

Kingsford Legal Centre

E BULLETIN

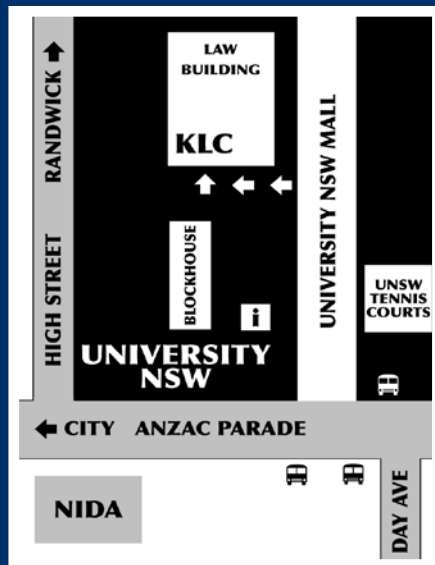
WINTER 07

Kingsford Legal Centre
The Law Building
University of New South Wales
Kensington campus
Building F8, Union Road
Ground Floor
(Car access via Gate 2 off High Street)

Telephone: 9385 9566
TTY: 9385 9572
Facsimile: 9385 9583
Email: legal@unsw.edu.au

PUBLIC TRANSPORT

- City bus routes 392, 394, 396, 397, 398
- Central Station bus routes 391, 393, 395
- Bondi Junction/Burwood bus route 400, all stop at the main Anzac Parade entrance to the UNSW.



Kingsford Legal Centre is located to the left of The Mall, approximately 75 metres from the entrance. We are on the ground floor to the rear of the Law Building.

15 YEARS OF THE FREEHILLS SECONDEE PROGRAM!!

In April 1992 the first Freehills secondee to KLC, Miles Bastick, began work at KLC. Since then around 30 Freehills solicitors have come on board at KLC for six month rotations. The secondees undertake the full gamut of tasks whilst at KLC including client advice and casework, development and delivery of community legal education programs, tutoring and mentoring of our students, law reform and policy research and submissions as well as washing up! They are a valuable part of our team and they often turn up on our advice roster after they have left. We are extremely grateful to Freehills for their generous, continuing support of our centre. On behalf of our staff, clients and UNSW we would like to sincerely thank them – we look forward to another 15 years of a wonderful partnership.



FIRST KLC SECONDEE, 1992 - FROM LEFT TO RIGHT: PROF MICHAEL CHESTERMAN (DEAN OF FACULTY OF LAW), MILES BASTICK (FIRST FREEHILLS SECONDEE SOLICITOR), PAUL BATLEY (ACTING KLC DIRECTOR)

LA PA OUTREACH

Kingsford Legal Centre has started an outreach service from the demountables in Yarra Bay House at La Perouse. We have been running the outreach for 4 weeks and have to date seen 7 clients. This outreach is one of the strategies we have implemented to increase and improve the access to KLC by the local Indigenous community. In acknowledgement that outreach services can take some time to become well known, we have made a commitment to keep the outreach operating until the end of the year, regardless of the number of clients we see.

ANTI RACISM PROJECT

KLC is planning to undertake a project to reduce racism that is experienced by members of our community. Given that the issue of anti-racism is extremely broad, this project is still very much in the planning stage. The basis of this plan is to gather information on what has been done before, and what is currently being done. This information is being sought through literature reviews, internet searches and consultations. Consultations will be done with other community legal centres, human service providers and schools. In addition we will be seeking to gather information on people's experiences of racism as this will be one of the most important aspects which will

inform the development of the parameters of the project. If you or anyone you know has experienced racism and would be happy to share their experiences, please contact Anna Hartree on 9385 9566 or at a.hartree@unsw.edu.au

THE DISCRIMINATION TOOLKIT – YOUR GUIDE TO MAKING A DISCRIMINATION COMPLAINT

On 28 March 2007 the Discrimination Toolkit – your guide to making a discrimination complaint was launched at the Legal Aid Commission. The Kit, which is for people who believe they have been discriminated against and want to do something about it, is a joint publication of Kingsford Legal Centre, Elizabeth Evatt Community Legal Centre and the Legal Aid Commission. The toolkit contains 150 pages of practical information on running a discrimination complaint in both the state and federal jurisdictions. It starts by helping people work out if they have been unlawfully discriminated against, and whether they have grounds for a discrimination complaint. It looks at legal and non-legal options for dealing with discrimination, as well as describing what happens if a discrimination

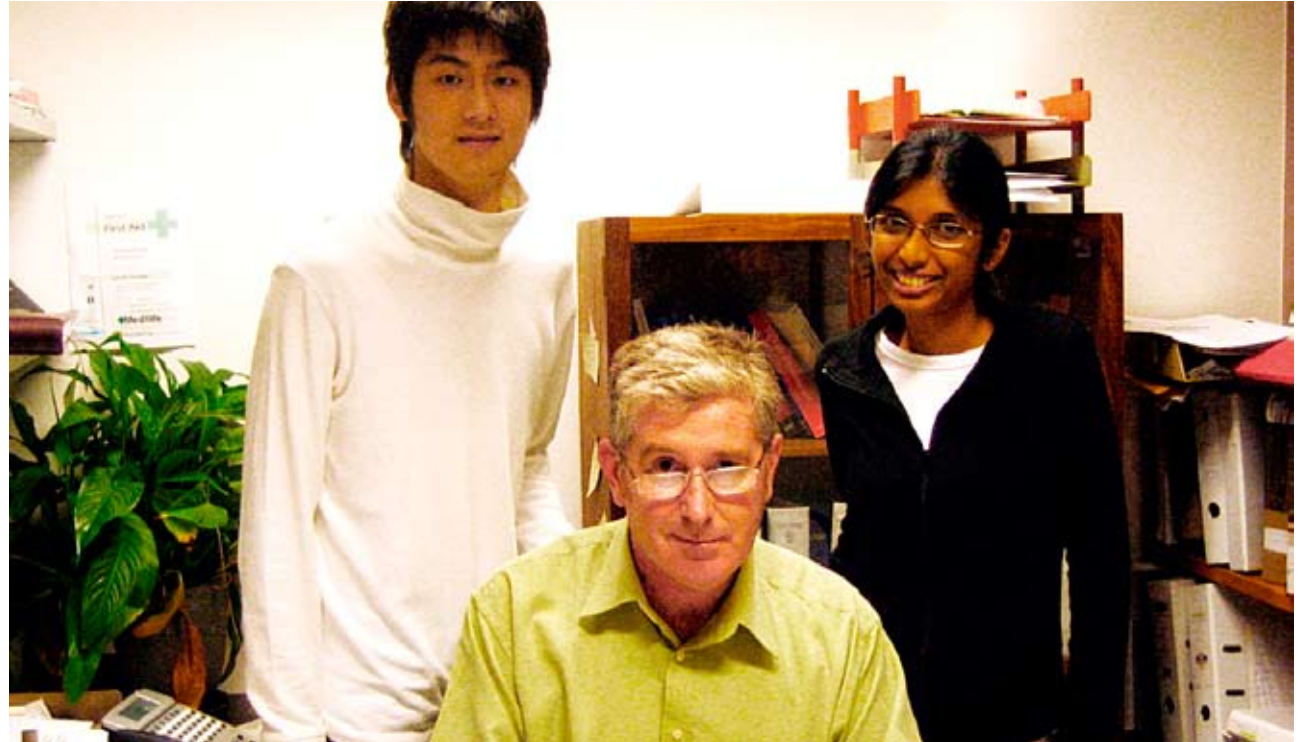
complaint ends up in a court or tribunal. Helpful contacts for more information and a glossary of legal terms are also part of the kit. This kit will help people to navigate discrimination laws and empower them to access this very important aspect of the legal system. It should also be a useful resource for community workers, advocates and legal practitioners who want to help clients who are experiencing discrimination. A free copy can also be downloaded from Kingsford Legal Centre's website at: http://www.law.unsw.edu.au/centres/klc/doc/2007/DISCRIM_TOOLKIT.pdf, as well as the Legal Aid's website www.legalaid.nsw.gov.au



DIY KIT AUTHORS: TEENA BALGI, MEREDITH OSBORNE AND FIONA PACE

NEW PRO BONO CLINIC AT KLC WITH CRADDOCK MURRAY NEUMANN SOLICITORS

KLC is delighted to announce that on 10 April we entered into a partnership with Craddock Murray Neumann whereby their solicitors will attend the Centre for an afternoon each fortnight to give our clients advice. This increases our ability to provide daytime advice to our community and gives our students the opportunity to work with a variety of different solicitors. The partnership was instigated by Craddocks and both partners are keen to work hard to ensure the success and longevity of it. We are grateful to Craddocks for their generous support of our Centre and community and look forward to further cementing our relationship in the future.



**MIKE LI (STUDENT), DOMINIC WILSON (CRADDOCKS
MANAGING PARTNER) AND ANNE FERNANDO
(STUDENT) AT THE FIRST CRADDOCKS/KLC ADVICE
SESSION ON 10 APRIL 2007.**

COURSE PLANNING DAY/ VISITS TO MONASH AND LATROBE CLINICAL PROGRAMS

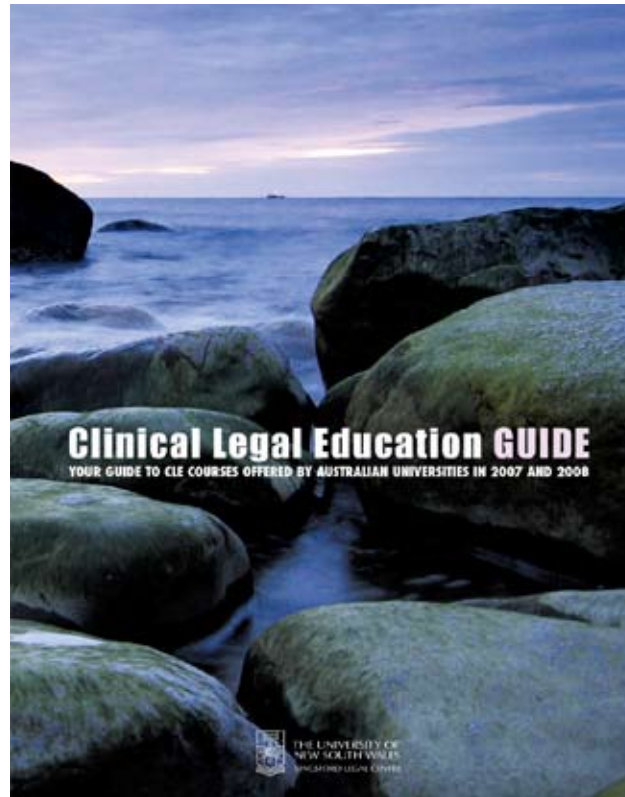
In early May, Shirley Southgate and Anna Cody visited 4 clinical programs in Melbourne. The purpose of these visits

was to gain a deeper understanding of other clinical programs with the aim of reviewing the clinical courses offered by the University of NSW at Kingsford Legal Centre. We visited Monash University Springvale Community Legal Service, Monash Oakleigh Legal Service, La Trobe University Preston Legal Aid and La Trobe, Heidelberg Community Legal Centre. Each was quite distinct and has particular insights to offer on the student experience. In each of these clinics students have a high volume of casework including giving advice to clients under close supervision of solicitors. The

ways in which students debrief and reflect on their experiences, assessment regimes, the seminar programs, the use of grading and the structure of the courses all provided significant insights into how to provide clinical legal education. The experience provided useful input for the course planning day we held in mid May to review aspects of our courses. The review was conducted as part of our ongoing evaluation and development of the courses.

CLINICAL LEGAL EDUCATION GUIDE

KLC produced the 7th bi-annual clinical legal education guide for 2007-2008. This continues to provide a valuable resource to students and clinicians about the current state of clinical legal education. If you would like a copy email your request to: d.wasley@unsw.edu.au



NEW DVD FOR LAW, LAWYERS AND SOCIETY STUDENTS

Due to the increasing numbers of Law, Lawyers and Society students studying at UNSW, KLC can no longer provide all with the opportunity of interviewing real clients. To deal with this, we have collaborated in producing a DVD on interviewing, using real students and solicitors who interview actor clients. The interview scenarios are

based on real clients scenarios and provide an opportunity for students to reflect on what makes for good interviewing.

OUTSTANDING VOLUNTEER OF THE YEAR AWARD

Kingsford Legal Centre's volunteers are the backbone of our service. Their generous commitment of time and expertise to our clients ensure that our community get the legal advice that they deserve. Therefore, staff at KLC have decided to instigate an Outstanding Volunteer of the Year Award to further recognise not just the recipient of the award but to highlight the commitment of all of our volunteers. We have invested in a plaque which will be placed in the front office and will unveil the winner of the award at a special ceremony in December of each year. We hope that all of our volunteer solicitors will attend the ceremony so that we get an opportunity to all get together to celebrate our wonderful pool of unsung heroes. In addition to the award we are also considering extending our long running student paddle award to volunteers. The paddle will recognise humour, wit or madness by a volunteer solicitor in the face of a challenging advice. We will be asking for nominations (dobbing in) from volunteers later in the year.

HUMAN RIGHTS

Kingsford Legal Centre is heavily involved in the work of the National Human Rights Network of the National Association of Community Legal Centres (NACLC). The Network, together with a coalition of other NGOs has embarked on a project to document the state of human rights in Australia, and ultimately to enhance the protection of human rights standards in Australia. The primary focus of this work will be the preparation of two shadow reports to the UN Human Rights Committee (HRC) responsible for the International Covenant on Civil and Political Rights (ICCPR) and/or to the UN Committee on Economic, Social and Cultural Rights (CESCR) responsible for the International Covenant on Economic, Social and Cultural Rights (ICESCR). KLC staff and students are involved in both the coordination and development of these shadow reports. If you are interested in being involved, please contact Teena Balgi on t.balgi@unsw.edu.au.

EMPLOYMENT CLINIC

The employment clinic has recently finalised a number of matters for clients. We acted for a client in her unfair dismissal claim in December last year and, following conciliation in the NSW Industrial Relations Commission this was quickly settled in



a good outcome for our client. We then took up our client's claim for an on-call allowance which was due under the award but had never been paid so a substantial sum had accrued. The matter commenced in the Chief Industrial Magistrate's court but settled with full payment of the amount owed, with interest, as well as the applicable superannuation.

In one of our longest running files, concerning an unfair dismissal and overtime pay, we have just about wrapped up both claims for our client Lubiov Cherkashina.

EMPLOYMENT SOLICITOR LINDA TUCKER AND SEMESTER 1 EMPLOYMENT STUDENTS

As previously reported, we had to chase up the compensation awarded in Ms Cherkashina's unfair dismissal matter before the NSW Industrial Relations Commission by way of writs against the employer. Several appearances in the Local Court were required to get the employer to pay the judgment debt, resulting in a substantial addition of interest for the client. The final instalment of the debt has now been paid. The overtime claim was heard by the Chief

Industrial Magistrate in April and, after the court made clear that Ms Cherkashina was going to succeed in her matter, both parties came to an agreement to settle the claim.

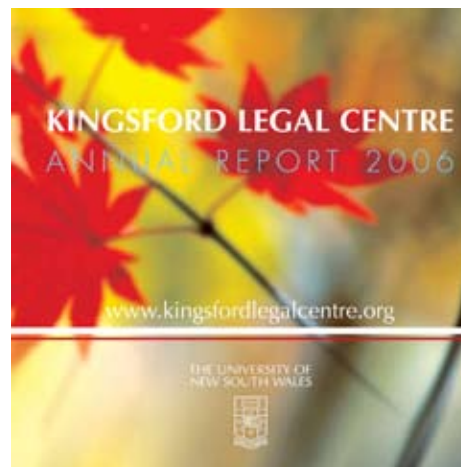
The clinic assisted a young worker who believed he was employed as an apprentice but was dismissed when he queried his status with the Department of Education and Training. The client had been paid at apprenticeship rates which were significantly lower than award pay yet he had never been registered as an apprentice nor given time to attend TAFE. A Kingsford student prepared the client's small claim application to the Chief Industrial Magistrate and provided support on the day of the hearing when the client represented himself. The court found for the client but the employer did not pay in accordance with the judgment. Kingsford chased this up with the employer and the judgment was finally paid.

Apart from case work, Linda Tucker has given a paper at the Socio-Legal Studies Association Conference in Kent, England on our clinical work at Kingsford. At the end of April, Linda also addressed the NSW ALP Conference at a fringe event organised to provide input from community legal centres on a range of issues including employment law and policy. Linda has also provided an update on federal employment law for

the new edition of the Law Handbook and has rewritten the State Library's Hot Topics Employment issue. Recently Linda also gave a talk on employment rights for young people to Year 11 and 12 students at Matraville Sports High School.

ANNUAL REPORT

The 2006 Kingsford Legal Centre Annual Report is now available. The report outlines the work and achievements of the legal centre during 2006. This edition also includes a number of photos from the 25th birthday celebrations. We would like to thank Cisco Fisher for producing another professional publication. If you are not on our mailing list to receive a copy and would like to see if your photo appears, please send an email to legal@unsw.edu.au or contact Anna Hartree on 9385 9566.



FREEHILLS SECONDEE SUSAN WAN DEPARTS

Susan finished her 6 month rotation with KLC in early May. Staff thoroughly enjoyed working with Susan and she was a particular favourite of the students. Susan worked hard to get our new outreaches up and working and leaves them in a very healthy state. During her time with us Susan not only carried a considerable advice and caseload but she also worked with our students on many legal projects. She participated wholeheartedly in our service and staff will miss her great sense of humour. Her time at KLC, however, will forever be remembered for the "gigantic" huntsman spider which lived in the vents in her car and would make appearances when she was attending outreaches. The discovery of the spider corpse by a student has left Susan greatly relieved however only time will tell if eggs were laid!



FREEHILLS SECONDEES SUSAN WAN AND MAY YII SIM

IN COMES MAY YII SIM – NEW FREEHILLS SECONDEE

May Yii joined the KLC team in April for a six month secondment from Freehills. May Yii has practised in the banking & finance and corporate/mergers & acquisitions groups at Freehills and is a graduate of UNSW law school. She likes learning salsa and is hoping her next travel destination will be in South America. Welcome onboard May Yii.



THE TUESDAY CREW OF KLC SEMESTER 1 STUDENTS

SEMESTER 1 ENDS

Semester 1 students completed their time at KLC on Friday 8 June. They have been a great, fun bunch of students and we would like to thank them for all of their work for our clients and wish them all the very best for the future. Semester 2 students commence their KLC placements in late July.

If you would like to subscribe (free) to this bulletin or would like further information please email Denise Wasley at: d.wasley@unsw.edu.au.

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