

CANBERRA
COMMUNITY
LAW



Annual Report 2017–18

Contents

Acknowledgment of Land	ii	Social Security and Tenancy Service	14
Artwork Acknowledgement	ii	General Overview	
Introduction	1	Case Study – Isabella’s Story	
CCL’s Services		ACAT Duty Lawyer Service	
Dhurrawang Aboriginal Human Rights Program		Overview	
Disability Discrimination Law		Who are our clients and why are they at risk of eviction?	
Housing Law		Corinne’s Story	
Socio-Legal Practice (SLP) Clinic		Socio-Legal Practice (SLP) Clinic	
Social Security Law		Program Overview	
Street Law		Client Work	
Night Time Legal Advice Service		SLP Staff	
Filling a critical need and addressing disadvantage		Pro Bono Support – Volunteers and Secondees	
National Accreditation Scheme		Case Study: Karen’s Story	
Funding Sources		Community Legal Education	
CCL’s Vision, Mission and Values		Law Reform	
Our Vision		Street Law	18
Our Mission		Program Overview	
Our Values		Year in Review	
CCL’s Client Work at a Glance for 2017-18		Outreaches	
CCL’s Work Snapshot		Staff	
Who are our clients?		Pro Bono Support – Secondees and Volunteers	
Hours of Operation and Location		Client work	
CCL’s Board of Directors 2017-2018		Community Legal Education	
CCL Staff		Community Engagement – Meetings and Events	
Chairperson’s Report	4	Clients’ Stories	
Executive Director/Principal Solicitor’s Report	5	Annabelle’s Story	
Year in Review		Michael’s Story	
Pro Bono Support		Frank’s Story	
ANU Community Law Clinical Program		Night Time Legal Advice Service	23
Last but not least		Overview	
Sector Engagement	7	Janelle’s Story	
Dhurrawang Aboriginal Human Rights Program	8	Professional Development	24
Our Staff		Our Supporters	25
Clients		Night Time Legal Advice Service (NTLAS) Volunteers	
Case Study: Brett’s Story		Admin Intern Volunteers	
Law Reform		Appendix: Auditor’s Report	26
Reconciliation Action Plan (RAP) Report	11	Canberra Community Law	
Disability Discrimination Law	12		
Overview			
Case Study: Frank’s story			
Disability Action Plan Report	13		

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 respects 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 realization 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.

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 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 having problems with Housing ACT. Matters include – difficulties applying for public housing, repairs and maintenance, rental arrears, housing transfers, evictions and housing debts. The service also assists private and community housing tenants who have a low income and/or hold an Australian Government Health Care Card.

The 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 (SLP) Clinic

The SLP Clinic combines legal advice, assistance and representation with intensive social work support to maximise the prospect of a successful outcome.

Social Security Law

Provides legal assistance with Centrelink and Social Security matters such as accessing income support payments, challenging debts incorrectly raised and seeking debt waiver based on administrative error or 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. Street Law operates on an outreach model and provides a generalist legal service. 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.

Filling a critical need and addressing disadvantage

CCL provides these services in order to address disadvantage in the community and in pursuance of creating a just and compassionate community. Our services are targeted to people on low incomes who face significant disadvantage.

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

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.

National Accreditation Scheme

CCL is accredited under the National Association of Community Legal Centres'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 according 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 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 Community Law Clinical Program.

We also thank Hands Across Canberra for funding an external evaluation of our Dhurrawang Aboriginal Human Rights Program. Thanks also to the Justice and Community Safety Directorate for funding an upgrade of our IT systems.

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 for 2017-18

CCL's Work Snapshot

- Unique clients assisted – 983
- Legal Advice – 1245
- Legal Task – 328
- Duty Lawyer services – 91
- Discrete Non-Legal Support – 48
- Ongoing Non-Legal Support – 18
- Legal Cases worked on – 205
- Legal cases finalised – 132

Who are our clients?

Our Clients included:

- Aboriginal and/or Torres Strait Islander people (14%)
- People from a culturally and linguistically diverse background (14%)
- People experiencing or at risk of homelessness (54%)
- People who disclosed experiencing domestic/family violence (21%)
- People with a disability (60%)
- People experiencing financial disadvantage (94%)

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) 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 2017-2018

The Board of Directors during the year ended 30 June 2018 were:

Daniel Stewart, Chairperson

Genevieve Bolton, Director/Secretary

Anya Aidman, Director

John Alati, Director

Helen Fisher, Director

Laura Hilly, Director

David Howard, Director

Amanda Ryan, Director

CCL Staff

CCL employed the following staff in 2017-2018:

John Alati, NTLAS Supervising Solicitor, Street Law Senior Solicitor (August to December 2017) and Street Law Supervising Solicitor (from January 2018)

Genevieve Bolton, Executive Director/Principal Solicitor

Samantha Bradley, Solicitor (until February 2018)

Bernadette Bryant (from April 2018, Part Time)

Rosemary Budavari, Disability Discrimination Law (DDL) Senior Solicitor

Matthew Butt, Solicitor (one day per week until 8 September 2017)

Rebecca Carter, Social Worker (August 2017 to November 2017, Part Time)

Radhika Chaudhri, Solicitor (until December 2017)

Farzana Choudhury, Street law Solicitor and A/Street Law Program Manager (since April 2018)

Rachael Clark, Aboriginal Cadet (one day per week, from February 2018)

Georgia Driels, Solicitor (from December 2017)

Derek Emerson-Elliott (to July 2017, Part Time)

Anusha Goonetilleke, Street Law Supervising Solicitor (on parental leave from December 2017)

Naomi Gould, Street Law Senior Solicitor (from 8 October 2017)

Parastou Hatami, Dhurrawang Aboriginal Human Rights Program, Senior Solicitor

Sarah Hein, Solicitor

Julian Hicks, Office Manager

Kate Kenny, Advice Worker, (on parental leave from September 2017)

Heather McAulay, Street Law Program Manager/Solicitor (on parental leave from September 2017)

Catherine Murnane, Social Worker (until May 2018)

Ida Nursoo, Solicitor

Alexandra Palk, Solicitor (from January 2018, Part Time)

Bryanna Smith, Dhurrawang Solicitor (from November 2017)



Chairperson's Report

I realised the other day that there is so much about Canberra Community Law that I don't know. I had to drop by to sign a document, having been too busy to do it earlier in the week. I didn't know the person at the front desk, a student or volunteer perhaps. I was let in by someone I knew, but there are others that I didn't – new staff, people moved into different offices, new positions. It's hard to keep track.

As Chair of the Board, I learn about new programs and initiatives, proposals for a possible new source of funding, some of the new processes or requirements that are involved in just maintaining current funding. Sometimes the timeframes are so short that proposed new initiatives are reported to the Board, otherwise we can try to help in their development. Reviews of some of the Centre's programs, often instigated in an attempt to secure ongoing funding, have provided some insight into the valuable contribution they are making.

I am sometimes told about some of the things that occur behind the scenes – the delays in the completion of a new file management system, or the problems with new computer equipment and file management systems coming on line, particularly where they will incur increased costs or affect the Centre's ability to report on time. The Audit and Finance subcommittee meets before most Board meetings to get an overview of the finances and how the Centre is tracking against budget. Funding remains incredibly tight, with continued challenges to maintain current resourcing levels on a sustainable basis.

It is the day-to-day things that as Chair I only catch occasional glimpses. The discussion with a client, clearly distressed, facing eviction or loss of their benefits. Phone calls with community housing or other assistance providers. The meetings out of the office, attending outreach centres or appearing before the Tribunal. Research, preparing submissions, law reform submissions, training sessions, presenting arguments. Keeping records, making sure referrals are effective, returning phone calls, following up requests. Listening, empathising, understanding, helping.

This annual report, like the past few years, includes case studies and examples of some of the work of the Centre. They offer a small window into some of the incredible work the Centre does every day – certainly much more usefully than anything I can say here. Thank you again to the staff of the Centre for all you do.

Thank you also to the other members of the Board for their continued commitment to the Centre, even if it means phoning in from interstate or apologising for not attending a meeting due to the inconvenience of giving

birth. We will continue to try to expand the diversity of experiences, expertise and perspectives the Board can provide to try to provide as much assistance to the Centre as possible.

And to the Executive Director/Principal Solicitor, Genevieve Bolton. Genevieve passed on an apology from a member of the broader Canberra Community Law community who was unable to attend the annual general meeting but hoped there would be an opportunity to recognise the incredible impact of Genevieve's strong leadership at the Centre over the past year. Genevieve, of course, asked me to ignore the reference. It is too easy to not take the time to recognise the things that happen day to day that make a difference, so on behalf of the Board, and personally, thank you to Genevieve again for your assistance to the Board and for everything else you do to make such a difference to Canberra Community Law, and our community generally.

Daniel Stewart

Chair, Board of Management



Executive Director/Principal Solicitor's Report

CCL has had another busy and very productive year.

Year in Review

Under the inspirational leadership of Parastou Hatami who was recently recognised as Community Lawyer of the Year in the Women Lawyer's Association ACT Awards, our Dhurrawang Human Rights Program established in 2017 is now firmly embedded in the Centre's core operations. An external evaluation conducted this year with funding from Hands Across Canberra found that Dhurrawang is an *'efficient and effective legal assistance service'* and that a *'great deal of effort, care and sensitivity has been applied together with culturally appropriate and sensitive expert legal advice to bring this program to life.'*

During the evaluation, stakeholders described the engagement with Dhurrawang solicitors in these terms:

"My working with my CCL colleagues has spun what I would call 'a golden thread of connectivity' and models the potential achievements possible. In the absence of representation/advocacy by CCL clients' stories and the necessary advocacy those clients need may not be told."

During the past year, CCL welcomed back Alex Palk who hit the ground running in her new role as our ACT Civil and Administrative Tribunal (ACAT) Duty Lawyer. An external evaluation also commissioned by CCL during this reporting period found that our ACAT Duty Lawyer service was doing a great job in preventing homelessness in the ACT despite significant challenges including client disadvantage and lack of resources. The evaluation highlighted that the Service was valued by ACAT noting that *'ACAT stressed it could not perform the Thursday housing list without the Service. As the 2016/17 ACAT Annual Report highlights, Tribunal members value this program as few tenants seeking legal advice before coming to the Tribunal. The Service is seen to make an important contribution to access to justice for tenants and assists ACAT to comply with the requirements of procedural fairness.'*

Thank you to the Maddocks Foundation who has been able to provide seed funding for the ACAT Duty Lawyer Service since its establishment in 2016.

We also welcomed back John Alati and Naomi Gould who joined our Street Law program in Senior Solicitor positions and thanked Anusha Goonetilleke who stepped down from the Street Law Supervising Solicitor due to an interstate family move. Her leadership and management of Street Law in her 4 years at the helm was outstanding. As the Street

Law staff, students and volunteers can attest to she brought a lively energy and creativity to her work and was a fantastic supervisor and mentor. Under Anusha's leadership, Street Law's operations were consolidated, its profile increased and recurrent funding for the service secured. We are delighted that Anusha has remained on staff in the Social Security and Tenancy (SS&T) program management/solicitor role working remotely.

Throughout the year, CCL continued to promote the inclusion and participation of all people within the community with a focus on people with disability and Aboriginal and Torres Strait Islander people. A report on progress against our Reconciliation Action Plan (RAP) and our Disability Action Plan (DAP) is included in this annual report.

Recently, CCL was announced as a finalist in the 2018 ACT Chief Minister's Inclusion Awards for increasing accessibility to CCL's services and raising awareness of the needs of people with disability. Thanks to Rosemary Budavari who has led this work.

We also continued to refine and update our policies, systems and procedures to reflect good practice and industry standards in line with our National Accreditation requirements. During the year, we transitioned to a new IT provider and overhauled our much-outdated computer hardware and systems thanks to a grant from the Justice and Community Safety Directorate.

Social media continues to be an invaluable means to engage with clients, stakeholders and the public. During the past year, we have continued to be active on a range of social media platforms including Facebook and Twitter. Thanks to Anusha and Farzana Choudhury and our social media working group for strengthening our media presence and showcasing our work through thoughtful media posts.

Pro Bono Support

As in previous years, the hard work of our volunteers, secondees and students has enabled CCL to provide a greater level of service to the community. Thank you for all the work you do!

But for volunteer students and solicitors, our NTLAS would not exist and yet as John Alati states later in the Annual Report it fills a critical gap in assisting people who otherwise would struggle to obtain legal assistance on a wide variety of legal matters. Congratulations to our NTLAS volunteers who were recognised by Volunteering and Contact ACT for their outstanding service.

Thank you also to our pro bono partners and the many other organisations who have supported our work throughout the year. Thanks to Ashurst's summer clerkship program who developed much needed self-help materials and worked with us to develop a submission to the ACT Law Reform Advisory Council's Inquiry on Canberra becoming a restorative city on how improvements could be to ACAT through the adoption of mediation processes in public housing eviction matters. Over the past year, we have enjoyed continued support from Clayton Utz, Minter Ellison and the Australian Government Solicitor. In addition to providing a secondees to our Street Law Program, from early 2018, Clayton Utz has also seconded a lawyer on a weekly basis to work at NTLAS. From April 2018, we also welcomed Lauren Stewart, who AGS has seconded to the Centre on a full-time basis for 12 months and is rotating through all our day time programs. These types of initiatives significantly increase CCL's capacity to provide critical legal services to members of the Canberra community.

ANU Community Law Clinical Program

In partnership with the Australian National University, we again run our Community Law Clinical Program twice in the past year with 6 students in each Semester.

Students' feedback included:

'the direct experience and the ability to work one on one with a solicitor was ground-breaking. I'll provide never have these interactions again, being able to sit in and see this side of the law. Now I have some idea of what it's like.'

'the commentary and perspective of the CCL team is a really important part of the course. You can read about the law and read articles and cases on-line, but the course lets you see how things work 'in practice'. This is unlike any other ANU law course. We finally get to see how things actually work.'

'the people at CCL are amazing – so willing to help you.'

Last but not least

Thank you to all staff (both past and present) who have over the past year sustained a service of great depth, breadth and quality.

During the year we said goodbye to Sam Bradley, Matt Butt, Rebecca Carter, Radhika Chaudhri, Derek Emerson-Elliott (again!) and Catherine Murnane. Without wishing to diminish the contributions of other past staff all of whom made invaluable contributions to the Centre, Catherine Murnane requires special mention for her pioneer work as the Centre's inaugural social worker in getting our social work program off the ground. Her five-year commitment to the Centre has been instrumental in the success our Socio-Legal Practice Clinic (SLP Clinic) has enjoyed. Thank you to the Snow Foundation and the Clayton Utz Foundation for your continued support of the SLP Clinic this year. And also, to the ACT Government for agreeing to provide recurrent funding for the SLP Clinic from 1 July 2018.

As well as the staff and volunteers, thanks to Daniel Stewart who continued as Chair of the Board of Management and to all Board members for your ongoing commitment to CCL. The Centre is very fortunate to have a strong and cohesive Board all of whom give freely their time and support to CCL.

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 forums and meetings:

- ACT Legal Assistance Forum;
- ACT Jurisdictional Service Planning Working Group;
- ACT Legal Assistance Community Legal Education Working Group;
- 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;
- NALCL Professional Indemnity Insurance Committee;
- NALCL Advisory Council;
- NALCL National Partnership Agreement (NPA) Review Sector Working Group; and
- NPA Review Advisory Group.

Throughout this reporting period, CCL's Executive Director/ Principal Solicitor continued to chair the National Social Security Rights Network's Board of Management.



Dhurrawang Aboriginal Human Rights Program

Thank you to the United Ngunnawal Elders Council for gifting us the name Dhurrawang for our Aboriginal Human Rights Program. Dhurrawang means 'light'. When gifting us this name, the United Ngunnawal Elders Council said *"UNEC sends Ngunnawal Blessing, we wish your Program much success in spreading 'Dhurrawang' through your Aboriginal Human Rights Program"*.

We also thank Wiradjuri artist Leanne Pope for creating the beautiful artwork as identifier for our program. The artwork is called "Fresh Life After Rain". It tells the story of the Yellow Crested Black Cockatoo *"Often you will hear the Black and Yellow Crested cockatoo call and fly over the cityscapes of Canberra just before it rains. The green gum leaves and gum nuts represent new life that blossoms country."* This beautiful painting adorns the CCL reception area.

Dhurrawang is grateful for the support we have received from the traditional custodians of the land on which we live and work. This support strengthens the Dhurrawang solicitors and our resolve to empower our community through social justice.

In 2018, we continued to build relationships with the Aboriginal and Torres Strait Islander communities and to achieve positive outcomes for our clients.

We recruited Aboriginal cadet, Rachael Clark and Aboriginal Solicitor, Bryanna Smith.

Our Staff

Parastou Hatami is Dhurrawang's Supervising Solicitor/Program Manager.

Bryanna Smith worked with Dhurrawang for approximately 9 months returning to her home in Western Australia shortly after the end of this reporting period. Bryanna contributed a great deal of cultural insight to the program and helped to strengthen our cultural competence. We thank Bryanna for her work and contribution to Dhurrawang.

We also thank Rachael Clark for her contribution to Dhurrawang. She is currently going through a rotation across all CCL programs. We congratulate Rachael on recently completing her law degree – a great achievement.

During the reporting period, we participated in the ANU Community Law Clinical Program supervising Nell Morgan and Jyoti Heikerwal who made great contributions to Dhurrawang through both casework and research projects.

Clients

We continued to service a high volume of clients opening 35 representation files during this period with 57 advices and 25 legal tasks. Our clients face complex issues and require a great deal of intensive support in order to facilitate their engagement with the legal system and the bureaucracies that inform their access to services.

Many of our clients were women and most have experiences of homelessness and family violence. The most common practice area pertained to women and children experiencing homelessness and family violence was in accessing housing for the first time or seeking an urgent transfer to a safer location. This work also informed our clients' child protection cases where the availability of adequate housing played a significant role in the Family Court decision to give mothers access to their children. We assisted clients with seeking and obtaining safe housing and avoiding eviction. We assisted clients with waiver of Centrelink debt and with access to Centrelink payments.

We continued to successfully utilise *the Human Rights Act 2004* (the HRA) to advocate for our clients' rights particularly in accessing safe housing. An area where we have recently utilised the HRA to seek approval of additional bedrooms through Housing ACT in order to facilitate family law proceedings involving custody of the children.

We have also successfully facilitated out of turn transfers and allocations by engaging with Housing ACT management and bringing urgent cases to their attention bypassing the usual assessment process. The HRA has played an important role in this advocacy as have relationships with departmental officials.



Case Study: Brett's Story

Brett (not his real name) was referred to our service by the Aboriginal Legal Service. The previous night his partner Josie (not her real name) and mother to his children had died very suddenly in a tragic accident in the family home. He and the children were required to stay at a motel that night while the police processed the family home where the incident had occurred. The following day Housing ACT would not allow the family to re-enter the property because Josie had been the tenant on the lease and had not listed Brett as a resident. Brett had been living at the property for 12 months with his children and did not realise that he was not on the lease or on the rebate.

A Dhurrawang solicitor contacted Housing ACT senior management and attempted to negotiate a short-term lease. The phone conversations that day led to a meeting between Brett, Housing ACT and the Dhurrawang solicitor the following day. The solicitor acknowledged that the Residential Tenancies Act 1997 ('RTA') did not allow the family to return to the property however the ACT Human Rights Act provided the children and the family rights under s 11, s 12 and s 27 (kinship ties). Housing ACT agreed to accept this submission and allowed the family to rent the premises and remain there while other issues pertaining to the death and the lease were resolved.

The Dhurrawang solicitor then assisted Brett to contact Centrelink and inform them of the tragic death in order to have payments for the children re-directed to Brett. This enabled the family to gain some financial relief as they were at that point trying to subsist on partnered Newstart Allowance.

The Dhurrawang solicitor made an appointment with the public trustee's office and attended the appointment with Brett where Brett could receive advice about Josie's estate and what options were available to him in a situation where Josie had died intestate. Subsequently the solicitor liaised with the public trustee to obtain a declaration from them that as the default executor they did not object to Josie's lease to be terminated. This was provided to Housing ACT and enabled Josie's lease to be terminated facilitating a fixed term lease over the property for Brett and the children so that they could remain living at the property for at least 6 months and, attend to sorry business and grieve. It gave the children some security during this harrowing time.

The public trustee had recommended funeral directors that could assist with funeral arrangements and could help Brett to apply for funding from the ACT Government to cover the cost of the funeral. We assisted Brett to liaise with the funeral directors and facilitated the paperwork required to seek financial assistance towards Jose's funeral. Brett was pleased with the funeral and described it as a proper send off for his partner.

The Dhurrawang solicitor then assisted Brett to apply for public housing and liaised with senior management at Housing ACT seeking the case to bypass the usual assessment process and to be approved for an Out of Turn Allocation. This meant that the application did not go through the lengthy process of assessment at Gateway, presentation at the Multi-Disciplinary Panel (MDP) and then wait on the allocations list. Instead, within 3 weeks of the application being submitted to senior management and advocacy with management (6 weeks after first making contact with Dhurrawang), the family were offered a new property that was the appropriate size where they were not reminded daily of the tragedy of Josie's death and could rebuild their lives.

Law Reform

In September 2017, we made a submission to the Law Reform Advisory Council on Canberra becoming a restorative city and how improvements could be made to Housing ACT, in particular pertaining to issues affecting Aboriginal and Torres Strait Islander communities. The submission was well received by the Council and by Housing ACT.

In February 2018 we met with Rebekah Sharkie MP's office to discuss the impact of the Welfare Reform Bill on Aboriginal and Torres Strait Islander clients.

Throughout the year, we participated in the Justice and Community Safety Directorate's Occupancy Agreement Working group to help to develop reform in this area. We also contributed to reforms towards the *Residential Tenancies Act 1997* and in particular the Conditional Termination and Possession Order (CTPO) regime.

We continued to prioritise relationship building with Housing ACT in order to advocate for our clients. In March we were invited by Housing ACT to observe the Multi-Disciplinary Panel (MDP) in session. This provided us with great insight into the deliberation process adopted by the MDP in determining if an applicant is placed on the Priority Housing list and the work that Housing ACT does in advocating for clients in this forum.

We have had some discussions with Housing ACT about providing Gateway staff with training on working with Aboriginal and Torres Strait Islander communities with a focus on their obligations under the HRA.



Parastou Hatami (right), with Heidi Yates, Victims of Crime Commissioner, after being recognised as Community Lawyer of the year in the Women Lawyers Association ACT, Awards



Staff from Canberra Community Law and Women's Legal Centre ACT at the Women Lawyers Association ACT, Awards Night.

Reconciliation Action Plan (RAP) Report

The CCL Reconciliation Action Plan (RAP) was formally endorsed and finalised by Reconciliation Australia early in the year. The RAP was also professionally laid out and graphic designed. It is available in both hard copy and electronic copy and accessible on the CCL website. Although this is a Reflect RAP it is very progressive in its content and we are on track to finalise all action times.

This year the RAP working group endeavoured to implement the action items in our RAP and in particular ensured that Aboriginal and Torres Strait Islander clients were prioritised across programs and that Aboriginal and Torres Strait Islander staff were supported in their work at CCL. We continued to develop and strengthen relationships with external Aboriginal and Torres Strait Islander organisations and to build staff competence and capacity in working sensitively and in an informed manner with Aboriginal and Torres Strait Islander people. We liaised regularly with Aboriginal and Torres Strait Islander advisers on our policy and our work.

We organised Cultural Awareness training for all staff delivered by Benny Hodges and a NAIDOC week lunch which was attended by CLC Hub staff and external organisations. A Welcome to Country was given by Auntie Louise Brown at this event.

RAP chair attended a screening of the After the Apology presented by the Human Rights Commission which was preceded by a panel discussion from members of the community including the Chair of the Elected Body and facilitate by the Human Rights Commissioner, Dr Helen Watchirs.

We provided Reconciliation Australia (RA) with an evaluation of the RAP process and our engagement with RA during this year. We thank Catherine Murnane for her contribution to the RAP working group and wish her well in her future endeavours. We also thank Bryanna Smith, Ida Nursoo and Bernadette Bryant who left the Centre shortly after the end of this reporting period for their work as members of our RAP group.



Canberra Community Law (CCL)

'Reflect' Reconciliation Action Plan

October 2017 to October 2018



Disability Discrimination Law

Overview

DDL is staffed by Rosemary Budavari, Senior Solicitor who is employed 4 days per week.

DDL provided 148 advices and performed 37 legal tasks in relation to disability discrimination. The three major areas of advice work were service provision, education and employment.

DDL provided representation and casework for 18 clients. The casework included 11 disability discrimination complaints and one health service complaint. Several of these complaints settled with the payment of monetary compensation; changes to policies and procedures; the provision of reasonable adjustments for clients and the provision of disability discrimination training for staff of relevant businesses and agencies. Some casework has involved direct negotiation with 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 ANU law students. DDL also delivered tutorials on Discrimination Law as part of the program.

DDL drafted CCL's contribution to the Disability Law Chapter of the ACT Law Handbook.

DDL contributed to CCL's submissions to the ACT Law Reform Advisory Council's Inquiry into Restorative Justice Practices. DDL also participated in the Review of the ACT Official Visitor's Scheme by the Justice and Community Safety Directorate.

DDL also assisted with the implementation of CCL's second Disability Action Plan (DAP) which covers the period from 1 July 2016 to 30 June 2019 and convened the annual forum with disability organisations in November 2017.



Disability Discrimination Law Senior Solicitor:
Rosemary Budavari

Case Study: Frank's story

Frank has an assistance dog which helps to alleviate the effects of his Post Traumatic Stress Disorder and anxiety disorder. He was studying at university and told them about his disabilities when he enrolled.

Frank asked to do a take home exam for one of his courses rather than an on-campus exam because of this anxiety disorder. His lecturer would not agree to his request. Frank also felt that unfavourable attention had been drawn to his assistance dog.

Frank made a complaint to the Australian Human Rights Commission. DDL represented him at conciliation of the complaint. The university provided Frank with an apology and agreed to offer him a supplementary exam under special conditions including allowing his assistant dog and a support person to attend the exam. The university also agreed to provide monetary compensation for additional sessions that Frank required with his psychologist.

Disability Action Plan Report

CCL's second Disability Action Plan (DAP) has the following objectives:

1. To increase awareness at 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 information about CCL services for clients with disability and their carers and providing it in accessible formats including Easy English – CCL had its individual service brochures translated into Easy English and uploaded to its website in October 2017.
2. Reviewing website information for accessibility – CCL reviewed the accessibility of its website and made further changes to improve its compliance with the international Web Content Accessibility Guidelines 2.0 accessibility standard.

3. Responding to invitations to participate in relevant policy reviews affecting people with disability – CCL made submissions to the ACT Law Reform Advisory Council's Inquiry into Restorative Justice Practices. CCL also participated in the Review of the ACT Official Visitor's Scheme conducted by the Justice and Community Safety Directorate.

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

Our Social Security and Tenancy Service (SS&T service) encompasses our Housing Law and Social Security Law services.

General Overview

The SS&T service assisted 687 clients, provided 792 advices, 85 duty lawyer services and performed 188 legal tasks in relation to public housing, tenancy and social security legal issues. The SS&T service worked on 117 cases during the reporting period.

Over the last 12 months, the SS&T advice line has seen a significant increase in families from a refugee background seeking assistance to obtain priority housing due to unaffordable private tenancy arrangements or seeking a public housing transfer often due to severe overcrowding. These advices are more time consuming due to literacy and language levels generally being lower and because often interpreters are required. These clients often also prefer to drop in rather than attending scheduled appointments. We have also seen an increase in community housing tenants contacting the advice line who have been issued with notices to vacate 12 to 18 months into their agreement.

Outstanding Housing ACT repair issues continues to be a common issue on the advice line. Repair guides produced by Ashurst has been an invaluable resource for our advice workers assisting tenants to follow up on repair issues.

Disability Support Pension rejections and cancellations and Centrelink debts continue to dominate the Social Security advice work. We continue to see very vulnerable people who require significant assistance to access or maintain income support payments. The advice line has also assisted people to successfully challenge income support waiting periods. Through our Commonwealth Administrative Appeals Tribunal (AAT) advice service, we provided advice and assistance to 19 clients. Most of these clients were either trying to access the Disability Support Pension (DSP) or seek debt waiver on the ground of administrative error or special circumstances.

As in previous years, the bulk of the casework undertaken by the SS&T service over the last 12 months was directed towards assisting people to access priority housing through Housing ACT, obtain urgent housing transfers or defend eviction applications brought by Housing ACT often on the ground of rental arrears.

Case Study – Isabella's Story

Isabella (not her real name) sought our assistance with a priority housing application. She was living in a private rental that she could not afford and was at risk of homelessness. She had significant mental health issues and had been the victim of long term domestic violence and child abuse.

We assisted Isabella by drafting an application to obtain priority housing including a covering legal submission and gathering support evidence from her GP and psychologist. Prior to the application going before the Multi-Disciplinary Panel (MDP), Housing ACT requested further evidence in relation to the violence she had suffered giving 2 days' notice. We were able to assist Isabella to obtain this additional documentation in the very short timeframe. The MDP considered the application and deferred the decision for a couple of weeks requesting further documentation about Isabella's financial situation. We organised for Isabella to see Care Financial Counselling Service who was able to undertake an assessment and provide a letter clearing setting out Isabella's dire financial situation.

Based on this evidence, the MDP accepted Isabella's application for Priority housing. She was put on the Priority Housing waiting list. We continued to liaise with Housing ACT regarding suitable housing for Isabella. Isabella was subsequently offered a property which she accepted. We also provided Isabella with some additional assistance to get some security upgrades to the property.

ACAT Duty Lawyer Service

Overview

The primary focus of the ACAT Duty Lawyer Service is to prevent evictions. The duty lawyer seeks to resolve matters on the day, where possible, although more often assists the tenant to get the matter adjourned to obtain legal advice and to put the tenant in a position where they can save their tenancy.

The ACAT Duty Lawyer Service operates every Thursday morning from 9am to assist public and community housing tenants who appear at ACAT to defend themselves against eviction. Tenants generally have not had legal advice or assistance prior to the first hearing and would not otherwise have access to legal assistance to navigate the tribunal process.

The ACAT Duty Lawyer Service provides case-specific advice and undertakes intensive casework with the client, connecting them with support services, negotiating with housing providers, making written representations on the clients' behalf, devising case strategies, drafting legal submissions, guiding the tenant through the legal process and appearing to represent the client in conferences and hearings until the matter is finalized.

The ACAT Duty Lawyer service also assists tenants who have already been evicted (usually for failing to appear) by filing applications to have the decisions set aside or drafting and filing appeal documents, interlocutory applications and subpoenas. Once a set-aside or appeal is listed for hearing, the duty lawyer assists the tenant to prepare the case and represents them at the hearing.

In 2017/18, the ACAT Duty Lawyer Service gave legal advice to and provided ongoing casework and tribunal representation to 66 clients, including initiating and settling 4 appeal applications prior to final hearing. Depending on the complexity of the matter, proceedings can run for between one week and three months in the Tribunal. In the vast majority of cases the Duty Lawyer Service was able to assist clients to achieve a positive outcome and tenants remained in their homes. The assistance provided often includes re-establishing connections with family and other social supports, contributing over-all to better supported tenants and more sustainable tenancies.

Who are our clients and why are they at risk of eviction?

Tenants assisted by the Duty Lawyer Service are highly vulnerable and most suffer acute disadvantage which prevents them from engaging with housing providers and navigating the legal process. Disadvantages such as low income, lack of family or social supports, domestic violence, cognitive or language barriers, age, physical disability, mental health and cultural disadvantage are commonly encountered by the service.

Corinne's Story

Corinne (not her real name) is an Aboriginal woman with three young children. She came to live in public housing after she and her siblings found themselves alone after the death of her mother. She took over the care of her younger siblings. Her siblings suffer from mental illnesses, compounded by poverty and lack of family and social supports. Corinne eventually met her partner and started a family. After over a decade of severe physical and emotional violence at the hands of her partner, resulting in countless police call outs and hospitalisations, Corinne got court orders to protect herself and their children, whilst her ex-was imprisoned. She constantly feared reprisals from her ex-partner. She worked hard to look after her children, got a permanent job, and was managing her finances. But in the months before her ex-partner was due to be released from prison, she began to break down, she found that she was unable to face the future and fell behind in her responsibilities. Her debts were mounting, and she stopped paying rent. She appeared before ACAT for her failure to pay rent and was evicted. The Duty Lawyer Service assisted her to place material before the tribunal, lodged an appeal against the eviction, subpoenaed her Housing ACT files and ultimately negotiated a new tenancy agreement with Housing ACT. The appeal was withdrawn from the tribunal and Corinne and her children were able to continue living in their home.

Socio-Legal Practice (SLP) Clinic

Program Overview

Now in its 5th year of operation, the SLP Clinic has a demonstrated track record of success. The 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 is focused 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 social supports.

At the end of the year, in an exciting development, the ACT Government announced recurrent funding for the SLP Clinic which will partly fund the full time social worker position.

Client Work

It has again been a busy year for the SLP Clinic. Our clients usually come to us with complex problems that they have not been able to get help with anywhere else.

In the 2017-2018 financial year, the SLP clinic assisted 52 clients. The SLP Clinic recognises that access to justice can be much harder for people living with a disability. 88% of SLP Clinic clients identified as having a disability.

Family violence is one of the leading causes of homelessness. Just over 50% of SLP Clinic's clients this reporting period identified as having experienced family violence.

The SLP Clinic works with clients with many different experiences. Approximately 10% of the SLP Clinic clients are Aboriginal and Torres Strait Islander people. Around 22% of SLP clients are from culturally and linguistically diverse backgrounds.

All of the SLP Clinic's clients were suffering financial disadvantage.

SLP Staff

At the end of 2017, we bid farewell to Radhika Chaudhri who had made an outstanding contribution to the SLP Clinic. Her compassion, understanding and commitment to the SLP holistic model of service delivered fantastic outcomes for the SLP Clinic clients. As noted earlier in this Annual Report, during this reporting period we also bid farewell to Catherine Murnane, CCL's first social worker, after 5 years with the Centre. Thank you, Catherine, for working so well within the constraints of a legal practice and for your passion and commitment to this model of service delivery.

Thank you to Bernadette Bryant for volunteering one day per week and later coming on board as a locum social worker at the end of the financial year on Catherine's departure.

Thanks also to Rebecca Carter who also did a stint as a locum social worker for the SLP Clinic during the year and to Ida Nursoo who took over the SLP Clinic Solicitor role from Radhika.

Pro Bono Support – Volunteers and Secondees

We continue to enjoy support from the Australian Government Solicitor (AGS). In April 2018, we welcomed Lauren Stewart, a full time AGS lawyer placed with CCL on a pro bono basis for 12 months. Her first rotation was with our SS&T service where she provided invaluable assistance to our advice line clients. She continues to help on the advice line as she rotates through the other programs of CCL.

Thanks also to our former employees, Samantha Bradley and Georgia Driels who have volunteered their Tuesday evenings to work on our advice line. Thanks also to Philip Finley for working on our AAT advice service matters. Your social security expertise is much appreciated.

Case Study: Karen's Story

Karen is a young woman who is pregnant. She had significant disabilities (including a visual impairment). Her childhood had been difficult and traumatic. She was now living with a relative following a period of prolonged homelessness. After her relative moved out of the property, Housing ACT threatened to evict Karen even though she was paying rent because she was not a tenant. Karen was terrified that she would end up homeless and that her baby would be taken off her. A housing youth worker referred Karen to the SLP Clinic.

Karen met with the SLP Clinic social worker who took a personal and family history whilst the SLP Clinic lawyer commenced negotiations with Housing ACT requesting that they did not take eviction action against Karen. After a period of protracted negotiations, Housing ACT agreed to hold off taking any action whilst they considered Karen's application for priority housing. The SLP clinic lawyer and social worker then worked together to gather evidence and put forward Karen's priority housing case which was later accepted by Housing ACT.

The SLP Clinic continued to advocate for Karen to be allocated her relative's property and obtained further support letters detailing her housing needs and the supports she had in her neighbourhood. Following the provision of further submissions, the SLP Clinic lawyer attended a meeting at Karen's property with Housing ACT. Very soon after the meeting, Housing ACT agreed to allocate Karen and her new born baby the property.

Community Legal Education

During the reporting period, SS&T delivered the following community legal education activities:

- Updated the public housing and social security chapters for the ACT Law Handbook;
- Presentation to the Kimberley Community Legal Service ANU students on the impact of the Northern Territory Intervention and social security issues;

- Tutorials on public housing and social security as part of the Community Law Clinical Program;
- Introduction to Social Security Law Talk (Brian Hennessy Rehabilitation Centre);
- Presentation to Administrative Appeals Tribunal's case managers, Sydney, Tier One;
- Introduction to CCL, Termination and Evictions, Woden Mental Health Lunchtime Seminar;
- Producing two new public housing factsheets: *'Tenants in AMC and 26 week no cause notices'* and *'What happens to my belongings that I left behind in my Housing ACT property'*.

Law Reform

During the reporting period, SS&T undertook the following law reform and policy work:

- Participation in the National Social Security Rights Network's biannual meetings with the Department of Social Services and Department of Human Services in November 2017 and June 2018;
- Participation in the National Social Security Rights Network's two major research projects: Disability Support Pension and Family Violence;
- Participation in a coalition of organisations which met with politicians to raise awareness of the impacts of recent changes to the Disability Support Pension process;
- Involvement in activities to support the 'Raise the Rate Campaign' to increase the rate of social security payments;
- Submissions and discussions with the Justice and Community Safety Directorate on reforms to the RTA, in particular around the CTPO regime and transition to a payment order regime. In tabling the Bill, the ACT Attorney General acknowledged and thanked CCL for its contribution to the CTPO reform;
- Meeting with Andrew Leigh, MP to discuss the budget measure on compulsory deduction for court imposed fines from social security payments;
- Written submission and oral evidence to the Standing Committee on Justice and Community Safety Inquiry into Domestic and Family Violence; and
- Submission to the ACT Law Reform Advisory Council – 'Canberra becoming a restorative city' – advocating for the implementation of restorative practices through alternative dispute resolution specifically mediation in public housing disputes.

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

2017-18 has been a time of growth and new ventures for Street Law. We have continued to assist clients experiencing or at risk of homelessness in a wide range of legal areas and have also expanded our advocacy services through increased court and tribunal representation work. We are also piloting new outreaches at the Helping Hand Food Pantry and Youth Woden Centre, to ensure that our service is accessible across the ACT region and to groups who might not otherwise receive legal assistance.

Street Law has been involved in a national study on the criminalisation of poverty and homelessness in Australia. The study's focus will be on criminal laws and police powers that regulate an individual's presence in, and movement around, public places, and which result from

poverty related offending. As part of this project, Street Law has been conducting interviews with people who are experiencing or have recently experienced homelessness, to identify the impact of the criminal justice system on the lives of vulnerable Australians.

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 2017-18 Street Law provided regular outreach services at the following locations:

- AIDS Action Council
- Early Morning Centre
- Helping Hand Food Pantry
- Munjuwah Aboriginal Corporation
- St John's Care
- West Belconnen Child and Family Centre
- Woden Youth Centre
- Your Place

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.



Planning for the year ahead at the Street Law Planning Day.

Staff

Street Law had a few staffing changes in the 2017-18 year:

- Anusha Goonetilleke who has been Street Law's Supervising Solicitor since 2013 took parental leave in December 2017. We thank Anusha for all her contributions to Street Law's activities during her many years with us.
- John Alati started working with Street Law in the Senior Solicitor role in August 2017 and took over the Supervising Solicitor role in November 2017.
- Naomi Gould, who was previously working in Canberra Community Law's Social Security Law and Housing Law services, returned from a year of unpaid leave to join the Street Law program as the Senior Solicitor in February 2018.
- Heather McAulay also took parental leave from the Program Manager role May 2018.
- Farzana Choudhury continued as a Street Law Solicitor and has been seconded to the role of Program Manager/ Solicitor since April 2018, to fill the Program Manager position while Heather is on parental leave.



Michelle Barclay at the Helping Hand Food Pantry checking out the fresh produce with a pantry volunteer.

- Michelle Barclay, who had volunteered with Street Law since October 2017 and completed the legal practice experience component of her Graduate Diploma of Legal Practice with Street Law during that time, has continued on as a Street Law Solicitor since April 2018.

Pro Bono Support – Secondees and Volunteers

Street Law continues to receive amazing support from the ACT legal community. In 2017-18 Street Law received over 682 hours of pro bono support in the form of secondments. This financial year our secondees were:

- Yanna Dascarolis from MinterEllison;
- Lara Strelnikow, Stephen Bott and Alexander Williams from Australian Government Solicitor; and
- Andrew Jose from Clayton Utz.

MinterEllison

CLAYTON UTZ



Australian Government Solicitor



The Street Law team as at April 2018 – Naomi Gould, Michelle Barclay, Farzana Choudhury, John Alati and Yanna Dascarolis

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 2017-18 volunteers were:

- Nyree Flower
- Claire Paton
- Gabrielle Ho
- Lucy Xu
- Daniel Lee
- Gabrielle Burgess
- Johanna Larkin
- Sophia Collins
- Michelle Barclay
- Matthew Faltas

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

Client work

In 2017-18 Street Law assisted 166 clients. We provided 148 one-off legal advice and legal task assistance services, opened 57 ongoing casework (ongoing legal task and representation) services, and finalised 60 casework services. 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, consumer law, minor criminal matters, obtaining identification documents, and other general civil law matters.

Community Legal Education

Street Law once again delivered its sessions on legal topic areas relevant to our client group and community workers. These included:

- Spotting legal issues;
- Fines; and
- Homelessness laws.

Street Law engaged with social workers from Calvary Hospital to increase awareness of legal problems affecting our client group with its new Homelessness Law training. This training is an important part of raising awareness amongst social workers about legal issues affecting people who are experiencing, or at risk of homelessness, and encouraging referrals from those who are likely to provide social support to people experiencing disadvantage.



Farzana Choudhury with the Calvary Hospital Social Work team after presenting training on Homelessness Laws

Street Law also partnered with Legal Aid ACT to present sessions in their 'Law for Non-Lawyers' training series.

Finally, Street Law provided 'Working with Vulnerable Clients' training to private sector lawyers to support them to undertake pro bono work. In 2017-18 we provided this training to the Australian Government Solicitor.

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 2017-18, Street Law attended the following meetings and events:

- ACT Legal Assistance Forum, including the:
 - Community Legal Education Working Group; and
 - Service Planning Working Group;
- ATODA Drug Services Forum;
- JACS Drug Driving Working Group meetings;
- JACS Occupancy Agreement Working Group meetings;
- Joint Pathways forums;
- Homeless Connect Organising Committee meetings;
- Housing and Homelessness Summit;
- International Tenant's Day Organising Committee meetings;
- International Tenant's Day events including:
 - Art exhibition
 - Film screening
- National Association of Community Legal Centre's Annual Conference;
- National Association of Community Legal Centre Human Rights Network meetings;
- National Social Security Rights Network meetings;
- University of Canberra Law and Justice Networking Event;
- Who's New on the Streets Meetings; and
- Youth Coalition Housing and Homelessness forums.

Clients' Stories

Annabelle's Story *Background*

Annabelle (not her real name) is a young, 20-year-old Aboriginal woman escaping domestic violence with three children. Annabelle also has mental health issues, including major depression and anxiety. She was a former Housing ACT (HACT) tenant and was subjected to domestic violence at the hands of her ex-partner while at her former property. The domestic violence that Annabelle experienced while at the property caused her to fear for her and her children's safety while at the property, and so she ended the tenancy.

Annabelle is currently living at refuge with her children and was referred to us by her support worker at the refuge.

Annabelle accumulated an alleged debt of around \$19,000 for Tenant Responsible Maintenance charges. A significant proportion of the debt was the result of damage caused by Annabelle's ex-partner during domestic violence incidents at the property.

Assistance from Street Law

Street Law helped Annabelle by obtaining a copy of and reviewing files held by HACT about her tenancy. We then prepared a submission to HACT requesting that the charges on Annabelle's account be withdrawn where Annabelle was not responsible for the damage (including damage caused by domestic violence). We liaised closely with Annabelle's support worker when assisting Annabelle and liaised with Annabelle's doctor for the purposes of obtaining a support letter for our submission to HACT.

After considering our submission, HACT agreed to remove all charges relating to property damage that were caused by domestic violence (totaling around \$12,000).

In addition to assisting Annabelle on her housing matter, we helped her register the births of two of her children, helped her apply for copies of each of her children's birth certificates (we paid the application fees), and advised her on victims of crime financial assistance.

Michael's Story Background

Michael (not his real name) is a young man experiencing homelessness who at times couch surfs, and at other times sleeps rough. Michael had lost his NSW driver licence, which limited his employment opportunities.

Toward the end of last year, Michael was offered a casual job which he took up enthusiastically. His new income meant he no longer had to rely on Centrelink benefits. However, after working for some weeks he became sick with the flu. While he was recovering, Michael's employment was terminated. Michael applied for the Newstart Allowance once he had run out of money. Michael was told he would first need a separation certificate from his employer. At first the employer refused his requests for a separation certificate. When the employer finally did provide one, the employer claimed that Michael had left work voluntarily, which was not the case. Relying solely on the information provided by the employer, Centrelink imposed an 8-week non-payment penalty period on Michael from the date of the late separation certificate, meaning he was prevented from receiving any income.

Assistance from Street Law

Street Law gave him advice in relation to his driver licence issue, previous employment situation, and his Centrelink matter. Street Law identified that Centrelink appeared to have made errors in the dates for which it calculated the non-payment period. This miscalculation had significantly extended the non-payment period to which Michael was subjected well beyond 8 weeks. Street Law then assisted Michael to put in an urgent request for a review of the Centrelink decision to impose the 8-week non-payment penalty period.

A Centrelink Authorised Review Officer assessed the situation and agreed with Street Law's submissions, overturning the original decision. Michael was granted the Newstart Allowance and he was given a back payment for the payments he had missed.

Frank's Story Background

Frank (not his real name) is a 33-year-old man experiencing homelessness. His father kicked him out of his home in August 2016 and since then he has been living in his car, a tent, a caravan park and a hotel. Frank was charged with breaching his Good Behaviour Orders which he had from 2 drug driving convictions. He did not understand how he had breached the Orders. He allegedly breached the order by not complying with his community service work and supervision conditions. He did this by failing to turn up for his community service work and falling out of contract with ACT Corrective Services. However, Frank had not received corresponding from Corrective Services about attending community service work due to being itinerant and he had misunderstood Corrective Services instructions about his supervision conditions.

Assistance from Street Law

Street Law helped Frank by advising him in relation to the breaches by appearing in court for him in relation to the breach and communicating with the ACT Magistrates Court, ACT Corrective Services and the ACT Department of Public Prosecutions on his behalf.

After considering Street Law's submissions regarding the alleged breach, the Court gave Frank a formal warning in response to the breaches and told him to re-engage with Corrective Services. His Good Behaviour Order was not cancelled, and he will therefore not be resentenced for the drug driving convictions as would typically occur. The assistance from Street Law ensured that his matters did not escalate, and he avoided being re-sentenced for his previous convictions.



Night Time Legal Advice Service

Overview

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.

Having provided more than 120 separate legal advices in the last year, virtually all within a 2-hour time frame, NTLAS continues to be busy and continues to be a barometer for legal issues in the community, with everything from employment law, contracts, wills and estates, consumer issues and a range of other issues brought to us by clients.

Often, we have to deal with urgent matters and our ever-courageous volunteers don't blink. They research the law as necessary, discuss issues collaboratively and provide advice to people who really need it. We all learn something new at every session.

As always, one of the key benefits 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. Often clients simply don't know what they need to do or what situation they are in. We don't always solve their problems, but we virtually always assist them with next steps, whatever they may be.

We are proud to offer this vital service to the Canberra community and am extremely grateful to those members of the Canberra legal community who give generously of their time and expertise to keep NTLAS operating. It is a genuine privilege to work with them. They go out of their way to provide quality, timely advice. Many have been doing so for several years, some have just joined us recently and are proving to be an invaluable asset to the service. In May this year our volunteers received a Recognition Award for their outstanding voluntary service in the Canberra region from Volunteering and Contact ACT. Our congratulations to them for this well-deserved accolade.

Janelle's Story

Janelle (not her real name) had been involved in an estate matter dating back some nine years and had been successful in a claim against another party. Between a number of solicitors representing a range of parties, complex dispute over costs, unhelpful communications and a range of other factors, she had not received any of the money she was owed.

It was taking a terrible toll on her and she felt trapped in a cycle of miscommunication, misunderstandings and distress. Her finances were depleted. She could not afford to engage another lawyer to sort out the tangled situation for her. In any event, the services of a private lawyer would have easily absorbed anything she was owed, and more, making that course of action futile.

NTLAS analysed the situation through emails going back years, explained the situation to Janelle and assisted her to draft some communications to her solicitor to make her situation clear. Within a number of weeks, she had an offer to settle that she was very pleased with and accepted. She wrote us a very kind letter of thanks and gave us a box of chocolates!

Janelle is a perfect example of a person who needs services such as NTLAS. In her situation she would not qualify for a means tested service but could not feasibly engage the services of a private solicitor.



Professional Development

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

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

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

- NSSRN Conference
- NALCL National Conference
- NALCL Human Rights Networking Day
- Advocacy Masterclass
- Measuring Impact Masterclass
- St John's Ambulance course
- National Hardship Register training
- Asylum Seeker Resource Centre training on Changing the Conversation
- Young Lawyer's Advocacy Afternoon
- Legal Aid ACT's 'In Search of Safety' training
- Status Resolution Support Services (SRSS) Payment training
- Older Women Lost in Housing Conference
- CLASS training
- Blue Knot Trauma Informed Practice training
- Practice Management Course
- Social Security debt training
- Lexis Nexis Webinar training
- Enduring Power of Attorney and understanding decision making capacity
- Sexual Harassment and the Legal Profession
- The Ethical Obligations of legal relationships
- Mental Health Awareness and action
- Cyber security – is your firm at risk?
- Mediation Accreditation Course – Australian Disputes Centre
- Rebus Theatre Open Doors. Open Minds inclusion training
- Training on limitation dates
- BPD Awareness ACT/WCHM – Understanding BPD in order to work effectively with clients
- Maurice Blackburn Session on Workers Compensation
- Lifeline Dealing with People in Difficult Situations
- Mental Health First Aid training
- ADACAS: Advocacy and the NDIS
- Law Society ACT: Residential Tenancies in the ACT: Sorting fact from fiction
- Sentencing in the ACT – Law Week Event
- PTSD training
- ACTCOSS: How to read ACT Budget Papers
- Blue Knot Training – managing vicarious trauma
- Delphi training – dealing with clients with complex trauma
- Reflective Practitioner – Dispute resolution Native Title Tribunal
- Community Legal Centre's Queensland Conference



CCL staff at Post-Traumatic Stress Disorder training.

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 many 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 2017-18, NTLAS was supported by the following volunteers:

Anita Smith	Andrew Jose
Antje Chalmers	Damien Brown
Eric Raymond	Erin Rikus
Finnegan Lowe	Haseeb Mian
Henry Chang	Iain Kendal
Isabella Coker	Jasmine Still
Kate Smyth	Kristen Zornada
Lauren Armstrong	Lynda Khan
Matthew Daly	Matthew McLean
Michael Wright	Nishtha Mahajan
Pamela Fielding	Peter Johnson
Rachael Clark	Radhika Chaudhri
Rebecca Evans	Zeng He

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.

Bianca De Silva	Rachel Kirk
Colletta Nyamambi	Sarah Monahan
Herschell Zang	Shelby O'Connor
Isabella Coker	Sophia Xian
Isabella Serafica	Storm Viall
Joey Wong	Tanya Nair
Karen Blake	Thanusa Thavavaran
Lauren Dreyar	Victoria Hoon



Maiee Sun, our fabulous admin intern, doing intake for us.



Appendix: Auditor's Report



Canberra Community Law

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