

CANBERRA
COMMUNITY
LAW



Annual Report 2016–17

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Acknowledgment of Land



Canberra Community Law acknowledges the traditional custodians of the land on which we work in the ACT and surrounding region and pay our respect to the Ngunnawal elders past, present and future for they hold the stories, traditions, and the cultures of their people.

We are grateful that we share this land and express our sorrow for the costs of this sharing to Australia's First Peoples. We will continue to acknowledge the legacy of our history and strive in our goals to empower our community through social justice.

We hope that our efforts will contribute to a realisation of equity, justice and partnership with traditional custodians of this land.



Artwork Acknowledgement

We acknowledge Wiradjuri artist Leanne Pope for the use of her artwork 'Fresh Life After Rain' 2017 for our identifier, marketing and promotional materials.

The original artwork is located at the offices of Canberra Community Law, Canberra ACT.

Introduction

Canberra Community Law (CCL) is a specialist community legal centre serving the Canberra region since 1986, under its former name, the Welfare Rights and Legal Centre.

CCL's specialist services fill a **critical need** in the ACT. Our services are targeted to people on low incomes and are facing other significant disadvantage.

CCL helps address its clients' vulnerabilities by providing holistic legal services. CCL's social worker works with its legal staff to ensure that clients receive both legal and non-support need. CCL takes an early intervention approach, where possible, but also works with clients in times of crisis.

CCL provides the following services:

Dhurrawang Aboriginal Human Rights Program

Provides legal services in housing, social security and race discrimination law to Aboriginal and Torres Strait Islander communities in the ACT through a human rights framework.

Disability Discrimination Law

Provides legal services to people who have been discriminated against because of disability in relation to employment, education, access to premises, provision of goods, services, facilities, accommodation, Commonwealth laws and programs and requests for information.

Housing Law

Provides legal services to people experiencing problems with housing/tenancy issues in the ACT. Matters include: seeking priority housing, defending public housing evictions, dealing with repairs, maintenance issues and challenging debts incorrectly raised.

This service also provides a Duty Lawyer Service at the ACT Civil and Administrative Tribunal (ACAT) each Thursday for the public housing list.

Socio-Legal Practice Clinic (SLP Clinic)

The SLP Clinic provides combined legal and social worker services to people who face a high degree of vulnerability and have significant barriers to achieving a successful resolution of their legal matter. The primary focus of the SLP Clinic is in addressing homelessness, especially for women and children affected by family violence. The program also assists clients with other legal problems including social security and disability discrimination matters.

Social Security Law

Provides legal assistance with Centrelink and Social Security matters such as obtaining vital income support payments, challenging debts incorrectly raised and seeking debt waiver on the basis of administrative error or compelling special circumstances.

Street Law

Compliments our Housing Law service by acting as a key legal contact for those working in the homelessness sector and is designed to reach people experiencing or at risk of homelessness who would not otherwise access legal services. Matters can include traffic fines, minor criminal law charges, employment law, debts, consumer issues and a wide range of civil law matters.

Night Time Legal Advice Service

Provides information, referral services or one-off legal advice in most areas of law including fines and other traffic infringements, minor criminal law offences, family law, employment law, debts, complaints and consumer issues.

CCL provides these services in order to address disadvantage in the community and in pursuance of creating a just and compassionate community.

CCL also seeks to address disadvantage and assist vulnerable people in the Canberra community by providing legal awareness training to community workers/organisations within the ACT. This enables early identification and intervention to address the legal issues of people who access these services.

CCL also actively raises issues of concern with Government whereby it seeks to improve the operation of laws and policy which impact on its vulnerable client base.

CCL is accredited under the National Association of Community Legal Centre's Accreditation Scheme. The National Accreditation Scheme is an industry based certification process and provides a quality assurance process that gives funding bodies, Community Legal Centres, and clients confidence that community legal centres are operating accordance to good practice and industry standards. The National Accreditation Scheme promotes a culture of ongoing continuous quality improvement.



Funding Sources

During the reporting period, CCL received funding from the Commonwealth Government under the National Partnership Agreement on Legal Assistance services and also from the ACT Government through the Community Services Directorate and the Justice and Community Safety Directorate.

CCL also acknowledges funds received through the Statutory Interest Grants program administered by the ACT Law Society and philanthropic funding received from the Snow Foundation, Clayton Utz Foundation and Maddocks Foundation.

CCL also received funding from the Australian National University to operate our clinical legal education program.

We also thank Hands Across Canberra for a grant to purchase two tablet computers which have strengthened our capacity to provide professional, efficient and responsive services and to the Canberra Southern Cross Club for a grant to gain access to the Social Service Electronic Library an invaluable legal resource for practitioners practising in Social Security law.

Thanks also to the ACT Office of Disability who provided financial assistance to CCL in 2017 to enable our individual service brochures to be converted into Easy English to improve the accessibility of our services to people with disability.

CCL's Vision, Mission and Values

Our Vision: Working towards a just and compassionate community.

Our Mission: To overcome systemic barriers to justice and empower our community by providing holistic legal services.

Our Values

CCL is committed to:

- Evidence based advocacy;
- Self-determination;
- Empowering people;
- Inclusivity, respecting and valuing diversity;

- Commitment to high quality and client focused services;
- Treating people with respect and dignity;
- Collaboration;
- Innovation and creativity;
- Professional and ethical practice;
- Promoting social justice and human rights principles;
- Community engagement and participation;
- Robust advocacy and tenacity;
- Accountability;
- Sustainability; and
- Being connected to our community.

CCL's Client Work at a Glance

During the financial year, along with most community legal centres throughout Australia, CCL moved to a new client database, the Community Legal Assistance Services System (CLASS).

As a date of this report, CLASS only had limited reporting capability which has restricted the reporting of data for this year.

We understand that this situation is currently been addressed by the National Association of Community Legal Centres (NACLC) who manage the CLASS project and more detailed reports will be available in the future.

CCL's Work Snapshot for 2016-17

- 1033 clients assisted
- 1743 legal advices
- 129 legal task services
- 110 Duty Lawyer services
- 118 Non Legal Support Services
- 344 legal cases worked on

CCL's Priority Groups include:

- Aboriginal and Torres Strait Islander people;
- People from culturally and linguistically diverse backgrounds;
- People who are experiencing or at risk of homelessness;
- People experiencing domestic/family violence;
- People with a disability;

- Older people experiencing disadvantage; and
- Members of the Lesbian, Gay, Bisexual, Transgender and Intersex community.

Hours of Operation and Location

CCL is located in the ACT CLC Hub on Level 1, 21 Barry Drive (corner of Watson Street) Turner.

The office is open Monday to Friday from 9am to 5pm.

Our Night Time Legal Advice Service (NTLAS) which provides general legal advice operates a phone and drop in advice service every Tuesday evening from 6pm to 8pm (February to November each year).

CCL's Board of Directors 2016–17

The Board of Directors during the year ended 30 June 2017 were:

Daniel Stewart, Chairperson

Deborah Pippen, Treasurer, resigned 27 September 2016

Genevieve Bolton, Director/Secretary

Carmel Franklin, Director, resigned 24 April 2017

Amanda Ryan, Director

Helen Fisher, Director

Anusha Goonetilleke, Director (Staff Representative)

Laura Hilly, Director

Yen Eriksen, Director, resigned 31 May 2017

David Howard, Director, since 28 June 2017

CCL Staff

CCL employed the following staff in 2016–17

John Alati, NTLAS Supervising Solicitor (part time)

Louisa Bartlett, Solicitor (resigned 14 October 2016)

Genevieve Bolton, Executive Director/Principal Solicitor

Samantha Bradley, Solicitor, (part time from February 2017)

Rosemary Budavari, Disability Discrimination Law (DDL) Senior Solicitor (part time)

Matthew Butt, Solicitor (1 day per week)

Jordan Bulley, Office Manager, (March 2016 to February 2017)

Radhika Chaudhri, Solicitor

Farzana Choudhury, Street Law Solicitor

Derek Emerson-Elliott, Advocate (from 14 March 2017)

Edith Graham, Book keeper (part time – from February 2017)

Anusha Goonetilleke, Street Law Supervising Solicitor

Naomi Gould, Solicitor (part time – resigned November 2016). Short Term project in June 2017.

Parastou Hatami, Dhurrawang Aboriginal Human Rights Program Senior Solicitor/Program Manager, (returned from unpaid leave in February 2017)

Sarah Hein, Solicitor (part time)

Julian Hicks, Office Manager (from March 2017)

Joseph Ishow, Street Law Solicitor (resigned January 2017)

Kate Kenny, Advice Line Worker (part time)

Ella Kucharova, Solicitor, (October to December 2016)

Heather McAulay, Street Law Program Manager/Solicitor (part time, returned from parental leave in January 2017)

Amelia McCormick (resigned August 2016)

Elizabeth Moore, Office Manager (November 2016 to March 2017)

Catherine Murnane, Social Worker

Ida Nursoo, Solicitor (from November 2016)

Chelsi Wingrove, Book keeper (part time – resigned February 2017)



CCL Staff in October 2016: (from the top left)
Catherine Murnane, Joseph Ishow, Sarah Hein,
Karl Manning (consultant), Jordan Bulley,
Rosemary Budavari, Genevieve Bolton, Chelsi Wingrove,
Naomi Gould, Farzana Choudhury, Radhika Chaudhri,
Anusha Goonetilleke, Ella Kucharova.

Chairperson's Report

Back from the edge of the cliff. This time last year, Canberra Community Law (CCL) was facing a dramatic reduction in Commonwealth government funding. However, after a tireless campaign by community legal centres across the country, that decision was largely reversed. The ACT Government agreed to pass on that reversal as well as providing recurrent funding for our Street Law program and enabling CCL to establish the Dhurrawang Aboriginal Human Rights Program. While it remains likely that funding from the ACT Law Society will continue to fall, the government funding decisions have meant that, for the first time in a long time, CCL can look forward without the fear of imminent redundancies or substantial service cuts. It has been a very stressful few years for the staff at CCL with increasing uncertainty adding to an already difficult financial position, and I thank the staff for their patience in the face of that uncertainty.

CCL has once again enjoyed the support of the Snow Foundation and the Clayton Utz Foundation in being able to continue funding for the Socio-Legal Practice (SLP) Clinic. The SLP Clinic underwent an external review this year which emphasized the excellent work being done and the willingness of CCL staff to embrace this new way of assisting those most in need. The Board has accepted the recommendations of the review knowing that the service will only continue to improve. Recently, the SLP Clinic was announced as a worthy finalist for the Law Award as part of the Australian Human Rights Commission's Annual Human Rights Award. Thank you to all who worked so hard on preparing the nomination for that award.

Behind the scenes, changes to payroll and the move to a new National Community Legal Centre database continue to create their own challenges. Finding new ways to reach out to those in need, whether physically or through new services or means of communication, and ensuring that the right assistance is available means that CCL will continue to innovate and explore new ways of improving the services we offer.

The potential for community legal centres to have to compete for funding in the future meant that Carmel Franklin resigned her position on the Board. Hopefully, in her role as Director of Care Financial Counselling Service, Carmel and CCL will be able to continue to find ways to work together in the future. Yen Eriksen has also had to leave the Board. Many thanks to both Carmel and Yen for their contributions. Welcome to David Howard who has only just recently joined the Board after completing a secondment with our Street Law program.

Thank you to Anusha Goonetilleke who has served as the staff representative on the Board since November 2013. She will be stepping down at this Annual General Meeting ahead of

taking parental leave at the end of this year. On behalf of the CCL, I wish Anusha and her husband all the very best for the birth of their first child due early next year.

Thank you to Genevieve Bolton for her assistance to the Board and, of course, her continued extraordinary work as Executive Director/Principal Solicitor. Genevieve was recently recognised for her many contributions to the local ACT community through her nomination as an ACT Local Hero as part of the 2018 Australian of the Year Awards. And of course, to all CCL staff, thank you again for all you do. Your efforts have enabled CCL to continue to assist those who need help and to seek out new ways to help others in the future. We can look forward to CCL being able to continue that work for many years to come.

Daniel Stewart

Chair, Board of Management



**Canberra Community Law Chairperson,
Daniel Stewart**

Executive Director/ Principal Solicitor's Report

Despite the funding uncertainty that prevailed throughout the year, CCL continued to establish new services designed to reach out to those most in need.

Thanks to funding from the Maddocks Foundation, CCL was able to establish a Duty Lawyer service at the ACT Civil and Administrative Tribunal (ACAT) in respect of the public housing Thursday list effective from 1 July 2016. The ACAT Duty Lawyer service has significantly increased access to earlier, expert and specialist legal assistance to tenants involved in public housing matters and significantly reduced the risk of eviction. ACAT has acknowledged the value of the Duty Lawyer Service stating that *"the program makes an important contribution to access to justice for tenants and assists the tribunal to comply with the requirements of procedural fairness."*

In September 2016, in partnership with the Commonwealth Administrative Appeals Tribunal (AAT), CCL established an advice service to assist self-represented applicants with Social Security and Family Assistance matters in the Social Services and Child Support Division. This service is also filling an important gap for people who otherwise would not have received legal assistance. The service has assisted self-represented applicants to gain a better understanding of the law, collect evidence in support of their appeal and prepare for the Tribunal hearing.

In February 2017, CCL established the Dhurrawang Aboriginal Human Rights Program. The service aims to address the significant barriers to access justice that Aboriginal and Torres Strait Islander people experience. The service is focused on providing legal services in the areas of social security, public housing and race discrimination law which have been identified as some of the most pressing issues facing Aboriginal people and Torres Strait Islander people. The program's exclusive focus on Aboriginal and Torres Strait Islander people have enabled the development of a culturally appropriate legal service that is better able to meet the needs of Aboriginal and Torres Strait Islander communities in the ACT. Recurrent funding from the ACT Government will enable CCL to consolidate the program and employ an Aboriginal Solicitor in the coming financial year.

As part of CCL's commitment to providing responsive and flexible services, staff also undertake home visits for clients where it is the most appropriate course of action, because of cultural considerations, accessibility issues or the particular vulnerability of the client. During the reporting period, CCL undertook around 20 home visits.

CCL continued its commitment to the ongoing review and evaluation of its programs. During this reporting period, an independent external evaluation was commissioned for our Socio-Legal Practice (SLP) Clinic. The evaluation concluded that the SLP Clinic was an innovative and highly effective service delivery model which was achieving great outcomes for clients with the highest and most complicated needs. Thank you to the Snow Foundation and the Clayton Utz Foundation for supporting this program. The program has recently been recognised at a national level being announced as a finalist for the Law Award as part of the Australian Human Rights Commission's Annual Human Rights Awards.

During the reporting period, CCL continued to meet the accreditation requirements under the National Association of Community Legal Centres' National Accreditation Scheme (NAS). NAS promotes a culture of ongoing continuous quality improvement and requires the lodgment of progress reports on a six monthly basis with evidence that the agreed action items in the Improvement Plan have been met. Substantial work was undertaken implementing our Disability Action Plan, developing a Reconciliation Action Plan and strengthening our governance arrangements.

This financial year saw a change in the structure of our long standing Community Law Clinical Program, ran in partnership with the ANU. Due to changes in ANU course requirements, the course was changed from two onsite days to one onsite day per week. Students continue to value the opportunity to work in a busy community legal centre practice with our experienced lawyers. Thank you to Heidi Yates, the ANU Course Convenor, for assisting the Centre to adapt the course to a one- day onsite format.

CCL also increased its social media presence, setting up Twitter, Instagram and LinkedIn accounts in this reporting period to operate in addition to our Facebook page. Both the Facebook and Twitter pages have gained hundreds of followers this financial year, and social media has proven to be an invaluable means to engage with clients, stakeholders and the general public.

Canberra Community Law has also received coverage in print, radio and television about issues such as the impending funding cuts that were facing community legal centres, changes to discrimination law in the ACT and the hidden face of older women experiencing homelessness.

Thank you to Anusha Goonetilleke for leading CCL's social media work and to the small team of CCL workers for their ongoing commitment to engaging with our community through maintaining an active social media presence.

Thank you to all staff, pro bono supporters and volunteers for your collegiality, hard work, commitment to and support of the Centre and our clients over the last year. Thanks also to CCL's Board of Management for your strategic management and oversight of the Centre's operations over the last 12 months.

The next twelve months will have its own challenges, as we continue to respond to the rising demand for our services, and seek out additional funding to support our work. However the reversal of the Commonwealth funding cuts and recurrent funding from the ACT Government for our Street Law and Dhurrawang Aboriginal Human Rights Programs has placed us in a much better position to meet those challenges and focus on the delivery of front line services to those most in need.

Genevieve Bolton OAM

Executive Director/Principal Solicitor



Sector Engagement

CCL continues to work with other community legal centres, government agencies, the private profession and other services to ensure that our resources are targeted to best meet legal needs and avoid duplication.

During the reporting period, we participated in the following activities:

- ACT Legal Assistance Forum;
- ACT Jurisdictional Service Planning Working Group;
- ACT Shelter Forum;
- Commonwealth Ombudsman's round tables;
- Joint Pathways Forums;
- National Social Security Rights Network;
- Who's new on the Street Meetings;
- International Tenant's Day Organising Committee;
- Red Cross Interagency Meetings;
- NACLC Professional Indemnity Insurance Committee;
- NACLC Advisory Council; and
- NACLC Accreditation Committee.

CCL's 30th Birthday Celebration

On 20 October 2017, Canberra Community Law celebrated its 30th birthday.

Thank you to the Hon Richard Refshauge (Retired Justice of the Supreme Court), George Masri (former Senior Solicitor) and Naomi Gould for speaking at the event and sharing your reflections on the work of the Centre and its impact over the last 30 years.

The iconic Paul Kelly song, from little things big things grow was '*adopted*' as the theme song for this celebration. It is one of Australia's most loved songs as it captures everything we celebrate in Australian mateship, courage, the battler and a fair go. It is also the story of the Gurindji Strike! It tells the story of the Aboriginal man, Vincent Lingiari as he led the Gurindji people on a long, courageous battle for justice. His fight for the rights of his people laid the groundwork for the Aboriginal Lands Right Movement in Australia.

The 30th birthday event, was a wonderful opportunity to reflect on CCL's humble beginnings which started with a card table set up outside the Centrelink office at Braddon and its journey over the last 30 years. Despite all the change, standing up for the rights of people who have been marginalised, challenging unfair laws and systems and fighting for justice and equality remains at the heart of what CCL has always done and will continue to do.

A huge thanks to everyone who has contributed to the Centre's work over 30 years and to all who joined with us in celebrating this significant milestone in CCL's history. May CCL's work over the next 30 years continue to contribute to a more just and compassionate community.

Explore CCL's history at

www.30years.canberracommunitylaw.org.au



Dhurrawang Aboriginal Human Rights Program

The goals of Dhurrawang are to provide safe and respectful legal services to Aboriginal and Torres Strait Islander clients in Housing, Social Security and Race Discrimination, through a human rights framework. These services include individual advice and representation, community legal education as well as law reform initiatives.

The program was initiated in February 2017 through the development of a consultation paper that paved the way for discussions with various stakeholders including legal services, Aboriginal organisations, community organisations and ACT and Federal Government agencies. We implemented many of the recommendations obtained through this consultation period including strengthening cultural competency, ensuring communication lines with clients are flexible and responsive, engaging Aboriginal artist to develop artwork for the program and seeking a Ngunnawal name for the program.

The program has attracted a great deal of clients, main sources of referrals at this point in the year were former or existing clients referring friends and family, Winnunga Nimmityjah Aboriginal Health Service and Gudan Gulwan Youth Aboriginal Corporation.

Noting that Dhurrawang only commenced in February 2017, the program provided 30 advices, performed 10 legal tasks and undertook 15 casework services including one Tribunal representation service.

Cultural Competency training was organized and attended by all staff. The supervising solicitor also attended two external cultural competency trainings provided by the Australian Institute of Aboriginal and Torres Strait Islander Studies and Legal Aid ACT.

The supervising solicitor attended a University of Canberra focus group to provide input about the significance of human rights education particularly as this impacts Aboriginal and Torres Strait Islander communities and was a panel member at the Commonwealth Ombudsman's forum on the digitalization of decision making, shedding light on the impact of this approach on Aboriginal and Torres Strait Islander communities. The supervising solicitor provide a presentation at an ACT Legal Assistance forum meeting on the work of the program and the particular challenges faced by our client group. The need for the program was also highlighted by the supervising solicitor at a media interview during the ACT Attorney General's visit to the ACT Community Legal Centre Hub.

During this period we engaged with the University of Canberra to attract indigenous cadets to the program through the Ngunnawal Centre at UC.

JACS provided four years of recurrent funding to the program in this budget to enable us to recruit an indigenous lawyer to support the program.

Reconciliation Action Plan Committee Report

The Reconciliation Action Plan (RAP) committee developed a draft RAP during this period and commenced implementation of many of the action items including the establishment of a working group. The working group organized cultural competency training for staff which was attended by all staff and well received. The training was delivered by Benny Hodges and was extremely practical and insightful. This training informed the development of the CCL Acknowledgment of land, the purchase of artwork and flags to ensure that our office space is culturally safe for clients.

The RAP committee organized the NAIDOC week lunch that was well attended and well received by the community.

A statement was included in all job descriptions encouraging Aboriginal and Torres Strait Islander people to apply for the positions and funding options were explored for the employment of workers in identified position at Canberra Community Law (CCL).



Dhurrawang Aboriginal Human Rights Program Solicitor, Parastou Hatami, speaking with Valley FM

Disability Discrimination Law

DDL provided 308 advices and performed 22 legal tasks in relation to disability discrimination. The three major areas of advice work were service provision, employment and education.

DDL provided representation and casework for 17 clients. The casework included nine disability discrimination complaints and one disability service complaint. Several of these complaints settled with the payment of monetary compensation; changes to policies and procedures; the provision of reasonable adjustments for the client; and the provision of disability discrimination training for staff of relevant businesses and agencies. Some casework has involved direct negotiation with employers, service providers and educational institutions, which has resulted in the provision of reasonable adjustments and changes in policies and procedures.

DDL participated in the Community Law Clinical Program and provided supervision and training to law students from the Australian National University. DDL also delivered tutorials on Discrimination Law as part of the Community Law Clinical Program.

DDL coordinated the CCL submission to the ACT Legislative Assembly's Standing Committee on Health, Ageing and Community Services' Inquiry into the Employment of People with Disabilities in April 2017. CCL's submission was referred to in the Committee's report in August 2017.

DDL also assisted with the preparation of CCL's second Disability Action Plan (DAP) which covers the period from 1 July 2016 to 30 June 2019.



Disability Discrimination Law Senior Solicitor:
Rosemary Budavari

Case Study: Mohamed's story

Mohamed has a mild intellectual disability and suffers from an anxiety disorder. He was employed as a casual support worker for a community organisation. He told the organisation about his disabilities when he applied for his job.

He experienced problems with the challenging nature of some of the work he was required to do and asked to be allocated different duties and fewer hours. However, the organisation continued to allocate the same duties and increased his hours. His anxiety worsened and he suffered several panic attacks at work. He felt that the organisation was not providing him with reasonable adjustments for his disabilities. His relationship with the organisation broke down and he was not offered any more shifts.

DDL lodged a disability discrimination complaint on Mohamed's behalf and represented him at the conciliation of his complaint at the ACT Human Rights Commission. The complaint was settled with an agreement by the organisation to provide Mohamed with an apology, a statement of service and monetary compensation. The organisation also made a commitment to provide training to its staff on how to better support employees with mental health issues in the future.

Disability Action Plan Report

CCL's second Disability Action Plan (DAP) was designed to follow on from CCL's first DAP which ran from May 2015 to May 2016 and was extended to July 2016.

The DAP was developed in consultation with organisations assisting or representing people with disability including the ACT Deafness Resource Centre; the ACT Disability Aged and Carer Advocacy Service; the ACT Human Rights Commission; the ACT Official Visitors for Disability Services; Advocacy for Inclusion; Carers ACT; Disability ACT; Gudan Gulwun Aboriginal Corporation; People with Disabilities (ACT) and the Women's Legal Centre's Aboriginal and Torres Strait Islander Women's Law and Justice Support Program. CCL thanks all these organisations for their time, expertise and invaluable input into the development of our DAP.

CCL's second DAP has the following objectives:

1. To increase awareness of CCL of the needs of people with disability.
2. To improve accessibility to CCL's services.
3. To increase participation opportunities for people with disability and provide reasonable adjustments.
4. To increase consultation with and participation by people with disability in CCL's strategic direction and management.
5. To respond to invitations to participate in relevant ACT and Commonwealth policy and legislative reviews affecting people with disability.
6. To promote awareness of and evaluate the DAP.

Some of the actions taken under the DAP included:

1. Reviewing printed information about CCL services for clients with disability and their carers and providing it in accessible formats including Easy English — CCL had its overall service brochure translated into Easy English and printed in January 2017. It has been distributed to community groups.
2. Reviewing website information for accessibility — CCL reviewed the accessibility of its website in January 2017 and made changes to improve its compliance with the international Web Content Accessibility Guidelines 2.0 accessibility standard. It developed a new Accessibility webpage and uploaded its Easy English overall service brochure to its website.
3. Responding to invitations to participate in relevant policy reviews affecting people with disability — CCL made a submission to the ACT Legislative Assembly's Standing Committee on Health, Ageing and Community Services' Inquiry into the Employment with People with Disabilities in April 2017.

Overall the second CCL DAP has resulted in significant improvements in CCL's services for people with disability. CCL looks forward to continuing to work with people with disability to further improve its services over the remaining period covered by its second DAP to July 2019.



Social Security and Tenancy Service

The Social Security and Tenancy Service (SS&T service) encompasses our Housing Law and Social Security Law services, our Socio-Legal Practice Clinic and our ACT Civil and Administrative Tribunal (ACAT) Duty Lawyer service.

General Overview

The SS&T service assisted 598 clients, provided 1046 advices and preformed 77 legal tasks in relation to housing and social security legal issues. The SS&T service worked on 186 cases during this period.

The SS&T service has assisted a large range of people within the Canberra community including people with disabilities, women escaping family violence, people who have come to Australia as refugees and the elderly.

Common tenancy matters coming through the advice line included eviction, priority transfer, repairs, tenant responsible maintenance and access issues. Evictions due to rental arrears and rent rebate issues including refusal of backdate were a key focus. In the last year, the advice line, also saw an increase in 26 week no cause notices served to detainees in the Alexander Maconochie Centre (AMC) and matters have proceeded from advice to casework including representation at the ACT Civil and Administrative Tribunal (ACAT).

Outstanding Housing ACT repair issues continues to be a focus on the advice line. We also provided assistance with tenant responsible maintenance charges as these can prevent transfer or allocation of housing.

Common social security matters on the advice line included access to Disability Support Pension, a variety of Centrelink debts, and issues around meeting Centrelink activity test requirements. Some social security matters have proceeded from advice to casework, including representation at the Administrative Appeals Tribunal (AAT).

Access to Disability Support Pension is an issue that we are advising on with increasing frequency as there have been a number of legislative and policy changes in recent years that contribute to applicants facing greater difficulties accessing this payment. We have found that there are an increasing number of people in a situation where they are unable to work or comply with Newstart Allowance activity test requirements.

We see a variety of Centrelink debts. We continue to see a steady number of debts based on Centrelink's online compliance system (also known as robodebts). We have also seen a number of larger debts where there is a risk of prosecution action.

Where necessary, we also advise people on their general eligibility for Centrelink payments. This includes advising people on non-protected special category visas who have limited access to payments under Australia's current Social Security framework.

The bulk of the casework undertaken by the SS&T service over the last 12 months has been in relation to assisting people access Priority Housing and defending eviction applications made by Housing ACT on the grounds of rental arrears, property condition, and the issue of 26 week no cause notices. We represented people who were seeking debt waiver or appealing decisions to refuse their Disability Support Pension (DSP) claim. We also provided casework services on a couple of robo-debt matters that resulted in the debts either being set aside or substantially reduced.

Thank you to Philip Finley who has for many years volunteered with us. Your expert advice and analysis of client matters is very much appreciated.

Case Study – May's Story

May (not her real name) was a very vulnerable mother with two daughters. She had come from South East Asia and had limited English.

Housing ACT brought an application seeking May's eviction. The arrears related particularly from a period of time when May had been involved in an accident where she had sustained head injuries and later suffered a miscarriage. She had Centrepay set up but this had lapsed for a period due to problems with her Centrelink payments.

At the hearing of the matter before ACAT, we raised a possible rebate issue that would significantly change the quantum of arrears. The Tribunal agreed to adjourn the matter to enable us to lodge a review with Housing ACT requesting that the rebate be backdated. Our initial request for review was refused. On appeal, we cited recent Tribunal decisions to argue that May's circumstances were usual or out of the ordinary to allow Housing ACT to exercise the power to backdate. Housing ACT upheld the appeal resulting in a significant reduction in the rental arrears.

The Tribunal had also made an order allowing May and her children to stay in their home.

Case Study – Lauren's Story

Lauren (not her real name) had been referred to CCL by a community organisation.

Lauren was very withdrawn, suffered from depression and was isolated and vulnerable. Centrelink had raised a robo-debt of \$5000 against her.

Centrelink claimed Lauren was working but she had not worked for a very long time.

CCL assisted Lauren to explain her circumstances to Centrelink and provide supporting documentation.

As a consequence, Lauren's debt was set aside.

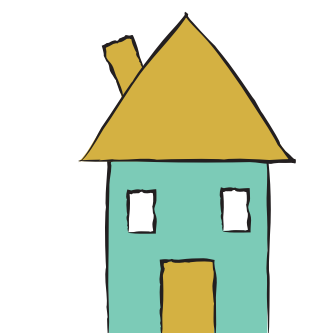
ACAT Duty Lawyer Service

During the reporting period, CCL assisted in 76 duty lawyer matters at ACAT.

The duty lawyer service provides free advice and representation to tenants in public and community housing who are facing proceedings in ACAT. The service is available every Thursday morning being in the residential tenancies list day at ACAT. The service is also provided outside the residential tenancies list on request.

Tenants may speak to the duty lawyer in a safe and confidential interview room at ACAT. The duty lawyer assists tenants by providing a range of assistance including: identifying and explaining what the proceedings are about, providing legal advice and information, helping to formulate the tenant's case before the Tribunal, representation at Tribunal mentions, hearings and conferences, negotiating settlements, providing referrals and guidance to tenants through the Tribunal process in general. If matters are not resolved at the first return date they will often be taken on by CCL as ongoing casework.

During the reporting period, a large portion of matters that the duty lawyer has assisted with have been eviction proceedings arising from rental arrears. The duty lawyer has, in many of these cases, assisted the tenant to save their tenancy by successfully advocating for conditional termination and possession orders which enable the tenant to stay in their property and require the payment of rent and the arrears.



Case Study – John’s story

John (not his real name) had fallen into rental arrears because he had lost his job and could not afford to pay rent as he was without an income for several months. It had taken him some time to obtain Newstart Allowance payments and his payments had also ceased due to difficulties he had experienced meeting activity test requirements. He had recently obtained employment but it was going to take some time until he received his first pay cheque. He also had other debts to address. The duty lawyer assisted John to gather and organise what evidence he could in the limited time that he had before the Tribunal hearing and to present his circumstances in a way that was relevant to the legal issues the Tribunal would be considering.

The duty lawyer then represented him at the hearing and was successful in obtaining a conditional termination and possession order which meant that he could stay in his home and the tenancy was not terminated. The duty lawyer subsequently facilitated referrals to services that could assist John with his other debt matters and help him to sustain his tenancy into the future.

Appearing before the Tribunal is a stressful and daunting experience for most people. Particularly where tenants are already facing other social, economic and cultural barriers, the duty lawyer service is a valuable resource and support that facilitates their access to justice by providing active and practical assistance with legal processes at the litigation stage.

Thank you to The Maddocks Foundation for funding and supporting the duty lawyer service. We would also like to extend our appreciation to ACAT for allowing us to use the Tribunal’s facilities and for the friendly, helpful and timely assistance provided by Registry staff.

Community Legal Education

The SS&T service provided community legal education training during the reporting period on common Centrelink and tenancy issues.

The SS&T service also participated in the Community Law Clinical Program and provided supervision and training to law students at the Australian National University. SS&T service also delivered tutorials as part of the Community Law Clinical Program.

Policy Submission Work

During the 2016–17 financial year, the SS&T service undertook the following policy work:

- Appearance at the Senate Community Affairs Committee Inquiry into the Better Management of the Social Welfare System Initiative.
- Submission to Community Services Directorate on amendments required to Housing ACT policies to better accommodate women experiencing family and domestic violence.
- Submission to Community Services Directorate on Implied Tenancy Declarations; and
- Consultations around proposed amendments to the *Residential Tenancies Act 1997* including advocating for reforms to the current Conditional and Termination and Possession Order provisions.



Socio-Legal Practice Clinic

Program Overview

The Socio-Legal Practice (SLP Clinic) is an innovative program of CCL, made possible with the generous support of the Snow Foundation and the Clayton Utz Foundation, that assists the most disadvantaged people facing a crisis or emergency by integrating the professional skills of a lawyer and a social worker working in tandem. The SLP Clinic's holistic model focus on preventing homelessness by providing intensive legal and social case work for some of CCL's most vulnerable clients. The SLP Clinic's focus is on people experiencing or at risk of homelessness, people experiencing family violence, people with a disability and people with other barriers to accessing justice, who have few or no other social supports.

Client Work

It has been a busy year for the SLP Clinic. Since our official launch last year, we have had a steady flow of cases. Our clients usually come to us with complex problems that they have not been able to get help with anywhere else. One of our clients said: *"no one helped me until I met Catherine. I think they thought my situation was too hard."*

We have been continuing to develop a responsive and flexible model that focuses on empowering and engaging clients with the legal and non-legal processes, for example, by doing home visits for those vulnerable clients who would otherwise drop out of contact and co-ordinating ongoing support with doctors, financial counsellors, counsellors, support workers, schools and community organisations. Our recent external evaluation noted that *"the SLP Clinic has been successful in alleviating immediate hardships and provided opportunities for people to make long term changes in their lives."*

In the 2016–17 financial year, the SLP Clinic assisted 79 clients. The SLP Clinic recognises that access to justice can be much harder for people living with a disability. 77% of SLP Clinic clients identify as having a disability.

Family violence is one of the leading causes of homelessness. 60% of the SLP Clinic clients are victims of family violence.

Around 53% of the SLP Clinic clients are women with children.

The SLP Clinic works with clients with many different experiences. Around 10% of the SLP Clinic clients are Aboriginal and Torres Strait Islander. Around 23% of SLP Clinic clients are from culturally and linguistically diverse backgrounds.

For around 87% of SLP Clinic clients, a Centrelink payment was the main source of their income.

Emerging areas of need

We are also seeing an increase in demand for our services from certain groups, particularly those escaping domestic violence, those with low literacy, and single parents with young children.

Domestic Violence

The SLP Clinic assists women escaping from domestic violence, recognizing that these women and their children often have few supports around them and require a strong voice to advocate for them. Durable outcomes for women escaping violence is critical to their ability to rebuild their lives, and critical to the wellbeing of accompanying children.

Case Study: Deborah's Story

Deborah is a young indigenous woman with two small children. After years of physical, verbal and emotional violence, Deborah fled her Housing ACT property and her abusive partner with her children and sought shelter in a women's refuge. She and her children were accommodated in just one room, and Deborah desperately needed a transfer. She was told by Housing ACT that she had significant debts from her previous tenancies. Deborah was distraught about this, as much of the damage had been caused by her partner's angry outbursts, and Deborah herself had little means to repay the debt. Deborah had no idea what to do next. She was referred to the SLP Clinic.

The lawyer and social worker met with Deborah, and talked to her about Housing's domestic violence policies, and what could be done to get her transfer application reconsidered. The social worker helped Deborah to meet with a financial counsellor to help her out with a budget, guided her through the process of talking to the police again, and connected her and her children with health services to begin the process of healing from the abuse they had suffered. This allowed the solicitor to put in an FOI request for records from the police and from Housing ACT, and together with the medical evidence, the solicitor could advocate for Housing ACT to apply their domestic violence policies to house Deborah and her children as a matter of urgency. Soon after this, Deborah was transferred to a new property where she and her children feel safe.

Literacy barriers

Legal processes and correspondence from government organisations can be especially difficult for people with literacy barriers. The SLP Clinic can provide the extra support required to assist people with literacy barriers so that they are better able to understand their legal issues and make decisions about what they want and need to resolve them.

Case Study: Abraham's Story

Abraham has been a public housing tenant since 2001. Abraham has been physically assaulted by some of his neighbours and his tyres are frequently slashed. The police have not been of much assistance, and things got so bad that in desperation, he applied for a transfer. He was placed on the High Needs list. Ten years later, he had still not been transferred. The reasons for this extremely lengthy delay are unclear. Abraham cannot read or write, so the few Housing ACT letters that got to him did not help him to understand the process. This left Abraham feeling frustrated and forgotten in the system despite being a model tenant who always pays rent on time and keeps the place clean and tidy. While Abraham tried to get updates on his transfer application he was always told that his application was on the waiting list. Recently, Abraham had a serious heart attack. Abraham can no longer get up the three flights of stairs to his apartment, making a transfer all the more urgent. He was referred to the SLP Clinic to get some assistance.

The social worker read through all the letters from Housing with Abraham, explaining the process to him. The lawyer also helped Abraham put together medical evidence about his heart attack to give to Housing ACT. We explained that by doing this, his application would be re-assessed. When Housing ACT received the medical evidence, they asked for some further documents. The social worker explained to Abraham what Housing ACT were requesting, and the lawyer assisted him by writing to his doctors to obtain these further letters. The lawyer also advocated with Housing ACT about the urgency of Abraham's matter, particularly in light of how long he had already been waiting. Soon after the additional medical documents were received, Housing ACT upgraded Abraham to the highest waiting list.

Client comments:

A recent evaluation report observed that the SLP Clinic *"...is taking on the absolute most difficult cases and the clients with the highest or most complicated needs."*

Our SLP Clinic clients have said:

"...The workers at the clinic helped me to be able to be open and honest about what was happening in my life so that I could tell the Tribunal and work with them on a plan about repaying the debt and becoming well again."

"...Catherine taught me to use a travel card so that I could access SLP clinic and now I can access public transport."

"...Catherine got me connected to Women's Health as there was a LOT of health issues for me. I can now afford to take proper care of myself."

"...Catherine (social worker) helped me see that I was grieving and I have been seeing a counsellor. Now I'm able to do things for myself without getting upset and I'm more in control of my emotional state...I am proactive about things rather than letting them get on top of me."

"Without the clinic, my health would have deteriorated (asthmatic) and my mental health would have further deteriorated and I hate to think what would have happened for my son".

We are looking forward to continuing our work and making a difference.



Street Law

Program Overview

Street Law provides free legal outreach services to individuals who are experiencing homelessness or who are at risk of homelessness. It works on an outreach model: Street Law lawyers attend places where people experiencing homelessness are already accessing support services such as refuges or free food services. Street Law also provides community legal education and undertakes law and policy reform activities.

Year in Review

Street Law finished 2016–17 on a high with the news that the 2017–18 ACT Government budget would give Street Law recurrent funding. This was exciting news after several years of concerted effort in the funding space. Prior to receiving the news in relation to funding Street Law had been operating with reduced staffing as compared to previous years, however, we were still able to maintain our regular outreach services and strong level of client service delivery despite reduced staffing.

Outreaches

Street Law provides outreach services at locations where clients who are experiencing homelessness may already be accessing services. This is done to make it easier for homeless clients to access legal services. In 2016–17 Street Law provided regular outreach services at the following locations:

- Early Morning Centre
- Inanna
- AIDS Action Council
- Munjuwah Aboriginal Corporation
- Your Place
- St John's Care
- Wet Belconnen Child and Family Centre
- Administrative Appeals Tribunal

Street Law finalised its outreach program to Inanna when that service closed in October 2016. The AIDS Action Council and Administrative Appeals Tribunal outreaches were new initiatives in the 2016–17 year.

Street Law also provided outreach services to other organisations on an ad hoc basis where clients or service providers requested that we attend alternative locations.



Staff

Street Law had a couple of staffing changes in the 2016–17 year. Joseph Ishow joined the Street Law team as a solicitor on a short term contract from June to December 2016. Heather McAulay returned from maternity leave in January 2017 and recommenced the Program Manager role on a part-time basis.

Anusha Goonetilleke remained in the Supervising Solicitor role and Farzana Choudhury continued as a Street Law solicitor.

Advisory Group

Street Law continued to receive support and guidance from its Advisory Group. In 2016–17 Street Law's Advisory Group consisted of:

Carrie Fowlie, Alcohol Tobacco and Other Drugs Association

Peter McNulty, Ashurst

Luke Tarlington, Ted Noffs Foundation

Travis Gilbert, Shelter ACT

Erin McArthur, St Vincent De Paul Society

Elaine Li, Legal Aid ACT

Street Law would like to thank its Advisory Group members for their work during 2016–17.

Pro Bono Support – Secondees and Volunteers

Street Law continues to receive amazing support from the ACT legal community. In 2016–17 Street Law received over 850 hours of pro bono support in the form of secondments. This financial year our secondees were David Howard from Minter Ellison; Brigid McCarthy from Australian Government Solicitors and Liam Meagher from Clayton Utz.

MinterEllison

CLAYTON UTZ



The Street Law Team, October 2016: Joseph Ishow, Anusha Goonetilleke and Farzana Choudhury

Street Law is also enthusiastically supported by many student volunteers who give up a day of their time each week to come and work with us. We would like to thank all our secondees and volunteers who provide invaluable support to Street Law's operations. Our 2016–17 volunteers were:

- Nina Hoang
- Pranaven Pathmoraj
- Andrew Jose
- Elizabeth Moore
- Alice Park
- Nyree Flower
- Calvin Rajmano
- Samantha Bradley
- Caitlin Yazidjoglou
- Claire Paton
- Christopher Macoun
- Gabrielle Ho
- Lucy Xu
- Gabrielle Burgess
- Johanna Larkin

Street Law has also been fortunate to receive significant In-kind support. We have been provided with free training sessions from the; Maurice Blackburn; Minter Ellison; and Clayton Utz.

Client work

In 2016–17 Street Law assisted 206 clients. We provided 257 advices, provided 34 duty lawyer services, opened 100 cases and finalised 120 cases. We continue to assist clients in relation to a wide range of legal issues, including: housing, social security, traffic offences, credit and debt matters, employment, victims of crime financial assistance scheme, consumer law and other general civil law matters.

Community Legal Education

Street Law significantly expanded its community legal education program in the first half of 2016–17 with a series of 'bite sized' sessions on legal topic areas relevant to our client group. These included:

- Spotting legal issues;
- Public Space Law;

- Fines;
- Victims of Crime Compensation;
- Voting with no fixed address;
- You and the police;
- Early access to superannuation; and
- Employment law.

Street Law worked hard to increase awareness of legal problems in community sector workers with its 'How to Spot a Legal Issue' training. This training is an important part of up-skilling the community sector to support vulnerable clients to engage with our service. Street Law also provided community sector workers with training on the ACT fines system and how to write good support letters for client's legal matters.

Street Law also collaborated with other services in the legal assistance sector in the delivery of community legal education. We partnered with Legal Aid ACT to present sessions in their 'Law for Non-Lawyers' training series and worked with the Women's Legal Centre's Aboriginal and Torres Strait Islander Women's Law and Justice Support Program to deliver training as part of their 'Know your Rights' training series.

Finally, Street Law provided 'Working with vulnerable clients' training to private sector lawyers to support them to undertake pro bono work. This year we provided this training to Clayton Utz, Minter Ellison, Ashurst and the Australian Government Solicitors.

Community Engagement – Meetings and Events

Street Law continued to engage with the community sector in order to raise awareness of our service and remain abreast of developments in the sector. In 2016–17, Street Law attended the following meetings and events:

- ACT Legal Assistance Forum, including the:
 - Community Legal Education subcommittee; and
 - Service Planning subcommittee;
- Joint Pathways forums;
- Youth Coalition Housing and Homelessness forums;
- ACT Shelter Forums;
- Who's new on the Streets Meetings;
- National Association of Community Legal Centre's Annual Conference;
- International Tenant's Day Organising Committee;
- International Tenant's Day events including:

- Art exhibition;
- Film screening;
- Red Cross Interagency meetings;
- Youth Homelessness Matters Day event;
- Youth Week stall;
- Launch of the Street University;
- Co-morbidity Interagency day;
- Mental health & Wellbeing Expo;
- Anti Poverty Week Lunch;
- Hands Across Canberra Fundraising Lunch; and
- National Social Security Rights Network.

This year our Supervising Solicitor, Anusha Goonetilleke, was also invited to speak at the National Council of Women's annual conference and at a PwC event on homelessness. These events are invaluable in raising greater community awareness of homelessness in Canberra as well as the work that we do to support people experiencing homelessness.



Anusha Goonetilleke presenting at a PwC panel about homelessness

Case Study 1

Background

Alice (not her real name) is an elderly woman from a culturally and linguistically diverse background, living in Australia on a sponsored migrant visa. Alice's daughter-in-law is her assurer for purposes of that visa. Alice had been living with her son; however, had been forced to leave home. While living with her son, Alice had suffered family violence.

When Alice spoke with Street Law, she was living at a women's refuge, and her support relationship with her son and daughter-in-law had broken down. Alice had applied for Special Benefit; however, because Alice had an assurance of support, her claim was rejected.

Assistance from Street Law

Street Law advised Alice about her Centrelink eligibility and liaised with Centrelink regarding their decision to reject Alice's claim for Special Benefit. Centrelink then decided to re-assess Alice's Special Benefit claim. On re-assessment, Centrelink found that Alice was eligible for the Special Benefit because her assurance of support arrangement with her daughter-in-law had broken down.

Alice received back pay from Centrelink and is currently receiving Special Benefit on a fortnightly basis.

Case Study 2

Background:

Ben (not his real name), is a 26 years old Aboriginal man who was experiencing homelessness and currently couch surfing at the time he contacted Street Law. Prior to becoming homeless Ben had had a verbal argument with a neighbour but had been holding a cricket bat at the time of the argument. The police were called and Ben was charged with possessing an offensive weapon with intent.

Assistance from Street Law:

Street Law represented Ben in the ACT Magistrates Court assisting Ben to enter a guilty plea and sought a non-conviction order. After gaining an understanding of Ben's circumstances, the court made a non-conviction order with a good behaviour order and security of \$500. There was no fine or court cost imposed. Both Ben and Street Law saw this as a positive outcome.

Case Study 3

James (not his real name) is a young gay man who was kicked out of home after revealing his sexuality to his father. James' mother lived interstate and had little contact with him since he was quite young. James applied for Youth Allowance so he had a means to support himself. Centrelink refused his application on the basis that he was able to live at home. James had appealed this decision but had been knocked back at the first stage of review.

Assistance from Street Law

Street Law assisted James to gather evidence about his relationship break down with his father and why he was unable to live with his mother. Street Law represented James at the Administrative Appeals Tribunal and argued that it was not reasonable for him to live at home. The Administrative Appeals Tribunal accepted this argument and found that James was eligible for Youth Allowance.

Night Time Legal Advice Service

The Night Time Legal Advice Service (NTLAS) provides advice and referrals to the Canberra community in most areas of law and operates on Tuesday nights for 2 hours. Advice is provided face to face to drop-ins or by appointment, by phone, or by email to facilitate service delivery to those with limited mobility, disability, or other barriers.

Service delivery is by volunteer legal practitioners from private and government practice, aided by law students and supervised by the supervising solicitor. Solicitors and students generally work in pairs taking instructions from clients and providing advice after conferring with the supervising solicitor and conducting any necessary research.

Apart from being a vital legal service, NTLAS provides an important forum for law students and recent law graduates to gain practical experience and for experienced solicitors to expand their knowledge base and hone their skills. The 2-hour 'pressure cooker' atmosphere is highly collegial. We share our knowledge, research cooperatively and learn from each other. We generally finish each session as slightly more knowledgeable lawyers.

Over the years we have helped many hundreds of clients in almost every area of law. We see legal trends emerge very quickly with issues such as cuts in the government employment sector impacting on our work almost instantly. We provided around 140 advices in the reporting period. As always, the complexity and urgency of matters usually means a very intense 2 hours for our volunteers.

The main areas in which people seek advice from NTLAS include: consumer complaints, credit and debt, employment, family, motor vehicle, administrative law, property law, wills and probate and general civil law. Although the service is not means tested, the majority of clients are on low incomes or facing some financial distress (such as loss of employment). One of the key strengths of NTLAS is that it fills a service gap for clients who would not qualify for means tested services but cannot afford private legal representation.

We continue to see clients representing themselves through the legal process, often in quite complex matters. We have had some very pleasing outcomes, often by assisting clients in negotiating settlements with other parties.

NTLAS is a vital service to the community, and operates at full capacity or beyond most evenings. We are very grateful to those members of the Canberra legal community who give generously of their time and expertise to keep NTLAS operating. They do so graciously, accepting the most challenging matters with professionalism and good cheer. They go out of their way to provide quality, timely advice. Many have been doing so for a number of years, some have just joined us recently and are proving to be an invaluable asset to the service.



Professional Development

CCL is committed to providing professional development opportunities for its staff.

The Centre supported all staff lawyers holding practicing certificates to meet their Continuing Professional Development (CPD) requirements. The Centre also provided external debriefing for our staff and external supervision for our Social Worker.

CCL also provided study leave for a staff member undertaking her Masters.

Professional Development opportunities provided to staff during this financial year included:

- Employment Law — FY16 A Year in Review
- NALCL Conference
- NSSRN National Conference
- First Aid Course with St John's Ambulance
- Advocacy Training
- Medical Negligence Training
- Child Protection in the ACT
- Cyber Security Training
- Legal Practice Management
- How to Sell Yourself with Executive Intelligence
- Work, health and safety training
- Developments in Refugee Law
- Mediation and obligations to clients
- How to get the most out of Excel, Word and Outlook
- Professional Legal Privilege and Protected Confidences — a practical approach
- Appearing before the Administrative Appeals Tribunal
- Ethics in Action – what's been happening with complaints at the Law Society and the ACT
- Big Impact Writing for Lawyers
- Leading your team effectively
- CLASS training
- Client Capacity Seminar
- So you think you're better than a computer? Think again.
- Social Security Training
- Alternative Dispute Resolution Training
- Training on the obligation to assist the Administrative Appeals Tribunal
- Ethics and Negotiation
- Aurion training
- Elder Abuse awareness training
- Social Security Law training
- Seminar on New Family Violence Laws
- Legal Aid Well Being Seminar
- Legal Aid New Family Violence Laws
- Cultural Competency Training
- Animals — the forgotten victims of domestic violence; and
- Strategic Indigenous Awareness

Our Supporters

We greatly appreciate the support which has been provided to CCL over the past year in the form of voluntary assistance, advice, training, meeting space and financial support.

CCL is also supported by an enormous number of volunteers:

Night Time Legal Advice Service (NTLAS) Volunteers

The assistance of our volunteer law students and lawyers has been invaluable and has ensured the continued provision of an efficient Night Time Legal Advice Service.

In 2016–17, NTLAS was supported by the following volunteers:

Amy Winner	Antje Chalmers
Damien Brown	Elizabeth Moore
Eric Raymond	Henry Chang
Iain Kendal	Isabella Serafica
Jane young	Jasmine Still
Jessica Vogel	Jordan Bulley
Kate Smyth	Kristen Zornada
Lauren Armstrong	Lynda Khan
Matthew Daly	Matthew McLean
Michael Wright	Nicola Knackstredt
Nishtha Mahajan	Pamela Fielding
Patrick Mullane	Peter Johnson
Rebecca Evans	Sarah Spottiswood
Tracie Stewart	

Admin Intern Volunteers

Our Admin Interns have continued to provide an invaluable source of administrative support for our busy legal practice whether it be through answering the phone, performing intake, greeting clients, photocopying, filing as well as para-legal support.

Afeeya Akhand	Alice Park
Chris Tran	Elizabeth Moore
Hershell Zang	Isabella Serafica
Kalvin Rajmano	Kathy Liu
Kim Chen	Lauren Dreyar
Louise Fox	Nyree Flower
Rachel Kirk	Sarah Monahan
Sebastian Tottle	Sophie Jayatillake
Sophia Xian	Thanusa Thavavaran



Reflections from Naomi Gould on CCL Turning 30

I am delighted today to speak on behalf of all the staff and volunteers of Canberra Community Law. First on behalf of all the staff I would also like to express our recognition of the traditional custodians of the land on which our legal centre stands, to acknowledge the elders past, present and future and their continuing contribution to the richness of our city and to Canberra Community Law itself. In particular, I would like to acknowledge the elders who have joined with us here today.

Today is a day to celebrate what we as a centre have contributed and continue to contribute to our community. When we renamed our legal centre to Canberra Community Law, this was not just a rebranding exercise — it was an exercise in recognising the crux of what it is we do as community lawyers.

Our centre is deeply embedded in this community of ours — our staff have a similar insight into this complicated and beautiful city that all community workers have – a city that has so much beauty and heart and connectedness and yet a city which has one of the, if not the, highest rate of homelessness in Australia. We are often the city celebrated as having one of the best living standards and yet our high wages and our great coffee, and our smashed avocado on seeded toast, disguises a city of quietly but rapidly increasing inequality. And unless you work in the community sector — unless you are working directly with the individuals involved — I guarantee you that you do not always know — you cannot recognise — who is homeless — who is struggling. You do not know which child in your kid's class comes home to a mother close to breaking point because she has to decide whether to allow her to go on the school camp or to buy her older son's football boots, or to pay that week's rent.

Canberra Community Law has opened countless eyes (and in particular the eyes of all those ANU students who have passed through our doors) to the fact that the so called “vulnerable” or “marginalised” we learn about in law school, or the “welfare dependent” and the “dole bludgers” we read about in newspapers, are not separate from ourselves. It is surprising and actually quite confronting when first working in a job like this to find the clients are not in fact “difficult” or “tragic” but fundamentally normal human beings with the full range of personalities – it's just that these personalities are just stuck in the most “difficult” and “tragic” of circumstances.

We staff often need to explain to people who believe our job is hard just how lovely, how brave our clients often are.

I truly believe that being a community lawyer is one of the most rewarding jobs a lawyer can have.

And so what brings us who work in this field that satisfaction? A large part comes from our colleagues — I am so privileged to be able to work with some of the most passionate and

most intelligent lawyers in our city if not the country. Partly it is the excitement of being able to use our legal skills to argue interesting and complex areas of administrative, social security and human rights law. Partly it is because we can see our contributions making a difference through our law reform and advocacy. The achievements of Street Law and the major reforms they have achieved over the years, our expert contribution to the National Welfare Rights Network, our community legal education and training to non-lawyers, our knowledgeable input into policy and legislation relating to all aspects of disability discrimination law — all this on its own is inspirational.

But in the end it is our clients that make our job so rewarding. Today the staff of Canberra Community Law would like to take time today to celebrate not just ourselves but also our clients: to acknowledge and to recognise their resilience in the face of circumstances and challenges that truly humble those of us who work here. Because a celebration of us is a celebration of them as well.

In Canberra our clients are also our neighbours: they live on our streets, they send their kids to school with ours, they are not far removed from us — they are potentially, all of us.

The smallness of Canberra and the egalitarian spread of its suburbs really means that our clients are our neighbours. Unlike other cities where poverty is concentrated, here in Canberra we meet our clients shopping in the IGA, we drop off our children together at the local primary schools, we sit next to our clients on the bus, we cycle past each other through our parks.

This is our community, this is Canberra, this is all of us and our satisfaction at work is because Canberra Community Law is a place where we truly get to practise community lawyering.

But what is it we actually do? Our role as community lawyers is to tell the stories. To give a voice to those who do not have the ability or resources to tell their own story. The essence of what we do is to tell our clients' stories to the bureaucracies and the institutions and the tribunals.

When an angry man appears to defend an application to evict him from his public housing home he will be just one of ten or twelve public housing tenants that Tribunal Member will see that morning. No matter how compassionate, no matter how fair the Member, there is no way for that angry man to allow his anger to abate in time to communicate what is happening to him, to tell his story — to explain what is going on. When he is asked why he has not paid his rent? He will just get angry and shout: why should I pay rent when those [insert colourful language] bastards won't even do anything about the mould blooms in the bedroom? When he is then told he has to pay rent or face eviction he just scream back: why should he pay

rent when those [insert more colourful language] morons took all his Centrelink money three months ago without his permission? And then he gets angrier and angrier and his story gets more confused and then lost and then drowned. And then his matter is adjourned and he is told to go outside to speak to the Canberra Community Law duty lawyer.

And when the single mother of five children doesn't even appear for her first or second hearing and when she is then called by the Tribunal and on the phone all she can do is mumble that she will try better and then goes silent and says nothing. And then there is no story at all. And then there may be no choice but to evict. And a warrant is issued. And we know there are young children. And we are worried. But we don't know the story. And we just hope she manages to summons the courage to call Canberra Community Law.

And when the polite man who sits in the corner worried about the invisible cameras that are watching him can't understand why Centrelink won't give him the disability pension because he has a sore back — he has a really sore back — he says he really can't work. And then he is cut off from all income because he can't meet the activity testing requirements. And he can't tell the real reason why he can't do what they ask: that the CIA has been spying on him and preventing him from crossing certain streets. And so Centrelink doesn't know his story. They just know his back ache is not enough to give him a disability pension. And he becomes more and more desperate because now he knows for sure, the CIA are in Australia and they are out to destroy him.

And when at the other side of that Centrelink waiting room is a woman who just sits and silently cries because she has just been told she has not entitlement to any Centrelink benefit and won't have any entitlement for many years. And the Centrelink officer thinks, what is she crying for? She got such a big comp payout. Where has all that money gone? But there is no time to hear her story and she walks out.

These are our neighbours, these are the people whose stories are not yet heard.

And then Canberra Community Law steps in: our lawyers, our social workers, our students, our volunteers and partners in other community service organisation who sit patiently and have learned to listen. We listen in our offices, at outreach centres, and in the homes of hoarders. We sit, we listen, and then we start to tell the stories. We do this patiently, but we do this efficiently, and we do this with expertise.

We listen to that angry man who won't stop swearing at the Tribunal Member explain that the mould on the ceiling and the permanently damp carpet had caused his 3 year old son to have severe eczema and repeated asthma attacks. We listen to his story that his ex-partner wants to prevent the boy from seeing him not because he is a bad father,

but because of the condition of the home and the effect on the little boy's health. We listen to him say that after a year of frustration he just stopped paying rent — just to make someone listen. That at the same time he lost his job and used his payout to pay off his debts and buy his son a new bike. That he didn't realise he would have to wait weeks without any income before getting the unemployment benefit. We learn that this short temper is caused not just by his circumstances, but also by the brain damage sustained when his father slammed his head into a concrete wall when he was 12 years old.

We then explain to him the way the law works. Why rent strikes aren't a solution, that what he needs is a financial counsellor. It is us who then stand before the Tribunal on the next occasion to explain that his rent is now being paid, that his Centrelink payments have been sorted, that he is not just committed to his tenancy, but that the tenancy is everything to him. It is us who tell his story that if he loses his home he loses access to his son — because he will be on the streets — and that his son is everything to him and that he is everything to his son. It is us who then stick by the angry man and his child for months more, to argue for the necessary repairs to allow the home to be safe and secure for his child to stay in the future.

And it is us who tells the story of that single mother quiet at the end of the phone line. It is us who go out to her home and listen to her story and who can then tell her story: that her agoraphobia is getting worse, that she cannot even make it to the doctor anymore. That she no longer opens the mail. That she rarely answers the phone. That no-one except her concerned children understand what is going on — and those children are too terrified to tell anyone because they love their mother and they know what those welfare people do, because their own grandmother was a child of the stolen generation. It is us who try to contact her again and again, day after day, when she won't even open the front door. It is our social worker who makes the referrals to the right community services to support her, and it is our lawyer who then goes back to the Tribunal to appeal against the warrant of eviction and to argue the Human Rights Act, and to tell the full story so that this family can remain together with a roof over their head.

And then we go into the home of that 50 year old man with the bad back and we find he still lives with his 79 year old mother and she supports both of them with her age pension alone because now he has no income at all. And we explain to him the law and how it works. And slowly he explains to us the voices are talking to him more since his mother's health has started to fail. And he explains that he is scared and that he knows he needs help and that he doesn't understand what is wrong with his head. And then we go and we make

the referrals and we arrange the medical experts and we stand in front of a tribunal, and we tell his story so he can be recognised as a person with a disability.

But we our day is not done yet. Because then we listen to that woman who was crying in the Centrelink office. And we ask her to come into our office and we make her a cup of tea. And we are patient and hear that she also has no income. We hear that after a serious workplace injury her compensation payment was huge, enormous, but it was immediately controlled by her violent and abusive partner. And that she thinks he might be gambling. That she finally wants to leave him but now she realises she just can't because Centrelink tells her she can't get paid anything at all — nothing — until the year 2019. That it was her obligation to make that compensation payout last. That there's nothing that can be done. And now she is trapped with this violent man. And she is helpless and alone and can't do anything but sit and silently cry. And we tell her story to Centrelink and our social worker works with her and gives her the referrals to help her escape. And her lawyer helps her through the arduous appeal processes. And we tell her story again, and then we tell her story another time, and then we stand in front of the Tribunal and tell her story yet again. And we don't give up until she has an income and some independence and her freedom.

We tell stories. We tell our client's stories to those who need to hear them and in the way that they need to be told.

Canberra Community lawyers and staff allow a space for the most vulnerable and hidden members of our community to tell their stories. Those who are so clever at fitting in, at hiding their pain, their terror, their disadvantage in our very advantaged city — we allow a space for them to tell their story to us, so we can tell it for them in the legal language that the bureaucracies and tribunals and courts need to hear.

We are the experts in arguing for your rights — your administrative law rights, your residential tenancy rights, your social security rights, your disability discrimination rights, and your human rights. We are the experts in helping you know that your whole story is important — but that you have to know what part of your story is important in which context.

We see beyond your yelling and your anger to the man who is trying to protect his son — we see into your isolation and your agoraphobia — we see your children on the brink of joining the current stolen generation: not because you are a bad parent but because you are about to lose your home — we see beyond the fire risk to know that just arranging a skip and a disposal team to throw away your hoarded possession is more damaging than it is helpful.

We see this because we are community lawyers, we see this because we give you space to tell you story. We know and can explain to you your rights, we know how to argue for your rights, we know how to speak your story to others.

During my time here I have watched our clients' desperation increase — the waiting lists for housing grow longer, the Centrelink benefits become tighter, the affordability of the city plummet. In this context the need for our services constantly increases and we have been like the magic pudding — constantly finding a way to keep listening — to keep representing. To find ways to be flexible, to find pro bono partnerships and volunteers, to be innovative and clever with our time. And still we cannot keep up. We staff are all terrified that we are about to lose some of our ability to tell our clients' stories. That come July 2017 our funds will be cut dramatically and that safe space we offer will start to close in a little. Which of our neighbours, who in our community do we say no to? Our office lights are already on late into the evening and throughout the weekends. We work at home, we work in our sleep. There's not much more we can give as individuals.

So what gets lost? The outreaches? The training? Our duty lawyer services? Our law reform advocacy? Our clients' stories? Our clients' themselves?

And then I look to Genevieve Bolton and I know she is going to, somehow, make it be okay. She always does. And we are here after all to celebrate. We have been here for 30 years and for 30 years we have managed to be flexible, agile, remarkable. But to me what is most significant is that for the past 13 of those 30 years we have been steered by this most amazing woman — whose dedication to this centre and to its clients is unparalleled. I hope Genevieve with her quiet unassuming ways and her large extraordinary brain has up her sleeve the necessary miracle we need to keep up the work we have been doing.

And so I ask all of you here to help us — all of our amazing supporters, volunteers, pro bono partners — to do for us what we do for our clients. I ask all of you here today to go out into our community and tell our story. To explain to others what we here at Canberra Community Law do for our community. To tell the story of Canberra Community Law to our leaders — to our funders. And if they hear our story, they perhaps will let us keep doing the work we love and to keep us growing for the next 30 years.

Thank you all very much for celebrating with us today.

Appendix: Auditor's Report



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