have done has empowered some of the most vulnerable members of the community.

Gyo Suzuki, UNSW law student

# Discrimination and Human Rights

## General Team

Over the past year RLC sought to revitalise its long-term commitment to addressing discrimination and advocating for human rights. We engaged in law reform work, developed community legal education seminars, and experienced a general increase in attendance of clients to our specialised discrimination service.

During the year, we focused our work on race and disability discrimination issues, given the prevalence of these issues in the communities that we serve.

### Law reform

RLC made extensive submissions to a number of law reform enquiries in the area of discrimination over the year. We were particularly motivated to participate in the discussion relating to discrimination arising from employment, as it gave us the opportunity to collate the legal issues arising from clients attending our employment and discrimination services. This proved particularly relevant in our submission to the Australian Human Rights Commission inquiry into pregnancy discrimination. RLC provided evidence of our clients' experiences with the difficult and complex jurisdictional choice between pursuing a pregnancy discrimination claim under the Commonwealth *Fair Work Act 2009*, or the Commonwealth *Sex Discrimination Act 1984*. The following case studies illustrate how our clients challenged the pregnancy

discrimination arising from their employment, with varying outcomes.

In January 2014, RLC contributed to the Australian Law Reform Commission's enquiry into Equality, Capacity and Disability in Commonwealth Laws. Drawing on RLC's experience providing advice and advocacy to people with disability, RLC's submission focused on issues for people with disability in employment and possible areas for reform in Australia's federal and state anti-discrimination laws. We have assisted people who have experienced discrimination on a number of different grounds – notably disability and race – in many different areas of life, including employment and housing. This assistance, as shown in the following case study, has included initial advice as well as advocacy in the Australian Human Rights Commission, the NSW Anti-Discrimination Board, and the NSW Civil and Administrative Tribunal.

### Case Study: Adrian: Pregnancy discrimination and fathers

Adrian\* worked full-time as a warehouse assistant for four years, then took three months paternity leave. Before going on leave, he felt that he had a good relationship with his employer. After he returned from leave, his employer made him participate in a "performance counselling plan", which included a long list of issues about his work performance, and ultimately they terminated his employment.

Adrian made an unfair dismissal claim to the Fair Work Commission and, at the same time, lodged a sex discrimination complaint with the Australian Human Rights Commission (AHRC). His unfair dismissal claim settled after a conciliation conference. Part of the settlement was that he withdraw his complaint with the AHRC.

\*not his real name

### Case Study: Kate: Difficulties navigating the system and lack of systemic outcomes

Kate\* had been working as a personal assistant for eighteen months before taking maternity leave. Near the end of her leave, she contacted her employer to arrange her return to work. They told her that another person had been employed in her role while she was gone, and they suggested that she wait a while before starting, as there wasn't much work for her to do. About a month later, her employer terminated her employment, saying that there was no work for her to do and she was redundant.

RLC helped Kate to make a general protections claim to the Fair Work Commission. According to Kate:

*"I had to do a lot of research to find out what legal avenues I had. I talked initially to Industrial Relations and then had to go to Fair Work who pointed out a few things, and I knew from them that I had a case... [I was then] put onto RLC who were happy to assist. From this, it can be noted that it was a complicated process and very time-consuming to make this complaint and therefore put together a case. I highly doubt someone without a legal background would be able to do all this".*

Kate's claim settled after a conciliation conference. In relation to the settlement of her claim, she said:

*"I had to sign to say I was not allowed to talk about it with anyone which made looking for future jobs difficult as I didn't have a proper reference and I didn't trust what my previous employer would say about me, especially as they were so angry with me even starting the case. They also probably felt they could get away with it again in the future".*

\*not her real name



### Case Study: Ellen: Disability discrimination at work

Ellen\* a nurse, had a long-term health condition, which deteriorated as she aged. On becoming aware of the deterioration in Ellen's health, her employer suspended her from work and required her to undergo extensive medical assessments. Ellen found the assessments exhausting, and was frustrated about not being able to return to work.

RLC assisted Ellen to bring a complaint to the Australian Human Rights Commission, alleging disability discrimination in employment contrary to the Commonwealth *Disability Discrimination Act 1992*. Ellen's complaint resolved at a conciliation conference, in which she and her employers negotiated steps to help her return to work.

\*not her real name

In April 2014 RLC submitted an extensive response to the Federal Attorney-General's Department proposal to changes to s18C of the Commonwealth *Racial Discrimination Act 1975* (RDA), again drawing on the experiences of our clients, many of whom have first-hand experience of racial discrimination, harassment and vilification. We advocated strongly against the proposed changes, noting that as in the experience of our clients, generally the nature and context of substantiating a claim in racial discrimination may be difficult for our clients, as was the experience of our client in the following case study. RLC was pleased to learn of the Federal Government's recent decision to retain the RDA in its current form.

### Case Study: Jack: Substantiating a claim in racial discrimination

Jack\* and his partner Jo\* an Aboriginal woman had lived in the same area and shopped at a local shopping centre for many years.

Jack and Jo started experiencing harassment at the shopping centre from one of the security guards. The harassment involved racial taunts to Jo. It culminated in the banning of Jack from the shopping centre.

Jack lodged a complaint with the NSW Anti-Discrimination Board, alleging racial discrimination in the provision of goods and services. The Board was unable to resolve the complaint because it could not identify the correct respondent. The Board referred the complaint to the NSW Civil and Administrative Tribunal (NCAT).

Jack contacted RLC, and we assisted him to identify the correct respondent and to apply for that respondent to be joined as a party to the proceedings. We appeared for Jack before the Tribunal in a short hearing involving the respondent's vicarious liability for the conduct of contracted security personnel. We assisted him to negotiate a resolution to the complaint, which included the lifting of the ban.

\*not their real names

### Identifying the correct respondent

RLC assisted a number of people with discrimination complaints in which there have been significant issues identifying the correct respondent, or, in other words, the entity to whom the complaint should be correctly directed.

This was an issue particularly in cases involving complaints against individuals who have engaged in discriminatory conduct in the course of their work, businesses which operate as a subsidiary of another business, and security guards engaged to patrol spaces

such as shopping centres and public entertainment venues. The latter is a significant problem, particularly with the increasing use of private security service providers in public areas.

Both the NSW and the federal anti-discrimination laws contain provisions in relation to vicarious liability, meaning that it is possible to pursue a discrimination complaint against an individual's employer or a company contracted to provide security services. Before invoking these provisions, it is necessary to identify the correct respondent. Failing to do this can result in a discrimination complaint being unresolved.

### Case Study: Peter:

Peter\* was employed full-time as a bartender and bar manager. He lived with his mother, who experienced a number of disabilities including a physical disability, which impeded her mobility. Peter was his mother's main carer.

After Peter had been working for his employer for about six years, his mother's condition deteriorated and she required additional care. Peter requested a change to his shifts to accommodate his caring responsibilities. When this was refused, Peter felt that he had no alternative other than to resign. Peter was extremely distressed about having to do this, as he had loved his job. He was also placed under very severe financial pressure after resigning, being unable to find alternative work which could accommodate his caring responsibilities.

RLC assisted Peter to bring a complaint to the Australian Human Rights Commission, alleging discrimination on the basis of his association with a person with a disability contrary to the Commonwealth *Disability Discrimination Act 1992*. Peter's complaint was resolved through conciliation, with Peter receiving monetary compensation. Importantly, Peter also had the opportunity to talk to his former employer about the impact which the discrimination had on him and his mother.

\*not his real name

# Employment

## General Team

Throughout the year, RLC's employment law service continued to experience a high demand from the community for advice and assistance in relation to a range of employment issues, including termination of employment, discrimination at work, underpayment of wages and entitlements, and bullying at work.

### Termination of employment

During the year, the RLC- Clayton Utz partnership expanded the scope of its services. The newly named *Unfair Dismissal and General Protections Advocacy Scheme* now provides advice and advocacy to people bringing general protections claims to the Fair Work Commission, up to and including a conciliation conference. Additional pro bono solicitors from Clayton Utz volunteered to join the Scheme, and training was provided to all pro bono solicitors on general protections claims.

Through general protections claims, RLC and Clayton Utz assisted people who had their employment terminated because they exercised a workplace right, such as taking sick leave or annual leave, or making enquiries about their employment conditions. We also assisted many clients who experienced discrimination at work, for reasons including the person's disability, the person's pregnancy or their caring responsibilities.

We assisted people whose termination had been harsh, unjust and unreasonable for a variety of reasons, including people who had been made redundant in circumstances where there was no genuine redundancy and people who had been summarily dismissed for minor performance issues that did not warrant a summary dismissal.

The overwhelming majority of people who were assisted by RLC and Clayton Utz had their matters settle at a conciliation conference before the Fair Work Commission, or in negotiations shortly after. During the year, 80 per cent of matters settled, with the average settlement sum being just under \$5,000.

RLC is actively involved in promoting the development of similar pro bono partnerships in other centres. With

Clayton Utz, RLC gave a presentation about the Scheme to the 2014 Community Legal Centres NSW Symposium, which described how the Scheme functions, some of the outcomes that have been achieved, and the results of a research project conducted by Harry Cavanagh, social work intern at RLC, about the many social benefits of the advice and advocacy provided to people through the Scheme.

### Pregnancy discrimination at work

In January 2014, RLC made a submission to the Australian Human Rights Commission's Pregnancy and Return to Work National Review. In making this submission, RLC was able to draw on the experiences of many of our clients who have experienced pregnancy discrimination at work. (see *Discrimination and Human Rights*)

#### Case Study: Laura: Unfairly dismissed

Laura\* had been enjoying her work as a personal assistant for about three years when her employment was terminated with four weeks' notice, on the basis that her role was redundant. During the notice period, a new person started working for Laura's company. Laura had to train the new employee to perform her duties as a personal assistant. When Laura's notice period came to an end, the new employee stepped into Laura's former personal assistant role.

RLC assisted Laura to make an unfair dismissal claim in the Fair Work Commission, on the basis that Laura had been unfairly dismissed because the termination of her employment was not a genuine redundancy. Laura's matter settled at conciliation. She received monetary compensation and an enhanced statement of services from her former employer, to assist her in finding another job.

\*not her real name

#### Case Study: Harry: Dismissed after asking about his pay

Harry\* came to Australia on a working holiday visa, planning to work and travel around the country for six months. Not long after his arrival in Sydney, he found work as a salesperson with a company which, he noticed, employed a large number of people on student visas and working holiday visas.

Harry had been working for the company for only a few weeks when he realised that their hourly rate of pay was approximately half the national minimum wage. The other workers did not appear to be aware of this. Harry asked his employer why he and the other workers appeared to be receiving less than the minimum wage. His employment was terminated not long after.

RLC assisted Harry to make a general protections claim to the Fair Work Commission. The claim settled at conciliation, with Harry receiving a settlement sum incorporating the amount that he should have been paid while working for the company. Both RLC and Harry hoped that, through this process, the company became more aware of its obligations under the Commonwealth *Fair Work Act 2009* to its other employees.

\*not his real name



section above). RLC supports the recommendations of the Commission targeted at eliminating pregnancy discrimination at work, and remains committed to providing assistance to people affected by this issue.

## Bullying at Work

In January 2014, changes were made to the Commonwealth *Fair Work Act 2009* which enable workers who have been bullied at work to apply to the Fair Work Commission for an order to stop the bullying.

During the year RLC assisted a number of other people to address bullying in the workplace by writing to their employer. In our experience, raising the issue with employers in this way helps the issue to be addressed, without

the need to apply to the Fair Work Commission or to take other action such as quitting their jobs. RLC remains committed to providing assistance on this important issue.

## Underpayments

Throughout the last year, RLC advised a lot of people who had been underpaid, missing out on their wages or their entitlements or both. Many had recently arrived in Australia on a working holiday or temporary work visa, and had a limited understanding of their rights at work. Many also had difficulty in asserting their rights, due to their limited understanding of the Australian legal system, or limited English communication skills. RLC advised these people and assisted them to make workplace complaints to the Fair

Work Ombudsman, and to recover their underpayments through the Federal Circuit Court's small claims process.

RLC looks forward to continuing to offer assistance to employees asserting their right to correct pay at work.

### Case Study: Michaela

Michaela\* had been working for many years at a beauty salon when she started to be bullied by a workmate. The workmate made derogatory remarks to her about her abilities as a beautician, sometimes when they were alone and often in front of clients. The workmate also made abusive comments to Michaela and, on one occasion, threatened her. Michaela was so upset by the bullying that her health suffered, as she started to experience symptoms of anxiety and depression.

RLC advised Michaela about making an anti-bullying claim to the Fair Work Commission. We advised Michaela initially to write to her employer about the bullying. We assisted her to write a letter explaining what had been happening at work, alerting him to his obligations as an employer under the Commonwealth *Fair Work Act 2009* and explaining to him the new anti-bullying provisions. In response, Michaela's employer implemented new policies about anti-bullying and engaged in a process of mediation to stop the bullying in the workplace.

\*not her real name

### Case Study: Amy: Underpaid

Amy\* came to Australia on a working holiday visa and found work in sales. Even though she had entered into a contract with her employer stating that she was an employee and that the conditions of her employment were clearly those of a casual employee, her employer insisted that she get an ABN and that she take responsibility for calculating and paying her own tax. Amy got the ABN and started giving invoices for her work, to her employer.

Amy resigned from this job after her employer failed to pay her for about eight weeks, causing Amy significant financial hardship. RLC assisted Amy to make a complaint to the Fair Work Ombudsman, and to initiate a small claim in the Federal Circuit Court. Through the small claims process, Amy recovered the money that her employer owed her.

\*not her real name

# Regional Legal Assistance

## Legal Assistance Project (LeAP) – General Team

During the year the Legal Assistance Project provided free legal advice and advocacy to people in parts of regional NSW, using innovative broadband technology.

Our partnership with the University of New England (UNE) in Armidale continued, and we launched an additional service for Coffs Harbour in December 2013. RLC partnered with the Coffs Harbour Neighbourhood Centre to give free legal advice to people in the Coffs Harbour area using webcam. Clients attend the Coffs Harbour Neighbourhood Centre for a video appointment, or have the appointment from their home.

In this way RLC provides legal advice to vulnerable clients in regional NSW. Both solicitors and clients report that it is easy for them to communicate using webcam, and they appreciate being able to clearly see and hear each other. RLC presented key findings about using webcam for legal advice at the 2014 NSW Community Legal Centre Symposium in the presentation: *Using*

*video technology to improve access to justice in RRR areas: reflections and opportunities.*

In addition to providing legal advice, the project provides better support for community workers in regional areas. We presented eight community legal education webinars during the year to hundreds of community workers across NSW. Feedback from regional community workers was very positive:

*"A fantastic concept. Living in regional NSW, training is very limited. To attend training is costly and time consuming. I will definitely be tuning in again."*

*"I am in Tamworth - regional NSW. Great to able to access relevant training in my office rather than having to travel for training."*

### Case Study: Najiah at UNE: Electricity bills

Najiah\* was an international student studying at UNE. When she came to Australia, she started a tenancy and an electricity account in her name. After 6 months she had not received a bill from her energy provider. She requested a bill several times after the quarterly deadline had passed, but she did not receive a response. She was growing frustrated with her electricity company, having tried to contact them about the problem for months. She then received a bill from the energy provider with a \$360 late fee and a reconnection fee.

At her webcam appointment with RLC, a support worker from UNE assisted her, while in Sydney there was the solicitor and interpreter. During the appointment, the RLC solicitor was able to call the energy provider on her behalf, making use of the speaker-phone and interpreter so that the client could hear what the representative was saying. In that one appointment RLC was able to advocate on her behalf about the charges, and the provider agreed to wipe the late fees, re-issue account statements and extend the timeframe they had given for Najiah to pay the bill.

\*not her real name

### Case Study: Bob: Coffs Harbour client

Bob\* was a pensioner who read about RLC's collaboration with the Coffs Harbour Neighbourhood Centre in the local newspaper. He lived in a small town about an hour's drive from Coffs Harbour. He phoned the Neighbourhood Centre, who booked him in with a pro bono solicitor at RLC.

He found his initial webcam appointment straightforward. He commented that it was "easy to understand... no problems interacting with the webcam... I could hear very well." However as the Neighbourhood Centre was far from Bob's place, and he was not connected to the internet at home, subsequent appointments were by phone. However that initial webcam advice helped establish a good relationship with Bob.

Bob discussed a number of concerns he had relating to his property, underpaid wages and issues with his trustee. Over the course of several appointments we assisted Bob to understand what had happened to his estate and why certain things had been allowed to happen to his property.

Bob is now off the 'referral roundabout' – he has legal advice that he would not otherwise have been able to receive .

\*not his real name



# International Students

## International Students Service – General Team

NSW: RLC’s International Student Service, the only specialist legal and migration service for international students in NSW continued to expand throughout the year.

It is a holistic service that provides advice in the areas of tenancy, employment, credit and debt, consumer law, domestic violence, discrimination and the associated migration law with regard to student visas.

Being a one-stop shop specialising in the legal issues most commonly faced by international students, with support from a specialist pro bono migration law firm and access to free interpreters, we have been able to provide a unique and highly valued service for international students.

The service aims to:

- provide free, accessible legal services to international students in their own languages;
- provide education to international student centre staff at universities and colleges to help advocate for their students (including identifying legal issues; accessing legal resources and making referrals to our centre);
- give students in rural and regional areas of NSW the same access to services as students in the city.

We also help students avoid legal problems by producing resources about common legal problems for newly arrived students. During the year we produced a short YouTube video, *An International Student Guide to Share Housing*, that has been shared widely. We also started a Facebook page especially for international students to share legal tips in a familiar, easily accessible space.

We received the following feedback from international students:

*Without RLC’s help, students such as myself would have faced extreme difficulties to get proper advice during*

*financial and mentally challenging times.*

*RLC helped me so much in terms of how to take decisions, what is wrong and what is right, to search for justice and be brave to overcome difficulties... I believe that the role of such a centre is fundamental for all foreign students in Australia.*

*I was unable to obtain advice elsewhere due to the nature of my problem and personal financial situation, and the guidance I received from the RLC was very helpful.*

*The RLC is really helpful especial for international students, who are vulnerable in housing and employment issues.*

*It is always a rich experience to be a student in a foreign country but this load of new life elements include also the laws that you might be trapped by. Redfern Legal Centre has greatly helped me in such unfortunate situation.*

## Employment issues for International Students

RLC has identified a need for early education on workplace rights for international students. The more that these students are aware of their rights when they first arrive, the less likely they will be to accept illegal and exploitative employment arrangements.

RLC saw a number of cases in which international students were unfairly treated at work: for example, by not being paid correctly, by not being given entitlements such as leave, and by being subjected to bullying and discrimination at work. RLC also saw a number of cases in which international students fell victim to ‘sham contracting’, when an employer takes steps to disguise

## Case Study: Billy: Issues with education agents

Billy\* approached an education agent hoping to discuss further study options in Australia. Instead, the agent offered Billy a job, and requested payment of \$20,000 for his services. Billy unwittingly accepted the employment offer and paid a first instalment of \$5,000 to the agent.

Soon, however, it was clear to Billy that there was no job, and he had not paid for any genuine service. Billy asked for a full refund, however the education agent refused to repay any of the money.

Together RLC and Fragomen assisted with a detailed complaint to the Department of Immigration about the agent’s fraudulent activity, a letter of demand and a subsequent statement of claim. RLC acted for Billy in negotiations with the agent’s solicitor and was able to quickly settle the matter, securing Billy his money before he returned home.

\*not his real name

an employment relationship as an independent contracting relationship, so as to avoid giving the employee their full entitlements. In all of these cases, a lack of understanding about Australian workplace laws has contributed to international students being subjected to these unfair and exploitative workplace practices.

## NSW Gambling Enquiry

RLC prepared a submission for the NSW Select Committee on the Impact of Gambling. Research shows that a higher proportion of international students are problem or at-risk gamblers when compared with domestic students. Our experience is that international students are particularly vulnerable to the effects of problem gambling. They are often young and living away from home for the first time. They may be new to a



society where gambling is legal and readily accessible. On arrival, they may bring with them large amounts of cash saved by their family so that they can quickly find a place to live and reduce the cost of overseas money transfers.

For the international students that do have a gambling problem, a lack of awareness about where to get help, cultural stigma around accessing help and a lack of culturally appropriate gambling support networks mean that these students may have difficulty locating the services they require. Other international students may be unfamiliar with the signs of problem gambling and may unwittingly lend significant amounts of money to problem gamblers. Those international students then face significant legal hurdles to recover their money.

RLC recommended improving the adequacy and effectiveness of existing gambling support services to better target both international students who are problem gamblers and international students who may be lending money to someone who they do not realise is a problem gambler.

## Housing for international students

RLC is concerned about the housing situation that many international students face in Australia. We assist approximately 40 international students a month with housing. We have seen several issues through this work:

- Overcrowding – It is common for up to eight or more people to be living in a two bedroom apartment. One student was told she would be sharing a room with one other female. When she moved in, her room was the basement, and her room-mate not one female but six males.

- Fraud – These students are easy targets for unscrupulous landlords. One student had paid bond before he arrived in Australia. When he got here, he discovered the house was non-existent - it was a scam from the beginning.

Some of these students are left with far from satisfactory legal recourse.

In share housing matters especially, they can fall between the cracks of the various Acts, between being defined as tenants or boarders/lodgers. Even when the law does offer international students protection, it is often too slow and cumbersome, with dates set for hearings months after the student has returned home.

### Case Study: Yin, Zheng and Zi: Exploited in housing

Three international students from China, Yin, Zheng and Zi\*, moved into a central-city apartment together after seeing an advertisement for the property on a Chinese language website.

They interacted primarily with a woman named Claire, who claimed she owned the property. Claire told the three women that they could stay in the property until November 2013, and that rent was to be paid monthly into her bank account. The rental agreement did not mention the rental amount and Claire signed the contract as both the landlord and the witness.

One day, Yin and Zheng both received text messages from Claire telling them to move out of the apartment within a fortnight. She claimed that because she was the owner she was entitled to evict them and she would call the police if they refused to leave. The women felt very threatened.

At RLC, we advised the women to conduct a title search, which revealed that Claire was not the registered owner. We also advised that their eviction notice was not valid as it was in a text message, not written and signed as required by the *NSW Residential Tenancies Act 2010*. We advised the women about their right to move out of the property if they wished to.

Bearing this advice in mind, two women decided to leave the apartment. Claire initially tried to deduct \$100 from each of their bonds, though when Yin and Zheng showed her the certificate from Land and Property NSW, Claire returned the full amount.



The experience of Yin, Zheng and Zi demonstrates the difficulties experienced by international students navigating the Australian rental market. Although the women came into RLC distressed, their issues were able to be resolved and their full bonds were returned.

\*not their real names

Zheng. See her video story at [rlc.org.au/publications/videos](http://rlc.org.au/publications/videos).

# Sydney University Postgraduate Students



## Sydney University Postgraduate Representative Association Legal Service – General Team

The RLC branch office at the Sydney University Postgraduate Representative Association (SUPRA) has been in operation since 2008. The centre is funded by SUPRA, which in turn receives funding from the university from the compulsory Student Services Amenities Fee paid by students.

RLC provides legal services to postgraduate students from all of the University of Sydney's seven campuses, including the affiliated campuses of the Sydney College of the Arts, The Conservatorium of Music, Orange Agricultural College and Camden Farms.

We also provide regular legal and strategic advice to the five Student Advice and Advocacy Officers employed by SUPRA who deal with a variety of academic and welfare issues concerning students. In addition, we maintain close links with and provide assistance to the other staff and office bearers of SUPRA.

### University matters

RLC's legal service at SUPRA is independent of the university, so it can advise students on university matters and can represent students in conflicts with the university. The overwhelming majority of university matters have concerned intellectual property. RLC provided independent advice on contracts prior to the assignment of rights, and we assisted with disputes with the university about intellectual property.

### Credit, debt and consumer matters

During the year we received a large number of enquiries about consumer contracts and credit and debt matters. Many of these enquiries result from aggressive sales techniques or onerous credit contracts. A significant number

relate to consumer contracts with telecommunications service providers, particularly for mobile phones or internet services. RLC negotiated successful outcomes for clients on a range of telecommunications issues.

A number of students sought advice regarding money owed to or by the student in relation to housing. Many students are living in situations which lack the protections of the *NSW Residential Tenancies Act*. The necessity to take these matters to the Local Court creates unnecessary legal complexity and expense for the student, irrespective of which side of the matter they are on. RLC represented students in these matters at the Local Court.

### Case Study: Kim

Kim\* was driving in her lane when another vehicle suddenly changed lanes and collided with her car. The other driver admitted that he had swerved suddenly because of a spider in his car. He said that he was broke and couldn't pay her and didn't want involve his insurance company due to the excess.

Kim could not afford to fix the damage to her car which she was still driving. She was worried that it would not pass inspection the next time she had to register it. With RLC's help Kim successfully recovered her repair costs from the other driver and had her car fixed.

\*not her real name

### Road traffic and motor vehicle offences

Students often come to RLC with penalty notices for road traffic and motor vehicle regulatory offences. This is because many are inexperienced drivers and may not be completely familiar with the road rules, and they tend to have older or less well maintained vehicles, due to lack of money. For this last reason they are also less likely to be able to pay a penalty notice. A significant number of clients elect to go to court and plead guilty.

During the year RLC either represented or assisted these clients, in person or by drafting their written pleadings. Overwhelmingly, the involvement of RLC resulted in very favourable outcomes for these clients. In addition, we successfully represented a number of students in defended hearings.

### Motor vehicle accidents

A significant number of students sought advice on recovering damages and/or defending claims for damages following motor vehicle accidents. They are often young or inexperienced drivers, or holders of international licences who are unfamiliar with the rules and regulations in NSW. The financial impact of these matters can be significant for students who rely on their vehicles and earn only a small income or have very little money.

RLC successfully assisted a number of clients to get compensation for damage to their vehicles. We obtained



orders in favour of a number of clients in cases where we needed to both defend the matters against them and cross claim against the other parties. We also assisted a number of students to obtain judgments in their favour and, where necessary, to successfully enforce the judgments against the other party. Where clients admitted liability but disputed the amount claimed, RLC successfully negotiated to reduce the amount to an acceptable level, or to allow the clients to pay the sum off by instalments.

### Case Study: Alex

Alex\* told RLC that a debt collector had contacted him to say that he owes \$1,652.50 from his unpaid final electricity bill at his previous residence. In fact he had paid the final bill (which was for a smaller amount), and closed his account before he left. With RLC's assistance, Alex was able to prove that he had paid the final account and resolve the matter.

\*not his real name

### Crime

RLC provided advice and representation in the Local Court for a number of students, for matters including driving offences (mostly alcohol-related), assault, carrying prohibited weapons, larceny and fraud. Again, overwhelmingly, the involvement of RLC resulted in more favourable outcomes for the students.

### Employment

Many students work to supplement their income, sometimes with employers who fail to provide their full legal entitlements. In some cases the student's employment status- whether they are in fact an employee or a sub-contractor- or the requirements and legal obligations imposed on them by their status, is

unknown to the student until a dispute arises, the employment ends or they find themselves being investigated by government departments such as the Tax Office.

RLC:

- successfully negotiated on behalf of many clients to recover wages and entitlements;
- assisted clients to resolve concerns about working conditions; and
- assisted clients in their dealings with government departments and in complying with their tax or other legal obligations.

### Tenancy

Many students, due to their low incomes, have difficulty paying rent increases and so fall into arrears. Many live in low quality accommodation, which leads to tenancy issues such as the need for repairs, compensation for breaches of the tenancy agreement and the like. RLC provided advice to, and conducted negotiations on behalf of, a large number of students in relation to such matters. We also provided assistance (or arranged advocacy) for clients to assist them to run difficult tenancy matters at the NSW Civil and Administrative Tribunal (NCAT).

### Community legal education and publications

RLC provided community legal information and education sessions to students on intellectual property, traffic offences and fines, consumer contracts (specifically telecommunications service provider contracts), motor vehicle accidents (property damage), tenancy, privacy law and employment.

In addition we produced a range of legal facts sheets in areas of special interest to postgraduate students, specifically in

the areas of intellectual property, fines, consumer law, contracts (specifically telecommunications service provider contracts), and privacy.

During the year we contributed the legal section of the 2014 Postgraduate Survival Guide. This included legal information on matters of interest to the postgraduate student population including intellectual property, contracts, privacy, consumer law, tenancy and fines. We also contributed the intellectual property law section of the 2014 Thesis Guide.

### Policy and law reform

RLC was involved in an advisory capacity in the SUPRA work on policy and law reform. Specifically, we contributed to both external submissions written by SUPRA staff and SUPRA Council members on matters relevant to postgraduate students and international postgraduate students, and to internal policy submissions written by SUPRA staff and Council members in relation to a variety of proposed changes to university policy and rules.

### Case Study: Miin Wu

Tze Miin Wu\* was an international student who was looking for work when she saw an ad written in her native language about employment opportunities. She started working at a stall in a local shopping centre and was meant to be paid an hourly rate and to be paid weekly. She worked there for four weeks before her employer finally paid her. When she received her pay it was only half of what she had earned. Her employer told her that he had deducted the rest because she hadn't sold enough merchandise during the month. He threatened to report her to Immigration if she took any action to recover her entitlements. With assistance from RLC, Tze Miin was able to recover her outstanding pay and get another job.

\*not her real name

# Sydney Institute of TAFE



## Sydney Institute of TAFE Legal Service – General Team

RLC's Sydney Institute of TAFE Legal Service is the first point of call for many students and staff requiring legal help.

We provide legal assistance at eight Sydney Institute campuses: Enmore Design Centre, Eora College, Gymea College, Loftus College, Petersham College, Randwick College, St George College and Ultimo College. We operate three days a week from the Ultimo office and regularly hold mobile clinics at the other campuses. The service is staffed by one part time solicitor and two or three volunteer legal assistants and solicitors.

RLC prioritises assistance to students who are in vulnerable positions or are experiencing high levels of disadvantage. Many students who seek advice from RLC have a disability or are from culturally and linguistically diverse (CALD) backgrounds. Students from CALD backgrounds are often discriminated against due to language barriers and are unfamiliar with the operation of the Australian legal system.

### Mental health

Many of the students who consult RLC have significant mental health issues. During the year RLC assisted a number of these students to examine their superannuation policies, and it became apparent that Total Permanent Disability Insurance covered some of these students when they left their previous employment due to mental health issues.

### Credit and debt

Many TAFE students have financial problems and many, particularly those from CALD backgrounds, are unaware of things such as their Centrelink entitlements, and budgeting tools which are available. During the year RLC joined forces with ASIC's Money Smart campaign. A Money Smart facilitator

trained our Legal Assistants, who are now able to assist TAFE students navigate their way around the Money Smart website and access various budgeting tools. A dedicated space with a computer is available at various times during the week for students to create budgets or complete Centrelink applications.

### Employment

Many international students and newly arrived migrants are unaware of Australian employment law and their rights as employees. Unfortunately some employers take advantage of this ignorance, exploiting for financial gain a very vulnerable group of people.

### Case Study: Lara's job

Lara\* was a young international student studying and working in Sydney. In late 2013, Lara got a part-time job as a shop assistant but she was not provided a complete written contract. Four months after starting work, Lara received a call from her employer informing her that she was fired with immediate effect, as she had failed to reach sales targets.

The next day Lara came into RLC at the TAFE to find out about her rights as an employee. (She had heard about us at an international student orientation day). Lara had not received 1 weeks' notice of termination and wanted to know if she was eligible for an unfair dismissal claim. Unfortunately, as Lara had not worked at her company for the required six months, she was unable to make a complaint of unfair dismissal with the Fair Work Commission.

RLC reviewed all of Lara's circumstances: Lara had been paid less than the minimum wage, she had missing hours worked on her pay slips, she had not been paid superannuation that was owed to her, she was denied her legal right to annual and personal leave resulting in money owing, and finally Lara was due 1 week worth of wages in lieu of notice. This amounted to approximately \$3,000 if Lara was successful in all her claims.

Lara's ex-employer became evasive when she tried to make contact about her concerns, and so with the help of RLC, Lara sent a letter of demand to the employer, in which she documented all money owing and asked that all money be paid immediately.

A few days later the employer replied, conceding that Lara was owed some money, but only around \$1,500. Additionally, the employer claimed that Lara was fired due to multiple instances of inappropriate behaviour, and therefore Lara owed them money. The employer threatened legal action against Lara in an apparent effort to scare and intimidate her.

RLC advised Lara to ignore her ex-employer's counter-claims, and assisted her to make a complaint to the Fair Work Ombudsman. As a result of this complaint, the employer offered her \$3,000. Lara accepted this offer and felt much better about her situation and her time in Australia.

\*not her real name

# Our Education, Engagement and Communications

## General Team

It has been a big year for education, engagement and communications at Redfern Legal Centre.

### Legal training for community workers

We substantially increased our training for community workers this year, with funding from the City of Sydney and Commonwealth Attorney-General's Department. There were more topics, and more participants, and we presented online webinars as well as traditional face-to-face workshops. These webinars allowed workers from all over NSW to benefit, as illustrated in this comment:

*I would like to say as a regional worker ... this type of training provides for opportunities not normally available*

*due to the 'travel factor' or 'tyranny of distance'. It provides a great service and opportunity for personal and professional development not normally available.*

During the year almost 400 community workers participated in training workshops and webinars. The most popular topics were Social Housing Law, and Assisting clients with Apprehended Domestic Violence Orders.



### Community engagement

We attended a wide range of community events in our catchment area – such as *Homeless Connect*, *Yabun Festival*, and the *Chinese Community Healthy Living Expo*, to meet local residents and discuss how we could assist with their legal needs.

We also attended meetings of local service providers, such as the *City of Sydney Over 55 Services Interagency*, *Redfern Police Precinct Safety Meeting*, and *Marrickville/Leichhardt/Glebe Child and Family Interagency*, to engage with the workers who refer clients to us and who we refer clients to.

This year we introduced Community Worker Alerts – emails to community service providers about our work. These have proved to be very popular, with over 500 local subscribers and more than 2000 across NSW.



### Pedal power

This year RLC launched ***Pedal Power: Cycling and the Law in NSW***, a new legal information site for bike riders about how they can navigate NSW roads in accordance with state laws. The NSW Road Rules 2008 define bicycles as vehicles, so the road rules that apply to drivers may also apply to cyclists. And there are some road rules that only apply to cyclists. It is vital that those who own bicycles are aware of the laws controlling their use of NSW roads and footpaths.



The site has information on where bicycles can be ridden, what extra rules cyclists need to follow as well as information about public transport, insurance and personal injuries, what to do in case of an accident and the steps to follow if there has been damage to your bicycle, vehicle or other property.

[pedalpower.rlc.org.au](http://pedalpower.rlc.org.au)



# Communications:

## A Brand New Website, We Cracked 1000 Likes and Powerful New Client Story Videos

2013-2014 was a very exciting year for the communications team at Redfern Legal Centre as we saw the completion of a huge project, two years in the making – a brand new RLC website – [www.rlc.org.au](http://www.rlc.org.au)!

The website was a labour of love and we really wanted to make sure it was going to be useful and accessible to the people we want to communicate with. We undertook many rounds of focus groups and user testing to make sure we fully understood the online communications needs of our community. We spoke with many different community member groups and stakeholders including journalists, community workers and political advisors.

Once we found out what people wanted from an RLC site, we got to work making sure it made sense. We undertook site testing with a wide range of stakeholders and community groups.

After two long years, we're very happy with the result and we hope you enjoy using the new site. As always we're very open to your thoughts and suggestions on the site, so if anything occurs to you just send the communications team an email at [info@rlc.org.au](mailto:info@rlc.org.au).

It's been a great year for communications overall – we're really excited that we've just cracked 1000 likes on facebook which means we have an expanded capacity to get the message out there about increasing access to justice.

We sent bimonthly *Redfern Legal* e-bulletins to almost 2000 subscribers, with news and legal updates from all our areas of practice.

We're working on a new project, *Telling Our Clients' Stories*, using short videos to harness the power of our clients' stories to help bring about positive change. You can watch these videos now on our YouTube channel [www.youtube.com/user/RedfernLegalCentre](http://www.youtube.com/user/RedfernLegalCentre).

Sophie Farrell, *Communications and Volunteer Manager*

The screenshot shows the homepage of the Redfern Legal Centre website. At the top left is the RLC logo, a stylized archway. To its right is the text "Redfern Legal Centre". Further right is the phone number "02 9698 7277" and the address "73 Pitt Street Redfern, NSW 2016". Below this is a search bar with the text "Search the site" and a "Search" button. A navigation menu includes "Home", "About Us", "Our Services", "Publications", "Working for Change", "Jobs & Volunteers", and "News & Events". The main banner features a photograph of an elderly man in a hat and a woman in a green shirt. Below the banner are three orange buttons: "Do you need legal help?", "Media Enquiries", and "Community Workers". The main content area has the text "We provide free legal advice and casework, deliver community legal education and engage in law reform". Below this is a "News & Events" section with a post titled "Practical Legal Training Opportunity (Volunteer)" dated 8 SEPTEMBER 2014. To the right of the news section is a video player showing a man speaking, with the title "Terence's Story: Housing NSW tenants forced".

# Our Clients and Services (Statistics)

## RLC as a whole

Information activities 2398

## Casework

Files open (new and ongoing) 1326

Files closed 926

## Projects

Community legal education 72

Law reform 48

Community development 13

## Clients

Total clients assisted: 3450

Clients identified as Aboriginal and/or Torres Strait Islander 5.2%

Culturally and linguistically diverse clients (113 different countries of origin) 1220

Most of our culturally and linguistically diverse clients came from China, Thailand, Iran, Russia, Philippines, Vietnam, India, Indonesia, Italy, and Korea.

## Top 10 issue areas

- Tenancy
- Domestic Violence
- Credit and debt
- Employment
- Government/Admin processes
- Consumer complaints
- Family Law
- Complaints against Police
- Discrimination
- Fines/Motor vehicle accidents
- Immigration

## Sydney Women's Domestic Violence Court Assistance Scheme

Client contacts: 7,632

Clients assisted: women 1,723

total matters 1,994

criminal charge matters 555

ADVO matters 1,373

APVO matters 66

Clients represented by Domestic Violence Practitioner Scheme (DVPS): 167

Apprehended Domestic Violence

Orders obtained by clients: 808

Referred by police: 877

Client identifying as Aboriginal: 124

Culturally and linguistically diverse clients: 571

Clients identifying as having a disability: 138

Clients identifying as being in a same-sex relationship 24

## Inner Sydney Tenants' Advice and Advocacy Service

Advices: 1621

Born outside Australia: 42.3%

Social housing tenants: 47.9%

New files opened: 140

Tenants given on-the-spot assistance at the Tribunal: 122

## Sydney University Postgraduate Representative Association Legal Service

Advice/cases: 362

### Top 5 issue areas:

Govt/admin complaints: 32%

Civil (process, contracts): 21%

Consumer complaints: 9%

Intellectual Property 7%

Employment 5%

## Sydney Institute of TAFE Legal Service

Advice/cases: 288

### Top 5 issue areas

Family law and child support: 28%

Employment: 12%

Road traffic/motor vehicle matters: 11%

Tenancy: 9%

Criminal matters 8%

# Our Board of Directors

## Management Structure

Redfern Legal Centre is a company limited by guarantee. It has a Board of six elected directors who delegate responsibility for day-to-day management of the Centre to the Chief Executive Officer.

## Directors



**Amy Munro** Chair

Amy Munro is a barrister practising from Eleven Wentworth in Sydney. She has a wide-ranging commercial and public law practice. Prior to being called to the Bar, she 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. She was elected to the Board in 2010 and continues to act as a volunteer with RLC.



**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 Sydney Women's Domestic Violence Court Advocacy Service and the Inner Sydney Tenants' Advice and Advocacy Service before becoming a Director.



**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 RLC for a number of years. Despite his grey hairs, Peter still assists the Centre to achieve its primary goal of helping disadvantaged persons access justice. Peter is a Director of Aboriginal Legal Services 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 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 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 Director of Policy and Research at the Community and Public Sector Union (CPSU).



**Paul Farrugia**

Paul Farrugia is a partner in a small suburban legal firm. Paul graduated from the University of Sydney with an LL.B. Paul has been involved with RLC since 1978 as a volunteer solicitor, Management Committee member and a Director. In recognition to his service to RLC, Paul received the Law Society Pro Bono Solicitor of the Year Award in 1993.



**Linda Tucker**

Linda Tucker is the manager of community legal education at Ilawarra Legal Centre. Before that she was head of legal for the Transport Workers' Union of Australia. She has worked in a range of legal positions in Sydney, Cambodia and the UK, practising primarily in employment, asylum and environmental law. Linda ran the employment law clinic at UNSW's Kingsford Legal Centre from 2004 to 2010 and remains closely involved with the community legal sector.

# Our Volunteers

After more than three years of working with Redfern Legal Centre's volunteers, I have never been more inspired by and proud of our volunteer team than I am this year.

Working in the front office, being the face of RLC, our Volunteer Legal Assistants have been patient, kind, dedicated and empathetic. I am always impressed by our Legal Assistants' ability to juggle paid work, overloading subjects at university, family life and often several unpaid internships at once.

I love interviewing potential new Legal Assistants and asking them the question "Why do you want to volunteer with us?" The answers I hear on a daily basis make me proud to be part of the community legal centre movement and proud to assist these new recruits to get involved.

Our Volunteer Solicitors work tirelessly to provide free legal advice to our clients. We have some solicitors who have consistently volunteered at RLC for close to a decade. People who work all day in a high pressure job and come in here in the evenings to continue working, so that vulnerable people can access the justice system.

Behind the scenes we have Practical Legal Training (PLT) students, who provide invaluable support to the work of our solicitors. We have Social Work students who conduct sociological research to make sure we're reaching out to every corner of our catchment area and providing services to those who need them most. We have specialist interns who support our communications and fundraising work, again often working paid jobs, studying and dedicating their time to Redfern Legal Centre. We also thank our Police Clinic and Housing Clinic students, who whilst learning about these areas of law, also increase our capacity to assist our clients.

To all our volunteers – to the new recruits, to the old hands, to those who make room in their lives to work with RLC to increase access to justice – I say thank you so much for your hard work during 2013-2014. We rely on you and we are grateful to you for your dedication and service to our community.

**Sophie Farrell**, *Communications and Volunteer Manager*

Adam Grullemans	Andrew Jordan	Charlotte Oliver	Elizabeth Mulock	Hannah Mifflin
Adeline Lee	Angela Wong	Christine Chan	Ella Semega-Janneh	Haren Pararajasingham
Adriana Abu Abara	Angelique Lu	Christine Weekes	Elodie Cheesman	Harold Bear
Ahmed Taleb	Anna Kedves	Christopher Connley	Emily Dale	Harrison Cavanagh
Aimee To	Anna Payten	Claire Harris	Emily Wan	Hayden Shkara
Aimee Yi	Anna Pejovic	Claire Kermond	Emma Forbes	Heath McCrossin
Alejandra Rosales	Anna Spies	Claire Petrie	Emma Grant	Helen Shelton
Alex Edwards	Anna Talbot	Clare Cronan	Emma Higgs	Hilary Kincaid
Alex Kennedy-Briet	Annabel Pope	Clementine Baker	Emma Jukic	Ingrid Stear
Alexandra Back	Ara Daquinag	Corey Gauci	Emma Lutwyche	Ingrid Weinberg
Alexandra Goodenough	Aritree Barua	Costa Argyrou	Emma Moss	Isheeka Goswami
Alexandra Lillis	Atra Ardekani	Damien Pang	Emmanuel Brennan	Ivan Vizintin
Alexandra Rose	Ben Day	Daniel Murray	Erica Berki	Jack Coles
Ali Gronow	Bianca Holliday	Daniel Reynolds	Erika Aligno	Jack Orford
Alice Zheng	Bianca Montgomery-Hribar	Daniel Smith	Esther Song	Jack Slattery
Alix Johnson	Brad Mariano	Danielle Paz Viera	Fiona Aroney	Jade Bond
Allina Anderhuber	Bridget Akers	Darren Jenkins	Fiona Gayler	Jaime Heap
Alya Gordon	Carla Ianni	David Berman	Fiona Holdsworth	Jalal Razi
Amber Karanikolas	Carmen Terceiro	David Birch	Fiona Manning	James Lee
Amy Gumley	Caroline Hopley	David Paterson	Fiona Meiklejohn	Jamie Hutchinson
Amy Hill	Cassandra Low	David Vallance	Gabriel Chipkin	Jane Dillion
Amy Mao	Catherine Fitzpatrick	Dean Tyler	Gloria Perin	Jane Foley
Amy Munro	Celine Thompson	Dyanna Leslie	Gyo Suzuki	Janet Simpson
Amy Williams	Charlotte Egan	Edward Elliot	Hai-Van Nguyen	Janice King
Andrew Arulanandam	Charlotte Martin	Ekaterina Magin	Hana Thorson	Jason O'Neill
Andrew Fletcher	Charlotte Minogue	Elizabeth Heaney	Hannah Bellwood	Jeffrey Wang





Jennifer Franco  
 Jennifer Garrick  
 Jennifer Wu  
 Jenny Kojevnikov  
 Jessica Liang  
 Jessica Qiu  
 Jessica Quinn  
 Jessica Raffal  
 Jessica Tat  
 Ji-Beom Jang  
 Jia Yi Lee  
 Jill Forrester  
 Jimmy Kim  
 Jo Seto  
 Joanna Laidler  
 Joe Ishow  
 John Simon  
 Josh Wood  
 Judith Read  
 Julia Green  
 Julia Kingston  
 Julia Smith  
 Julian Laurens  
 Jun Lin  
 Kara Gorey  
 Kate Goninan  
 Kate Luckman  
 Kate McCallum  
 Kathryn Farrar  
 Katie Davern  
 Katie Kossian  
 Katie Pearce  
 Katie Simon  
 Katrina Clark

Kelvin Ng  
 Kemi Olafuyi  
 Kimberley Mackenzie  
 Kirri Flutter  
 Kris Lajara  
 Kritika Naidu  
 Lara Song  
 Laura Joseph  
 Lauris De Clifford  
 Leah Williamson  
 Lee Corbett  
 Leonie Hale  
 Liam Harding  
 Libby Gunn  
 Lindi Todd  
 Lisa Duff  
 Lisa Stueckradt  
 Llewellyn Spink  
 Lorylene Osorio  
 Louise Hill  
 Lucy Cannon  
 Lucy Jackson  
 Luis Izzo  
 Lydia Alexander  
 Lyndon Burke  
 Marcia Ruf  
 Margaret Jones  
 Margaret Whish  
 Mario Yu  
 Mary Gutierrez  
 Mary Phillips  
 Matt Lady  
 Matthew Byrnes  
 Maureen David

Maysa Hassan  
 Medha Singh  
 Megan Quinn  
 Melanie Bradford  
 Melissa Chen  
 Melissa O'Dwyer  
 Menqi Ren  
 Michael Chan  
 Michael Windsor  
 Mimi Ead  
 Monique Hendry  
 Morad Wasile  
 Nadica Mireska  
 Nadine Fitzpatrick  
 Narges Attai  
 Natalie Deryahina  
 Natalie Egan  
 Nelson Guo  
 Nicholas Adams  
 Nicholas Read  
 Nicholas Simpson  
 Nicola Cooper  
 Nicola Gilbert  
 Nicole Mebler  
 Nicole Sammel  
 Nicole Simoes  
 Olivia Lynch  
 Oshie Fagir  
 Patrick Trieu  
 Paul Ahearn  
 Paulina Fusitu'a  
 Peter Baker  
 Qaraman Hasan  
 Rachel Gregory

Rachel Mansted  
 Rachel Strickland  
 Rana Halabi  
 Rebecca Byun  
 Rebecca Hiscock  
 Rebecca Tattersall  
 Renee Watt  
 Riana Head-Toussaint  
 Richard Montano  
 Rita Caruana  
 Rogan O'Shannessy  
 Ronald Gouder  
 Ronny Mounrath  
 Rory McLeod  
 Rosanna Van Krieken  
 Rubini Uthayakumar  
 Ruby Cornish  
 Sally Stuart  
 Sam Goldsmith  
 Samantha McCormack  
 Sean Behringer  
 Sean Shepherd  
 Sefakor Dokli  
 Seulki Kim  
 Shane Wescott  
 Shanni Zoeller  
 Shelley Williams  
 Shirley Liu  
 Shriya Narula  
 Siddharth Sethi  
 Simon Gibbs  
 Simon Moran  
 Simon Rudd  
 Skye McKinnon

Smeetha Jayakumar  
 Sophie Kaiko  
 Sophie McNaught  
 Stefanie Vogt  
 Stephanie Fowler  
 Stephanie Millen  
 Subhaga Amarasekara  
 Susan James  
 Tamanna Hashemee  
 Tania Scott  
 Tara Gazzard  
 Tatiana Stein  
 Teresa Dellagiacomma  
 Therese Hartcher  
 Thomas Van Kints  
 Thomas Wand  
 Tim Capelin  
 Tim Nelmes  
 Timothy Maybury  
 Timothy O'Ryan  
 Tom Barbat  
 Tom Kiat  
 Tom O'Brien  
 Truman Biro  
 Tsukasa Hiraoka  
 Uliana Korchevskaya  
 Vanessa Ji  
 Vanja Bulut  
 Vasili Maroulis  
 Verity Smith  
 Victoria Gordon  
 Wendy Green  
 Yvonne Wandgra



# Our Staff

## Permanent and Fixed Term Staff

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

Kimberley Mackenzie	Tenants' Advocate
Lindsay Ash	Tenants' Advocate (General & Millers Point)
Martin Barker	Millers Point Tenant Advocate
Natalie Bradshaw	Acting Tenancy Coordinator
Sue Thomas	Tenants' Advocate
Tom McDonald	Tenants' Advocate

### Sydney Women's Domestic Violence Court Assistance Scheme – DV Team

Charmaine Weldon	Specialist Worker
Claire Harris	DVPASS Project Worker
Janice Waring	Assistant Coordinator
Kath Chegwidden	Acting Assistant Coordinator
Lee Taylor	Assistant Coordinator
Rebecca Louttit	Assistant Coordinator
Susan Smith	Coordinator
Tatiya Hastie	Specialist Worker

### General team

Annette van Gent	Solicitor
Brenda Staggs	Solicitor
David Porter	Solicitor
Elizabeth Morley	Principal Solicitor
Helen Fahey-Shelton	Front Desk Supervisor
Hilary Chesworth	Administrator
Ingrid van Tongeren	Solicitor
Jacqui Swinburne	Solicitor/ Acting CEO
Joanna Shulman	Chief Executive Officer
Kate Gauld	Solicitor
Lauris de Clifford	Solicitor
Lindsay Ash	NBN Project Officer
Nick Manning	Community Engagement and Education Officer
Sophie Farrell	Communications and Volunteer Manager
Wendy Wang	Administration Officer
Will Dwyer	Solicitor

## Casual Staff

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

Carl Freer	Tenancy Adviser
Emma Lutwyche	Tenancy Adviser
Kathryn Farrar	Project Officer
Melanie Bradfield	Tenancy Adviser
Rafael Mazzoldi	Tenancy Adviser

### Sydney Women's Domestic Violence Court Assistance Scheme – DV Team

Alexandra Lillis	Admin Assistant
Kate Barrett	Admin Assistant
Rochelle Zats	Admin Assistant
Stephanie Millen	Admin Assistant

### General team

Alex Edwards	Locum Solicitor
Cassandra Low	Supervisor, Day Information Service
Claire Harris	Supervisor, Day Information Service
Daniel Reynolds	Project Officer
David Vallance	Supervisor, Day Information Service
Jack Fu	Cleaner
Jessica Liang	Admin Assistant
Julia Kingston	Supervisor, Day Information Service
Katrina Clark	Locum Solicitor
Medha Singh	Admin Assistant
Melissa Chen	Fundraiser
Michelle Schonstein	Locum Solicitor
Natalie Ross	Project Officer
Nicola Gilbert	Admin Assistant
Seulki Kim	Supervisor, Day Information Service
Sue-Ellen Hills	Project Officer
Tom Kiat	Supervisor, Day Information Service
Vanessa Ji	Supervisor, Day Information Service

### Consultants

Adaptive Solutions	IT support
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# Redfern Legal Centre



## Our Awards and Nominations

During the year several RLC services and staff were recognised for their work:

- **Tenant Advocate Tom McDonald** won the People's Choice Award at the 2013 Tenants' Advice and Advocacy Program Awards.
- **CEO Joanna Shulman** was shortlisted and highly commended for the 2013 Young Lawyer Award in the Law Society of New South Wales Patron Awards.
- **Redfern Legal Centre** was a finalist for the Social Impact Award in the 2013 HESTA Community Sector Awards.
- **Redfern Legal Centre** was nominated for the Organisation Award in the 2013 HESTA Community Sector Awards.
- **The Redfern Legal Centre and Clayton Utz Partnership** was nominated for the 2013 Justice Awards Pro Bono Partnership Award (NSW Law and Justice Foundation).
- **Redfern Legal Centre** received a Certificate of Appreciation from Volunteering Australia and The Factory Community Centre during National Volunteer Week.

# Our Financials

## Directors' Declaration

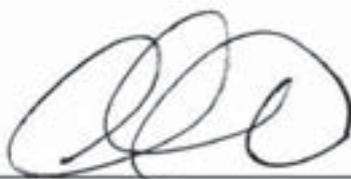
REDFERN LEGAL CENTRE  
ABN 31 001 442 039

### DIRECTORS' DECLARATION

The directors of the company declare that:

1. The financial statements and notes, as set out on pages 6-17, are in accordance with the *Australian Charities and Not-for-profits Commissions Act 2012*: and
  - (a) comply with Australian Accounting Standards - Reduced Disclosure Requirements and the *Charities and Not-for-profits Commissions Regulations 2013*; and
  - (b) give a true and fair view of the financial position as at 30 June 2014 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.

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

Director:   
Amy Munro

Dated this 8 day of October 2014

# Auditor's Report



**PITCHER PARTNERS**  
ACCOUNTANTS AUDITORS & ADVISORS

Level 22 MUC Centre  
19 Martin Place  
Sydney NSW 2000  
Australia

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[partners@pitcher-nsw.com.au](mailto: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**

We have audited the accompanying financial report of Redfern Legal Centre, which comprises the statement of financial position as at 30 June 2014, the statement of 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.

### *Directors' Responsibility for the Financial Report*

The directors of the company are responsible for the preparation of the financial report that gives a true and fair view in accordance with Australian Accounting Standards – Reduced Disclosure Requirements and the *Australian Charities and Not-for-profits Commissions Act 2012*, and for such internal control as the directors determine is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on the financial report based on our audit. We conducted our audit in accordance with Australian Auditing Standards. Those standards require that we comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial report is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial report. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement in the financial report, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the company's preparation of the financial report that gives a true and fair view 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. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial report.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

# Auditor's Report

REDFERN LEGAL CENTRE  
ABN 31 001 442 039



PITCHER PARTNERS

## INDEPENDENT AUDITOR'S REPORT TO THE MEMBERS OF REDFERN LEGAL CENTRE

### *Independence*

In conducting our audit, we have complied with the independence requirements of the *Australian Charities and Not-for-profits Commissions Act 2012*.

### *Auditor's Opinion*

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

- (a) giving a true and fair view of the company's financial position as at 30 June 2014 and of its performance for the year ended on that date; and
- (b) complying with Australian Accounting Standards – Reduced Disclosure Requirements and the *Australian Charities and Not-for-profits Commission Regulation 2013*.

Mark Godlewski

Partner

9 October 2014

PITCHER PARTNERS

SYDNEY

# Comprehensive Income

REDFERN LEGAL CENTRE  
ABN 31 001 442 039

STATEMENT OF COMPREHENSIVE INCOME  
FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 \$	2013 \$
<b>Revenue</b>	3	2,076,558	1,954,144
<b>Less: expenses</b>			
Depreciation and amortisation expense	4	(21,104)	(22,167)
Employee benefits expense		(1,733,963)	(1,520,573)
Occupancy expense		(59,189)	(42,893)
Repairs and maintenance expense		(9,360)	(15,617)
Advertising expense - program related		(12,463)	(34,826)
Consultancy - program related		(23,436)	(120,886)
Other expenses		<u>(149,319)</u>	<u>(183,592)</u>
		<u>(2,008,834)</u>	<u>(1,940,554)</u>
<b>Surplus</b>		67,724	13,590
<b>Other comprehensive income for the year</b>		-	-
<b>Total comprehensive income</b>		<u>67,724</u>	<u>13,590</u>

# Financial Position

REDFERN LEGAL CENTRE  
ABN 31 001 442 039

STATEMENT OF FINANCIAL POSITION  
AS AT 30 JUNE 2014

	Note	2014 \$	2013 \$
<b>Current assets</b>			
Cash and cash equivalents	6	848,149	785,332
Receivables	7	3,897	4,156
Other financial assets	8	500,000	500,000
Other assets	10	<u>11,725</u>	<u>9,356</u>
<b>Total current assets</b>		<u>1,363,771</u>	<u>1,298,844</u>
<b>Non-current assets</b>			
Property, plant and equipment	9	<u>38,213</u>	<u>48,491</u>
<b>Total non-current assets</b>		<u>38,213</u>	<u>48,491</u>
<b>Total assets</b>		<u>1,401,984</u>	<u>1,347,335</u>
<b>Current liabilities</b>			
Payables	11	657,573	706,889
Provisions	12	<u>310,956</u>	<u>266,098</u>
<b>Total current liabilities</b>		<u>968,529</u>	<u>972,987</u>
<b>Non-current liabilities</b>			
Provisions	12	<u>95,535</u>	<u>104,152</u>
<b>Total non-current liabilities</b>		<u>95,535</u>	<u>104,152</u>
<b>Total liabilities</b>		<u>1,064,064</u>	<u>1,077,139</u>
<b>Net assets</b>		<u>337,920</u>	<u>270,196</u>
<b>Equity</b>			
Reserves	13	-	15,000
Retained surplus	14	<u>337,920</u>	<u>255,196</u>
<b>Total equity</b>		<u>337,920</u>	<u>270,196</u>

# Equity Changes

REDFERN LEGAL CENTRE  
ABN 31 001 442 039

STATEMENT OF CHANGES IN EQUITY  
FOR THE YEAR ENDED 30 JUNE 2014

	Reserves \$	Retained Surplus \$
Balance as at 1 July 2012	30,000	226,606
Surplus for the year	<u>-</u>	<u>13,590</u>
Total comprehensive income for the year	<u>-</u>	<u>13,590</u>
Transfers	<u>(15,000)</u>	<u>15,000</u>
Balance as at 30 June 2013	<u>15,000</u>	<u>255,196</u>
Balance as at 1 July 2013	15,000	255,196
Surplus for the year	<u>-</u>	<u>67,724</u>
Total comprehensive income for the year	<u>-</u>	<u>67,724</u>
Transfers	<u>(15,000)</u>	<u>15,000</u>
Balance as at 30 June 2014	<u>-</u>	<u>337,920</u>

# Cash Flows

REDFERN LEGAL CENTRE  
ABN 31 001 442 039

STATEMENT OF CASH FLOWS  
FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014 \$	2013 \$
<b>Cash flow from operating activities</b>			
Receipts from funding agreements and grants		1,921,328	2,150,952
Receipts from other income sources		224,445	242,573
Payments to suppliers and employees		(2,117,210)	(2,110,677)
Interest received		<u>45,080</u>	<u>45,509</u>
<b>Net cash provided by operating activities</b>	15(b)	<u>73,643</u>	<u>328,357</u>
<b>Cash flow from investing activities</b>			
Proceeds from sale of property, plant and equipment		-	4,274
Payment for property, plant and equipment		(10,826)	(52,171)
Payment for investments		<u>-</u>	<u>(4,141)</u>
<b>Net cash provided by / (used in) investing activities</b>		<u>(10,826)</u>	<u>(52,038)</u>
<b>Reconciliation of cash</b>			
Cash at beginning of the financial year		785,332	509,013
Net increase in cash held		<u>62,817</u>	<u>276,319</u>
<b>Cash at end of financial year</b>	15(a)	<u>848,149</u>	<u>785,332</u>

# Join us!

- **Like us** on facebook [www.facebook.com/redfernlegal](http://www.facebook.com/redfernlegal)
- **Follow** RLC\_CEO on twitter
- **Subscribe** to *Redfern Legal* our bi-monthly ebulletin – via our website [www.rlc.org.au](http://www.rlc.org.au)
- **Volunteer** with us – [rlc.org.au/jobs-volunteers](http://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 [rlc.org.au](http://rlc.org.au)  
or call us on **(02) 9698 7277**  
to make a donation.

Donations of \$2 and over  
are tax deductible.



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Parramatta

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Randwick  
A36

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