

© This report is a Kingsford
Legal Centre publication. 2000

Kingsford Legal Centre
University of New South Wales
11 Rainbow Street
Kingsford NSW 2032
Australia

Telephone (02) 9398 6366
Facsimile (02) 9399 6683
TTY (02) 9314 6430
Email legal@unsw.edu.au

This annual report
is also printed in 14
point for people
with sight difficulties,
please contact the
Centre for details.

A student's comment on the Clinical Legal Education at Kingsford...

This was one of the most important things I had to do in terms of experiencing the law.



Contents

Director's Report	6	Casework trends	
Dean's Foreword	8	& key cases	24
Educating for Justice		Discrimination	24
Aims & Ethos	10	Domestic Violence	30
Students in 1999	12	Tenancy	31
Student Feedback	13	Child Support	31
Combined Social		Policy & Law Reform	32
Work / Law Students	14	Community Education	
Promoting Excellence		Highlights	33
National &		People & Partnerships	
International Work	16	Freehill, Hollingdale	
Access to Justice		& Page	34
Working with		Volunteers	36
our community		Consultative Committee	38
Advice & case work	20	Staff	40
Telephone Advice	23	Statistics	42
		Finance	44



Director's Report

6

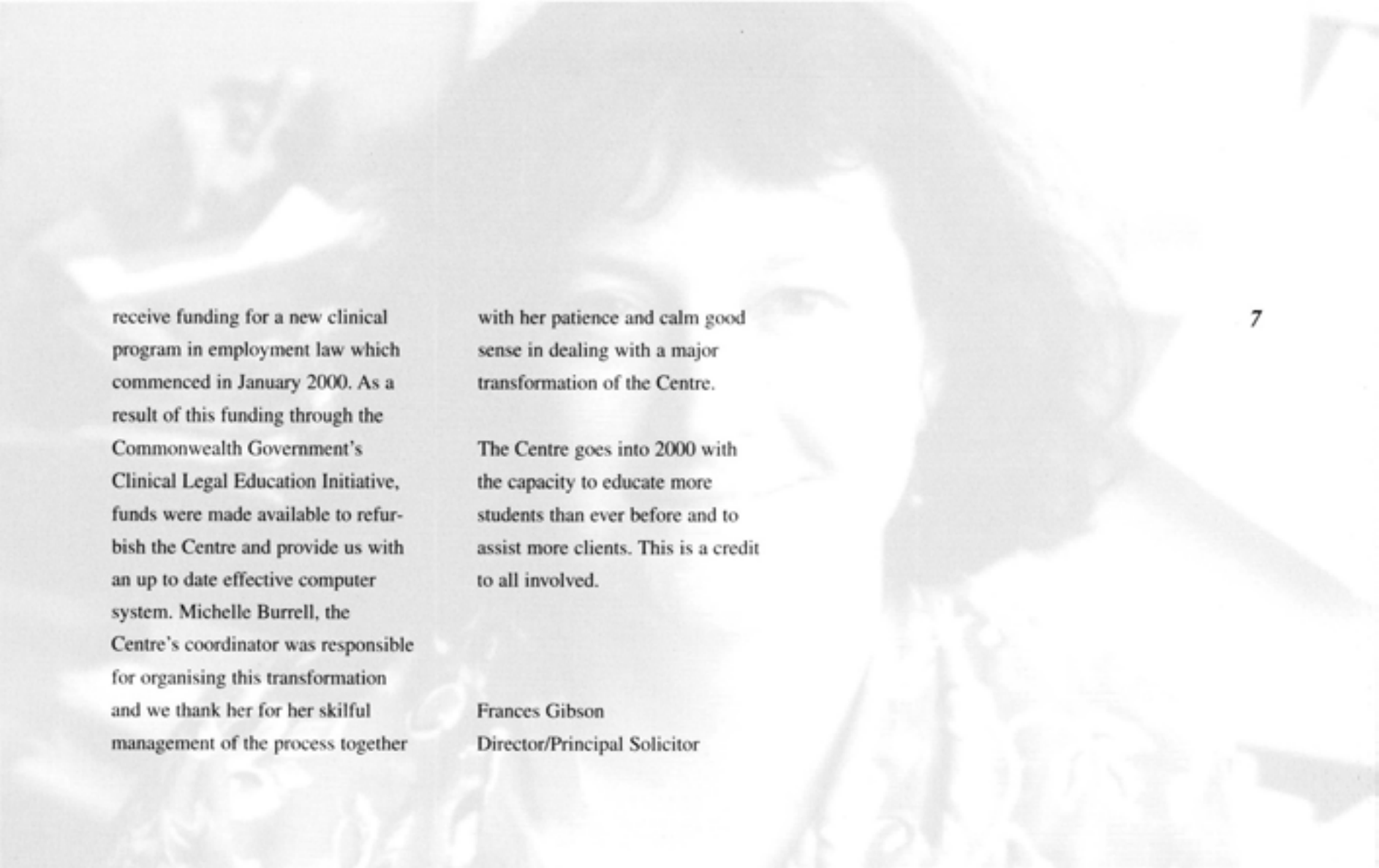
1999 was an extremely productive year for the Centre. Probably the major task for staff and students at the Centre was running the Joy Williams case which utilised every scrap of resources the Centre had. This case is a claim by an Aboriginal woman who was removed from her family, against the State Government, which ran in the Supreme Court for 4 weeks. Karen McMahon was the solicitor in charge of the case and performed superhuman efforts to obtain and

present all the available evidence. In this task she was assisted by all other staff and students. Christine Adamson and Noel Hutley SC did an excellent job of the advocacy and we gratefully acknowledge financial assistance from the Legal Aid Commission of New South Wales. The case was not successful however an appeal is due for hearing in July 2000.

Despite this huge drain on the Centre's resources, staff of the

Centre maintained their extensive clinical legal education program and high quality legal services for the local community. As usual this would not have been possible without the superb efforts of the volunteer lawyers who are the backbone of the Centre's evening advice services.

The Centre's excellence in clinical legal education was recognised by the Commonwealth government when the Centre was selected to



receive funding for a new clinical program in employment law which commenced in January 2000. As a result of this funding through the Commonwealth Government's Clinical Legal Education Initiative, funds were made available to refurbish the Centre and provide us with an up to date effective computer system. Michelle Burrell, the Centre's coordinator was responsible for organising this transformation and we thank her for her skilful management of the process together

with her patience and calm good sense in dealing with a major transformation of the Centre.

The Centre goes into 2000 with the capacity to educate more students than ever before and to assist more clients. This is a credit to all involved.

Frances Gibson
Director/Principal Solicitor

Dean's Foreword

8

1999 was a great year for Kingsford Legal Centre. KLC strengthened its role within the many groups which it serves so successfully. The evidence appears throughout the report.

At UNSW Law School, KLC strengthened the initiative taken in 1998 in teaching professional responsibility to all law students through personal exposure to the problems of legal practice, the needs of clients and the Centre's commitment to social justice through attachment to KLC and instruction from their staff. That innovation

proved a brilliant success in 1999. The initiatives to attract funding from the Attorney-General's Clinical Legal Education initiative were also successful and the Employment Law Clinic was opened by the Attorney-General in March 2000. The funding under that program also secured a long overdue rehabilitation of the Centre's premises.

KLC serves the clients of the active legal practice that it conducts. As the only source of free legal assistance in the eastern suburbs of Sydney, that is no small community

service. It supports the Law School not only through the clinical legal experience programs that it offers and its role in the compulsory subject on professional responsibility. More importantly, it places before students the responsibilities of law and lawyers to social justice and offers to students superb exemplars of that service. Abstract ideals such as social justice and service to the community require charismatic models for their communication and wider acceptance. The University is fortunate to have them in the staff and volunteers of KLC. The gener-

ous support of the devoted group of volunteer lawyers and of the national law firm, Freehills, in seconding professional staff to KLC, is acknowledged and greatly appreciated.

There is an increasingly sharp appreciation within the Faculty of what a great resource KLC is - for students, the local community, the Law School and the University. It serves those most in need of legal advice and representation and with the least capacity to obtain it. KLC thus symbolises the idea of law being at the service of those upon

whom it bears most harshly, an ideal that has shaped UNSW Law School since its foundation.

Professor Paul Redmond
Dean
Faculty of Law

Aims & Ethos

Kingsford Legal Centre's philosophy of legal education is that the law, ethical responsibilities and lawyering skills that law students should learn can most effectively be taught through work for real clients. Through their work in clinical programs students not only learn to practice law but also provide necessary legal services to disadvantaged clients and communities.

In the Clinical Legal Experience courses, the compulsory Law Lawyers and Society course and the new clinical program in

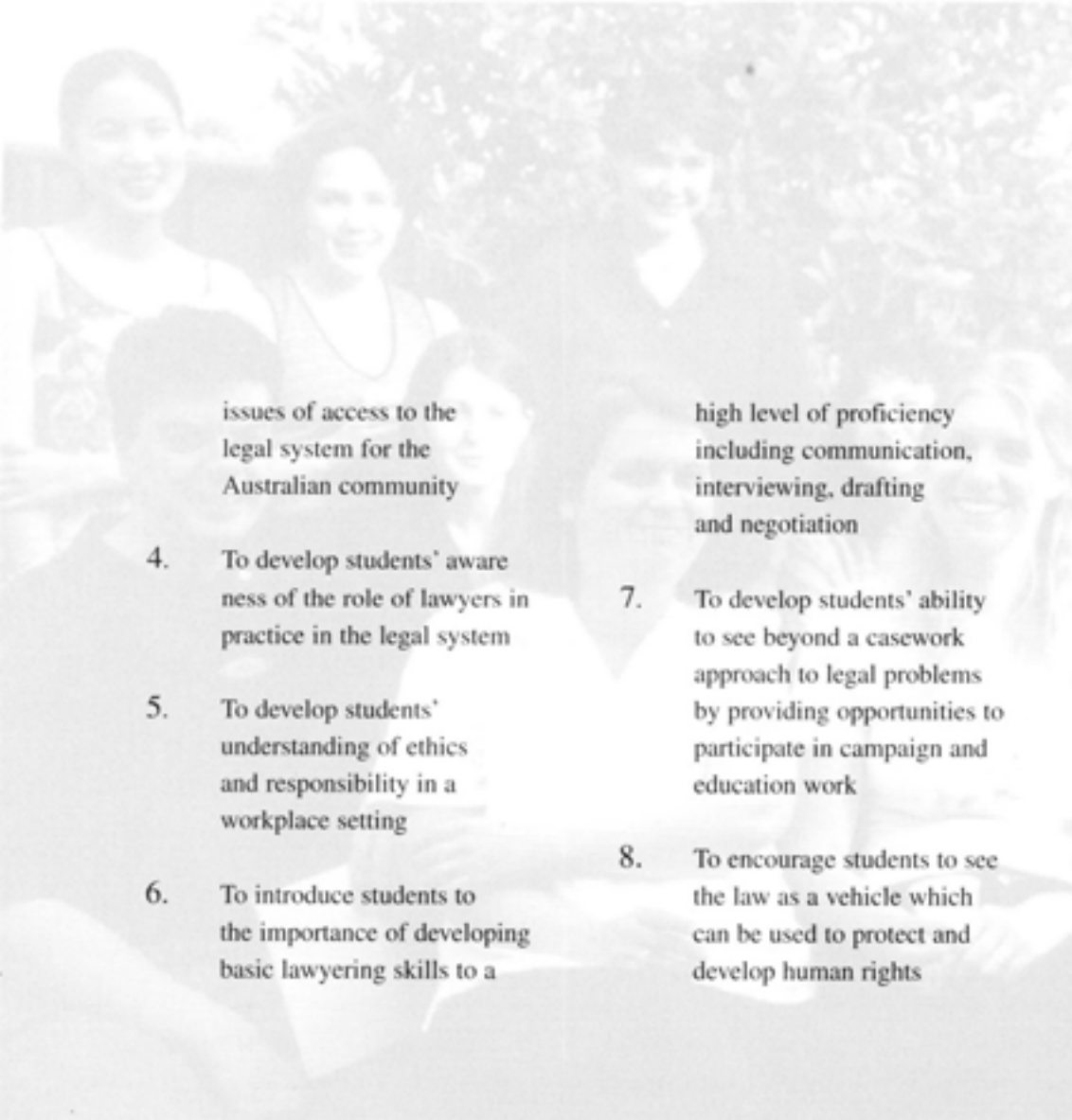
Employment law students develop their understanding of issues of social justice as well as learning areas of substantive law, developing interviewing, negotiation, drafting, submission writing and advocacy skills. They are introduced to the fundamentals of office management and explore ethical issues such as how to select potential clients when demand for legal services far outstrips the Centre's ability to assist.

The objectives of the courses are:

1. To develop students' critical appreciation of the law and

legal system in Australia through participation in a legal practice working for clients who are financially or otherwise disadvantaged

2. To enhance students' contextual understanding of the law and legal process by exposing them to real clients with legal problems
3. To provide students with a detailed understanding of the legal aid system and develop students' understanding of



issues of access to the legal system for the Australian community

4. To develop students' awareness of the role of lawyers in practice in the legal system
5. To develop students' understanding of ethics and responsibility in a workplace setting
6. To introduce students to the importance of developing basic lawyering skills to a

high level of proficiency including communication, interviewing, drafting and negotiation

7. To develop students' ability to see beyond a casework approach to legal problems by providing opportunities to participate in campaign and education work
8. To encourage students to see the law as a vehicle which can be used to protect and develop human rights



Students in 1999

Session 1, 1999

Guilline Buckley
 Graeme Edgerton
 Michelle Giglio
 Daniel Hill
 Felix Ho
 Victoria Khaikin
 Rebecca King
 David Lecham
 Sasha Loewy
 Enjel Phoon
 Alison Robinson
 Gregory Ropert
 Katina Scarf
 Karen Sharp
 Karen Sidler
 Emma Solomon
 Tara Walters

Richard Whinberg
 Liz Wise

Session 2, 1999

Trudi Aickin
 Asia Allison
 Jinny Chaimungkalanont
 Helen Chisolm
 Jonathan Clark
 Vickie Fair
 Ian Fraser
 Clinton Free
 Alexandra Geddes
 Itamar Hatzvi
 Kim Hilton
 Aaron Levine
 Judith Levitan
 Leon McCormick

Anne Mok
 Miriam Moses
 Anna Moss
 Mathew Perry
 Kerri Phillips
 Jessica Purches
 Katherine Rowe
 Nicole Sammel
 Gina Towney
 Jade Wong

Summer 1999/2000

Michael Blume
 Stephen Boyle
 Linda Crawford
 Gemma Dagliesh
 Karen Danks
 Erin Driscoll



Student Feedback

Sylvia Hobbs
Lawar Ishak
Peter Katsoolis
Renee Krikorian
Christina Kwan
Winnie Kwok
Elanor Lau
Monica Levy
Grace Monaco
Gregory Moore
Kate Owens
Cilla Pasupathy
Celia Pitcher
Rimma Shvartsman
Jo Walker
Natalie Yazbek

The best part of the law school and its degree. Great to get practical experience in a range of areas, work closely with staff and students as a team.

Thank you for the wonderful experience it has been amazing.

This has by far been the best course I have done during my time at law school. It has taught me so much about being a lawyer.

I think it should be compulsory for all law students who want to be solicitors.

This is a terrific course definitely the

best I've done so far.

A real understanding of the issues at the real end of the law, an ability to interview effectively, great memories of my time here.

Kingsford doesn't compare to other courses in terms of its academic structure. I found it challenging.

It gave me an insight into what kind of lawyer I want to be and I also realised a larger range of career options that I had previously not thought of.

A clearer idea of my own direction, the skills needed as a lawyer everywhere.

Combined Social Work / Law Students

The UNSW Law Faculty, in conjunction with the School of Social Work, offers a six year combined Social Work/Law degree. One of the course requirements is that students attend KLC full-time for a semester, to fulfil the Social Work Practice requirements while concurrently undertaking intensive Clinical Legal Experience.

In 1999 the Centre expanded this program, providing placements to 6 students.

Kerry Phillips and Jessica Purches undertook a detailed research project on legal needs in Inner Sydney. This project was undertaken in conjunction with Inner City Legal Centre, Marrickville Legal Centre and Redfern Legal Centre. The project included analysis of demographic data and in depth interviews with legal providers and community groups to ascertain both current and potential legal needs in the Inner Sydney area. The report will be an invaluable tool for the Centre both in planning services and in responding to the impending

Commonwealth review of community legal centres. Matthew Perry examined KLC's approach to involving students, clients and the community in the Centre. Following extensive research and consultation with staff, students, the Consultative Committee and local community groups, Matthew produced a comprehensive "Service User Involvement Strategy" for the Centre. A series of recommendations are now being put into place. Gemma Dalglish, Cilla Pasupathy, and Rimma Shvarstsman produced

a promotional information kit for KLC during the Summer 99/00 session. The kit, distributed to over two hundred community groups, contains up to date information on the full range of KLC courses, advice sessions, casework and other services. These students also undertook a survey of community groups to help identify our priorities for community legal education in 2000.





*Global Alliance for Justice Education conference, India
Adrian Evans, Aha Bayspy, Peter Sutherland, Rani Rebbapragada, Michelle Burrell & Edwin Rekosh*

National & International Work

National work

The Centre continues its work with other clinical legal educators in Australia by:

- maintaining a clinical listserv for clinical legal educators in Australia to communicate on issues of shared concern
- publishing the Guide to Clinical Legal Education in Australian Universities 1999 which collects details of all clinical courses in Australia

- continuing publication of the only Australian newsletter on clinical legal education. This newsletter highlights developments in Australian CLE

International Work

In 1999 Frances Gibson received an invitation to be the first Visiting Clinical Scholar under a new program set up by New York University Law School. This provided her with 6 months at that university which is well recognised to be the leading Law School in clinical legal education in the United States.

She was selected on the basis of work in clinical legal education in Australia together with previous experience in access to justice issues.

As well as studies of clinical methodology, Frances undertook research into the current state of legal aid in civil law to US Citizens and the history of restrictions placed on the Federal governments provision of funding in civil law matters. This involved gaining an understanding of the role of the Legal Services Commission and the numerous private Foundations that provide



*Global Alliance for Justice Education conference
Frank Bloch, Dr. Menon, Mr Iyer, Dr. Sivakumari & Mizanur Rahman*

legal services to poor clients. Meetings were held with legal services lawyers and a visit to the Brooklyn Legal Services programme was made.

Frances also undertook visits to clinical programs at Brooklyn Law School, New York Law School, Cardozo Law School and the City University of New York. In these visits she examined the nature of the clinical programs run by each University, methods of teaching resources available and materials used.

Frances also ran a seminar at NYU on clinical legal education at UNSW and in Australia and the legal aid system in Australia and participated in a seminar on provision of legal services in housing issues for final year law students.

In December 1999, Vedna Jivan and Michelle Burrell attended the inaugural conference of the Global Alliance for Justice Education (GAJE) held in Trivandrum, India. GAJE is an alliance of law teachers, community organisations, activists and lawyers committed to

achieving justice through legal education. The major goal of the conference was to promote innovative justice education in all countries, facilitating transnational collaborative efforts between lawyers, educators and community based organisations.

The conference ran for twelve days, including a post conference training program for five days. The theme of the conference was "Transforming legal education into justice education" by encouraging cross-cultural interaction amongst participants

and to address the practical as well as theoretical issues of how a justice dimension to legal education can be achieved.

Over 100 delegates from all over the world took part and it was a great opportunity to share experiences, discuss new ways of working and recognise how much we in so called “developed countries” can learn from people working at the cutting edge in those countries labeled as “developing”. The input from delegates from South America, Eastern Europe, Asia and Africa was invaluable, and really opened

our eyes to the challenges faced by educators and activists working with very few resources and in the face of enormous social and legal needs. Perhaps the most challenging part of the conference was stepping outside the comfort zone of our own Australian experience and approaches to legal education, by recognising the value of an international perspective. The plenary sessions addressed both the big picture of cross cultural collaboration and the practical implications of delivering justice education in a global context.

The workshops were particularly useful and allowed for plenty of discussion and sharing of perspectives across cultures and jurisdictions. Workshop topics included : integrating gender justice into legal education; legal interventions and community development; street law clinics; regional perspectives on implementing justice education; legal clinics as a resource for service delivery; developing model teaching materials; and expanding opportunities for collaboration.



Global Alliance for Justice Education conference welcoming party, conference opening

*Global Alliance for Justice Education conference
Titi Liu, Madhavi Sunder, Vedna Jivan,
Zaza Namoradze & Edwin rekosh*

The GAJE conference was a fantastic opportunity for KLC to look beyond its current approach, envisage new ways of delivering clinical legal education and forge links with people working in other countries. The work of GAJE continues and KLC will remain active members.



Working With Our Community

In 1999 Kingsford Legal Centre:

- provided services to 2895 people, not including those reached through our community legal education or policy projects
- gave advice to 1925 people, of those 1234 in face to face interviews and 701 via the telephone
- opened more than 200 cases
- provided information and referral to 970 people
- dealt with 108 discrimination problems

Some of the trends in advice work have changed. There has been a marked increase in the amount and level of family law advice which we have given. It appears that since there have been cuts to the amount of family law representation provided by the Legal Aid Commission, we have been asked to provide more family law "advice".

The clients that we are seeing also need more complex assistance as they are often involved in litigation without legal representation and want help drafting affidavits or other legal documents or want advice on

whether to accept a particular settlement proposal. Obviously this level of advice, bordering on representation is difficult for us to provide in a one off appointment. We are currently discussing ways of dealing with this situation including recruiting more family law specialists to our roster.

We continue to provide a large amount of advice on traffic offences and other criminal matters. Usually in these matters we do not provide representation but there are always exceptions.



During the year we also provided advice and representation to a number of clients about consumer issues and particularly mobile phone problems. Many of our clients have entered into contracts and then found that they cannot make the payments or get out of the contracts. We also produced a pamphlet about this issue for use in the community.

One of the common legal problems which people face is the issue of debts arising out of car accidents where our clients are not insured for property damage.

This continues to be a common experience for our clients.

Employment issues also figured large in the advice which we provided as well as neighbourhood problems and domestic violence issues including victims compensation.

Our area of specialty, discrimination law, saw us giving advice to a wide range of people from around the State and this flowed into our casework practice.



Kingsford Legal Centre remains the only source of legal advice in the Eastern suburbs. We are grateful for the voluntary services of a dedicated group of solicitors and barristers who work with the staff of the Centre and students to provide a high degree of expertise in a broad range of legal areas. Our services are principally available to those living in the Randwick and Botany Council areas. The Centre also provides a state wide discrimination service.

The services we provide include:

- advice on Tuesday and Thursday evenings in face to face appointments
- telephone advice aimed at local residents but open to all in the Sydney area in the two evening sessions.
- day time appointments for those who are unable to attend at night time or with special needs
- immediate, urgent advice for community workers in the local area during working hours
- a specialist discrimination advice and casework service
- ongoing legal casework and representation
- referral to other agencies

Telephone advice

During the year we conducted an evaluation of the telephone advice service which we offer. We surveyed our volunteer lawyers and talked to our clients and staff about the provision of the service. While providing telephone advice is an added demand on our students, lawyers and supervising staff members, we decided that it is essential to offer this service to improve accessibility of the Centre. This means that for people with small children, or with a disability or who cannot get out of their homes, legal advice is still readily

available. If the legal problem is complex or involves looking at legal documents we suggest that the client come to the Centre. Providing telephone legal advice also means that some simple legal problems can be dealt with swiftly without requiring the person to attend the Centre.



Casework trends and key cases

Our casework continued to focus on discrimination cases as well as the large human rights case of Joy Williams.

Discrimination

MR J

One of the cases which we ran and settled last year involved a man who had arrived from a South American country and had worked extensively in general office work including running his own business. Due to a dreadful car accident, he spent months in hospital receiving treatment on his legs. He left hospi-

tal and began using a wheel chair. He applied for a job with a local council as an administrative worker. Initially he applied for employment and was rejected without an interview. After the intervention of a disability advocacy organisation he was granted an interview and was awarded the job. He worked there for approximately two years, gradually regaining the use of legs and moving from using a wheel chair to using walking sticks. During this time, co workers teased him about his gait, placed things in his way when he was moving around the

office, called him cartoon character names and used to interfere in his personal belongings. Emergency exits from the building were not accessible and conferences and meetings which he was required to attend for work were not accessible to him. This caused him great stress and he eventually went on stress leave.

We referred to him private lawyers for his worker's compensation claim and represented him in a complaint of disability discrimination to the Anti Discrimination Board.

No settlement was reached at this level and after all his evidence had been filed at the Administrative Decisions Tribunal further settlement negotiations were entered into. Finally his claim settled well for a sum of money as well as some training on disability issues for the work place. His worker's compensation case continues to run separately.

Limsiripothong v Doyles Restaurant

Sakchai Limsiripothong was employed by Doyle's Restaurant at Watson's Bay for approximately 8 months. He was employed as a

"runner", someone who clears tables and takes food out to tables. His girlfriend was also employed there. She alleged that one of the chefs had sexually harassed her and Sakchai went to talk to Peter Doyle about it. Peter Doyle thought that the behaviour of the chef, trying to "get a girlfriend" by touching her was "normal" behaviour and no steps were taken by him to censor the employed chef.

One week later, Sakchai was told he was no longer needed as there was a downturn in work as winter

was coming on and it was an outdoor restaurant. Sakchai was convinced that his dismissal was not due to the seasonal downturn but rather his complaint about sexual harassment of his girlfriend. He came to see Kingsford Legal Centre and we advised him about his rights in discrimination law as well as unfair dismissal law. He lodged an unfair dismissal claim.

There were a couple of very low settlement offers and the matter went to hearing on the 12 October 1999 before Commissioner McKenna.

Duncan Inverarity very generously offered to represent Mr Limsiripothong on a pro bono basis. Mr Limsiripothong is a Thai Student who has limited resources and was unable to afford legal representation. Doyles argued that Mr Limsiripothong was not covered by the unfair dismissal provisions because he was employed as a casual and did not have a reasonable expectation of continuing employment. They also argued that he was terminated due to the seasonal downturn and not because of his complaint about sexual harassment.

We argued that he was not a casual as he had worked regular shifts and had not been told of the possibility of the work not continuing when he was hired. We also argued that even though there was a seasonal downturn it did not warrant Mr Limsiripothong losing all work and that Doyles could have reduced his work rather than cut it completely. Mr Limsiripothong was successful and awarded \$6000 in compensation, a large amount for the Industrial Relations Commission. No sooner had he won, than Doyles said they would appeal.

As appeals are very limited in this jurisdiction Doyles had to show that it was in the public interest for the Full Bench of the Industrial Relations Commission to grant leave. They argued that the issue of whether or not someone is casual depended on an objective test of whether or not the expectation was reasonable. They argued that Commissioner McKenna had applied a subjective test and not an objective one. The issue of whether or not the test was objective or subjective had not been decided previously by the Commission.



The Full Bench of the Commission decided to grant leave and to dismiss the appeal. They stated that it was open to the Commissioner to draw the inference that Mr Limsiripothong was dismissed because of his complaint of sexual harassment and not the seasonal downturn that Doyles claimed. They also stated that the test *for this case only* about whether an employee was casual or not was an objective test not a wholly subjective test. It's an important result but as they made clear, applies to this case only.

Once again Kingsford Legal Centre makes interesting law!

Kingsford Legal Centre acted for a bar attendant in her 50's who had been discriminated against by her employer, Sydney Turf Club.

Ms F lodged, two complaints of disability discrimination with the ADB in 1995. Her first complaint related to workplace injuries following which her hours were reduced by half and her second complaint related to a skin infection caused by a germ found in beer. The matter

was referred to the EOT which dismissed the first complaint and did not inquire into the second complaint apparently because of an agreement between the parties, a claim denied by Ms F.

She then approached KLC who lodged an appeal to the Supreme Court which was unsuccessful. In the Court of Appeal the test to be applied in direct discrimination cases and the question of when leave is required to appeal EOT decisions were in issue.



Karen McMahon

**Joy Williams v The Minister for
Aboriginal Land Rights Act and
The State of New south Wales**

One of the major matters the Centre faced during the year was the preparation and hearing of this case.

This case finally went to hearing in the Supreme Court in April 1999. The case involved an Aboriginal woman, Joy Williams, who at 4 weeks old was removed from her mother and placed in a home for Aboriginal children, Bomaderry Children's Home run by the United Aborigines Mission. She remained there until she was 4 and a half

years old and was then transferred to Lutanda, a home for white children.

During her time at Bomaderry there was severe overcrowding such that up to 45 children were looked after by two adult carers. As a tiny baby she was prevented from bonding with one caring adult figure.

We argued that this resulted in her having attachment disorder. She was transferred to Lutanda because she was a fair skinned child, pursuant to the policy of the time to assimilate Aboriginal children into white society.

Lutanda was a home run by the Plymouth Brethren and after she was placed in Lutanda, Joy received no follow up visits or assistance from the Aboriginal Welfare Board who were her guardians.

She began to show signs of needing psychological help but this was not acted on by the staff of Lutanda and no-one from the Aborigines Welfare Board became aware of it as they had no contact whatsoever with the Home.

The action was for negligence,



Anna Cody

breach of fiduciary duty, false imprisonment and breach of statutory duty.

In the hearing before Justice Abadee in April 1999 the defendants denied that she was a ward, that there was any duty of care owed to her and that there had been any breach. They also denied that if there was a breach that it had caused her injury. The defendants claimed that Joy did not show any signs of behavioural problems and that she had been well cared for at both homes.

In August 1999 judgement was handed down and Justice Abadee found against Joy in almost all aspects of the case. He found that she was a ward but that the AWB was not the legal guardian of Joy Williams. He found that there was no duty of care owed to her, that there had been no breach and that the breach if there had been one, did not cause any injury.

The case was a mammoth effort from all at Kingsford Legal Centre but particularly for Karen McMahon the solicitor with carriage of it.

She was greatly helped by solicitor Melissa Abraham.

Counsel, Noel Hutley SC and Christine Adamson, also were committed and extremely hardworking. The evidence involved substantial psychiatric evidence as well as sifting through thousands of AWB records to establish the practices of the time. It was shocking that the result was so thoroughly for the defendants.

The appeal was lodged in the Court of Appeal in December 1999 and we await the result in 2000.

Domestic Violence

The Centre maintained its high profile in this area of work through casework, participation in policy projects and in the Waverley Domestic Violence Court Assistance Scheme.

A solicitor from the Centre attends Waverley Local Court on a monthly basis to represent women seeking apprehended violence orders in domestic violence matters.

The Scheme has been operating for some years and is regarded as one of the best functioning Schemes in the State. It provides a separate

room, support workers and legal representation to all women seeking domestic violence AVOs. Women report their satisfaction with the Scheme and comment on the importance of legal representation in AVO matters to assist them when they are experiencing domestic violence. The Scheme draws on the broad based skills of community workers from local women's refuges and family support services as well as community legal centres and private lawyers to function. Kingsford Legal Centre has been instrumental in the Scheme's

successful operation. The year also saw the Scheme move from its premises in Darlinghurst to Randwick to be closer to Court.

The Centre is also active on the Advisory Committee of the Scheme including recruiting an assistant Coordinator for the Scheme and participating in 6 monthly meetings.

The Centre also contributes to the Eastern Suburbs Domestic Violence Committee.

One of the key areas of case work is victims compensation for victims of domestic violence. Frequently women do not recognise their injuries as being able to be compensated. This stems partly from women not recognising the criminal nature of domestic violence. It is thus essential that women get legal representation in these matters.

Tenancy

The Eastern Area Tenants Service, provides tenancy advice and representation once a week at the Centre with many tenants making use of the service. With the looming Olympic Games tenancy advice has been sought frequently particularly from private tenants.

Child Support

For many parents, resolving the issue of financial support for children following separation is an emotional and confusing process. The Child Support Service of the Legal Aid Commission of NSW provides advice and assistance to both carer and paying parents concerning a range of child support issues. Residents of the area are continuing to take advantage of the advice sessions. In addition, the Child Support Service has represented in court proceedings a substantial number of parents who have attended the Kingsford Legal Centre.

Policy and Law Reform

Policy and Law Reform work is a key component of the Centre's work and its commitment to social justice. Throughout 1999, the Centre initiated and responded to a broad range of social and legal policy issues, including submissions to the following

- Each of the four submissions to Senate Inquiries re Migration legislation
- Amendments to Justices Act
- Representations to NSW Premier re interpreters for CLC's
- Submissions re Rent-watchers
- NCOSS legal aid campaign
- Crim. Law Review of AVO's
- Submission to Ombudsman re police powers
- HCCC re medical negligence
- Evidence to Senate Inquiry re same sex relationships
- Submission re Workplace Relations Bill
- Submission re migration provisions and domestic violence
- Submission to Serious Offenders Review Council re prisoners rights to reclassification
- HREOC meeting re Australia's obligations under UN Economic, Social and Cultural covenants & parallel submission
- Submission to Boarders and Lodgers review
- Stolen Generation policy work including meeting with Senators
- Amendments re Crimes Act (DV)
- Youth in public spaces research project
- Submission to HREOC on Age Discrimination Issues

Community Education Highlights

Continuing in the tradition of involving students in our community legal education program, the Centre not only provided but began a comprehensive survey on the CLE needs of the local community and community workers. The Centre as part of its Access and Equity policy continued to be an active provider of legal education to the community in 1999.

CLE by the Centre included:

- talks and presentations
- information packs
- newsletters and articles

- mock trials & open days
- media campaigns & pamphlets

CLE was provided on:

- domestic violence
- victims compensation
- wills and powers of attorney
- interviewing skills in migration law
- confidentiality
- mobile phone contracts
- evidence in court

The Centre provided education sessions to community organisations, students, pensioners, volunteers and

professional organisations such as:

- Turkish welfare organisations
- Australian Association of Social Workers
- Botany Council Pensioners Group
- Migration Agents
- UNSW Alumni

The Centre is in the process of formalising its program. Discussion is centred around having a solicitor dedicate a day per week for community legal education ensuring that the year 2000 will be an exciting year for KLC on the CLE front.



Christopher Barnes

The Centre continued to work closely with the private profession, community groups and funders during the year.

Freehill, Hollingdale and Page

Throughout 1999, Freehill Hollingdale and Page maintained their support for the Centre through sponsoring the secondment of a full-time solicitor at the Centre. This support has been extended to allow secondees to spend six months at the Centre, rather than the previous four month rotation.

The Centre is very appreciative of the generous support of Freehills. Without the seconded solicitors, the Centre would not be able to meet the demand for legal advice and assistance from the community.

In 1999, the Freehill's seconded solicitors were Tim Massey, Christopher Barnes and Zorica Bresic. Tim outlines his experience at the Centre.

"From early December 1999 to May 2000 I was privileged to be seconded to the Kingsford Legal

Centre. This was a challenging and exciting time for a Queensland boy just off the plane and set loose in our Eastern Suburbs.

Working at Kingsford involved:

- varied and new areas of law, which I rapidly read up on (or asked about)
- a diverse range of clients
- the unique working environment of a community legal centre
- successful teamwork between the staff solicitors and the students who form the front line



Tim Massey

- a wonderful journey outside my comfort zone.

Of particular note was the rapid appreciation I developed for the skills necessary to assist a client base with a vast array of languages, backgrounds and traditions.

It was particularly rewarding for me to work with two groups of excellent students. Every student I worked with brought their unique view or approach to individual files. I am certain that I learned as much from working with them as I was

able to impart. I remain impressed by the intelligence, maturity, compassion and at times the courage with which a number of students tackled difficult situations.

This secondment made me aware of the diverse range of organisations that constantly work to support. My short time at the Kingsford Legal Centre gave me a very personal and practical appreciation for the role played by those institutions and the people who work with them. I hope that continued involvement with them will be part of my

professional life for many years to come. Before I am dragged down by my own gravity I confess that a key recollection of my involvement with Kingsford was the fun. The people I worked with were fantastic and keen to enjoy their job. Suits were very much the exception and usually meant a Court appearance which I revelled in anyway. Although I miss these things, I more keenly miss the fun environment, great support and daily satisfaction that I enjoyed in my time at Kingsford."



Margot Morris



Katrina Nivison



John Longworth

Volunteers

Of particular note is the role played by volunteers at the Centre. Evening advice sessions absolutely depend upon the energy and commitment of the Centre's volunteer lawyers. Without them, the Centre simply would not be able to offer regular advice sessions.

Despite their enormous workloads, each of the lawyers on our roster managed to find the time to commit to the Centre each fortnight.

We take this opportunity to say thank you to all our volunteer lawyers for your amazing enthusiasm and hard work.

Jayne O'Sullivan
 Michael Gross
 Anne Horvath
 Fred Linker
 Debbie Ziegler
 Belinda Barry
 Asheesh Kalmath
 Chelsea Li
 Nerrilee Butt
 Carolyn O'Shea
 Roxanne Adler
 Sharon Katz
 Shirlii Kirschner
 Daniel Grynberg
 John Longworth
 Mike Steinfield
 Margaret Faux
 Julia Lonergan

Stefan Balafoutis
 Julian Millar
 Neville Wyatt
 Annie Tucker
 Duncan Inverarity
 Lisa Ogle
 Roger Harper
 Sherene Daniel
 Anna Kaplan
 Jen Patterson
 Alan Segal
 Mary O'Connell
 Aristotle Paipetis
 Maria Nicoloff
 Dave McMillian
 Sue Mordaunt
 Rachel Francois
 Sally Barber



Julian Millar



Margaret Faux



Annie Tucker

Amanda Strasser
Margot Morris
Lisa Friedlander
Josi Mazaraki
Sarah Williams
Katrina Nivison
Ann Taylor
Michelle Hannon
Kylie Day

We would also like to thank
Greg Moore, Mike Steinfeld,
Duncan Inverarity, Erin Kennedy,
Kate Eastman, Sue Mardaunt,
Ron Kessels, Jane Goddard,
Clayton Utz, Michelle Hannon,
Sherene Daniel and David O'Neil

for their Pro Bono support
during the year.

Thank you also to our administrative
volunteers, Daniel and Rosemary
and of course our student and com-
munity volunteers, particularly for
their help on the Williams test case.

Thanks to
Theresa Bullman
Kerry Davis
Rupert Gray
Rohine Jannu
Joanna Jones
Seng Sisourath
Nardia Simpson
Emma Tse

Our thanks to the Public Interest
Lawyers who came to discuss their
experiences with students through a
panel discussion as part of the
Clinical Legal Experience.

They are
Matt Hall
Lisa Ogle
Kevin Williams
Michelle Hannon
Simon Moran
Judge Ann Ainslie Wallace
David Hillard
Ingrid Gubbay

Consultative Committee

The Centre, as part of UNSW Law School has a unique structure. Unlike other community legal centres, KLC does not have a management committee. In order to make sure that the Centre's work meets the needs of the community, the Centre draws on the skills and expertise of a Consultative Committee made up of representatives from a range of local agencies.

The Committee meets quarterly and in 1999 was involved in the development and monitoring of the Centre's strategic plan, as well as

specific projects such as the Service User Involvement Strategy. Most importantly, they provide a link to local people, provide feedback and suggestions as to how the Centre can improve its services to the community.

The Centre thanks the 1999 Committee members for their contribution and support:

Julie Spies

Kooloora Community Centre

Anne Stegman

Randwick Information and Community Centre

Keilly Russell

Botany Family and Children's Centre

Cassie Hatton

The Shack Youth Service

Rosa Loria

Botany Migrant Resource Centre

Caroline Mason

Randwick City Council

Elizabeth Beesley

Botany Council

Carmen Moran

School of Social Work

Annie Cossins

Law School





Frances Gibson

Staff

Frances Gibson

Frances has been the director at Kingsford Legal Centre since 1995, and is a lecturer at UNSW Law School. She is responsible for the management of the Centre and is a casework solicitor. Frances is also responsible for the *Clinical Legal Experience* course and *clinical legal education component of the Law, Lawyers and Society course*.

Anna Cody

Anna has been a solicitor at the Centre since 1995 and is a teacher of the *Clinical Legal Experience*



Anna Cody

course. During her time at the Centre she has increased the amount of domestic violence work undertaken by the Centre in the areas of policy, education and casework. Anna has recently completed a Masters of Law Degree at Harvard University.

Vedna Jivan

Vedna has been at the Centre since 1996. Vedna is a volunteer at Immigration Advice and Resource Centre and has worked at various legal centres as a locum solicitor including Campbelltown and Redfern before coming to Kingsford.



Vedna Jivan

Michelle Burrell

Michelle is the Coordinator of KLC. Michelle has worked in the community sector in Australia and Britain since 1984. Michelle's background is in housing issues as well as community legal centres. Michelle has been at KLC since January 1999. Michelle is employed to coordinate and plan service delivery at KLC. Her duties include supervising social work students at KLC.



Michelle Burrell



Kalliope Christos



Murray McWilliam

Kalliope Christos

Kalliope started in the Centre in November 1998. She is currently the Centre's Administrator. Kalliope is responsible for the financial management of the Centre's funds, including the Centre's trust account. She also manages student enrolments and rosters, and she supervises the performance of students in their administrative duties.

Karen McMahon

Karen McMahon was a locum solicitor at the Centre for a year in Anna Cody's absence. Karen is

an experienced solicitor who previously worked at the Aboriginal Legal Service.

Annie Tucker

Annie Tucker is a former student of the Centre who came back to act as a locum solicitor for 6 months in 1999. Annie is employed by the Legal Aid Commission.

Margot Morris

Margot Morris was seconded to the Centre by Freehills in 1998 as part of its Pro Bono program. Margo confirmed her commitment

to the Centre as volunteer solicitor and also worked as Vedna Jivan's locum in December 1999.

Murray McWilliam

Murray began his involvement with Centre through his participation in the *Clinical Legal Experience* course, summer session 1997-1998. Murray is employed to maintain the KLC library.

Phoebe Besley

Phoebe works five hours per week, producing various publications. She is a graphic design student.

Problem Types

Total number of clients assisted

Family Law	922
Criminal Law	470
Civil Law	2166
Total	3558

Advices

Family Law	580
<i>Telephone</i>	210
<i>Face to Face</i>	370
Criminal Law	290
<i>Telephone</i>	103
<i>Face to Face</i>	187
Civil Law	1330
<i>Telephone</i>	440
<i>Mail</i>	1
<i>Face to Face</i>	889
Total	2200

Family Law (including referrals)

Divorce	194
Child Contact	96
Child Support	91
Child Residency	80
Specific Issues	60
Property in Marriage	37
Property	30
Child Maintenance	20
Property in De Facto	17
Child Welfare / Protection	12
Separation	7
Parental Abduction	6
Other Family Law	272
Total	922

Criminal Law *(including referrals)*

Traffic Offences	66
Trespass	60
Family Violence General	55
Violence / Offences Against	48
Assault	35
Drink Driving	21
Crime (Victims / Witnesses)	19
Family Violence Order	18
Theft	14
Drug Offences	10
Dishonesty Offences	7
Harassment	5
Other Criminal Offences	112
Total	470

Civil Law *(including referrals)*

Tenancy	167
Employment	130
Discrimination	111
Wills / Probate	86
Motor Vehicle Accident	85
Neighbours	75
Debt Owed By	62
Debt Owed To	51
Unfair Dismissal	60
Animals	58
Government / Administration	
Immigration	55
Consumer	
Solicitor	49
Insurance	49

Building Disputes	33
Services	31
Medical Complaints	28
Fair Trading	25
Power of Attorney	35
Injuries	
Crime Compensation	37
Work Injuries	33
Assult Family	20
Fines	31
Credit & Debt	
Consumer	29
Bankruptcy	27
Other Civil Law	799
Total	2166

Income and Expenditure Report

Income	\$	Net Result Surplus/(Deficit)	-133,943.77
Attorney General's Clinical Legal Initiative	150,342.00 ¹	UNSW Contributions	230,731.94 ³
Community Legal Services Funding Programme	126,718.00	Result for period Surplus/(Deficit)	96,788.17
Garendon Legal Costs and Disbursements	200,000.00 ²	Prior year adjustment	24,622.35
Williams Legal Costs and Disbursements	9,535.00	Prior year accumulated funds	48,438.00
Legal Costs and Disbursements	506.79		
Donations	1,604.80	ACCUMULATED FUNDS	169,848.52
Investments	2,347.89		
TOTAL	491,054.48		
Expenditure			
Salaries	332,502.19		
Disbursements and Costs	162,687.56		
Materials and Running Costs	62,679.69		
Equipment	59,529.78		
Travel	7,599.03		
TOTAL	624,998.25		

Notes:

¹ The grant from the Attorney General's Clinical Legal Initiative included an amount of \$100,000 for capital. As at 31 December 1999, \$47,659 of this allocation had been expended. The remaining \$52,341 will be spent in 2000.

² Costs and disbursement are an abnormal item which vary considerably from year to year. The Garendon income of \$200,000 relates to costs and disbursements associated with a class/representative action undertaken by Kingsford Legal Centre on behalf of 110 Litigants.

³ KLC is a unit of the Faculty of Law at the University of New South Wales. As such all its accounts operate within the financial structure of the Law Faculty. The faculty's position in respect of KLC since its inception has been that it provides "deficit" funding. That is, the faculty meets the shortfall required to provide an appropriate level of resources (staff and non staff) to ensure the continuing viability of the Centre. In 1999 the amount allocated was \$230,731.94. Included in the contribution from UNSW is an amount of \$30,000 given by the Vice Chancellor.

KLC would like to thank all its funders, donors and supporters.

In 1999 these included

Commonwealth Attorney General's Department

Legal Aid Commission of NSW

Randwick City Council

Friends of Kingsford Legal Centre

Moore Park Cricket Association Judiciary Committee

We also acknowledge the generous support of the University of NSW

Kingsford Legal
Centre assisted 3558
people in 1999.

Kingsford Legal Centre is committed to social justice and to promoting access to and reform of the legal system. We aim to provide quality legal services to the community and to promote excellence in clinical legal education, whilst fostering a critical analysis of the justice system.



