

CANBERRA
COMMUNITY
LAW



Annual Report 2018–19

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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 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 services. CCL takes an early intervention approach, where possible, but also works 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 that 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 Street Smart, ACT Government and the Canberra Southern Cross Club who provided grants for Easy English brochures, installation of a hearing loop in the ACT Community Legal Centre Hub and library books, respectfully.

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 2018–2019

CCL's Work Snapshot

- Unique clients assisted – 952
- Referrals – 1002
- Legal Advices (one off) – 1325
- Duty Lawyer services – 61
- Legal Task Assistance Services – 686
- Cases (ongoing) - 223

The People we helped

Gender – Male 38% Female 61% Other <1%

Aboriginal and Torres Strait Islander – 16%

People with disability – 64%

Experiencing or at risk of homelessness – 72%

Culturally or linguistically diverse background – 11%

Disclosed experiencing domestic or family violence* – 37%

Experiencing financial disadvantage – 92%

*These self-disclosures under-report clients affected.

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 2018-2019

The Board of Directors during the year ended 30 June 2019 were:

Daniel Stewart, Chairperson

Genevieve Bolton, Director/Secretary

Anya Aidman, Director

John Alati, Director

Helen Fisher, Director

Dr Laura Hilly, Director

David Howard, Director

Amanda Ryan, Director

Dr Margot Harker, Director

CCL's Staff

CCL employed the following staff in 2018-2019:

John Alati, Street Law and NTLAS Supervising Solicitor

Michelle Barclay, Street Law Solicitor

Genevieve Bolton, Executive Director/Principal Solicitor

Bernadette Bryant, Social Worker (until July 2019)

Rosemary Budavari, Senior Solicitor, Disability
Discrimination Law

Farzana Choudhury, Street Law Solicitor and A/Street Law
Program Manager

Rachael Clark, Aboriginal Cadet/Locum Office Manager

Georgia Driels, Solicitor (until September 2018)

Anusha Goonetilleke, Social Security and Tenancy Program
Manager/Solicitor (on parental leave from May 2019)

Naomi Gould, Senior Solicitor

Parastou Hatami, Dhurrawang Aboriginal Human Rights
Program, Senior Solicitor

Lokesh Kashayp, Dhurrawang Aboriginal Human Rights
Program, Solicitor (October 2018 to January 2019)

Sarah Johnston, Social Worker (from March 2019)

Candice Jones, Social Worker (from July 2018 to
September 2018)

Sarah Hein, Solicitor

Julian Hicks, Office Manager (until May 2019)

Kate Kenny, Office Manager (parental leave)

Heather McAulay (parental leave)

Catherine Murnane, Social Worker, (January to March 2019)

Ida Nursoo, Solicitor, (until September 2018)

Alexandra Palk, Senior Solicitor

Erin Rikus, Street Law Solicitor (from September 2018)

Jessica Spargo, Office Manager (from June 2019)

Bryanna Smith, Dhurrawang Aboriginal Human Rights Program
Solicitor (until July 2019)

Emma Towney, Dhurrawang Aboriginal Human Rights Program
Solicitor (from March 2019)



Chairperson's Report

Rosemary Budavari is the Disability Discrimination Law Senior Solicitor for Canberra Community Law. She has overseen the development of three Disability Action Plans and convened an annual disability forum. She has made a significant contribution to the Centre's Reconciliation Action Plan working group. She has made submissions on disability discrimination and related matters to numerous inquiries, consultations, and other public forums, all well received, all thoughtful and practical. She has helped draft grant and other funding proposals, as well as a few nominations to recognise other staff members. I am told that she is also the Queen of organising staff birthday celebrations!

Rosemary joined CCL in 2013. She had earlier spent two years on the Board of Management for the Centre, having previously been employed in Canberra's community legal sector. She has generously acted as the Executive Director/ Principal Solicitor of CCL when Genevieve could be convinced to take some leave.

I wanted to acknowledge Rosemary's incredible contribution to the Centre while I could. Rosemary Budavari will be leaving the Centre later this year to take up a position with the ACT Human Rights Commission. Her wisdom and experience will be sadly missed.

I am hesitant to single out staff of the Centre, conscious of the difficulty recognising the many contributions, but I wanted to use this report to thank Rosemary and the staff of the Centre. It is fantastic to see some of them being recognised for the work they do. In October, Parastou Hatami was a co-recipient of the ACT Woman Lawyer of the Year Award (Community and Academic) with Dr Lorana Bartels. Farzana Choudhury recently was awarded the ACT Law Society Young Lawyer of the Year for her innovation in the Centre's Street Law program. She has also received a Churchill Fellowship to travel overseas to study the role of rights-based models in alleviating poverty. She is hoping her findings will further enrich our programs and advocacy work. John Alati, our Supervising Solicitor of Street Law and our Night Time Legal Advice Service is a finalist in the Australian Human Rights Commission 2019 Human Rights Law Award.

In July I took part in a workshop with senior staff of the Centre and James Zanotto, a consultant who we have engaged to assist us in developing our funding strategy. I couldn't help but be impressed with the quality of the insights and ideas of all the staff who attended. I was reminded once again of the work that is being done every day in the Centre, and the energy within the Centre to keep striving to improve our services and respond to the changing needs in our community.

The year ahead promises to once again be a challenging one for CCL and the ACT community legal sector generally. As I write this, the Tenants Union has announced that the Tenants Advice Service is being released to tender. The National Partnership Agreement which makes up much of our funding is also being renegotiated. CCL will have to continue to demonstrate its ongoing effectiveness and innovation in putting forward its case for funding. But I am heartened by the next generation of leadership in the Centre and excited by what the Centre may do next.

Thanks to all staff at CCL and the work they do. Thanks as always to Genevieve Bolton in her role as Executive Director/ Principal Solicitor and for her support of the Board in what has been a very difficult year. Thank you to fellow Board members.

Daniel Stewart

Chair, Board of Management



Executive Director/Principal Solicitor's Report

Supported by the Community to respond to Community Need

Community is at the heart of the Centre's work. As in previous years, we have continued to look for opportunities to develop and roll out new initiatives in response to the changing needs of our community. During the year, our Street Law program established a health justice partnership with the Junction Youth Health Service which was officially launched by the ACT Attorney General on the 18 October 2019. Street Law also established a project delivering the Women in Prison Legal Empowerment Sessions (WIPLES), a series of legal education seminars/advice clinics to support and empower women in prison. Thank you to Capital Giving for supporting the project through a one-off grant and for championing the importance of the project within the broader community.

In July 2019, we were delighted to be among the 29 grant recipients for the first Chief Minister's Charitable Fund round. The grant has enabled us to extend our WIPLES pilot project till September 2020. Whilst the internal co-ordination of the WIPLES project rests with Street Law, all CCL's programs have been actively engaged in the project delivering education seminars/advice clinics within their areas of expertise and contributing to a range of resources which the WIPLES project has produced. Street Law has also collaborated with the free legal assistance services in the ACT to deliver practical, targeted legal education/advice clinics and sessions.

In the face of growing demand on our Social Security and Tenancy advice service, we also established an Advice Line Project Pilot with Ashurst. Under the pilot, we run two half day advice shifts (4 hours each) on a Friday where two Ashurst lawyers are allocated – one to the morning shift and the other to the afternoon shift to provide legal and administrative support to the Centre in relation to our public housing advice service. This support has been extremely valuable and has significantly increased the Centre's capacity to meet this growing demand.

Not only is community at the heart of the work we do, it is also definitely the case but for the generous support of the ACT community we could not provide the range and volume of services which we do. Thank you to all our admin interns, day time volunteers and Night Time Legal Advice Service (NTLAS) volunteers for your commitment to the Centre's work and giving generously of your time, skills, experience and expertise to help us to respond to community need. Thank you to Clayton Utz, Minter Ellison and the Australian Government Solicitor for your pro bono support in the form of secondments to our Street Law program. We are also grateful for Clayton Utz's and more recently from Hall and Wilcox's pro bono support of our NTLAS service each seconding one lawyer per week. Thank you also to the Australian Government

Solicitor for seconding the fabulous, Lauren Stewart, to us on a full-time basis for approximately nine months. Lauren rotated through three of our Centre's programs and made a significant contribution to each program's work. There are many other individuals and organisations who have been acknowledged throughout the report. Many thanks for the contributions you have also made to the Centre throughout the year.

CCL has also greatly benefited from funding from the Clayton Utz Foundation and the Snow Foundation to support our Socio-Legal Practice Clinic (SLP Clinic) over many years and also funding from the Maddocks Foundation to support our ACT Civil and Administrative Tribunal Duty Lawyer service since 2016. We are very appreciative and thankful for this support.

CCL's Board of Management is a voluntary board of individuals deeply embedded in the community and committed to the Centre's work and to ensuring its governance, management responsibilities are fulfilled, and strategic priorities are met. Thank you for your counsel and assistance throughout the year. In any organisation, the role of Board Chair carries additional responsibilities. Daniel Stewart has fulfilled this role over many years, and I would like to record my sincere thanks and appreciation to Daniel for generously giving of his time to the Centre throughout the year.

Advancing Human Rights and Access to Justice

What remains constant in what has been another challenging year is the unwavering commitment of CCL staff to advancing the human rights and providing access to justice to some of the most disadvantaged members of the Canberra community. This is difficult work which can be both physically and emotionally exhausting. It is a privilege to lead a team of such inspiring, talented, dedicated and supportive people who work extremely hard each day to address disadvantage and realise people's human rights. I commend you to read this report which documents the day to day work of the Centre and shares some of our clients' stories.

Congratulations to Parastou Hatami, Farzana Choudhury and John Alati for receiving the accolades mentioned in the Chair's report.

Once again, this year, we farewelled some staff members and saw the return of others. Thank you for being part of the team at CCL and the fabulous work you do each day in assisting our clients. Special thanks to Catherine Murnane, who returned to the Centre for a brief period as a locum social worker and inducted our new social worker, Sarah Johnston into the role.

In addition to providing frontline legal and social work services, the Centre was also engaged in a wide range of other work at both a National and Territory level. Significant policy work was undertaken to highlight systemic issues and put forward recommendations for how the system could be improved to better protect and realise our clients' human rights. This involved active involvement in the ongoing review of the *Residential Tenancies Act* providing submissions and feedback to the ACT Government on proposed legislative amendments.

We were also actively engaged in the consultations conducted during the year into the review of the National Legal Partnership Agreement on Legal Services. This included representing the ACT on the review's advisory group and Community Legal Centres Australia's reference group. We also drafted the National Social Security Rights Network's submission to the National Partnership Agreement Review on Legal Services highlighting the value and importance of specialist legal services in alleviating poverty and disadvantage and contributed to NSSRN's 'Our Impact' which showcased the vital work of NSSRN and its member centres.

Other Funding Highlights

In addition to core funding, CCL received a Street Law grant which was used to print our Street Law service brochure in Easy English.

We also received a Disability Inclusion Grant from the ACT Government to install a hearing loop in the ACT CLC Hub conference room. The hearing loop was launched by the then Minister for Disability Rachel Stephen-Smith in February 2019. Our annual consultation forum with organisations representing or supporting people with disability was held after the launch.

A grant from the Southern Cross Club enabled us to purchase a range of library resources to assist our employees and volunteers to continue to provide necessary legal and social work services to vulnerable people in Canberra and the region. We are very fortunate to have Cesira Costello, our volunteer librarian, who comes in at least once a week to ensure that our library resources are up to date and also to help to source much needed additional library resources. We really appreciate the invaluable assistance Cesira provides in ensuring that our Centre staff have access to the resources they need to advise and assist our clients.

Building Greater Capacity

During the year, we expanded our ANU Community Law Clinic Program ran in partnership with the Australian National University from 6 students to up to 10 students each Semester. We continue to receive excellent feedback from students who have gone through the course.

Here is the final reflective entry from one of our ANU law students:

"On my last day at CCL I am very grateful to have had the opportunity do to this clinical placement and see not only have a community legal practice operates but witness the dedication of the lawyers and the immense impact that they have on people's lives. I have seen that a community legal practice is much more than the provision of legal advice – it is a collaborate network that seeks not only to address individual issues but identify and tackle systemic problems as well. I am sad to be finishing and hope to be again involved sometime in the future."

We were delighted to be given the opportunity to co-present with the amazing Claire Carroll at the International Journal of Clinical Legal Education Conference in Melbourne in November. The session titled '*Clinical Legal Education: Through the Looking Glass*' explored the key features of the course which might enhance the wellbeing of students. The presentation included a series of videos from our previous clinical students which can be viewed here at <https://www.canberracommunitylaw.org.au/anu-clinical-legal-education.html>.

We also partnered with the ANU to offer two students, Caity Price and Nicole Jackson internship placements as part of the university's internship program. The ANU Course provides students with the opportunity to work in an office environment whilst undertaking a major research project. Both students produced high quality research papers which CCL has been able to draw upon in its policy submission work this year.

We were also very pleased to partner with the University of Canberra and have Tayla Ayres and Minnie Bhowmick undertake their Law and Justice Internship Course placement with the Centre over the summer period. They provided much needed administrative and paralegal support during a busy period when our regular admin interns are generally taking a summer break.

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 2018-2019 year, we participated in the following forums and meetings:

- ACT Legal Assistance Forum, including the
- Community Legal Education Working Group; and
- Service Planning Working Group.
- ACT Law Society Access to Justice and Human Rights Committee;
- ACT Law Society Aboriginal and Torres Strait Islander Committee;
- ACT Law Society Council;
- Joint Pathways Forums;
- National Social Security Rights Network Member meetings (monthly);
- National Social Security Rights Network Board meetings (monthly);
- Who's New on the Street Meetings;
- International Tenant's Day Organising Committee;
- International Tenant's Day Events including:
 - Art Exhibition;
 - Film Screening; and
 - Union Picnic Day stall
- Community Legal Centre's Australia, Human Rights Network;
- Community Legal Centre's Australia, Disability Rights Network;
- Red Cross Interagency Meeting;
- Community Legal Centre's Australia, Professional Indemnity Insurance Committee;
- Community Legal Centre's Australia, Advisory Council;
- Community Legal Centre's Australia, National Partnership (NPA) Review Sector Working Group;
- NPA Review Advisory Group;
- National Social Security Rights Network, Biannual Meetings, Department of Human Services and Department of Social Services;
- Homeless Connect organizing committee;
- ACT Council of Social Services - Justice Reform Group meetings;
- ACT Law Society Diversity and Inclusion Committee;
- ACT Shelter Strategic Planning meeting;
- Youth Coalition of the ACT Youth Housing and Homelessness Forum;
- Alcohol Tobaccos and Other Drug Association ACT (ATODA) Drug Services Forum;
- JACS Drug Driving Working Group meetings; and
- Youth Coalition Housing and Homelessness forums.

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 the 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 around our City after the rain. Our Spiritual Ancestors dance with rain drops nourishing the 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 Dhurrawang solicitors and our resolve to empower our community through social justice.

During the 2018-2019 financial year we continued our work to advise and represent Aboriginal and Torres Strait Islander communities in disputes relating to their housing, social security and in race discrimination matters. We engaged in significant law reform and provided education to the legal community on the utilisation of the *Human Rights Act 2004* and on Human Rights Lawyering. Our work has taught us that the struggle for equality and self-determination remains real and ongoing in all aspects of life for First Nations people.

We intend to continue to stand with First Nations people in identifying injustice and taking this fight on at various levels, including through direct representation and through law reform. We thank the Aboriginal and Torres Strait Islander communities and peoples in the ACT and surrounding regions for trusting our service to assist you in our areas of expertise and in informing our law reform work.

Our Staff

Parastou Hatami continued in her role as full time Supervising Solicitor and Program Manager for Dhurrawang. In October 2018 Parastou was honoured to be nominated by her colleagues and become a co-recipient of the ACT Woman Lawyer of the Year Award (Community and Academic) with Dr Lorana Bartels in recognition of the important work of Dhurrawang, CCL and social justice lawyers.

During the year, we farewelled both Bryanna Smith and Lokesh Kashayp. We thank both of them for their contributions to the program's work.

In March 2019 we welcomed Emma Towney to Dhurrawang as a full-time solicitor. Emma is a proud Wiradjuri woman who grew up and completed her undergraduate studies in Law and Forensic Science in Newcastle, NSW and her Master of Laws at ANU. Emma worked in the Federal Government before joining Dhurrawang.

During this financial year Dhurrawang supervised the following ANU CLED students – Maxine Viertmann, Douglas Horn and Sonny Scott. Through their placement with Dhurrawang our students have learned about the struggle that our clients face daily and have learned how to impact change through legal services.

We were pleased to support Sonny to publish his paper *An Argument for the Establishment of an Overcrowding Policy for Aboriginal and Torres Strait Islander Peoples in ACT Public Housing* in the July 2019 edition of Parity Magazine (National Magazine on Homelessness). We were also pleased to support Maxine in publishing her paper *Making Human Rights Claims – The case for establishing a direct complaints mechanism* in the Spring 2019 edition of Ethos (ACT Law Society magazine). These papers were not only published but used as launching pads for seeking law reform (outlined below).



Law Reform

This year Dhurrawang led the Incarcerated Tenants Project, the Overcrowding project and sought amendments to the Human Rights Act 2004. We also appeared before the *Community Affairs Legislation Committee enquiry* on the Social Security Legislation Amendment (Community Development Program) bill in September 2018.

We conducted research and analysis on the issues pertaining to Aboriginal clients living in overcrowded conditions and incarcerated tenants losing their housing as a result of termination action commenced by Housing ACT. We developed a strategy for seeking reform to the *Human Rights Act 2004* to enable direct complaints handling mechanisms to the ACT Human Rights Commission and the ACAT.

We wrote a submission to Housing ACT on developing an Aboriginal and Torres Strait Islander policy with a focus on dealing with overcrowding. We published two papers in Parity magazine on this issue one authored by Sonny Scott our CLED student (as mentioned above) and one by Parastou titled *Overcrowding – A Human Rights Issue*. We used these papers as a launchpad to start this conversation with Housing ACT and met with them to discuss our proposal. We continue to pursue this issue as it significantly impacts on our clients.

We wrote a comprehensive paper in relation to Housing ACT's approach to incarcerated tenants in commencing termination proceedings when they become incarcerated and the impact that homelessness has on our clients' ability to access parole or to rehabilitate. The paper *Housing is a Human Right – Exiting Prison into Homelessness* was authored by Parastou with research conducted by several interns with particular thanks to Karen Blake for her research. This paper was published in Ethos (ACT Law Society Magazine) in July 2019 and distributed to ACT Government through JACS in May 2019. We attended a JACS roundtable on justice housing with various stakeholders and provided a copy of our paper to the relevant Minister's office and to Housing ACT. We also conducted strategic litigation on this issue.

We worked on developing a strategy to seek amendments to the ACT *Human Rights Act 2004* to expand the direct complaints handling mechanisms. We worked with ACT Human Rights Commission on this issue and with our CLED student Maxine Viertmann who wrote a paper on how the powers ought to be expanded. We forwarded her paper and sought a meeting with the relevant Ministers.

Parastou also appeared before the *Community Affairs Legislation Committee enquiry* on the *Social Security Legislation Amendment (Community Development Program) Bill* in September 2018 on behalf of the National Social Security Rights Network. This bill has a disproportionate and negative impact on remote Aboriginal communities.

Education

Throughout this year Dhurrawang has been actively promoting the utilisation of the *Human Rights Act 2004* to the ACT legal community with the goal of having this important instrument widely used to protect the rights of individuals against public authority violation of human rights.

Parastou presented a CPD seminar at the ACT Law Society in May 2019 with Helen Watchirs, Heidi Yates and Naomi Gould *Here, There and Everywhere : Human Rights developments locally and nationally* on using the *Human Rights Act 2004* in Residential Tenancy matters. Parastou and Naomi also appeared with Helen Watchirs at the Bar Mini Conference in March 2019 on how CCL and Dhurrawang have successfully utilised the *Human Rights Act 2004* in our work and how barristers could also utilise this important instrument in their litigation.

Parastou appeared as a panel member at the Access to Justice Conference on barriers to the provision of legal services to people from culturally and linguistically diverse communities in March 2019.

We also provided training on Human Rights law and the work of Dhurrawang to our CLED students through the CCL ANU student clinic tutorial series.

Emma has hit the ground running and participated in the important ANU panel discussion *Next Steps: Towards Reconciliation* on key recommendations from the Uluru Statement from the Heart. Her contribution to the panel as the only Aboriginal lawyer was significant as she needed to apply her lived experience to her training as a lawyer:

When I first heard the Statement it evoked emotion because to me and I am sure to many if not all First Nations people there is something in it that we can all connect with.

For me, it was the link to Country – the unexplainable spiritual connection I have to my country – Wiradjuri country. A country I wasn't born or raised on but that I spent a lot of time on growing up and one I am fortunate enough to be able to get in the car and drive to today. The birthplace and resting place of my ancestors.

It was also the recognition of the injustices that affect our people, - yes we are the most incarcerated people on this planet despite making up only 2.4% of this country's population. These people are our brothers, our sister, our cousins – our family.

Because to achieve the outcomes in the statement we need to stand together, find some common ground, be prepared to have difficult conversations and not be afraid of the answers and we have to be prepared to embrace change and that is something that needs to be laid out at the beginning because it's not going to be easy but for us to move forward as a nation we need this because it's important and it's about time that First Nations people have a say in the legislation, policy and programs that affect us.

Casework

During this year we assisted Aboriginal and Torres Strait Islander clients in providing 67 advices and 116 legal tasks and we carried 51 representational cases. We closed 32 cases during this period achieving successful outcomes in 22 of the closed cases and neutral outcomes in the remaining 10 where we unfortunately lost contact with our clients.

A number of our clients were incarcerated throughout the course of their matter. Most of our clients came to us after being referred by a friend or relative, highlighting the importance of referrals through word of mouth.

Most of our clients sought assistance in relation to a dispute with Housing ACT or in connection with seeking access to housing while homeless. Our Race Discrimination practice continued to develop with referrals coming from the community and the ACT Human Rights Commission. We also continued to assist clients in connection to their dealings with Centrelink. It is notable that many of the clients we assisted with Centrelink issues required assistance either with accessing payments sometimes for the first time or in relation to significant Centrelink debts.

We conducted strategic litigation in two important human rights cases. Both matters remained unresolved at the time of writing. Our thanks to Mr Ken Archer of Counsel for his support of our work particularly in his acceptance of pro bono briefs in complex matters.

Committees

Emma and Parastou sit on the ACT Law Society Access to Justice and Human Rights Committee and facilitated the development of an Aboriginal and Torres Strait Islander subcommittee. We provided advice to the ACT Law Society President on a number of important issues including the Indigenous Legal Assistance Program and the Warrumbul Court.



Parastou Hatami, Dhurrawang Supervising Solicitor/Program Manager with Emma Towney, Dhurrawang Solicitor

Case Study – Tamara’s Story

Tamara (not her real name) is an Aboriginal woman and full time foster carer for six Aboriginal children with complex needs. She was residing in a three bedroom and one-bathroom Housing ACT property. She had applied for a transfer to a larger home to accommodate her large family and the complex needs of the children. Housing ACT had determined that her circumstances warranted placement on the High Needs register. The waiting time for a five-six-bedroom property off the High Needs register is years.

We participated in various case conferences with our client and the various government agencies that were involved with the family. We prepared our client’s case and submitted it to Housing ACT with the request that a reconsideration of the decision to place the application on the High Needs instead of the Priority Housing list. We liaised with Housing ACT and requested that the matter be progressed through senior management and an allocation made through a Management Initiated Transfer rather than go through the usual assessment process.

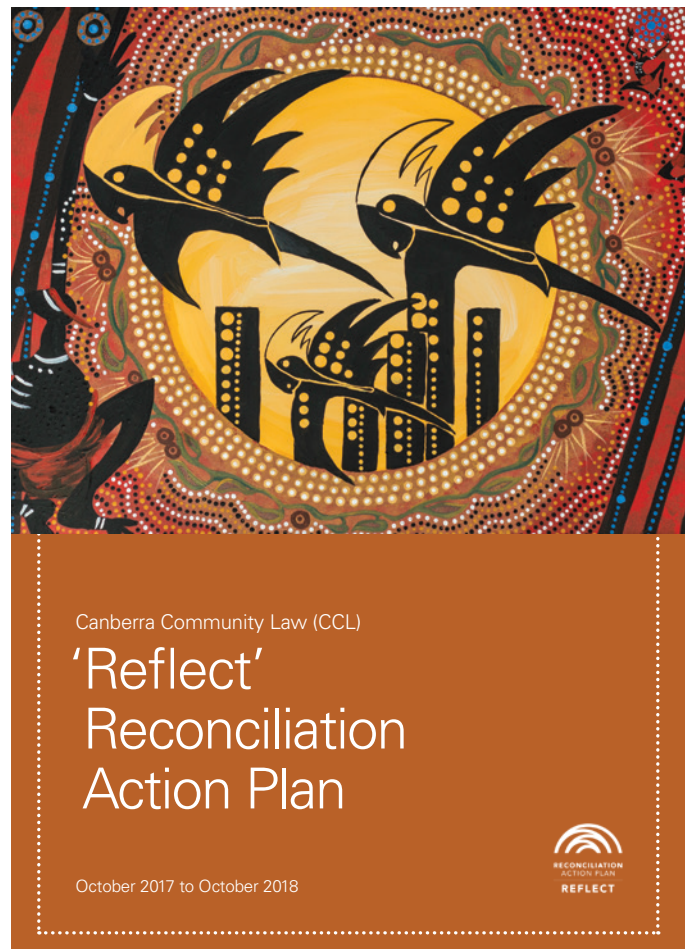
Housing ACT agreed with our submissions and placed the application on the Priority Housing list through a Management Initiated process. We continued to liaise with Housing ACT to have an allocation of a property made to the family in a timely manner. The waiting list for large properties is substantial and applicants can wait years for such an allocation. Our client was transferred to a large five-bedroom property within three months of Dhurrawang being instructed to act in the matter.

Reconciliation Action Plan (RAP) Report

This year the RAP Working Group worked hard on finalising Action items from the Reflect RAP and develop an Innovate RAP which outlines the actions that work towards achieving CCL's vision for reconciliation. The Innovate RAP focuses on building lasting relationships while empowering Aboriginal and Torres Strait Islanders People to participate in decisions affecting them by being trusted advisors and advocates for Aboriginal and Torres Strait Islander People within our areas of expertise. The Innovate RAP was close to finalisation at the end of this reporting period and is very progressive in its content, in that we have finalised or are on track to finalising all Action items within the next 18- 24 months.

This year we saw the continued practice of including an Acknowledgement of Country at the commencement of all internal meetings. We also provided regular updates at Legal Practice Meetings of significant dates for Aboriginal and Torres Strait Islander People and attended and encouraged all staff to attend the National Sorry Day Bridge Walk in Canberra which was held in the lead up to National Reconciliation Week. At the Bridge Walk we displayed a banner which was prepared for the occasion and will be used for future events.

This year also saw some movement in working group membership. We gained a new committee member, Emma Towney, a Wiradjuri woman and solicitor in CCL's Dhurrawang Aboriginal Human Rights Program and the return of Heather McAulay from parental leave.



Disability Discrimination Law

Overview

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

DDL provided 131 advices and performed 100 legal tasks in relation to disability discrimination and related issues, which represented a 25% increase on the previous year. The three major areas for advice and task work were service provision; employment and education.

DDL provided casework for 22 clients in 26 matters, that is several clients had more than one case open during this period. Casework increased by 44% on the previous year.

The casework included 18 disability discrimination complaints and 2 health service complaints. Several of these complaints settled with the payment of monetary compensation; changes to policies and procedures; the provision of reasonable adjustments, including housing modifications for the client; and the provision of disability discrimination training for staff of relevant businesses and agencies.

Some casework involved direct negotiation with service providers and educational institutions, which resulted in the provision of reasonable adjustments; changes in policies and procedures; and the removal of bans on people with disabilities accessing services.

A significant amount of DDL's work with people with disabilities is not directly funded, but due to our policy of holistic, wrap-around services.

DDL participated in our Community Law Clinical Program run in partnership with the ANU and provided supervision and training to ANU law students. DDL also delivered tutorials on Discrimination Law as part of the program.

DDL participated in consultations about a proposed ACT Disability Justice Strategy (the Strategy) and coordinated the CCL submission regarding the Strategy in September 2018.

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

DDL also assisted with drafting CCL's third DAP to cover the period from 1 July 2019 to 30 June 2022.

Case Study – Rob's Story

Rob (not his real name) had a temporary shoulder injury, anxiety and depression. Rob applied for a job as a technician, which involved some overhead and lifting work.

He was successful in his interview for the job and was asked to attend a medical examination. He disclosed all his disabilities in a questionnaire for the medical examination. Following the medical examination, he was asked to provide some further information from his GP, which indicated that his anxiety and depression were well managed with medication. He also provided some information from his physiotherapist, which indicated that the shoulder injury was responding to treatment. The medical examiner concluded he had good capacity to do the job although the mobility in his shoulder was reduced at the time and he would require some reasonable adjustments.

Rob contacted the manager who had interviewed him and was surprised when the manager said they could not employ him because of his shoulder injury. Rob queried this decision as his shoulder injury had actually resolved by the time of the decision; he had previously performed similar work with appropriate adjustments; and his treating health professionals and the medical examiner had all concluded he could do the job with appropriate adjustments.

DDL lodged a disability discrimination claim on Rob's behalf and represented him at conciliation of the complaint. It was settled with an apology and a compensation payment to Rob.



**Disability Discrimination
Law Senior Solicitor:
Rosemary Budavari**

Disability Action Plan Report

CCL's second Disability Action Plan (DAP) had 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 in 2018-19 included:

1. Providing information in CCL induction materials for staff and volunteers about how to seek information about disabilities and required adjustments respectfully from people with disability; how to communicate effectively with people with disability; and how to provide reasonable adjustments and carer-friendly arrangements for staff and volunteers.
2. Reviewing CCL's website and improving its compliance with the international WCAG 2.0 accessibility standard.

3. Providing training to staff and volunteers on Post Traumatic Stress Disorder and Supported Decision-Making.
4. Providing information to students with disabilities at universities in Canberra and the Canberra Institute of Technology about work experience opportunities at CCL.
5. Holding a consultation forum with organisations representing or supporting people with disabilities on 15 Feb 2019.
6. Inviting a person with lived experience of disability to join the CCL Board.

CCL was a finalist in the Chief Minister's Inclusion Awards, which were presented on 6 December 2018.

CCL was successful in obtaining a Disability Inclusion Grant for the installation of a hearing loop at the ACT Community Legal Centre Hub. The hearing loop was launched by the then ACT Minister for Disability on 15 Feb 2019.

Overall the second CCL DAP 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 during the period of the third DAP to July 2022.



Social Security and Tenancy Service

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

General Overview

The SS&T service assisted 626 clients, provided 868 advices, 61 duty lawyer services and performed 388 legal tasks in relation to public housing, tenancy and social security legal issues. The SS&T service worked on 113 cases during the reporting period.

Common issues on the SS&T advice line included:

- Assisting to get onto the Housing ACT priority housing list;
- Rejection of public housing applications due to residency issues;
- Public Housing Rental rebate issues;
- Public Housing Repair issues;
- Public Housing Eviction matters;
- Rejection of Disability Support Pension (DSP) claims; and
- Centrelink debts (including Robodebts).

There continues to be a severe shortage of public housing in the ACT and many people even after being placed on the Priority Housing list are facing lengthy housing wait times. This is often due to the lack of culturally appropriate housing, disability modified properties, lack of available five- or six-bedroom houses and lack of suitable housing to accommodate pets.

The Ashurst Advice Line Project Pilot increased the SS&T advice service's capacity to provide advice and, in some cases, to provide task assistance to clients. Thanks, Ashurst lawyers!

The SS&T service also saw an increase in community housing tenants contacting for assistance with their tenancy disputes.

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 and respond to eviction matters. Most of the Centrelink casework taken on during this period, involved challenging DSP rejections and debts (including robo-debts).

Thanks also to Philip Finley has also continued to volunteer with us during the year undertaking merit assessments and reviewing Centrelink cases.

Case Study 1 – Judy's Story

Judy (not her real name) had been in receipt of Carer Allowance and Carer Payment in relation to providing care to her granddaughter. Judy had told Centrelink on her granddaughter leaving her care however Centrelink had only cancelled her Family Tax Benefit payment and not her Carer Allowance and Carer Payment. This later resulted in Centrelink raising a debt against Judy for just under \$30 000.

We assisted Judy to appeal the decision to the Administrative Appeals Tribunal (AAT1), took a detailed statement from her, liaised with agencies that were assisting her to obtain evidence of her circumstances, provided detailed legal submissions setting out the arguments for debt waiver and represented her at the hearing.

Judy was extremely distressed by the debt. She was a single parent to her three grandchildren for many years. All children were subject to care and protection orders and had complex trauma backgrounds. Her mental health had been greatly affected by the removal of her granddaughter. The remaining grandchildren had also been greatly affected. One of the grandchildren had begun to self-harm and was receiving intensive psychological support.

AAT1 accepted our submissions that the debt should be waived in its entirety based on special circumstances. The special circumstances included the significant role Centrelink had played in the creation of the debt, the care Judy had provided to her grandchildren over a long period of time, the high personal and financial costs associated with providing that care including the threat of and actual violence and the stress that the Centrelink debts had caused to her including the associated negative impact on her mental health.

Case Study 2 – Radhika’s Story

Radhika (not her real name) had travelled to her home country to assist her family following the suicide of a family member. Her return to Australia was delayed due to a family member’s significant mental health issues, her caring duties and her own health problems.

Her Housing ACT rental rebate expired whilst she was overseas resulting in her being charged market rent and accruing rental arrears of over \$3000. She could ill afford to repay the arrears being solely reliant on a Centrelink payment. Her English was poor, and she had a background of trauma having come to Australia as a refugee many years before.

We assisted Radhika to apply for a review of the decision. In the course of preparing her appeal, we obtained and reviewed her Housing ACT file, and got documentation from overseas about her circumstances. Housing ACT refused to accept the first review application on the ground that it was out of time. We lodged a second application for review arguing why the late application ought to be accepted due to Radhika’s background of trauma, her tragic family circumstances, her limited English and limited understanding of Housing ACT processes. We also provided submissions as to why the discretion should be exercised to apply the rebate rent despite Radhika being absent from her home for an extended period.

Housing ACT accepted our submissions and backdated Radhika’s rebate extinguishing the debt of over \$3000.

Community Legal Education

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

- Presentation to Centrelink Managers and staff;
- Presentation for Law Week on Human Rights;
- Presentation to the ACT Bar Mini conference on Human Rights;
- Social Security training at Brian Hennessy Rehabilitation Centre;
- Tenancy training at Brian Hennessy Rehabilitation Centre;
- Tenancy training to Ashurst staff participating in the advice line pilot;
- Development of new factsheet on payment orders under the *Residential Tenancies Act 1997*;
- Update of CCL’s public housing factsheets (20 in total);
- Updated and reprinted CCL’s service brochures;
- Updated Overview of Public Housing chapter and uploaded onto website;
- Reviewed CCL website – several updates made with new content added;
- Presentation to Calvary Hospital social worker department on social security law
- Presentation to the International Journal of Clinical Legal Education, ‘*Clinical Legal Education: Through the Looking Glass*’; and
- Development of two new guides – Guide 1: Housing ACT Tenants Requesting Repairs and Guide 2: Housing ACT Tenants Applying to ACAT.

Policy Work

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

- Ongoing work in response to the *Residential Tenancies Act 1997*;
- Meeting with Minister for Social Services Advisor on the National Social Security Rights Network’s Domestic Violence research report; and
- Meeting with Minister Wilkie, Senior Advisor on Centrelink robo-debt program.

The SS&T service also participated in the Community Law Clinical Program ran with ANU and provided supervision and training to ANU Law Students. The SS&T service also delivered tutorials as part of the program.

ACAT Duty Lawyer Service

Overview

Now in its fourth year of operation, the ACAT Duty Lawyer Service continues to operate every Thursday, providing legal advice and representation to people facing eviction from their Housing ACT or community housing properties. The service is also assisting an increasing number of vulnerable tenants facing eviction from low-cost private accommodation.

The duty lawyer operates out of a designated office at ACAT, assisting tenants to defend themselves against eviction by providing specialist legal advice about ACAT procedures, applicable ACT law and practice advice about what is needed to put the tenant in the best possible position to save their tenancy.

The duty lawyer appears before the tribunal with the tenant to request adjournments, and when required, acts as the tenant's legal representative in ongoing proceedings.

The ACAT Duty Lawyer service undertakes intensive casework with clients connecting them with support services including CCL's Socio-Legal Clinic (SLP Clinic), negotiates with and makes written submissions to ACT housing providers on clients' behalf, devises case strategies and drafts legal submissions, and represents tenants throughout the legal process until the matter is finalised.

In the 2018/19 financial year, the ACAT Duty Lawyer Service gave legal advice to and provided ongoing casework and tribunal representation to 61 clients. For many of these clients, most of whom had not received legal advice prior to attending at ACAT, the ACAT Duty Lawyer Service made the difference between staying in their homes and being evicted into homelessness.

After receiving assistance from the ACAT Duty Lawyer Service, many clients are better informed about their rights and obligations as tenants and are better connected with supports in the community, which contributes to our overall aim of ensuring that vulnerable tenants are better supported to remain in sustainable tenancies when they leave our service.

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

Tenants assisted by the ACAT Duty Lawyer Service are some of the most vulnerable people in our community.

The following statistics provide a snapshot of the ACAT Duty Lawyer Service's client base:

- 89% of service users suffered financial disadvantage
- 18% identified as being Aboriginal or Torres Strait Islander
- 26% identified as having experienced family violence
- 43% had dependent children
- 50% identified as having either an intellectual, physical or psychiatric disability
- 9% came from a culturally or linguistically diverse background.

Many of our service users experienced multiple forms of disadvantage, which compounds their difficulties meeting their financial and tenancy obligations and places them at greater risk of eviction.

Case Study – Martina

Martina (not her real name) is a young woman with several children. She was born into a severely disadvantaged family and at a young age became responsible for the care of her younger siblings.

In her teenage years, Martina was exposed to drugs and alcohol by people in her extended social group, eventually becoming addicted. She later was drawn into an exploitative relationship with a much older man, dropped out of school and gave birth to her first child whilst still a teenager. The relationship was dominated by severe physical violence and financial abuse resulting in Martina fleeing to a woman's refuge several years later where she went into rehabilitation and applied for public housing.

Without family support, she struggled to care for her young children whilst meeting her Centrelink mutual obligation requirements. She had difficulty managing her meagre finances and meeting her obligations as a tenant. She suffered an acute mental health break down and also found herself before ACAT, facing eviction. Her children were taken into foster care, which drove her into an even more severe decline. The ACAT Duty Lawyer Service offered Martina legal advice and represented her at ACAT on several occasions, whilst she worked on putting mental health and social work supports in place. She was assisted to challenge a significant rental debt, which was ultimately waived by the housing provider. The duty lawyer assisted Martina to negotiate a new tenancy agreement with her housing provider and referred her to a legal service so that she could apply to have her children returned to her care.

Socio-Legal Practice Clinic

Program Overview

CCL's Socio-Legal Practice Clinic (SLP Clinic) provides integrated legal and social work services to people who have multiple and complex barriers to resolving their legal matter. It primarily addresses homelessness especially for women and children affected by family violence and people with a

disability. It helps with other legal problems including social security and disability discrimination.

Following a preliminary assessment of whether the SLP Clinic may help a client, a lawyer and a social worker jointly address interrelated legal and social issues.

Our Work in 2018/2019

During the period 1 July 2018 to 30 July 2019, the SLP Clinic:

- Helped 42 clients;
- Provided 41 discrete social worker support services; and
- Worked on 66 cases and closed 30 cases.

As at 30 June 2019, the SLP Clinic had 24 cases opened.

In addition, the SLP Clinic provided 60 well targeted referrals to community supports for clients to obtain:

- Specialist help and support for family and domestic violence issues;
- Medical and mental health assistance;
- Assistance with obtaining employment;
- Counselling and support for difficult personal and family issues;
- Practical help and support, for example, food parcels, home help services; and
- Help with financial and budgeting issues.

These referrals have assisted vulnerable individuals and families to get help with their situation, engage with community supports and obtain the assistance they need to improve their lives.

Our Impact

Apart from 2 clients who disengaged from the SLP Clinic, the remainder of clients with housing matters whose cases were closed during the 2018/19 financial year were helped to access safe and affordable housing or to avoid trauma of eviction from their homes. This range of assistance included advocating for clients to get onto the Priority Housing list and obtain a suitable property, negotiations with Housing ACT to broker rental repayment plans to avoid eviction, challenging eviction notices, and defending Tribunal proceedings brought by Housing ACT seeking a person's eviction.

By way of example, this case study captures the important work of the SLP Clinic.

Case Study – Vicki's Story

Vicki (not her real name) is the single mother of three children residing with their father.

She had relocated interstate to care for her aging parents. Her mother later died whilst Vicki was interstate assisting her father with her care. Following her mother's death, Vicki set about putting in supports for her father. Once he was stabilized, she returned to the ACT with her daughter. Unfortunately, the accommodation she had lined up fell through on arrival back to Canberra and she moved into the house of the father of her children. However, Vicki and her daughter were forced to leave a week later due to domestic violence perpetuated by the father of her children in the home. Vicki, a survivor of a previous domestic violence relationship, now found herself homeless in the ACT and with the only option of residing in the family car.

Vicki contacted CCL and was referred to the SLP Clinic. The SLP Clinic lawyer and social worker collaborated to address her social and legal needs. Vicki presented as physically and emotionally fatigued with some hopelessness and inability to connect with services as a result. Her daughter was suffering from acute stress and loss of resilience in the face of homelessness and disrupted schooling, missing school days for mental health reasons. On contacting CCL, Vicki had spent two and a half weeks living in her car attempting to support her daughter back into schooling and managing their mental health. As it was winter the temperatures fell over night and Vicki was required to start the car up and drive around Canberra to warm up the car at regular intervals.

The SLP Clinic social worker connected Vicki with welfare services to provide food stuffs and warm bedding whilst living in her car and provided Vicki with information about the location of services where she and her daughter could do their washing, have hot showers and meals. The SLP Clinic social worker met with Vicki several times during her homelessness to support her emotionally and provide direct referrals to youth services for her daughter to access counselling support. The SLP social worker also contacted a number of community-based services advocating for Vicki and her daughter which led to outreach support being provided through a community organisation. Through the connections the SLP Clinic social worker had made with ACT housing providers and her direct advocacy for Vicki, Vicki came to the attention of a housing provider who contacted the SLP Clinic social worker to offer Vicki and her daughter a temporary house. The SLP Clinic then assisted Vicki to successfully apply for a safer family grant to support her transition into her new house.

Whilst the SLP Clinic was providing significant social worker assistance to Vicki, the SLP Clinic lawyer was gathering documentation to support placement on the Priority Housing list, advocating for Housing ACT and preparing legal submissions. Through direct advocacy with Housing ACT, the SLP Clinic lawyer was able to get Vicki onto the Priority Housing list.

Vicki and her daughter are now safely accommodated until they are offered permanent housing with Housing ACT.

Vicki has reported that she has been able to furnish the house and make it a home. Her daughter has returned to school. Vicki has been able to reconnect with her other children who she now has regular contact with.

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 food pantries. Street Law also provides community legal education and undertakes law and policy reform activities.

Year in Review

In 2018-19 Street Law launched two major new initiatives - a new health-justice partnership with The Junction Youth Service and an outreach legal education and advice program for women in prison – Women In Prison Legal Empowerment Sessions (WIPLES).

The health justice partnership works on a combined service delivery model, co-locating health and legal services. This model recognises the interrelated nature of legal issues and personal well-being and aims to capture potential clients at a time when they are reaching out to other services. Street Law works closely with the Junction medical and youth worker staff to identify when clients may have legal issues and can then connect them to Street Law for support.

The WIPLES program aims to empower women in prison with legal knowledge as well as to assist them to address any legal issues that may present barriers to community re-integration upon release.

In 2018-19 Street Law continued to deliver community legal education sessions and to assist clients experiencing or at risk of homelessness in a wide range of legal areas.

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 2018-19 Street Law provided regular outreach services at the following locations:

- AIDS Action Council (ceased August 2018)
- Early Morning Centre
- Helping Hand Food Pantry
- Munjuwah Aboriginal Corporation (ceased August 2018)
- St John's Care
- West Belconnen Child and Family Centre (ceased August 2018)
- Woden Youth Centre

- Your Place (ceased August 2018)
- Junction Youth Service (Commenced August 2018)
- AMC (Commenced April 2019)

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 few staffing changes in the 2018-19 year:

- John Alati continued as Supervising Solicitor
- Naomi Gould worked as Senior Solicitor from February to September 2018.
- Erin Rikus joined the Street Law team as a solicitor in September 2018. Erin came with a wealth of experience, having worked in the migration clinic, helpline, family and civil law teams at Legal Aid ACT.
- Farzana Choudhury continued as a Street Law Solicitor and was seconded to the role of Program Manager/Solicitor to fill the Program Manager position while Heather McAulay was on parental leave.
- Michelle Barclay continued on as a Street Law Solicitor.

Pro Bono Support – Secondees and Volunteers

Street Law continues to receive amazing support from the ACT legal community. In 2018-19 Street Law received over 855 hours of pro bono support in the form of secondments. This financial year our secondees were:

- Hillary Neville and Sarah Lefevre from MinterEllison;
- Alexander Williams and Nicholas Wilson from Australian Government Solicitor; and
- Stuart Veitch and Ali McMaster from Clayton Utz.

Street Law has also received pro bono assistance from Hall and Wilcox.

MinterEllison

CLAYTON UTZ



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 2018-19 volunteers were:

- Johana Larkin
- Lucy Peel
- Shelby O'Connor
- Adina Darbyshire

Client work

In 2018-19 Street Law assisted 181 clients. We provided 143 one-off legal advices and 93 legal tasks assistance services, opened 24 cases and finalised 28 cases. We continue to assist clients in relation to a wide range of legal issues, including housing, social security, consumer law, credit and debt matters, employment, minor criminal matters, obtaining identification documents, and other general civil law matters.

Community Legal Education

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

- Spotting legal issues;
- Fines;
- Laws impacting on people experiencing homelessness; and
- Community legal education.

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.

Law Reform

Street Law engaged in several law reform activities in the 2018-19 financial year including:

- providing a submission in relation to the ACT drug Strategy Action Plan;
- appearing before the Drugs of Dependence reform inquiry;
- conducting media interviews in relation to drug law reforms; and
- writing a complaint about ACT public schools not accepting students without a fixed address.

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 2018-19, Street Law attended the following meetings and events:

- ABC Radio interviews;
- ACT Council of Social Services – Justice Reform Group meetings;
- ACT Legal Assistance Forum, including the:
 - Community Legal Education Working Group; and
 - Service Planning Working Group;
- ACT Law Society Diversity and Inclusion meetings;
- ACT Shelter strategic planning meeting;
- Access to Justice Conference;
- ATODA Drug Services Forum;
- JACS Drug Driving Working Group meetings;
- Joint Pathways forums;
- Who's new on the Streets? Meetings;
- Homeless Connect Organising Committee meetings;
- International Tenant's Day Organising Committee meetings;
- International Tenant's Day events including:
 - Art exhibition;
 - Film screening;
 - Union Picnic Day stall
- National Association of Community Legal Centre's Annual Conference;
- National Social Security Rights Network meetings;
- National Association of Community Legal Centre Human Rights Network meetings; and
- Youth Coalition Housing and Homelessness forums.

Amina's Story Background

Amina (not her real name) is a mother of several children who had been living in a refuge for some years. The refuge did not have enough bedrooms and the family had been living in overcrowded conditions for a long time.

Amina relies on a Centrelink benefit to support herself and her children. Amina came to Street Law seeking help communicating with her refuge caseworker, who she said would not help her provide evidence for her Housing ACT application to be considered for the Priority Housing waitlist, which was causing her waiting time for housing to be much longer.

Amina was also concerned that she was being charged too much rent and had somehow incurred an arrears debt with her housing provider due to their calculations. She told us she had tried to raise this issue with her provider but that they were not listening to her.

While Street Law were investigating this matter, an error made by her housing provider caused half of Amina's Centrelink income to be deducted without warning to her from her fortnightly pay. Amina called Street Law very distressed from a Centrelink carpark, worried about expenses for her children for the fortnight ahead.

Assistance from Street Law

Street Law gave Amina advice and assistance to understand what had happened with her rent. We contacted Amina's housing provider on her behalf when more than half her benefit was deducted for one rental pay.

The provider issued an apology and explanation to Amina, and arranged an EFT reimbursement of the overcharged amount that same day.

Street Law obtained a copy of Amina's ledger, income records and rent calculations and reviewed them carefully. Our review of the materials turned up some discrepancies between the rent being charged to Amina and how rent should have been calculated for this refuge. Street Law wrote to Amina's housing provider

querying the calculation of Amina's rent and setting out our calculations, which initiated a review of Amina's rent charges by the provider.

The provider discovered that Amina had been overcharged more than \$1,700 due to both computer and human error. Amina's arrears were wiped and she received the remaining overpayment as a direct cash reimbursement. The provider agreed to review their system to make sure this was not happening to any other tenants.

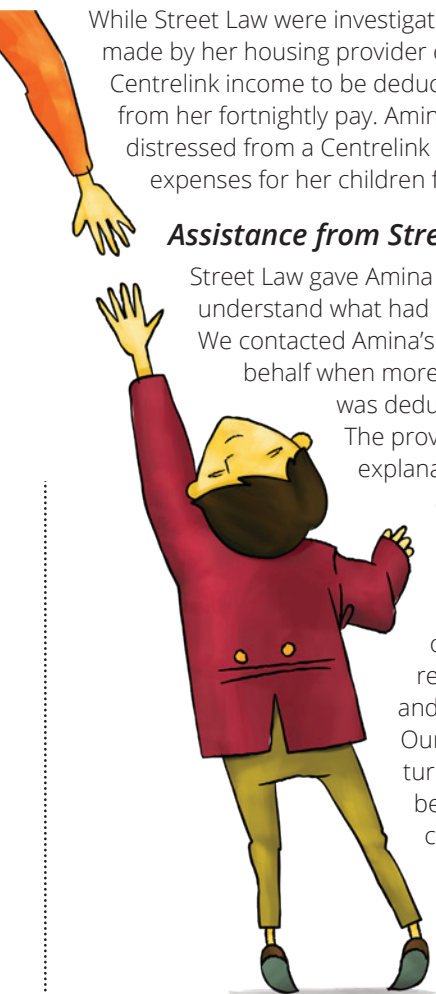
Case Study 2: Frank's Story Background

Frank (not his real name) was experiencing homelessness after being kicked out of his family home. He slept in various places including his car, a tent, a caravan park and a hotel. At the time he became homeless Frank was on a Good Behaviour Order with community service obligations from previous drug driving charges. Without a fixed address, Frank had missed a letter from Corrective Services about needing to attend community service and about his supervision conditions. This resulted in Frank being charged with breaching his Good Behaviour Order.

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 Allan 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 resented 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

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 two 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 around 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.

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.

Our volunteers are the lifeblood of our service. Often, we have to deal with urgent matters and our ever-courageous volunteers don't blink. Many have been assisting us for a number of years, some have just joined us recently and are proving to be an invaluable asset to the service. We are fortunate to have pro-bono support from a number of private firms who provide solicitors to us on a regular basis. The willingness in the Canberra legal community to provide assistance to those who need it is truly heartening.

We are proud to offer this vital service to the Canberra community and 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.

We note with great sadness the recent passing of a long-standing NTLAS volunteer, Pam Fielding. Pam passed away in November 2019 after a battle with illness. She was a tireless, dedicated solicitor who always took a caring, compassionate approach to our clients. Her passing is a great loss to the Canberra community. She will be greatly missed by the NTLAS team. We extend our sincerest condolences to her family.

Case Study – Renee's Story

Renee (not her real name) became involved in a complex property dispute after her husband died. The property had been owned partly by her late husband and partly by another relative. On her husband's death, Renee became a joint tenant with the other relative. The relative was living in another part of the property and the relationship became extremely acrimonious, to the point of personal protection orders being taken out. She feared for her safety, and that of her children.

Renee wanted to sell the property and get out but was caught between the other relative's lack of co-operation and complexities around the estate. The relative was making threats and stating things about the property situation which had no legal basis.

She had no idea what the legal pathways were for her. She considered simply walking away with nothing. It was taking a terrible toll on her and her family. She felt trapped in a cycle of miscommunication, misunderstandings and distress. Her finances were depleted. She could not afford to engage a lawyer to sort out the tangled situation.

NTLAS analysed the situation by reviewing the available estate documents, property title documents and the relevant law. We explained the situation to Renee, advised her of some potential ways forward and assisted her with a referral to a private solicitor prepared to advise and assist at concessional rates. Renee felt an instant sense of relief, just to know there was a viable way forward, people could help, and she did not have to walk away.

Within a number of weeks, she had exercised her legal options and the matter was dealt with to her satisfaction.

Renee is a perfect example of the type of client who needs services such as NTLAS. She would not qualify for any means tested service, did not know what options were available to her and could not feasibly engage the services of a private solicitor on regular terms.

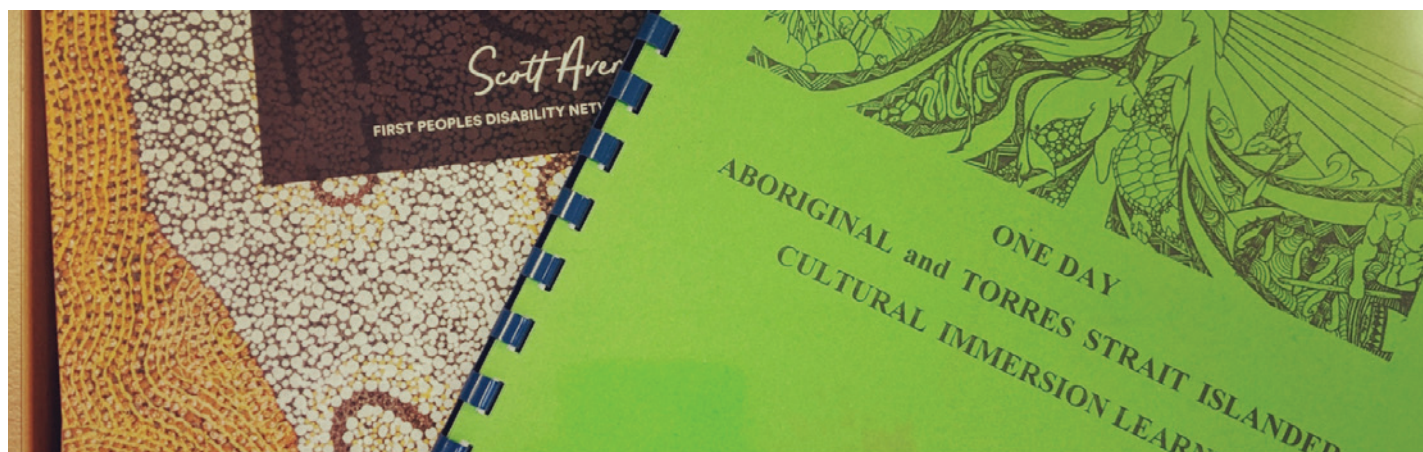
Professional Development

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

CCL supported all staff lawyers holding practicing 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:

- Advocacy Skills Workshop
- CLASS Training
- Intermediary Forum, Victims of Crime Commissioner
- Easy English
- SharePoint training
- Law Society CPD intensive 2 day
- Ethical Dilemmas Answered Definitively
- Building Bridges Training -working with asylum seekers and refugees
- National Access to Justice and Pro Bono conference
- Preventing, mitigating and managing vicarious trauma
- Supported decision making training
- Youth law training at Legal Aid ACT
- Working with Interpreters training at Legal Aid ACT
- Here, there and everywhere: Human Rights developments locally and nationally
- Domestic Violence awareness training
- Cultural Awareness training
- Blue Knot Managing Vicarious Trauma in the Legal and Justice sectors
- After the Apology, Human Rights Commission
- NSSRN Webinar – Briefing on Targeted Compliance Framework with Jobs Australia
- Criminal law and advocacy for Women
- Health Justice Australia Network day



Benny Hodges providing cultural awareness training to CCL staff

Our Supporters

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

We also thank Ken Archer of Counsel – Burly Griffin Chambers for his pro bono work.

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 2018-19, NTLAS was supported by the following volunteers:

Eric Raymond	Radmila Andric
Kate Smyth	Kirsty Corby
Henry Chang	Hilary Neville
Anita Smith	Sarah Lefevre
Nishadee Perera	Radhika Chaudhri
Nicholas Potter	Fiona Toohey
Damien Brown	Hannah Bowcock
Finnegan Lowe	Denise Wong
Lauren Armstrong	Antoine Bowman
Rachael Clark	Aislinn Grimely
Erin Rikus	Natalie Seeto
Anna Gruen	

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 Zian
Isabella Seafica	Storm Viall
Joey Wong	Tanya Nair
Karen Blake	Thanusa Thavavaran
Lauren Dreyar	Victoria Hoon

ANU Clinical Law Students

Our ANU Clinical Law students provided invaluable paralegal assistance to CCL's lawyers working one full day a week during the Semester.

Semester 2, 2018	Semester 1, 2019
Conor Tarpey	Danica Smith
Joy Alcover	Douglas Horn
Maxine Viertmann	Sunny Li
Phoebe Butcher	Joanne Chen
Rocky Lagudi	Kate Crompton
Sarah Pain	Sonny Scott
ANU Course Convenor: Heidi Yates	Neil Yang
	ANU Course Convenor: Professor Peta Spender



Appendix: Auditor's Report



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