

## Aboriginal Access Project

### Community Relationships

Kingsford Legal Centre's (KLC) Aboriginal Access Worker, Keith Ball began at the Centre in November 2008 as the Aboriginal Access Worker. Over the past 6 months a good working relationship has begun to be established with the local Aboriginal community in the Botany and Randwick local government areas. An outreach service at Yarra Bay House in La Perouse for the local Aboriginal community has continued on a weekly basis. We now also have an outreach room at Yarra Bay House for clients to privately access every Tuesday morning. In April, KLC held a BBQ for the La Perouse Aboriginal Interagency Network members. The BBQ was held adjacent to the housing properties of the La Perouse Aboriginal community. Approximately 25 network members, KLC staff and local community members attended the BBQ.

### Outreaches

In June, an outreach service to the local youth service, The Shack, will be provided every fourth Monday of each month. This service will provide the teenage and pre-teenage populations in the local area with a stronger opportunity to access legal advice in an environment where they feel comfortable.

### The Sorry Day stall

On Tuesday the 26th of May KLC hosted a Sorry Day Stall on UNSW campus. A pledge book, Sorry Day badges and information about Sorry Day was made available for all UNSW staff and students. Children from Tiggers Childcare Centre also visited the stall to listen to stories and paint boomerangs. The stall was such a success that it was repeated on Thursday 28 May in the foyer of the Law Building.



From L to R – Lauren Hamman, Theresa Zakaria, Keith Ball, Shuhua Tan and Samar Ataya at the KLC Sorry Day Stall.

### KLC Aboriginal Advisory Group

The KLC Aboriginal Advisory Group (KLC AAG) held its first meeting in April. There are currently 4 Indigenous community members on the group. These include a UNSW 5th year law student (Emma Langton) a local custodian community elder (Barbara Keeley – Guriwal Aboriginal Corporation), an Aboriginal community development worker from Randwick Council (Wayne Cook) and a DEEWR worker (John Leha). The purpose of the advisory group is to advise and guide the work Keith will do at KLC. Members provide their suggestions on issues on law reform and suggest strategies to utilise to help him build upon the work he currently does with the local Aboriginal community. The advisory group meets once every 2 months.

## **KLC Student Seminar**

This semester as part of KLC's educational component, KLC's students were provided with a Working with Indigenous clients and communities session by KLC's Aboriginal access worker. During the session, students were taught about Indigenous identity, current major legal issues for Indigenous people and ways to appropriately and effectively engage and work with Indigenous people and communities. During the session students were also required to conduct group peer to peer learning work on case studies of several different legal and social related issues they may experience when working with Indigenous people.

## **Increase in Indigenous client access to KLC**

KLC's quarterly stats for the period ending March 2009, has seen an increase in the number of Indigenous clients accessing our services. Over this period, 5% of the clients identified as Aboriginal and or Torres Strait Islander. This is the first time this level has been reached since this particular information has been recorded.

## **New Solicitor/Clinical Supervisor at KLC - Emma Golledge**

Emma Golledge joined the KLC team in April on a 12 month contract whilst Teena Balgi is in the Northern Territory. Emma has recently returned from two years living in London where she worked for the Treasury Solicitor acting for the UK Government in judicial review and human rights matters and as a housing lawyer at Paddington Law Centre. Prior to moving to the UK she worked at the Public Interest Advocacy Centre Co-ordinating the Homeless Persons' Legal Service. She was a volunteer solicitor at Kingsford in the past and is excited to be now working at the centre. (She has many years of experience in dividing fence matters through KLC's evening advice).



Emma Golledge

## **Consultation on the Protection of Human Rights in Australia**

Since the beginning of the year, Kingsford Legal Centre has been busy promoting the Commonwealth government's consultation on the protection of human rights in Australia. To assist people in making a submission, Kingsford Legal Centre developed a simple 2 page submission. Over 250 have been completed and these have been forwarded to the Consultation Committee by Kingsford Legal Centre.

Workshops and presentations have been made to a several community service organisations, members of the public and meetings of the local interagency groups. KLC has also had information stalls at a number of community events. These included 2009 Yabun Festival, Randwick City Community Fair, Indonesian Information Fair, the Russian Speakers Expo and the Junction Neighbourhood Centre Open Day. To encourage workers to make submission on the human rights issues that their clients face, presentations have been made a number of interagency groups such as the Eastern Suburbs Domestic Violence Network, the Eastern Suburbs Interagency Group, the Eastern Suburbs HACC Forum and the Eastern Sydney Disability Interagency.

Information and assistance with writing a submission has also been held for several organisations and their clients. This included the Windgap Foundation, a service assisting people with an intellectual disability and their families where several people with an intellectual disability completed a submission, The Shack Youth Centre, The Deli and Holdsworthy Community Centre. A community BBQ was held for the Aboriginal community living at La Perouse where information on human rights and the consultation was provided with submissions being received from community members.

To inform the general public on human rights and the consultation, articles have been published in all of the local community newsletters. Static displays have been held at four of the local community libraries and the Law Library at UNSW. All KLC clients were informed of the consultation and were encouraged to make a submission. KLC has also forwarded a submission to the Committee.



KLC Human Rights Consultation Library Display

## Casework

Kingsford Legal Centre has had a number of successful outcomes to cases in the last quarter, including:

- winning a claim that our client made at the Industrial Relations Commission for being unfairly dismissed by her employer at an osteopathic clinic; and
- helping a client who incurred \$3,500 worth of fines (for 25 fines) to get the fines annulled when undergoing severe mental health issues, and then they were withdrawn or dismissed under s32 of the Mental Health (Forensic Provisions) Act.

KLC has also helped clients in ongoing legal proceedings to obtain favorable settlements, including:

- a couple who was misled and deceived by a fringe lender into signing a loan agreement to purchase a maths tutoring software (the dispute had been going on for almost 2 years);
- a live-in caretaker who had proceedings against her for a claim of \$12,000 for allegedly withholding rent that she collected from tenants.

## Student Advocacy

As part of the Student Advocacy Scheme at Kingsford Legal Centre, students are given the opportunity to draft and submit a plea of guilty on behalf of otherwise unrepresented clients at Waverley Local Court. On 12 May 2009, a KLC student represented an individual in their plea of guilty for possession of drugs at the Future Music Festival. The client was hoping the magistrate would exercise her discretion to deal with the matter pursuant to s10 (1)(a) under the Crimes (Sentencing Procedure) Act 1999, dismissing the charges, ensuring that he would not be disadvantaged in the future by a record of conviction. Whilst Magistrate Gilmore commented that the plea was "excellent" and that "there was nothing more (the student) could have said," she was not willing to sway from her stance on youth drug use. Her argument was that he "should have

thought of (the consequences) before” he did it. At one point, the magistrate mentioned that the quality of music at these festivals must be particularly poor if youths need to consume drugs to enjoy it. The exercise of powers to sentence under s 10 have been heavily criticised as of late as being an abuse of the legal process and it appears that many individuals are suffering the consequences of this. The client, much to his disappointment, was given the same sentence as all individuals faced with a charge of possession of a small quantity of drugs in this court – a conviction, a fine of \$750, court costs and a victims compensation levy.

### Community Legal Education

Kingsford Legal Centre has also presented various Clinical Legal Education workshops for community workers on the legal system, social security, and powers of attorney and enduring guardianships. These workshops are attended by representatives from community services such as South East Neighbourhood Centre and the Junction Neighbourhood Centre, SDN Children’s Services, Multiple Sclerosis Society, Windgap, Eastern Respite and Recreation, The Shack and the Eastern Area Tenants Service.

### Linda Tucker’s Study Tour of New York Law Clinics

KLC Employment Solicitor, Linda Tucker, returned to the Centre in May after spending 5 weeks in New York looking at clinical legal education programs. In April-May Linda was a visiting professor with NYU’s Hauser global law school program. She spent this time having meetings with the law school’s clinical staff as well as attending some of the clinic seminars and talking to supervising attorneys working in the community services where students were placed. Linda also visited clinicians at Columbia and Fordham University and had the excitement of 4 days in Cleveland for the AALS clinical legal conference.

Linda reported that the clinical work she saw was very different from how we work at KLC with the emphasis on the student experience and crafting the clinics in response rather than starting with the client/community needs and working from there. The clinics also tended to be more subject specific with smaller cohorts, co-supervised between the university clinical staff and attorneys based in external public interest law centres. What did remain a universal theme was the divide between clinical and non-clinical teachers in law schools. Linda will be working on a report and conference paper based on the visit.

### Training of Singapore legal aid, Vietnamese delegation and Thai court officers

In the last month KLC gave talks on the Centre and the structure of legal aid services to Thai court officers, a delegation from Vietnam through the Human Rights Technical cooperation scheme and a delegation from Singapore Legal Aid.

### International Covenant on Economic, Social and Cultural Rights NGO Report

KLC has collaborated with the Human Rights Law Centre and the National Association of Community Legal Centres on the executive summary and addendum to the above report. KLC students also developed the fact sheets on Indigenous rights, social security, education and health accompanying the report. This week concluding observations of the committee were released which reflected the issues raised in our report.

## ICCPR Review

Over the last two years KLC has been involved in project to document and improve the state of human rights in Australia, primarily through the production of NGO reports for the UN Human Rights Committee and the UN Committee on Economic, Social and Cultural Rights. In March this year, Teena Balgi attended the Human Rights Committee's review of Australia in New York. Teena was part of a delegation which presented the NGO Report on Australia's compliance with the International Covenant on Civil and Political Rights to the Human Rights Committee and made submissions on how human rights compliance in Australia could be improved. The Committee, which comprised 18 independent human rights experts from across the world, noted the very helpful assistance provided by Australian NGOs and took up many suggestions made by the delegation in the Committee's recommendations for action by the Australian Government.



Teena Balgi at the UN

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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 2nd path on the left. The entrance to the legal centre is opposite the Uni Bar.

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