

As our last e-bulletin was a special 30th birthday edition, this issue is a 'bumper' edition covering the period from March to September 2011. This has been an extremely busy and productive time for KLC.



Highlights

Centre hosts the National Clinical Legal Education Conference

The Transforming Legal Education – Australian National Conference on Clinical and Experiential Learning was held at UNSW on September 7 to 9. The conference was a great success with the Attorney General opening it and around 100 people attending.

Principal Solicitor, Emma Golledge, won the NSW Women Lawyers' award for Lawyer of the Year in a Community Organisation

Emma receives well deserved recognition with this prestigious award.

New Visa Cancellation Clinic

KLC starts an exciting new clinic working with prisoners who have their visas revoked on character grounds with funding from Legal Aid in their partnership program.

Power of Attorney Clinic

A new partnership with Clayton Utz to provide a pro bono clinic targeted at older community members begins. The clinic provides three appointments fortnightly on PA matters

GAJE Conference

Two KLC staff were involved in organising and attending the Global Alliance of Justice Education conference in Spain. Anna Cody presented a workshop and was elected to the GAJE steering Committee.

Law Reform Submissions

KLC staff worked on three major law reform submissions after extensive consultation: consolidation of discrimination laws, Aboriginal constitutional recognition and human rights baseline study.

Race Discrimination Matter

An Aboriginal man, refused accommodation due to his Aboriginality, took his discrimination complaint to hearing.



Kingsford Legal Centre eBulletin: Spring 2011

Staff

Emma recognised with Award and a new secondee solicitor

Emma Colledge Wins Award

On September 23, KLC Principal Solicitor, Emma Colledge, won the NSW Women Lawyers' award for Lawyer of the Year in a Community Organisation. This category had the most nominees of any of the divisions. This award is a great recognition of Emma's work in discrimination law particularly, leading law reform and policy analysis within the national community legal centre movement in discrimination law and making concrete proposals for how to improve the law. Congratulations Emma!

New Secondee Solicitor from Freehills – Chris Hill

Chris started his secondment at KLC in July after completing the Freehills graduate program. He completed his undergraduate Arts/Law degree at Macquarie University and spent a semester studying law at the University of British Columbia, Canada. Chris has worked in the Litigation, Employee Relations and Corporate groups at Freehills. Chris enjoys reading, watching films and pretending to know how to surf and play drums.



Chris Hill

Clinical legal education

KLC hosts National Conference, GAJE news and clinical standards project moves forward

National clinical legal education and experiential education conference

KLC in conjunction with Fran Gibson (Director of Experiential Learning) organised and hosted a conference on clinical legal education from 7 to 9 September. The Federal Attorney General opened the conference and a range of very impressive speakers from the USA, New Zealand, England and Australia presented plenaries and workshops. We had many more attendees than we had expected, over 95 enrolled and gave very positive feedback on the conference. The domestic and international speakers were thought provoking. Judith Welch (a Carnegie report writer) and Alizabeth Newman (City University of New York) gave contrasting presentations on legal education in the USA and then a focussed discussion of community development in clinical education programs. The session on Indigenous education was particularly stimulating and raised some fascinating issues of transferral of knowledge across cultures and the challenges of Native American lawyers using traditional 'white' law to challenge Tribal court law. Papers will be available on our website shortly.



Attorney General opening the Clinical Conference

GAJE conference: July 2011

KLC staff were on the organising committee for this Global Alliance for Justice Education conference in July 2011, deciding fee waivers and grants for participants from developing countries. Two staff also attended the conference which was inspiring and truly global. We hope to integrate many of the ideas picked up at the conference into our courses over the coming year. KLC Director, Anna Cody, was elected to the GAJE steering committee.



Anna Cody presenting workshop at GAJE Conference

Clinical Standards Project

The ALTC funded project continues with further project team meetings in the next two months and finalisation of regional reports. These should be published within a month. The next stage of the project is the drafting of standards in each of the areas with time for input into these. There will be standards in areas such as time periods for clinical teaching, seminar programs, supervision levels and teaching of analysis of law, among other issues. The recent clinical conference included a two hour plenary on the standards project for those attending to give input to the draft standards. In December there will be a formal presentation of the draft standards to key stakeholders.

Prince of Wales Hospital Student Exchange

This student exchange project was conducted in this session. Six KLC students spent the day with the Social Workers and students at Prince of Wales Hospital. The

evaluations from the KLC students showed that they were unaware of the extent of the work undertaken by social workers. Four social work students also visited KLC on Tuesday 4 October.

Justice Kirby Visit to KLC

In August KLC staff and students were delighted to host Justice Michael Kirby's visit to our centre. Mr Kirby was a genial guest and our students were touched by his genuine interest in them and the work they do at the centre.



Staff and Students with Michael Kirby

Community legal education

KLC's CLE program has been prolific in the period with a wide range of workshops being presented and an update of the Discrimination DIY kit.

Long Bay Correctional Centre training session

KLC staff presented a training session to welfare workers, drug and alcohol workers and other "non-custodial" staff at Long Bay Gaol on 25 May. The training session ran for three hours and covered topics including tenancy, victims compensation, visa cancellations, debts, fines and the range of free legal assistance available to prisoners. The welfare and other workers participated fully in the training session, and confirmed what we already believed were the main civil law issues affecting prisoners and ex-prisoners. The session was very well received, and we have already received a request for follow up sessions.

Yarra Bay CLE- Funeral Plans

Responding to concerns in the Yarra Bay community the Centre ran an information session on Funeral Insurance Plans, especially those targeted to Indigenous communities at Yarra House on 11 May 2011. A few of the members of the local Aboriginal community were unsure of their rights under these plans, and had a lot of questions about how they worked.

Family law CLE for Aboriginal men

A CLE on Family Law was delivered by KLC to members of the La Perouse Aboriginal Men's Group on Friday 27 May 2011.

Discrimination Toolkit

KLC solicitors have been updating the Kit with Legal Aid. Legal Aid has relied on KLC to draft sections in relation to changes under the *Fair Work Act*. The Kit is a great resource and will be re-printed soon.

Asian Women at Work – Legal Aid Partnership Funding Grant No. 1

KLC was successful in the inaugural round of partnership funding between NSW community legal centres and the Legal Aid Commission. We received funding for two projects – the first of which is the running of a series of six employment law workshops in collaboration with Asian Women at Work, a grassroots organisation in the South West of Sydney. We are also producing materials in English, Vietnamese and Chinese. We have recently held two workshops with Asian Women at Work (AWAW) members as part of the Legal Aid partnership project. At the first workshop, AWAW members from the Chinese community in Auburn gave us some insight into the types of employment issues they come across. At the second workshop, we worked through case studies which we had developed to reflect the experiences shared with us at the first workshop. By working through the case studies the women were able to learn how to identify good and bad workplace practices, what legal (and non-legal) options are available to them and how they can overcome some of the barriers to accessing the legal system.



Liz Myer presenting to AWAA members

Community Workers Series

KLC has continued its monthly community workshop series for 2011. Recently, we have organised training workshops on Fines and Powers of Attorney. We have presented additional ad hoc workshops on a wide range of topics in addition to our monthly community workers series. These have included a workshop on the sexual assault communications privilege to an interagency meeting of sexual assault counsellors and domestic violence support workers. We also presented a workshop on Powers of Attorney to workers at Jewish Family Care.



KLC CLE programs manager, Dianne Anagnos

Publications/IT

The new website is nearly up and running and the new Annual Report and Guide to Clinical Legal Education are now available.

KLC on-line

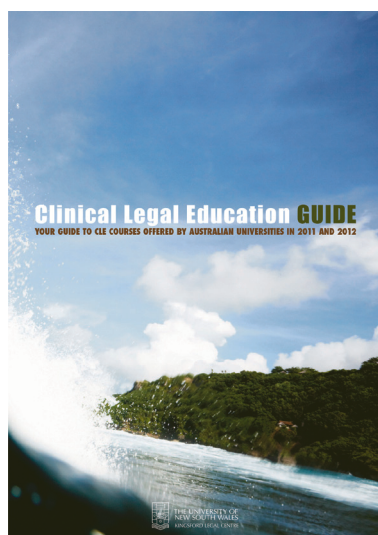
The KLC website is nearly finished with a few pages of content to be completed. Our thanks go to Michael Caddy from the Law Faculty and his team for designing a website that suits our students and our client's needs. KLC now has a Facebook page and an entry in Wikipedia. This is in response to research that shows that people seek information on line in many ways and not just through a 'Google search'. Another project is to have a series of short films on YouTube that would include how to get to KLC and what to expect when you have an appointment.

Annual Report

The KLC 2010 *Annual Report* is available online at www.kingsfordlegalcentre.org

Biannual Guide to Clinical legal Education Programs in Australian Law Schools

KLC produced and published its biannual guide to clinical legal education programs in Australian law schools in time for the September 2011 conference. This has grown to include 22 programs. The diversity of programs is notable and creates challenges when developing standards in the area.



Working with our community

KLC staff and students have been busy in the community working with our local tenant group along with the legal expo and sorry day stall. Our human rights project for young children also kicks off.

Sorry Day Stall

KLC operated an information stall on Sorry Day, Thursday 26 May 2011. The purpose of the stall was to recognize and pay respects to members of the Stolen Generations by increasing awareness of the Stolen Generations among UNSW staff and students, and to invite interested persons to make a pledge in KLC's *Sorry Day Pledge Book*.



Ron Timbery, Eric White and Ash Walker at Sorry Day Stall

Human Rights Rules

KLC's staff and students ran four workshops for kids over the school holidays. The interactive workshops taught children in the South East Neighbourhood Centre and Kooloora Community Centre vacation care programs about human rights. Both the KLC staff and the children had a great time playing games and making crafts that promoted human rights. Together we sailed to a new land and imagined ourselves as bunny rabbits to discover the things we need most. Following a group discussion the Children then created beautiful mobiles and placemats that showcased what they had learnt about human rights. Thank you to the staff at both Centres for their help organising the workshops.

Legal Information Expo

On Thursday 11 August KLC held an Expo of legal service providers at Kooloora Community Centre in Malabar. 14 organisations and services participated by having displays and providing legal information to community workers. During the morning KLC secondee solicitors conducted a CLE on powers of attorney and guardianship and Legal Aid NSW did a presentation on applying for grants of legal aid. Our thanks go to the organisations who attended and to Kooloora Community Centre for the generous use of their centre. Thanks also to Kooloora volunteers, Venetta and Sue who made morning tea and lunch and to the KLC students who also assisted at the Expo.



KLC students at Legal Information Expo

Eastern Suburbs DV Network

Several staff are active on the DV network and are participating in organising training for White Ribbon Day Ambassadors and facilitating the Love Bites program an education program aimed at year 10 high school students on issues of domestic violence and sexual assault.

South Maroubra Tenants Action Group

At their May meeting it was identified that many of the older tenants don't live on the ground floor of the units and they have an issue with Housing not providing handrails on both sides of the stairs. Many of the older tenants have health issues that impact on their mobility and have difficulty negotiating the stairs. Some of the tenants have made unsuccessful requests to Housing. The project to encourage Housing NSW to provide the additional hand rails going to be taken on by KLC as a student project. Ongoing support has also been provided by running workshops on letter writing.

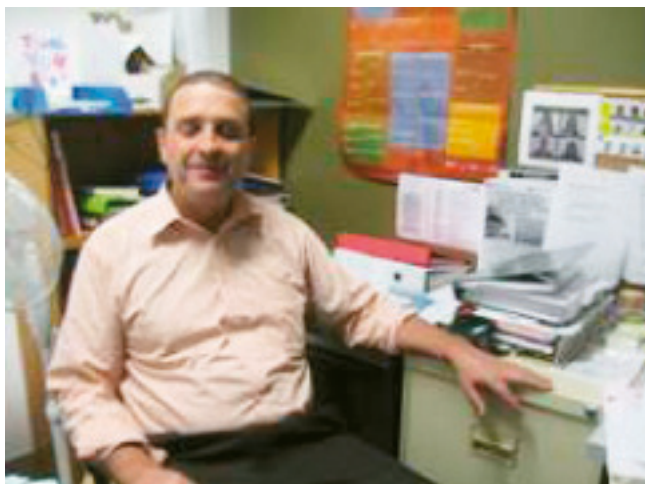
Advice and casework

KLC has been providing unprecedented numbers of advice and casework. Two new clinics and student advocacy highlighted along with some recent cases.

Legal Aid Partnership Grants No. 2: Prisoner's Visa Cancellation Project

The other grant KLC received through the Legal Aid partnership program is a Prisoner's Visa Cancellation Clinic. We have employed Chris Joyce, a one day per week project worker to supervise students and do case work in cancellation of visa on character grounds for prisoners. Chris has extensive experience as a community legal centre lawyer (particularly in credit and debt) and is a registered migration agent. Chris also works at Macarthur Legal Centre. Chris has been promoting the service through welfare workers at jails across NSW. There is a large demand for casework in this area and we have 12 month funding to develop referral protocols with Legal Aid and train other community legal centres in this work. KLC is focussing on accepting clients where they face significant barriers to responding to the notice of intention to cancel their visa, for example, language barriers or health issues and where there are compelling circumstances for example, compelling humanitarian reasons or best interests of the child considerations. Students will lead the work including evidence gathering and submission writing.

In a recent matter, we acted for a client in a visa cancellation matter who had spent over 50 years in Australia having migrated as a child when he was adopted. He had no family ties in the U.K and had never left Australia, he also had two young children in Australia. His long running criminal history meant that the Minister proposed to cancel his visa as a permanent resident. In that case the client's visa was cancelled personally by the Minister. In these cases there is no right to appeal and he was transferred from jail to Villawood and then deported to the U.K. The case raises lots of issues about the fairness of visa cancellations for long term residents.



Chris Joyce

Clayton Utz Power of Attorney Clinic

KLC is very grateful to Clayton Utz for their partnership in our newest pro bono clinic to provide free legal advice on power of attorney and guardianship law to our local community. This Clinic commenced on the 13 May 2011 after KLC staff developed training materials and spent a morning training Clayton Utz solicitors. The Clinic runs fortnightly and has three appointments at the Centre. The Clinic is also able to see clients in nursing homes, hospital or in home visits.

Race Discrimination

A long running case of race discrimination in accommodation has been finally heard by the Administrative Decisions Tribunal. Our client, an Aboriginal man, brought a complaint on the basis that he was refused accommodation because of his Aboriginality. The matter was heard by the Tribunal in August and the decision has been reserved. We obtained a grant of Legal Aid in the matter and Counsel Lisa Doust acted for the client at the hearing. We eagerly await the decision!

Two successful student advocacy matters

A KLC student represented a KLC client who was fined for parking in a loading zone. She was stopped in the zone to help her 93 year old mother into a pedicurist where she had an appointment. She needed to park close by as her mother is unable to walk long distances and needs assistance of a Zimmer frame

or walking stick at all times. Anne Cregan of Blake Dawson assisted with the case. The student drafted and presented a plea to the Waverley Local Court on 22 March 2011. The charge was dismissed by the court by way of s10 of the *Crimes (Sentencing) Procedures Act 1999* (NSW). The client was very happy with the result obtained by our student.

On 24 August 2011, a student from Kingsford Legal Centre attended Waverley Court to represent a client as part of our Student Advocacy Program. The client pleaded guilty to a mid-range drink driving charge. The student appeared on behalf of the client to explain the extenuating circumstances that lead to the incident and the client's personal situation, including their good character and financial hardship. On the basis of these pleadings, the magistrate was willing to dismiss the charges under s.10 of the *Crimes (Sentencing) Procedures Act 1999* (NSW) on the condition that the client enter a six-month good behaviour bond. Considering the circumstances, both the client and student advocate were delighted with this result.

Tenancy repairs

KLC staff have been working on a long running repairs matter for an Indigenous client living in public housing. The case has highlighted once again the poor state of public housing in NSW and the impact it can have on the mental health of our clients. We successfully obtained orders for repair for the client and are assisting him with a compensation claim. We are currently thinking about ways in which we can address this work systemically as it is a recurring theme that many public housing tenants are living in very poor housing conditions.

Law reform and policy

There has been a variety of work in this area from NGO Roundtables to NLA forums and consolidation of anti-discrimination laws.

NGO roundtable UN reporting

In early May KLC organised an Australian NGO debrief and discussion about NGO involvement in United Nations reporting mechanisms. The aim was

to document some of the lessons learned of the variety of approaches taken over the last 10 years by NGO coalitions. This will become a brief report and information pack for use by NGOs in future years.

NSW Legal Assistance Forum/CLCs NSW

As Chair of CLCs NSW Anna Cody is the Deputy Chair of the NSW Legal Assistance Forum and active within the prisoner's working group. This has proved invaluable for looking at service provision gaps within legal aid and legal services in NSW. The prisons work is also growing in importance at KLC and throughout NSW.

NLAF Employment Law Group

Emma Gollege continues to sit on the NLAF Group as a community legal centre representative examining employment law services in NSW. The Group is currently developing a proposal to develop a strategic pro bono model to demonstrate the impact access to legal services has in employment law matters.

NLAF Prisons Working Group

Anna Cody continues to sit on the NSW Legal Assistance Forum for prisoners as well as the main NLAF committee. This is currently looking at issues of access to legal advice via video. It has also streamlined access procedures for community legal centre workers to prisons and increased links between welfare workers in prisons and community legal centres.

Consolidation of Anti-Discrimination Laws

KLC helped finalise two submissions to the Attorney General's Department on behalf of NACLC in relation to the Consolidation of Anti-Discrimination Law. This work was extremely time consuming, but resulted in a unified position across CLCs on what any new Equality Act should contain. Anna Cody, Emma Gollege and Jo Shulman from Redfern Legal Centre met with the Attorney General's Department regarding the Anti-Discrimination Law Consolidation representing NACLC. It is anticipated that KLC will continue to lead on this major law reform issue for most of this year with an exposure Bill due sometime this year.

Human Rights Action Plan - Baseline Study

KLC provided a submission in response to the Commonwealth Attorney General's Draft Baseline Study. The Baseline Study will form the basis of a National Human Rights Action Plan and will identify key areas where Australia is currently not meeting human rights obligations and will identify measures required. KLC drew on our experience in areas such as discrimination law, access to justice and human rights issues facing disadvantaged people.

Aboriginal access program

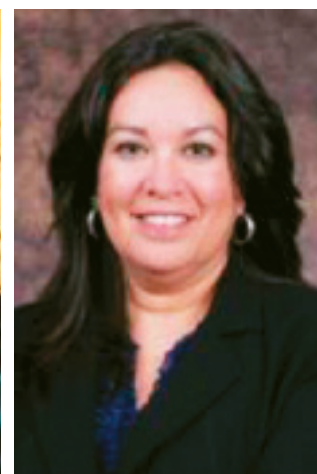
Visit by two descendants of the Indian Nationals in the USA and submission into Aboriginal Recognition in the Constitution

Local tour for overseas visitors

Two of our overseas presenters at the National Clinical Conference, Professor Barbara Creel and Professor Aliza Organick, who are both descendants of the Indian Nations in the United States, participated in a tour of the La Perouse Aboriginal community with our Aboriginal Access Worker, Ron Timbery. A part of the tour included two meetings with local Aboriginal community workers, to discuss community development issues and initiatives. Ms Creel and Ms Organick were both very pleased to have had the opportunity to meet and spend time with local Aboriginal workers during their visit to Australia.



Professor Barbara Creel



Professor Aliza Organick

Aboriginal Recognition in the Constitution

This issue has been identified by KLC as a significant issue for Law Reform work in 2011. We developed questionnaires for the local community about Constitutional recognition and provided these to Australian Government's Expert Panel on Aboriginal Recognition in the Constitution. Our Aboriginal Access worker Ron Timbery, in partnership with Peta MacGillivray and April Long of the Indigenous Law Centre, organised a forum with our local community at La Perouse on the issues raised by the Consultation by the expert panel. KLC also provided a submission to the expert panel which argued for Constitutional reform including a prohibition against race discrimination in the Australian Constitution.

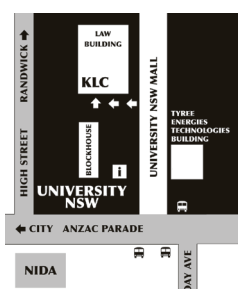
Family law and domestic violence clinic

This clinic continues delivering family law workshops for local community groups

Family Law and Domestic Violence CLE Workshops

In Semester 1 during 8 April - 2 June 2011, students of this clinic delivered two Community Legal Education (CLE) workshops in Daceyville to a Bengali Women's Group and in partnership with Sydney Multicultural Community Services, one CLE to social workers of Prince of Wales Hospital, one presentation for women in Killara Women's Refuge, one presentation for staff at Marian Women's Refuge and one presentation for the family support workers at Jannali Family Services. The seven presentations were well attended and all host organisations requested ongoing partnership with KLC, reflecting their need for Family Law/Domestic Violence related legal education.

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LOCATION

Kingsford Legal Centre is located on the ground floor of the Law Building, University of New South Wales, Anzac Parade, Kensington.

Enter the university at the main entrance on Anzac Parade, walk down the main walkway and turn down the second path on the left. The entrance to the legal centre is opposite the Uni Bar.

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