

CANBERRA  
COMMUNITY  
LAW

# Annual Report 2021–22



# Contents

<b>Acknowledgment of Land</b>	<b>iii</b>	<b>Reconciliation Action Plan (RAP) Report</b>	<b>12</b>
<b>Artwork Acknowledgement</b>	<b>iii</b>	<b>Disability Law</b>	<b>14</b>
<b>Introduction</b>	<b>1</b>	Staff	
CCL's Services		Client Work	
Dhurrawang Aboriginal Human Rights Program		Case Study 1: Anthony's Story	
Disability Law		Stakeholder Engagement and Community Education	
Housing Law		The Disability Justice Liaison Officer	
Street Law		Case Study 2: Simone's Story	
Social Security Law		<b>Disability Action Plan Report</b>	<b>17</b>
Socio-Legal Practice Clinic		<b>Housing Law</b>	<b>18</b>
Night Time Legal Advice Service (NTLAS)		Overview	
Filling a Critical Need and Addressing Disadvantage		Trends	
National Accreditation Scheme		Case Study 1: Magda's Story	
Funding Sources		ACAT Duty Lawyer Service	
CCL's Vision, Mission, and Values		Case Study 2: Shelly's Story	
CCL's Client Work at a Glance for 2021–2022		Case Study 3: Luke's Story	
CCL's Work Snapshot		Community Legal Education	
The People We Helped		Policy Work	
Hours of Operation and Location		<b>Night Time Legal Advice Service</b>	<b>22</b>
CCL's Board of Directors 2021–2022		Some Examples of our Work	
CCL Staff		Some Client Feedback	
<b>Chairperson's Report</b>	<b>5</b>	Case Study 1: Dante's Story	
<b>Executive Director/Principal Solicitor's Report</b>	<b>7</b>	<b>Social Security Law</b>	<b>24</b>
<b>Sector Engagement</b>	<b>9</b>	Overview	
<b>Dhurrawang Aboriginal Human Rights Program</b>	<b>10</b>	Trends	
Our Clients & COVID- 19		Case study 1: Sophie's Story	
Our Staff		Case Study 2: Kellie's Story	
Students		Community Legal Education	
Dhurrawang Alexander Maconochie Centre (AMC)		Policy Work	
Prison Outreach		<b>Socio-Legal Practice Clinic</b>	<b>27</b>
Law Reform & Community Development		Overview	
Casework		Year in Review	
		Acknowledgement and Thanks	

<b>Street Law</b>	<b>28</b>
Program Overview	
Year in Review	
Outreaches	
Staff	
Pro Bono Support – Secondees and Volunteers	
Client work	
Community Legal Education	
Law Reform	
Community Engagement – Meetings and Events	
Some recent client feedback	
Case studies	
Case study 1: Janelle’s Story	
Case study 2: Sally’s Story	
Case study 3: Layla’s Story	
<b>Social Media</b>	<b>33</b>
<b>Professional Development</b>	<b>34</b>
<b>Our Volunteers, Students and Secondees</b>	<b>36</b>
Night Time Legal Advice Service (NTLAS Volunteers)	
Street Law Pro Bono Support – Secondees and Volunteers	
HWL Ebsworth	
Volunteer Paralegal Program	
Day Time Secondees	
Day Time Volunteers	
ANU Clinical Law Students	
<b>Appendix: Auditor’s Report</b>	<b>38</b>

# 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 peoples.

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

We hope that our efforts will contribute to a realisation of equity, justice, and partnership with the 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 an independent community legal service. We provide flexible and accessible legal services free of charge to people facing financial and other barriers.

Our organisation has been part of the Canberra community for almost 35 years. During this time, we have responded to the changing and increasing legal needs of people in the ACT with trauma-informed and culturally responsive legal services.

We work in collaboration with government, social and legal services both locally and across Australia to realise our vision of a just and empowered community.

We offer innovative programs, communication, education, and systemic advocacy. Our targeted support empowers both clients and the broader community to live a better quality of life.

Our lawyers specialise in legal areas that affect people facing socio-economic barriers to resolving their legal issues. These barriers include insecure accommodation, historical or current experiences of domestic violence or being socially isolated.

## CCL's Services

### Dhurrawang Aboriginal Human Rights Program

A human rights focused legal service for Aboriginal and Torres Strait Islander communities in the areas of Centrelink, public housing, and race discrimination law. We are the only free legal service in the ACT that specialises in race discrimination matters – a practice set up in direct response to a need identified by the Aboriginal and Torres Strait Islander community.

### Disability Law

Our Disability Law service includes:

- Disability Discrimination Law – the only specialist disability discrimination law service in the ACT. We provide 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.
- Mental Health Justice Clinic – provides socio-economic rights focused legal services to support people with lived experience of mental ill-health.

Whilst working across CCL, our Disability Justice Liaison Officer (DJLO) is based in this team. The role supports both CCL's client and systemic work in advancing access to justice for people with disability.

### Housing Law

We are the only specialist public housing legal service in the ACT. The service also provides legal assistance to community housing tenants and people on occupancy agreements including people who live in a caravan park, hostel, or boarding house.

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

Our Housing Law service also includes our Parachute Program. Parachute provides legal services to vulnerable women (with a particular focus on women experiencing or at risk of family violence) in the areas of social housing and social security law.

### Street Law

We are the only specialist homelessness legal service in the ACT. 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, specialises in such matters as debts, public space law, access to accommodation and obtaining proof of ID.

### Social Security Law

We are the only specialist Social Security Law in the ACT.

The service assists with a range of Centrelink issues including appealing Centrelink decisions, overpayments/underpayments, entitlements, debt recovery, claims refused and payment cancellations, reductions, and suspension.

### Socio-Legal Practice Clinic

CCL pioneered the model of a socio-legal practice clinic in the ACT. The Socio-Legal Practice (SLP) Clinic combines legal advice, assistance, and representation with intensive social work support to maximise the prospect of a successful outcome. Our SLP Clinic does not accept direct referrals. Our paralegals or lawyers will make a referral to the clinic.



## Night Time Legal Advice Service (NTLAS)

NTLAS provides information, referral and/or one-off legal advice in most areas of law (not covered by CCL's daytime service) including fines and other traffic infringements, minor criminal law offences, family law and basic advice and referral on parenting plans/orders, separation and assistance, employment law (employees not employers), debts (people being pursued for debts not people seeking to recover debts), complaints and consumer law issues.

## Filling a Critical Need and Addressing Disadvantage

We can all agree that everyone has a right to quality legal services no matter their income, the community they come from, or even what time of the day they find themselves in need of help.

But the reality is that many people in the ACT and surrounding region experience multiple barriers to accessing justice.

CCL provides a range of specialist legal services targeted to people on low incomes who face significant disadvantage.

CCL is here to support people in the ACT and surrounding region who are doing it tough and have difficulty resolving their legal problems.

We provide easy to access and easy to understand assistance in our specialist areas of legal practice.

As well as helping individuals through legal services we run community legal education projects and advocate for better laws and policies.

Our targeted support helps people prevent and manage their legal problems and empowers both our clients and the broader community to live a better quality of life.

## National Accreditation Scheme



CCL is accredited under the Community Legal Centre's Australia 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

CCL acknowledges and thanks all funders for their financial support and assistance during the reporting period.

During the reporting period, CCL received funding from:

- Commonwealth Government under the National Legal Assistance Partnership Agreement on Legal Assistance Services.
- ACT Government through the Community Services Directorate and the Justice and Community Safety Directorate.
- Statutory Interest Account administered by the ACT Law Society.
- ACT Government, Snow Foundation and Clayton Utz Foundation funding for our Socio-Legal Practice Clinic.
- Australian National University for our Community Legal Clinical Program colloquially known as CLED.
- ACT Government Social Scripts Grant.
- Community Support and Infrastructure Grant.
- Hands Across Canberra Grant for our Parachute program.
- Maddocks Foundation Grant for our ACAT Duty Lawyer Service.

## CCL's Vision, Mission, and Values

### First Nations

We value and respect the unique role that Aboriginal, and Torres Strait Islander People have as traditional owners of the lands we live and work on. We are committed to the promotion and participation of an environment that empowers Aboriginal and Torres Strait Islander People to lead and share in decisions affecting them and their community.

### Our Vision

A just and empowered community.

### Our Mission

To lead change towards a just and empowered community through legal services, education, and law reform activities.

### Our Values

- Flexible, client-focused services.
- High quality, professional and ethical practice.
- Social justice and human rights.
- Innovation and creativity.

- Solutions-focus.
- Robust, evidence-based advocacy.
- Inclusivity and equality.
- Empowerment and Self Determination.
- Collaboration and Engagement.
- Sustainability.

## CCL's Client Work at a Glance for 2021-2022

### CCL's Work Snapshot

- Total number of clients assisted – 1033
- Information/referrals – 876
- Legal Advices (one off) – 1923
- Duty Lawyer services – 142
- Legal Task Services – 880
- Cases (ongoing) -278
- Discrete Non-Legal Support – 184
- Ongoing Non-Legal Support - 5

### The People We Helped

- Gender – Male – 36% Female – 62% Other – 2%
- Aboriginal and Torres Strait Islander People – 17%
- People with Disability – 61%
- Culturally and Linguistically Diverse Background – 14%
- Disclosed experiencing domestic or family violence – 48%
- People experiencing homelessness – 53%
- People experiencing financial disadvantage – 88%

## Hours of Operation and Location

CCL is in the ACT Community Legal Centre Hub on level 1, 21 Barry Drive (corner of Watson Street) Turner.

CCL's work hours are from 9am to 5pm Monday to Friday.

Our Night Time Advice Service (NTLAS) operates on Tuesday evenings from 6pm to 8pm (excluding December and January).

## CCL's Board of Directors 2021-2022

Daniel Stewart, Chairperson

Helen Fisher, Deputy Chairperson  
(Resigned 20 December 2021)

Genevieve Bolton, Director/Secretary

Anya Aidman, Director

John Alati, Director (Staff Representative)

Dr Laura Hilly, Director

David Howard, Director

Amanda Ryan, Director

Dr Margot Harker, Director (Resigned 27 October 2021)

Rachelle Kelly-Church, Director (Appointed 23 February 2022)

Dominic Cookman, Director (Appointed 23 February 2022)

Steven Meyer, Director (Appointed 31 March 2022)

## CCL Staff

John Alati, Street and NTLAS Supervising Solicitor

Sarah Avery, Street Law Solicitor (Resigned 30 June 2022)

Michelle Barclay, Street Law Solicitor (Part Time)  
(Resigned 18 February 2022)

Genevieve Bolton, Executive Director/Principal Solicitor

Sarah Carrol, Intake Officer (Part Time)

Farzana Choudhury, Supervising Solicitor, Disability Law

Rachael Clark, Dhurrawang Program Manager/Solicitor

Clyde Cosentino, Senior Solicitor, Housing Law

Anusha Goonetilleke, Supervising Solicitor, Social Security Law  
(Part Time)

Naomi Gould, Senior Litigation Solicitor, Social Security and  
Housing Law (Part Time)

Edith Graham, Finance Manager (Part Time)

Georgia Graham, Office Manager

Rebecca Irvine, Social Worker (resigned 5 November 2011)

Rachelle Kelly, Dhurrawang Aboriginal Human Rights Paralegal

Kate Kenny, Social Security Paralegal (Part Time)

Catherine Laverty, Disability Justice Liaison Officer

Georgina Meikle, Mental Health Justice Clinic Solicitor

Julie O'Donnell, Office Manager (Part Time)  
(Resigned 22 December 2021)

Alexandra Palk, Supervising Solicitor, Dhurrawang Aboriginal  
Human Rights Program

Erin Rikus, Street Law Solicitor (Part Time)

Gemma Smith, Dhurrawang Aboriginal Human Rights  
Program, Paralegal

Jessica Spargo, Paralegal, Social Security Law (Part Time)

Kavitha Sivasamy, Housing Law Solicitor

Emma Towney, Dhurrawang Aboriginal Human Rights Program  
Manager/Solicitor, on parental leave from 31 January 2022

Sophie Trevitt, Project Officer (Part Time)

Julia Walker, Solicitor, Social Security and Housing Law

Samuel Wolfhagen, Social Security Law Solicitor  
(end of Contract 1 July 2022)



Karl Manning, Facilitator and Canberra Community Law Staff at June 2022 Planning Day.



# Chairperson's Report



As I write this report, I have just come from the launch of the Mental Health Justice Clinic. It was a fantastic event, a reminder of why I feel so privileged to be involved with Canberra Community Law. The Welcome to Country from Auntie Violet featured a welcome in language from her nephew as Auntie Violet shared stories of her concern for the mental health of the young people in her mob. The ACT Attorney General Shane Rattenbury launched the Clinic by emphasising the innovative approach of CCL in serving emerging needs in our community. There was a delicious cake to share, and the main event, the inaugural public performance of 'Just Hearing' by Rebus Theatre.

A collaboration with staff from CCL and Legal Aid ACT, 'Just Hearing' by Rebus Theatre presents a series of interactions between a client and solicitor interacting through concerns with their mental health. In the words of Robin Davis, the Artistic Director of Rebus Theatre, things do not go well.

But the audience gets a chance to rerun the scenarios, interjecting their alternative takes in an attempt to change the ending, while highlighting the challenges mental health presents in interacting with the legal system.

There is a large amount of work involved in putting on an event like this, and I want to thank the staff of CCL who helped with the launch in-between their many other demanding roles. Special thanks to Georgina Meikle who joined CCL earlier this year and has already set up the Mental Health Justice Clinic to be an important service for the Canberra community.

The launch of the Clinic followed nearly a year on from the launch of the social scripts program. CCL, in partnership with Autism Spectrum Australia, developed a series of social scripts and social script templates for justice organisations to assist autistic people and people with lived experience of mental ill health or low levels of English literacy to access legal services and legal processes. These launches have been a great opportunity to bring together many of the friends and supporters of CCL and thank them for their contributions to the Centre and the community sector in the ACT.

The Mental Health Justice Clinic is the second of the new initiatives funded over the last year. CCL also expanded the Parachute program, a new service within the Centre to provide legal services to women experiencing or at risk of family violence in the areas of Centrelink and public housing. They are just some of the ways CCL is continually reviewing and adapting its services to try to meet the underserved needs in our community.

The ACT budget also saw some of the additional ACT government funding that CCL has received during the COVID pandemic extended for the next few years. Multi-year funding is a very welcome relief, providing a little breathing space before having to again justify existing funding levels. However, much of CCL's funding will be put under pressure by increases to award wages. Increases in wages are welcomed, particularly in the face of rising costs of living biting into already low levels of pay across the sector. But they will also erode non-indexed funding, and CCL is working with the ACT government to try to maintain services in the face of rising salary costs. Thankfully, the ACT Government has recently agreed to increase the indexation rate for funding it provides to the community legal sector in the 2022-2023 financial year in recognition of these additional costs.

We welcomed three new Board members over the last twelve months, Dominic Cookman, Rachelle Kelly-Church, and Steve Meyer although unfortunately Rachelle has had to resign her position recently due to ill health. I want to welcome Dominic and Steve and thank Rachelle for her all-too-brief stay on the

board. The past year also unfortunately saw the departure of Helen Fisher from the Board. Helen has been a CCL Board member for nearly 10 years. She was recently the Deputy Chair, filling in for me as needed and serving on the Audit and Finance sub-committee. She was a constant source of insight, integrity, and good humor, bringing her deep experience as an ex-employee of the Centre and work in the community sector. I want to again thank Helen for her commitment and service to the Centre.

This year also saw the departure of Naomi Gould from the Centre. Naomi was with the Centre for 11 years, filling many leadership positions, most recently as Senior Litigation Solicitor. She has also served as a mentor for many staff, taken on some of the most demanding cases and projects within the Centre, and provided valuable and practical insights into how the Centre can continue to improve.

The past year has seen many challenges, some, like the COVID pandemic, continuing to evolve, others, such as support for those affected by the ACT Government's Growth and Renewal program in public housing or responding to proposed reforms to the residential tenancies legislation, presenting new concerns. All continue to place tremendous pressure on staff to adapt and respond to continue to provide the excellent service on which our clients and community depend. I want to thank the staff of the Centre, including those who have come along (virtually) to board meetings to discuss their day-to-day role within the Centre and share some insights on how the Centre can make their work a little easier.

And thanks always to Genevieve Bolton the Executive Director and Principal Solicitor for the Centre, for her support for the Board and the amazing work she does in holding all things together – not least in doing a great job in welcoming and shepherding guests and cutting the cake at the Mental Health Justice Clinic launch before having to lodge submissions in the Royal Commission into the Robodebt scheme – just another day at CCL really.

**Daniel Stewart**  
Chair

# Executive Director/ Principal Solicitor's Report

This Annual Report showcases the depth, breadth and sheer volume of work undertaken by the Centre during the 2021-2022 financial year. Thank you to our pro bono partners, volunteers, funders, and supporters for your contributions to the important work CCL undertakes to assist some of the most disadvantaged and marginalised members of the Canberra community.

Thanks to CCL's Board Members for once again providing important governance oversight of CCL's work during this reporting period. Helen Dalley- Fisher stood down from the Board in December 2021 after having served on the Board for almost a decade. Many thanks to Helen for taking on the role as Deputy Chair in recent years and for her significant and invaluable contributions to the Board's deliberations.

During the reporting period we also farewelled several staff members. Thank you for your great contributions to the work of CCL. In particular, I would like to acknowledge Naomi Gould's outstanding contribution to CCL. Naomi resigned from CCL just after the end of the reporting period having worked at the Centre for close to 11 years. During her time at CCL, Naomi ran many complex litigation matters and along with colleagues led the way in the development of human rights jurisprudence in the ACT. She was deeply committed to ensuring that our clients' stories were told through her powerful and effective advocacy. Naomi also made invaluable contributions to CCL's law reform work often taking on the role of leading the Centre's response to some difficult and complex law reform proposals. She was also a wonderful mentor to many of CCL's staff, secondees and volunteers.

CCL continued to innovate and respond to community need. With funding from the ACT Government through the Disability Justice Strategy, we established the role of Disability Justice Liaison Officer towards the end of 2021 and welcomed Catherine Laverty to the role. Within short order, Catherine has made an invaluable contribution to assisting our clients with disability and improving our systems and processes. In December 2021, we launched our social scripts project. With support from the ACT Office for Disability and in partnership with Autism Spectrum Australia (Aspect), we developed a series of social scripts to help autistic clients as well as clients with low levels of literacy to access and interact with legal services and processes.

CCL secured funding to establish a Mental Health Justice Clinic to provide legal assistance for people with lived experience of mental ill health and to develop and deliver interactive presentations in partnership with Rebus Theatre for the justice sector on supporting clients with mental health conditions led by actors with lived experience. With additional funding, we were also able to expand our Parachute project to provide much needed intensive legal assistance to help women experiencing family violence with social security and housing legal matters.

Thank you also to the ACT Government for extending the funding CCL had received during the COVID pandemic and providing multi- year funding. We also welcomed the ACT Government's decision to contribute to the cost of meeting the shortfall in the ACT Law Society's Statutory Interest Account due to low interest rates through the provision of supplementary funding and its recent decision to increase the indexation rate for funding in recognition of rising salary and operational costs.

Non indexation of other funding sources continues to be CCL's budget under pressure. We hope that the Commonwealth Government in the coming year will also recognise the need for increased indexation to assist community legal centres to meet the rising cost of providing services.

CCL also undertook advocacy work during the reporting period highlighting the human impact of the ACT Government's Growth and Renewal Program and the devastating consequences that forced relocations would have for many elderly people who had lived in their properties for decades. The tenants impacted by the program are predominately older women with strong local community connections who have various physical and psychological disabilities or chronic health conditions. CCL's work along with others within the community sector led to the establishment of a formalised exemption framework and the establishment of a Tenant Relocation Panel which included independent community representatives and afforded the opportunity for tenants to appear before and be heard by the panel.

CCL also engaged with the ACT Government in relation to a raft of proposed reforms to the Residential Tenancies legislation. Whilst the proposed abolition of 26 week no cause eviction notices is welcomed, it is important that it does not come at the expense of social housing tenants and that any new grounds for termination include necessary safeguards to protect against unfair evictions. Our advocacy in this area continues.

Managing the volume of work coming to the Centre continues to be a significant challenge. Thank you to all our staff for your incredible hard work during this reporting period responding to the many challenges that arose during this year. The impacts of the health pandemic and the chronic shortage of housing continue to have very real consequences for our clients causing significant hardship and distress. The work we do makes a real difference and improves the lives of many Canberrans. Thank you to the many organisations who supported our work and our clients' during the year.



**Genevieve Bolton**  
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 this reporting period, Genevieve Bolton, continued to Chair Economic Justice Australia's Board a position which she has held since August 2016.

During the 2021–2022 financial year, we participated in the following forums and meetings:

- Community Legal Centre's Australia – Professional Indemnity Insurance Network
- Economic Justice Australia – Members' Meeting
- Economic Justice Australia – Board Meeting
- ACT Anti-Poverty Executive Committee
- Community Legal Centre's Australia – Community Workers' Network
- ACTCOSS – CALD Forum

- ACT Law Society – Aboriginal and Torres Strait Islander Justice Committee
- ACT Law Society – Access to Justice Committee
- ACT Law Society – Inclusion and Diversity Committee
- CCL's Annual Disability Forum
- Community Legal Centre's Australia – Disability Rights Network Meeting
- Who's New on the Streets Meeting
- Youth Homelessness Housing Forum
- Multicultural Youth Affairs Network
- Joint Pathways
- ACT Legal Assistance Forum
- ACT Legal Assistance Forum – Community Legal Education meeting
- Disability Liaison Officer Community of Practice
- Meetings with Housing ACT
- Charter of Human Rights Advisory Committee
- Community Legal Centre's Australia – Aboriginal and Torres Strait Islander Community Sector Network Meeting
- Disability Justice Reference Group
- ACT Raise the Age Coalition Meeting



CCL's Annual Disability Forum, December 2021.

# 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 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. Your support strengthens Dhurrawang solicitors and our resolve to empower our community through social justice.

During the 2021–2022 financial year we continued our work advising and representing Aboriginal and Torres Strait Islander people in disputes relating to their housing, social security, and race discrimination complaints. The consistently heavy demand for our service highlights the reality of the continuing struggle for recognition, equality and self-determination for First Nations people and communities.

We are privileged to work side by side with our First Nations solicitors to represent our clients, engage in education and critical law reform work, and address injustice where we find it. Together we can elevate our First Nations clients' voices in the legal process and hopefully, their sense of justice.

We thank the Aboriginal and Torres Strait Islander communities in the ACT and surrounding regions for your ongoing support and referrals, which are critical to our ability to continue our important work. We offer thanks and respect to the organisations and programs who have supported us again this year including Gulunga Program, Mulleun Mura Aboriginal and Torres Strait Islander Women's Access to Justice Program, Winnunga Nimmityjah Aboriginal Health Service, Gungan Gulwan Youth Aboriginal Corporation, and Yeddung Mura.

## Our Clients & COVID- 19

The after-shocks of COVID-19 have continued to impact our clients this year. We have continued to receive a high number of requests for assistance, particularly for tenancy related matters and from clients in the Alexander Maconochie Centre.

## Our Staff

This financial year saw movements both into and out of Dhurrawang.

In September 2021, paralegal Rachelle Kelly-Church departed Dhurrawang to take up a position managing the Gulunga Program at ACTCOSS. We thank Rachelle for her tireless and excellent work with Dhurrawang's clients and acknowledge the significant achievements she has already made in her new role at ACTCOSS. Dhurrawang is pleased that we can continue to work closely with both Rachelle and ACTCOSS.

In January 2022 our Program Manager and solicitor Emma Towney went on maternity leave, embarking on another very exciting and fulfilling journey. We wish to recognise the excellent work Emma has undertaken for Dhurrawang both as a highly competent Tribunal lawyer and Program Manager and respected First Nations professional. We look forward to working with Emma again when she returns.

Rachael Clark stepped up to join Dhurrawang in the role of Program Manager and Solicitor in January 2022. Rachael has broad experience advising clients across our practice areas, having worked as a solicitor in our Housing and Social Security law practices for many years. Rachael hit the ground running and has brought with her not only a wealth of professional experience, but as a First Nations woman, a unique cultural perspective and lived experience that is essential to achieving Dhurrawang's objectives for our clients.

Gemma Smith, a former CLED student and volunteer in CCL's Paralegal Intern program joined Dhurrawang as a part-time paralegal in September 2021. Gemma has very quickly established her legal policy, casework and legal credentials and become a highly valued member of the Dhurrawang team.

Alexandra Palk has continued to bring a wealth of experience to the supervision and guidance of the legal and litigation work of the Dhurrawang team. Over the reporting period Alexandra also advised and represented clients in a number of complex litigation matters.

## Students

During this reporting period Dhurrawang guided and supervised ANU CLED students Elanor Hsu, Cecilia Pattison-Levi, Andy Jin, Vinayak Kaushik and Joseph Stafford who assisted with research and legal work for our clients. We delivered tutorials for CCL CLED students, educating them about Dhurrawang's work, Human Rights lawyering and the legal and broader access to justice issues faced by Dhurrawang clients.

Rachael Clark was invited to the University of Canberra to meet and greet with the new, and existing, Aboriginal and Torres Strait Islander law and justice students for the 2022 year. Rachael was also invited to deliver an address as the guest speaker at the graduation of the Law and Justice Students at the University of Canberra.

## Dhurrawang Alexander Maconochie Centre (AMC) Prison Outreach

During the reporting period Dhurrawang continued to advise and assist both new and ongoing clients at the AMC in our areas of practice. We could not have connected with those most in need of our advice and assistance without the open dialogue with AMC staff and management made possible by the Chief Ministers Charitable Fund grant to Dhurrawang's AMC prison outreach project in 2021.

It continues to be the case that a number of our clients during the reporting period were incarcerated throughout the course of, or at some point while receiving legal assistance. This demonstrates the importance of our ongoing AMC prison outreach and the need to continue the work of developing and sustaining communications and referral pathways on behalf of First Nations clients in AMC. CCL intends to continue future outreaches via AVL with First Nations clients in the AMC.

## Law Reform & Community Development

During the reporting period, Dhurrawang continued to participate in external meetings and other committees in relation to First Nations peoples issues, including consultation on racial vilification and discrimination; providing submissions to the Healthy Prisons review; attending Raise the Age meetings, participating in the First Nations roundtable meeting to develop a Statement of Accord for the Australian Legal and Justice Sectors; and attending meetings to assist the ANU Law Reform and Social Justice Indigenous Project.

Dhurrawang prepared a seminar for Community Legal Centres Australia (CLCA) about establishing an Aboriginal and Torres Strait Islander human rights program within a mainstream community law centre. The seminar was co-presented online, with the Aboriginal and Torres Strait Islander Women's Network, and was well attended and received by CLCA.

Emma Towney participated in the ACT Law Society Inclusion panel as a panelist to talk about her experience as a First Nations solicitor working at CCL and within Dhurrawang.

Through the year, the Dhurrawang team were invited to attend meetings with the ACT Government, local Aboriginal and Torres Strait Islander community leaders, and with Minister Rachel Stephen-Smith to discuss issues relating to housing availability in the ACT for Aboriginal and Torres Strait Islander people.

## Casework

Dhurrawang assisted 132 clients in the 2021–2022 financial year.

Dhurrawang provided the following assistance in relation to housing, social security and race discrimination matters:

- 358 legal advices
- 355 legal tasks
- 28 duty lawyer services
- 40 representation services

As in previous years, a large number of our clients were referred by a friend or relative. This both highlights the importance of building trust and support for Dhurrawang in the community and the success of Dhurrawang's efforts to reach clients through our engagement with community and outreach activities.



# Reconciliation Action Plan (RAP) Report

During the 2021–2022 financial year the RAP working group continued to work through CCL's Innovate RAP which was endorsed by Reconciliation Australia (15 July 2021) and posted to their webpage.

The total lockdown of the ACT from August 2021 to almost the end of that year, and then the extended working from home arrangements caused some challenges for the RAP working group, in addition to the continual movement of staff within the RAP working group membership. Our chair, Emma Towney, Wiradjuri, took maternity leave (from February 2022) and was replaced by Rachael Clark, Wiradjuri. Toward the end of 2021 the RAP working group lost Michelle Barclay and Rachelle Kelly-Church, Wiradjuri, who left CCL. The remaining members of the RAP working group, including Executive Director/Principal Legal Solicitor, Genevieve Bolton; Naomi Reiner-Gould, Senior Solicitor; and Rachael Clark, continued to implement the Innovate RAP by encouraging reconciliation in the workplace, and by participating in and attending local/external events and activities, and encouraged/invited all CCL staff to do the same.

Given the restrictions on masks and staff working remotely at the time, we had to cancel the film screening organised to be shown during NAIDOC week (July 2021), instead we sent around information to staff about what was on in Canberra at the time and programs of relevance available on free to air television and other streaming platforms.

CCL continued the practice of including an Acknowledgement of Country at the commencement of all internal meetings and highlighted important dates of significance and anniversaries on social media. All job descriptions advertised by CCL encouraged Aboriginal and Torres Strait Islander people to apply for the positions. CCL provided staff with some events and activities important for Aboriginal and Torres Strait Islander people and encouraged all staff to attend activities in Canberra during National Reconciliation Week (27 May to 3 June 2022).

CCL encouraged staff to buy art and other products from businesses who were 100% owned by Aboriginal and Torres Strait Islander people, or that properly supported and acknowledged them. CCL created an internal list of Aboriginal and Torres Strait Islander businesses for future purchases.

In February 2022, some of the Dhurrawang Team attended an event to recognise the 14th Anniversary of the National Apology which was organised by former CCL Board and staff member, Rachelle Kelly-Church, in her new role as Senior Gulanga Program Officer at ACTCOSS. William Tompkins 'Billy T', Ngunnawal Elder, did a smoking ceremony to open the event which was hosted by Dhunlung Yurra who acknowledged the pain of the ancestors who were removed from their families, and the continued suffering experienced by many Aboriginal and Torres Strait Islander people today.

Also in February 2022, some of the RAP working group attended a screening of *'Incarceration Nation'* presented by ANU students volunteering in the Law Reform and Social Justice Indigenous Reconciliation Project, in collaboration with the Justice Reform Initiative, and Documentary Australia Foundation. The event was opened by Dr Paul House, Ngambri Elder, and was very well attended. *'Incarceration Nation'* speaks to the integral role of First Nations grass-roots organisations and corporations providing support to Aboriginal and Torres Strait Islander youth and their families. Following the film screening there was a moving and informative panel discussion with Professor Tom Calma AO, University of Canberra Chancellor and Justice Reform Initiative patron, Kungarakana and Iwaidja; Magistrate Louise Taylor, Kamilaroi, ACT Magistrates Court; and Leah House, Ngambri, First Nations Victims Support Liaison Officer.

Some of the CCL staff attended a Yarning Circle demonstration at the University of Canberra co-ordinated by Dr Wayne Applebee, Kamilaroi Elder, from the UC law school demonstrating how the practice could be used as a tool for alternate resolution. The demonstration was geared toward educating students and introducing cultural practice into their legal studies.

In March 2022, some of the Dhurrawang team participated in cultural awareness training provided by BlackCard courtesy of Clayton Utz. BlackCard is a 100% owned Aboriginal business who's approach is based on a cultural competency course developed by prominent Aboriginal Elders and Educators, Mary Graham and Lilla Watson with a philosophy of 'Working with people, not for people, with the genius of Aboriginal Knowledge.'



After an outreach late into the financial year, CCL was invited to, and commenced, a regular outreach at Yeddung Mura in order to further engage with the Aboriginal and Torres Strait Islander people about issues affecting them, and to assist in ways that better suited and reached some Aboriginal and Torres Strait Islanders who had not engaged with CCL before. We hope to continue to foster the relationship with Yeddung Mura and endeavour to provide and empower them through providing community legal education to some of their clients and staff to help them to assist with their legal issues.

CCL continued to foster relationships with the Aboriginal and Torres Strait Islander Community by providing legal support within our areas of expertise and by prioritising Aboriginal and Torres Strait Islander clients. CCL also guided and encouraged Aboriginal and Torres Strait Islanders People to advocate for their own rights and to participate in decisions affecting them. CCL have established a trusted service and are well regarded advocates for Aboriginal and Torres Strait Islander people in the ACT.

We thank the following CCL staff members for their contribution to the RAP working group and wish them luck in their future endeavours: (listed below in order of their resignations throughout the year):

- Michelle Barclay (Solicitor – Street Law)
- Rachelle Kelly Church (Paralegal – Dhurrawang Aboriginal Human Rights Program)

**Rachael Clark**  
RAP Chair



# Disability Law

## Staff

Disability Law (DL) had the following staffing changes in the 2021–22 financial year:

- Catherine Laverty joined DL as CCL's new Disability Justice Liaison Officer (**DJLO**) from 22 November 2021. This DJLO position was established to foster a shared approach to providing access to justice to people with disability. The role supports the development of a cross system community of practice to identify and address systemic barriers that impact access to justice for people with disability.
- Georgie Meikle joined DL as a Solicitor with CCL's new Mental Health Justice Clinic (**MHJC**) from 2 May 2022. MHJC provides socio-economic rights focused legal services to support people with lived experience of mental ill-health.
- Erin Rikus has been seconded to the role of Disability Discrimination Law (**DDL**) Solicitor from 6 June 2022 while Farzana Choudhury (Disability Law Supervising Solicitor) was on leave from that date.



Farzana Choudhury (Disability Law Supervising Solicitor), Georgie Meikle (Mental Health Justice Clinic), Catherine Laverty (DJLO), Erin Rikus (Disability Discrimination Lawyer) and Genevieve Bolton (Executive Director/ Principal Solicitor).

## Client Work

DL provided assistance to 126 clients in the 2021–22 financial year.

The three major disability discrimination areas were provision of services and facilities, accommodation, and employment.

DL provided 41 representation services. This assistance was primarily in the area of disability discrimination, with a number of matters also involving health and disability services complaints, housing, and other civil law matters. Examples of successful settlement terms included the payment of monetary compensation; changes to policies and procedures; the provision of reasonable adjustments for the client; and the provision of training.

## Case Study 1: Anthony's Story

Anthony (not his real name) has an intellectual disability, 22q deletion syndrome, and a gambling addiction. Due to his gambling addiction, Anthony had voluntarily self-excluded himself from all gambling venues within the ACT. A gambling venue allowed Anthony to visit their facility even though he was subjected to a permanent exclusion. Anthony did not realise he was subjected to a lifetime ban and had been entering self-exclusions. When the self-exclusions ended, the gambling venue sent him gambling promotional materials which prompted him to attend the venue to gamble. He lost money when he attended the venue.

DL represented Anthony in this matter and provided support at conciliation.

The gambling venue gave Anthony an apology, reimbursed him for his gambling losses, paid monetary compensation, changed their procedures to prevent this issue from arising again and communicated their change in processes to their gambling network, and incorporated training for staff on supporting visitors who have or may have an intellectual disability.

## Stakeholder Engagement and Community Education

DL was active in engaging with stakeholders, in particular organisations that work with people with disabilities. DL was also involved in stakeholder engagement nationally through the CLCs Australia Disability Rights Network, and locally through the ACT Law Society Inclusion and Diversity Committee, the ACT Disability Justice Reference Group, and the ACT Disability Liaison Officers Community of Practice.

DL delivered training to students at Canberra Institute of Technology on discrimination law and supporting clients with disability engaged in the justice system. DL also delivered community education to community workers through a panel organised by Your Story Disability Support on supporting people with disability from multicultural backgrounds. DL and Autism Spectrum Australia (**Aspect**) jointly delivered a webinar to community legal centres across Australia on our social scripts project through CLCs Australia's *Emergence* webinar series.

DL completed its innovative social scripts project in December 2021. Social scripts are person centered narratives used to introduce new events, interactions and what to expect.

They use a combination of simple text and images to explain concepts and foreshadow emotions and what to expect. CCL's social scripts are designed to help autistic clients as well as clients with intellectual and psychosocial disability as well as low levels of English literacy to access legal services and engage with certain legal processes. The scripts were developed in partnership with Aspect and with support from the ACT Office for Disability. DL has promoted the social scripts through its networks and published a related journal article in *Ethos*. Our social scripts are available on the CCL website: <https://canberracommunitylaw.org.au/social-scripts/>

DL also facilitated monthly community education sessions on a range of topics through the ACT Law Society's *What Are We Not Talking About* inclusion and diversity webinar series, including a session on building an inclusive legal profession (with a focus on inclusion of lawyers and law students with disability) through to December 2021.

With much appreciated pro bono assistance from Ashurst, we developed a fact sheet on disability modifications to public housing project and related community legal education presentation materials. The fact sheet is available on the CCL website: [https://canberracommunitylaw.org.au/fact\\_sheet/disability-modifications-to-public-housing/](https://canberracommunitylaw.org.au/fact_sheet/disability-modifications-to-public-housing/).



CCL, Aspect, Minister Emma Davidson MLA, and Attorney General Shane Rattenbury at the Social Scripts Project Launch. 3 December 2021.



## The Disability Justice Liaison Officer

The Disability Liaison Officer (DJLO) supports lawyers across all CCL programs. DJLO referrals for client work are internal and relate directly to progressing the legal matter. The DJLO role has been incorporated into core processes and legal practice documentation including CCL's Legal Assistance Guidelines. The DJLO has provided support to approximately 60 clients since November 2021, with diagnosed and suspected disability, health conditions, and psychosocial disability. The nature of this support has included:

- Supports and adjustments for clients during appointments
- Assistance with pre-appointment processes, such as arranging captioning or appointment reminders
- Referrals to other agencies as appropriate
- Additional support relating to the legal issue, such as structuring and scribing personal statements for clients with literacy or cognitive difficulties
- Support to lawyers in relation to health reports, home modifications, and general disability queries

The DJLO contributes to community engagement activities as appropriate, including the community consultations for hoarding and squalor in May and the ACT Disability Strategy in July 2022. The DJLO has presented three 'Working with Vulnerable Clients' sessions with CCL lawyers, to CIT Community Services students, ANU students on clinical law placements, and to Australian Government Solicitor graduates in August. The DJLO also contributes to a Community of Practice through fortnightly meetings and liaising with counterparts in other justice agencies in relation to advice, resources, and warm referrals.

The DJLO works with CCL program teams to improve document accessibility, which has included CCL's Client Agreement and the Street Law checklist. Building staff capacity is a key feature of the DJLO role at CCL and includes support to structure correspondence using Plain Language principles, and to use electronic accessibility tools. The DJLO also delivered a 60-minute workshop for CCL staff in June 2022 on the ACT Disability Justice Strategy and reasonable adjustments. Feedback from this workshop will inform further work on the triage process and collection of data on disability and reasonable adjustments at CCL. The DJLO is currently working with individual teams to develop their disability initiatives in relation to Action 4.2 of the fourth Disability Action and Inclusion Plan.

## Case Study 2: Simone's Story (not her real name)

A CCL lawyer approached the DJLO for assistance to obtain a personal statement from Simone to complete a Housing ACT matter. Simone had not disclosed a disability but did tell her lawyer she has mental health issues and concerns over her ability to write. The lawyer observed issues with communication, information processing, organisation, and sequencing of ideas. The lawyer described several challenges in obtaining the statement from the client including difficulty committing to completing a statement or responding to requests, difficulty obtaining coherent, sequenced information, difficulty retaining information, and fluctuating mental health.

The DJLO met with the lawyer to discuss information needed and suitable topic headings, booked in a 45 to 60-minute appointment with Simone and assisted her to sequence information, verbalise impacts on health, mental health, family, and overall wellbeing. The DJLO scribed Simone's responses, structured the document, and provided the draft to the lawyer. The lawyer was then able to complete and submit the personal statement.

**Farzana Choudhury, Disability Law Supervising Solicitor  
and Catherine Laverty, Disability Justice Liaison Officer**



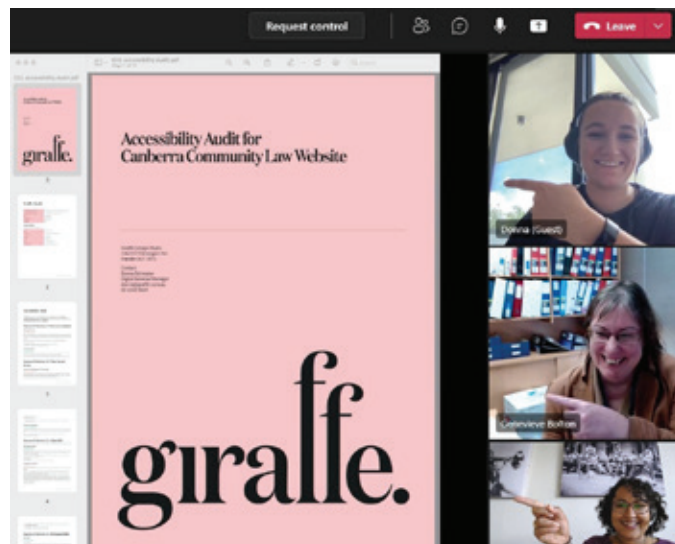
# Disability Action Plan Report

CCL's third 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 in 2021–22 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. Launching CCL's Social Scripts Project – led by DL in partnership with Aspect.
3. Completing an accessibility audit of the CCL website and implementing changes to improve its accessibility. Key accessibility changes include:
  - Darker and more accessible colours
  - Larger social media icons
  - A new accessibility tool so users can change text size and view our website in High Contrast, Negative Contrast, Grayscale, and White Background modes
  - A new Dyslexie tool to toggle on a custom font that has been specifically designed to help users with dyslexia more easily read the content of this site
  - A new text-to-speech function which will read text aloud
  - A new translation tool which enables our website to be viewed in over 100 languages
  - A new "quick exit" button
4. Providing external training to staff on hearing loss awareness, and internal training on social scripts.
5. Organised external training to the CCL Board on unconscious bias.



**CCL with Giraffe, discussing the CCL website accessibility audit. 29 October 2021.**

CCL has finalised its fourth Disability Action and Inclusion Plan which will be launched in the 2022-23 Financial Year. Catherine Lavery (DJLO) and Farzana Choudhury (Disability Law Supervising Solicitor) are leading this work. The plan was developed in consultation with people with disability through Next Level Inclusion and Scope Australia is currently finalising the Easy English version of the DAIP.

The DAIP has been registered with the Australian Human Rights Commission and appears on the Canberra Community Law website.

CCL is continuing to work with people with disability to further improve its services during the period of the third DAP to July 2022.

# Housing Law

## Overview

Housing Law assisted 478 clients in the 2021–2022 financial year.

Housing Law provided the following assistance in relation to public housing, occupancy agreements, community housing matters and related issues:

- 716 legal advices
- 291 legal tasks
- 114 duty lawyer services
- 107 representation services

## Trends

At CCL we continue to see a severe shortage of social housing stock in the ACT. This has a significant bearing on homelessness and clients suffering severe mental health due to their inability to find secure housing. We continue to see a trend of desperate clients telephoning the service and seeking advice and legal assistance in trying to move from standard and high needs housing list to the Priority Housing list (most urgent list). However even when CCL works hard to advocate successfully to move clients from the standard and high needs housing register to the priority needs list, we are faced with the stark reality of advising clients that there is no guarantee for early allocation due to housing shortages, thus adding to the stress and distress of clients who feel vulnerable in not having secure housing. At this stage, we have run out of legal options and can only advise clients as to what strategies are best in moving them closer to allocation (for example, new and additional information such as medical reports, professional reports, and support from a wide range of community agencies) as well as our continual advocacy to Housing ACT for more serious cases.

## Case Study 1: Magda's Story (not her real name)

Magda sought CCL's assistance to apply for a priority housing transfer. Magda was in her 70's, spoke very little English and was the primary carer to her ex-husband who had severe dementia and other serious medical conditions. She was also his cultural support given their strong cultural community background which does not have a strong presence in Canberra. She was seeking an urgent transfer as she was travelling daily involving 3 buses each way to care for her ex-husband. Due to her own health issues including leukaemia, a precarious immune system and ongoing mental health issues this daily travel each day was adversely impacting on her overall health and well-being. In addition, her doctor had advised that Magda should not be exposed to 6 trips per day especially now with the COVID-19 pandemic. Magda's GP was also of the view that *'her risk of infection being contracted on public transport was very high.'* Due to the high level of care her ex-husband required it was also critical that she live close by to him preferably in the same suburb.

We made a submission for priority transfer which after gathering evidence including medical evidence was successful. The submission emphasized Housing ACT's obligations to adequately consider the needs of carers who were particularly vulnerable during the pandemic. We also made submissions as to why she ought to be allocated a property close by to her husband. The submissions also highlighted the cultural context and cultural obligations Magda had towards her ex-husband even though they were no longer married. We liaised with the Housing ACT Allocations team to ensure that her housing and cultural needs were properly considered when allocating a property to her.

Approximately three months later Magda was placed on the priority housing list she was offered and accepted an Aged Care Unit in her ex-husband's suburb close to him.

Repair issues continue to make up a high percentage of housing concerns with clients seeking advice and legal assistance in trying to have Housing ACT remedy these repairs. We continue to see a pattern of repairs remaining unremedied for many months with some not being attended to for an unacceptable lengthy period. Tenants continue to express their frustration (and at times distress) of having to deal with Housing ACT and with Programmed (the maintenance contractor to Housing ACT) together, and not being given a clear point of contact. At CCL we are able to communicate more effectively with both Programmed and Housing ACT to assist housing tenants, who are ill equipped to advocate on their own behalf to achieve the required outcomes.

From January to June 2022, there was a marked increase of distressed tenants contacting CCL for advice and assistance in relation to being issued letters advising that their property had been identified under the Growth and Renewal Program. This is a particularly stressful time for these tenants given that a significant number of these tenants being contacted are elderly women living on their own and have raised their families and lived at their properties for 20, 30, 40 plus years. Most clients who telephone CCL in this category have been distressed knowing that they are being forced to relocate away from their community and support services. As a result of consultation with CCL and other organisations in Canberra, Housing ACT has now set up a Tenant Relocation Panel to give the tenants an opportunity to be heard at the Tenant Relocation Panel meeting. Despite no additional funding CCL has decided to advise and assist all tenants who contact our service and who have been asked to relocate under this program. This has kept our housing law solicitors even busier in assisting tenants to put together their application, to lodge the application with Housing ACT, and be available to represent them at the Tenant Relocation Panel meeting.

There has been a consistent trend of legal advice and assistance given to tenants telephoning about Tenant Responsible Maintenance invoices, notices to vacate, applications for transfer, internal review of Housing ACT decisions, tenancy debts, Housing ACT property standards guidelines, death of tenants, residents residing with tenants and eviction matters.

Finally, one does not get to see, a lot of the times, how the work that we do here can have an impact on clients' lives. The story below provides a little insight of what positive outcomes can do for a client who seeks out legal advice and assistance.

In March 2022, CCL delivered some training to a group of students studying at a particular education centre. At the completion of the seminar, one of the students came up to the visiting CCL staff members and said she wanted to thank CCL for helping her. She said that CCL helped her in moving her application up onto the Priority Housing List, including writing letters to Housing ACT and other advocacy. She said *"CCL has helped me so much! I have trouble staying focused because of my Post Traumatic Stress Disorder (PTSD) but the assistance I received from CCL made sure I did not deter too much. They were very direct in their advocacy on my behalf....I now talk to everybody about CCL."*

The client was housed last year in her home and is studying a degree.



**Housing Lawyers: Genevieve Bolton, Kavitha Sivasamy.**

## ACAT Duty Lawyer Service

Throughout the entire reporting period, the ACAT Duty Lawyer service worked with ACAT to provide duty lawyer services both remotely and in person. Substantive hearings were done both in person and remotely by videoconference. During the reporting period, the COVID-19 eviction moratorium ended leading to an overall increase in matters coming before ACAT. We then had a quieter period in around May 2022 as the Commissioner for Social Housing withdrew several matters because of an issue with their notices. As in former years, most of the termination and possession orders sought against our client group were for rental arrears. The ACAT Duty Lawyer Service had 6 published decisions during the reporting period.



Genevieve Bolton, CCL Executive Director/Principal Solicitor with ACAT Duty Lawyers Julia Walker and Naomi Gould.

## Case Study 2: Shelly's Story (not her real name)

Shelly came home one day to find that Housing ACT had changed the locks to her home. Housing ACT had formed the view that she had abandoned the property. In fact, Shelly was still living there but sometimes had to stay with family because of a chronic health condition. She was later given a 'squatters notice' on the ground that Housing ACT thought she was trespassing in her own home. Shelly presented to CCL in a state of confusion. The ACAT Duty Lawyer assisted Shelly to obtain information from Housing ACT about why they had locked her out, and to advocate for her to be let back in. Despite this, Housing ACT proceeded to board up her home. CCL assisted Shelly to commence urgent proceedings in ACAT to challenge Housing ACT's actions. During the proceedings, Housing ACT changed its position and consented to ACAT making a declaration that Shelly had not abandoned her home, and her tenancy remained on foot. Since Shelly's case, Housing ACT appear to have changed their policy in relation to situations like Shelly's and are instead applying to ACAT where they seek to end a tenancy on the basis that the tenant has abandoned the property.



## Case Study 3: Luke's Story (not his real name)

Luke was a young Aboriginal man with an undiagnosed mental health condition. The symptoms of his condition included psychosis. He was a long-term resident of a residential park. Because of his psychosis, he had begun to harass his neighbour, who filmed his behaviour and reported it to the managers of the residential park. The park applied to ACAT to terminate his occupancy. CCL's Duty Lawyer made contact with Luke and his family in the foyer at ACAT and represented him in his hearing. CCL then represented Luke at a conference at ACAT and negotiated a long adjournment so that Luke could obtain medical treatment for his mental health condition. During the adjournment period, Luke's acute symptoms resolved, and CCL was able to persuade the park to withdraw its application to evict Luke.

### Community Legal Education

During the reporting period, Housing Law delivered the following community legal education (CLE) activities:

- Strategies for Law Reform – CCL's CLED students
- How to be an Effective Community Lawyer – CCL's CLED students
- Human Rights and Residential Tenancies Act (RTA) – CCL's CLED students
- ACT Human Rights Commission – Human Rights Day Panel Discussion – Making Human Rights Accessible in the ACT

### Policy Work

Housing Law engaged in several law reform activities in the 2021–2022 financial year including:

- Submission to the ACT Government RTA Consultation Paper on Ending No Cause Evictions Proposed Reforms to the Residential Tenancies Act.
- Engagement with ACT Government and key stakeholders on proposed RTA Reforms.
- Submission to the Minimum Energy Efficiency Standards for Rental Homes in the ACT.
- Submissions made amicus curiae in an appeal against the decision of *Commissioner for Social Housing v Social Housing Tenants*. We spent a full day assisting the appeal Tribunal at ACAT arguing for an interpretation of the RTA that supports the rights of our client group by rejecting the idea that parties can agree to "endorsed terms" which remove fundamental tenancy protections specifically in relation to the way a lessor might terminate a tenancy. Our submissions were accepted.
- Advocacy in relation to the Growth and Renewal Program including writing to and meeting with relevant ACT Ministers, ACT Members of the Legislative Assembly and Federal Members of Parliament, holding a tenant information session, public comment, drafting a factsheet, and engagement with the ACT Government and key stakeholders.
- Appearance at Legislative Assembly Inquiry into Introducing Complaints Mechanism for the ACT Human Rights Act.



# Night Time Legal Advice Service

The Night Time Legal Advice Service (NTLAS) provides advice, assistance, and referrals to the Canberra community in most areas of law and operates on Tuesday nights, although we now take enquiries through the front office and our dedicated email address throughout the week. The only employed person is our supervising solicitor, John Alati. All our other legal assistance is by way of volunteers.

At the beginning of COVID, we expanded the service to include a Thursday night COVID-19 Legal Clinic as part of NTLAS. Our COVID-19 Legal Clinic ceased operations at the end of June 2021 as the funding for the service ceased. Although that clinic no longer operates, it changed our service delivery model, making it more diverse and complex.

The service currently operates entirely remotely. We have seen an increase in the complexity of matters. We have dealt with a significant number of building disputes, including issues with renovations, major and minor, residential builds and off the plan purchases. We have received expert pro-bono assistance from some of our pro bono partners in relation to the more complex of these disputes. It has been a great benefit to us and our clients to be able to source the expertise of specialists in these areas from top tier firms.

Our remote model has meant that our solicitors continue to work alone, where they used to work in pairs. They take instructions from clients and provide advice after conferring with the supervising solicitor and conducting any necessary research. Hence, we have not used as many volunteers as we used to, but as always, we have relied on the enthusiastic support of our volunteers and pro-bono partners.

Although our client base is not always as disadvantaged as those in our day-time services, most are struggling in some way and the assistance we offer is a vital pillar of access to justice in our community.

The variety and complexity of the matters we deal with never ceases to amaze us, even after all these years. We continue to conduct a lot more in-depth research and analysis on matters, and we are spending more time on each matter. We are also performing more legal tasks (as opposed to one-off advices), reflecting the depth of assistance we are providing.

NTLAS is often the service that other services refer clients to when they have run out of options. This is challenging for us, but we embrace that challenge, and our approach is to provide some type of assistance to the majority of people who contact us for support. We avoid simply referring people on where this is futile. If, in our view, a client's position has no merit, we tell them directly. This is one of the hardest things a lawyer has to do, but we have seen clients being passed from service to service without hope of resolution and we consider it our duty to be candid with them.

Having provided around 185 discrete legal advices and 75 legal tasks in the last year, NTLAS continues to be extremely busy and continues to reflect the legal needs of the Canberra community. We are finding that now more than ever, clients come back to us for further advice and assistance. One of our growth areas has been wills and estates, a complex and important area where many people find themselves without hope of legal support where estates are very small.

NTLAS is sometimes a service of 'last resort' but increasingly we are the service people come to us at first instance where they would not qualify for means tested services but cannot afford a private lawyer.

We try to be as practical as possible, recognising that most clients struggle with legal processes and jargon. We virtually always assist them with next steps, whatever they may be.

We have been operating for many years, and this alone speaks volumes for the value of what we do. Not bad for a service with no external funding powered by volunteer assistance!

We are as ever very grateful to those members of the Canberra legal community who give generously of their time and expertise to keep NTLAS operating. We thank them sincerely for their time and dedication. A special thanks also to our front office team – Georgia, Sarah and the secondees and volunteers who do an amazing job with the very busy and complicated task of triage and intake for our clients. We could not run the service without this valuable support.

## Some Examples of our Work

NTLAS provides a valuable 'filter' for many actions that could be futile and waste valuable resources, particularly in the ACT Civil and Administrative Tribunal (ACAT).

Here are some examples:

- A client who was considering an action for defamation against another party, almost certainly without any reasonable grounds for success. Ultimately of course, it was his choice whether to make an application to ACAT and start the process however we set out the relevant case law

with legal reasoning as to why it was highly unlikely that his case would be successful. We encourage clients to reflect on the need for a proper legal basis for a claim.

- A client who received a notice about potentially defamatory material. We advised her that what she was doing did indeed leave her exposed to an action for defamation, so she should take steps to desist from the behaviour, thereby forestalling action by the other party.
- We advised a client (referred to us from ACAT) that a discrimination action he had commenced in ACAT was not a proper use of ACAT's resources and may have amounted to abuse of process. The client was proposing to 'reveal the truth' in a family law matter, by questioning a witness in the discrimination matter. His substantive application was almost certainly without merit and his approach misguided. We strongly advised him to re-consider his position.
- We advised a client in relation to altering a will to take into account a beneficiary who had changed gender since the will was drafted. The client's alterations almost certainly rendered the will invalid. We advised her to have her will professionally re-drafted from scratch. We feel there is a good chance that our advice will one day in the future save the family concerned a great deal of trouble and money dealing with an invalid will.

## Some Client Feedback

We are always happy to get feedback from our clients!

- I really appreciate you putting all of that information together for me!
- Thank you very much for your detailed advice!
- I cannot express my thanks enough to you for all your advice along the way.
- Many thanks for your extremely detailed and informative response, it is very much appreciated.
- Again, thank you for taking the time to respond to my request and provide me with some incredibly valuable information. This will definitely assist me moving forward.
- I express my sincere appreciation for your time and advice in providing a comprehensive response, thank you so much.
- Thanks very much for your superior quality advice
- I really appreciate this advice. Thank you so much again for your time, it is much appreciated

## Case Study 1: Dante's Story (not her real name)

Dante had issues with a contract that he was ostensibly bound by. The other party was demanding he pay for a service he did not receive, because of a particular clause in the contract. Other services had told him his position was futile, that he would need to pay according to the contract.

We reviewed the contract and advised Dante about the unfair contract provisions of the Australian Consumer Law, which in our view applied to this contract and the clause in question.

Following our advice, Dante took the matter to ACAT and was successful. His matter was an unusual victory in this area which we hope will set other similar entities on the right path in this area.

In August 2022, Dante wrote to us:

*I am writing to you as you were a light in the dark for me, when seeking help to understand and seeking legal advice... No other lawyer was willing to assist us.*

*Thanks again and keep up the good work.*

Even though NTLAS could not represent the client, we are proud of our involvement, and we believe it represents the great value our service delivers in guiding clients in the right direction.



John Alati, Supervising Solicitor, Night Time Legal Advice Service

# Social Security Law

## Overview

Social Security Law assisted 162 clients in the 2021–2022 financial year.

Social Security Law provided assistance in relation to Centrelink, Social Security and Family Assistance law, Paid Parental Leave and related issues:

- 296 legal advices
- 92 legal tasks
- 19 representation services
- 6 court/tribunal matters

## Trends

Common issues included:

- Applying for the disability support pension (DSP) and appealing rejection of the disability support pension claim;
- Centrelink debt (including Robodebts);
- Cuts or reduction to payments.

Since the arrival of COVID19 in the ACT community, clients, particularly those with conditions or family members with conditions that made them more vulnerable, were reluctant to access Centrelink service centres. There were also changes to Centrelink's service delivery with social workers and community engagement officers not offering in person appointments. Clients continue to report difficulties navigating alternative service options such as the phone and online systems.

We are seeing very vulnerable clients requiring extensive and ongoing assistance. Many clients we have been advising in relation to the Disability Support Pension (DSP) have required advice on multiple occasions as they navigate the claim and appeal process for this payment. Given the complexity of the DSP medical eligibility criteria and its onerous evidentiary requirements and the fact that these clients are generally experiencing significant functional impairments due to their disabilities, this is not altogether surprising. Unfortunately, these clients also frequently tell us that their health and general wellbeing have deteriorated due to the stress associated with this process.

As illustrated in the case study below, we are assisting an increasing number of women escaping domestic violence who are not able to access income support or family assistance payments at all or full payments due to actions of their perpetrators.

We are finding it increasingly difficult to get debts waived at the internal review level, even where clients are facing significant disadvantage. In debt matters where we provided submissions detailing the hardships faced by particularly vulnerable clients, the Authorised Review Officers have advised that domestic violence is not a special circumstance. As a consequence, we are working with clients to appeal to the Administrative Appeals Tribunal (AAT).

We thank HWL Ebsworth for partnering with us to provide legal support to the advice line with their graduates undertaking 1-2 rotations of 3 weeks full-time. They provided invaluable assistance writing up interview notes, undertaking legal research, drafting correspondence and submissions, and making follow up calls. Philip Finley continued his volunteering with the Service, and we thank him for his assistance.

The Social Security Law service enjoyed working closely with the Socio-Legal Practice Clinic to help with clients with complex social and legal issues.



**Anusha Goonetilleke, Social Security Supervising Solicitor, Kate Kenny, Social Security Law Paralegal, Genevieve Bolton, CCL Executive Director/Principal Solicitor and Jessica Spargo, Social Security Law Paralegal.**



## Case study 1: Sophie's Story (not her real name)

Sophie approached CCL for assistance with her Centrelink debt. The debt related to an overpayment of the Child Care Subsidy Sophie received while her daughter, Angela (not her real name), was attending childcare.

Both Sophie and Angela have disabilities. Sophie is currently unemployed and facing significant financial hardships. She is unable to afford basic living costs and medical treatments for herself and her daughter. In addition, during the period of the Centrelink debt, Sophie faced extremely challenging personal circumstances, including fearing for her and her daughter's safety because of threats made by several family members and her ex-partner.

Sophie has not been able to afford childcare. However, because of the importance of childcare in Angela's social development, Sophie's parents offered to pay for Angela to attend full time childcare. Shortly after, they applied for the Child Care Subsidy. For several months, Centrelink overpaid the provider. This mistake was not noticed by Sophie because the payment was managed directly between the childcare centre and Centrelink, regular payment statements were not sent to Sophie's parents, and she did not have the technology to regularly view the My Gov 'letters' she received. Sophie was not informed of this debt by Centrelink until a year after it had been raised.

The AAT ultimately waived the debt based on sole administrative error by Centrelink. They also concluded that there were special circumstances which would compel the AAT to waive the debt regardless of an error by Centrelink.

## Case Study 2: Kellie's Story (not her real name)

Kellie who was in her early 60s was experiencing homelessness and referred to CCL for a Centrelink issue. She had fled her family of more than 20 years due to domestic violence in the last four months.

She let Centrelink know that she had left the family home, but Centrelink considered that this home was an asset, and her disability support pension was reduced as a consequence. Kellie was struggling to make ends meet on this reduced payment.

Kellie was working with a lawyer from Women's Legal Centre to get a property settlement, but more time was needed to resolve this issue.

Kellie had approached Centrelink to try to appeal this decision a number of times, but this appeal was not recorded on their system. The stress of this issue was impacting Kellie's mental health. Due to Kellie's reduced income, she was not able to access the medical support that she needed for her physical and mental health.

CCL appealed Centrelink's decision to the Authorised Review Officer. CCL set out Kellie's story. CCL argued that her family home continued to be her principal home under the temporary absence exception as she left to flee domestic violence. This appeal was successful, so Kellie is now receiving the full rate of DSP and was backpaid for the period that she received a reduced amount.

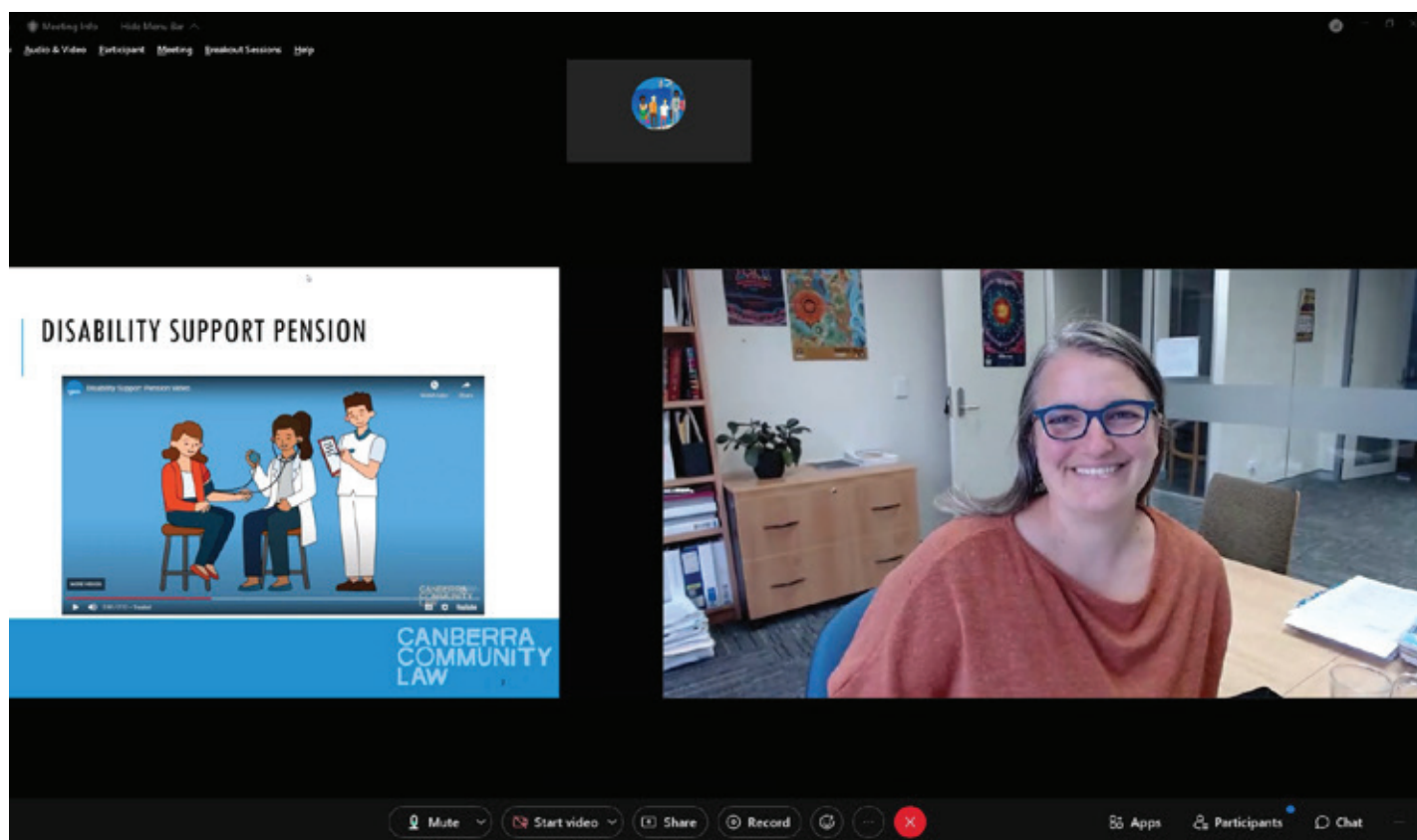
## Community Legal Education

During the reporting period, Social Security Law delivered a Law for Non-Lawyers session on Social Security law with a specific focus on Disability Support Pension matters. Social Security Law also delivered a Centrelink and Mental Health seminar.

## Policy Work

Social Security Law's main level of engagement in law reform activities during 2021–2022 was through providing input into Economic Justice Australia's (EJA) policy work and law reform activities. Social Security Law provided case studies to support EJA's national policy work and provided input into policy positions.

Social Security Law also attended and participated in Departmental meetings with the Department of Social Services and Services Australia as part of EJA biannual delegations.



Naomi Gould, Litigation Solicitor delivering Centrelink and Mental Health Seminar.

# Socio-Legal Practice Clinic

## Overview

During the period, we farewelled Rebecca who moved on to another role. Rebecca had joined CCL during mid 2020 whilst we were all dealing with the challenges of COVID and initially worked remotely. Despite these challenges, Rebecca quickly established strong relationships with clients and staff resulting in the SLP Clinic achieving many outstanding client outcomes. We thank Rebecca for her excellent work and her ongoing support of the Centre whilst we undertook a recruitment process for a new social worker. Just after this reporting period, we welcomed Karin Woods to our Social Worker position.

Many of our SLP Clinic clients are very resourceful and are adept at finding solutions to the challenges and systemic barriers they are facing. Many have experience of complex trauma throughout their childhood and beyond, which may impact on their emotional physical and psychological wellbeing. For example, their cognition, their emotional regulation, and their memory may all be adversely affected. Whilst people might want to obtain a Centrelink income or social housing for many the energy and effort required to participate in their legal matter is sometimes overwhelming. Most clients supported by the Socio-Legal Practice (SLP) Clinic disclosed experiencing suicidal ideation, social isolation, and sleeplessness due to the losses and challenges they were facing.

## Year in Review

The SLP Clinic assisted 22 clients through providing 82 discrete non legal support services and 4 ongoing non legal support services. By providing holistic trauma-informed and intensive support to clients, communicating with them regularly as possible and acknowledging and validating their concerns and fears the SLP Clinic actively encouraged clients to be involved in their legal matter.

Some examples of collaborative efforts of the SLP Clinic included supporting clients whilst submissions were being compiled for housing and transfer applications with Housing ACT. The challenges of accessing support from services due to resources and eligibility criteria means that compiling support letters for Housing ACT might take several weeks or months. The SLP Clinic undertook psycho-social assessments and provided some comprehensive support letters upon request to assist solicitors with advocacy to Housing ACT.

During the reporting period, the SLP Clinic liaised with a range of community services such as Women's Legal Centre, Winnunga, Companion House, Multicultural Hub, Community Health, and Care Financial Counselling Service. Together these

collaborations helped people to access urgent health care and practice support which strengthened their capacity to work with CCL.

The SLP Clinic also participated in professional development and the CLC Community Services Network all of which provided learning, support, and reduced isolation.

Our SLP Clinic was invited to two events and Rebecca Irvine, our previous social worker agreed to work with Anusha Goonetilleke from our Social Security Law practice. On 12 May 2022, Rebecca and Anusha presented a session about CCL's SLP Clinic as part of Charles Darwin University's Social Work and the Law subject. The session at Charles Darwin University went well and the SLP Clinic was invited to present again next year. On 13 May 2022, Rebecca and Anusha spoke to Charles Sturt University about the review they are conducting of their Social Work and the Law subject. We are grateful for Rebecca agreeing to attend these meetings with us while we recruited for a new social worker.



**Rebecca Irvine, Socio-Legal Practice Clinic Social Worker, Farzana Choudhury, Disability Discrimination Senior Solicitor and Genevieve Bolton, Executive Director/ Principal Solicitor.**

## Acknowledgement and Thanks

The SLP Clinic also wishes to pay tribute to the staff, solicitors, volunteers, and students across CCL who have provided support to the SLP Clinic in so many ways including time (a precious resource at CCL), understanding about legal advice provided to clients, resources (including information and local services) and energy boosts from chocolate and snacks!

Huge thanks to the Snow Foundation, the Clayton Utz Foundation, and the ACT Government for funding this service.

# 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

The interruptions to services due to Covid began to ease during 2022 and we adjusted our services, accordingly, remaining flexible to the needs of our clients and outreach partners.

We have seen changes to our staffing, with a number of staff taking leave during the reporting period, and we were lucky to have Erin Rikus return to us after a period of leave. Anusha Goonetilleke and Farzana Choudhury ceased working in Street Law to concentrate on other programs within CCL. Michelle Barclay finished working at CCL to move on to another role. Sarah Avery stepped in for us temporarily and has since left CCL. We thank them all for their excellent service with Street Law.

One of our most common services is obtaining identification for clients who have no ID, or insufficient ID to access services. This mostly requires us to obtain birth certificates from any jurisdiction in Australia, and sometimes from the UK or New Zealand as well. At times we need to make submissions to issuing authorities to exercise their discretion to issue ID where the criteria have not been met, as our clients frequently have insufficient ID to start with. This can be life-changing for clients, as they can establish their identity and access services such as housing and social security.

Our outreaches have continued to be an important point of contact for clients dispersed through changes to inner city housing stock, the Covid pandemic, rising transport costs and other upheavals. We are grateful to our outreach partners for providing excellent services and venues to make contact with clients. Their patience and flexibility are a great asset to the community.

The impact of fines continues to be a significant issue with our client group, with an increasing number of offences which are likely to lead to fines being issued. The disproportionate impact of fines on our client group is a continuing concern for us and others in the sector.

We continued to provide our Community Legal Education (CLE) sessions via face to face or online delivery including our ever popular 'How to Spot a Legal Issue' session. We added a session on traffic fines in response to the enormous number of queries we received around traffic infringements, following the lowering of speed limits in the city to 40km/hr.

We continued to provide updates on relevant issues for CCL's social media, responding to pressing concerns, such as traffic infringements.

As always, we are grateful to our incredible staff, the admin staff who do an amazing job with intake and triage, and our pro-bono partners, volunteers and secondees who are always willing to assist.



**Genevieve Bolton, CCL Executive Director/Principal Solicitor with Erin Rikus Street Law Solicitor and John Alati, Street Law Supervising Solicitor.**



## 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 2021–2022, Street Law provided regular outreach services at the following locations:

- Early Morning Centre, Canberra City
- St John's Care, Reid
- AMC (WIPLES), Women in Prison Legal Empowerment Service program at the Alexander Maconochie Centre
- Toora House
- Toora AOD
- Mackillop House.

Street Law also provided outreach services to other organisations on an ad hoc basis where clients or service providers requested that we attend, such as Woden Youth Centre.

The closure of outreach venues because of COVID led to the temporary suspension of our outreaches, but many were adjusted to online service delivery. As of 2022, most outreaches returned to the in-person model, with staff exercising Covid safe practices, except where the outreach partner requested that they remained online. Our Junction Youth Service outreach remains available online, although we currently do not attend in person.

Late in 2022 Street Law's very successful WIPLES program was halted due to a review of all services at AMC. We hope to resume it in 2023.



**Our Street Law Supervising Solicitor John Alati enjoying lunch at St John's community lunch in Reid.**

Street Law provides a legal outreach at the community lunch every month.

## Staff

Street Law had a few staffing changes in the 2021–2022 year:

- John Alati continued as full time Supervising Solicitor; John began with Street Law in 2017 and is also a CCL Board Director.
- Michelle Barclay continued as WIPLES coordinator and Street Law Solicitor but resigned in May 2022.
- Erin Rikus continued as a solicitor in the Street Law team after taking maternity leave between March 2021; and returned in November 2021.
- Anusha Goonetilleke joined Street Law in February 2021 as program manager for one day per week, shared with the Social Security program. She ceased working in Street Law from July 2022.
- Farzana Choudhury worked one day per week as a solicitor in Street Law until 31 December 2021.
- Sarah Avery worked as a solicitor full time in Street Law on a temporary contract from 29 November 2021 until June 2022.

## Pro Bono Support – Secondees and Volunteers

Street Law continued to receive outstanding support from the ACT legal community (please see Volunteers, Students and Secondees section of this report).

We would like to thank all our secondees and partner practices who provide invaluable support to Street Law's operations.

We also supervised students from our clinical legal education program who, as always, provided enthusiastic support and further opportunities for reflective practice.

## Client work

In 2021–2022 Street Law assisted 130 clients.

Street Law 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 matters.

During the reporting period, Street Law provided:

- 193 one-off legal advices
- 54 legal task assistance services
- Opened 13 cases and finalised 14 cases.

## Community Legal Education

Street Law has continued to deliver sessions on legal topics relevant to our client group and community workers.

These included:

- How to Spot a Legal Issue
- Fines
- Traffic infringements
- Bankruptcy; and
- Homelessness issues

Through our WIPLES program, we partnered with several other services in the ACT to co-present community legal education sessions on topics such as:

- Credit and Debt Consumer Credit
- Child Protection
- Domestic Violence and Centrelink and Housing issues
- Victims of Crime Financial Assistance Scheme
- How to Spot a Legal Issue

We revised and edited a range of our ever-popular fact sheets, and edited sections that we contribute to the ACT Law Handbook.

We delivered training on working with vulnerable clients to lawyers at the Australian Government Solicitors' office.

## Law Reform

During the period, Street Law consulted with various stakeholders including Johnathan Davis MLA and Unharm around decriminalisation of certain drug offences and the impact of fines on vulnerable people. We wrote to Minister Rachel Stephen-Smith reiterating our previous submission to the Select Committee on the Drugs of Dependence (Personal Use) Amendment Bill 2021 and clarified our position on the impact of fines on our client group.

## Community Engagement – Meetings and Events

Street Law continued to engage with the community sector to raise awareness of our service and engage with developments in the sector. In 2021–22, Street Law attended the following meetings and events:

- ACT Council of Social Services – Justice Reform Group meetings
- ACT Legal Assistance Forum, including the Community Legal Education Working Group

- Joint Pathways forums
- Youth Housing and Homelessness Forum
- Who's New on the Streets Meetings
- Youth Coalition Housing and Homelessness forums
- Hands Across Canberra Fundraising launch
- Homelessness Sector Cross-Sector Workshop
- ACT Government's Rough Sleepers Working Group
- Economic Justice Australia (EJA) Social Media Working Group
- ACTCOSS meetings
- AMC Women's Reference Group
- Engaging with other homeless people's legal services around Australia
- Meeting with the Greens to discuss law reform in relation to minor drug offences
- Engaging with Unharm in relation to law reform



**Our Street Law Supervising Solicitor John Alati attended the launch of the 'Hands Across Canberra' giving day in March 2022.**

## Some recent client feedback

November 2021

*Thank you so much. I really appreciate your help so much.*

*You are doing an amazing thing by helping people that cannot access this help usually. So I hope you know that you are so appreciated by people like me. Your help is life changing.*

*Thank you again.*

## Case studies

### Case study 1: Janelle's Story (not her real name)

Janelle was in prison when Street Law's outreach team met with her via the WIPLES program. She had significant debts arising from an abusive relationship that included significant domestic violence. Most were civil debts that had been sold onto debt collection agencies. She was receiving letters of demand but was unable to respond or deal with the issue from prison.

She was soon to be released from prison and was looking forward to being housed and getting her children back. She was very keen to enter a rehabilitation program and get her life back on track for the sake of her children.

Like so many people in the prison system, her release was clouded by complications getting housed. The enormous debts she was facing would also make it difficult for her to get things like a phone and internet connection, and other services necessary to keep her family together.

Our Street Law team made submissions to several debt collection agencies and had all her debts (well over \$20 000) completely waived.

We last communicated with her in October 2022. She had been released from incarceration, was in a residential rehabilitation program and was in the process of getting her life back together without the burden of debt. She was grateful for our services.

### Case study 2: Sally's Story (not her real name)

Sally is a mother of 3 young children including a new baby. She had a severe back injury dating to her teenage years. That injury had become more painful for her over the years, and she was confined to a wheelchair about half of the time. Despite being under 30 years old, she was unable to work due to her injury. Sally also suffered from a range of other health issues, including depression and dyslexia, which made it difficult to read and interpret written communications and very difficult for her to advocate on her own behalf.

Her public housing property was no longer suitable for her. It was an older property, not disability friendly and after the death of her father and brother, the house also triggered traumatic memories for her. She could not manipulate her wheelchair around the house as the corridors and doorways were too narrow. This made looking about her baby extremely difficult. All the while, she had issues of escalating violence and control from her partner who was living elsewhere but still exerting control over aspects of her life.

Due to issues with her current house, she was not able to reside there and was mostly couch surfing with friends and relatives.

Street Law initially made a submission for a priority transfer, which after gathering evidence, including, medical evidence, was successful. Sally was offered a newer property but to her dismay, it was not disability friendly. The front driveway and entrance were at an incline which would have made it impossible for her to safely negotiate in her wheelchair. On advice from an occupational therapist, the offer of that property was declined.

Sally continued her precarious lifestyle couch surfing and relying on friends and relatives to assist her to care for her children. We gathered further evidence, including medical and psychological reports and police reports as her old property had also been broken into on more than one occasion leaving her fearful for her children.

Following further submissions and advocacy, we managed to secure a further out of turn offer for Sally. The latest offer was a brand-new home, disability friendly on a level block with excellent facilities for children and close to medical care and schools. This was a great improvement on the previous offer, and we advised that this was a suitable offer according to the relevant criteria.

In this instance, the Street Law worked with the social worker from our Socio-Legal Practice Clinic to support the client through the emotionally demanding process of obtaining evidence of her situation, making submissions, and communication with Housing ACT. This combination of assistance provided an excellent wrap-around service for Sally combining social work and legal expertise which ultimately led to a very favourable outcome.

## Case study 3: Layla's Story

(not her real name)

Layla and her children had been living in a refuge following family violence and separation. She was in the process of applying for a permanent visa. Layla approached Street Law seeking identity documentation, as she said following separation from her husband 'burned' all her and her children's important documents, including Citizenship and birth certificates for Mohdi, her second child.

We provided extensive advice on how Layla could obtain copies of documents she was particularly concerned with. As part of our work with Layla she became aware that there was an error on her middle child's Australian birth certificate. When Layla gave birth to Mohdi, she had not been in Australia very long, had some trouble with forms in English, and had trouble understanding the question about siblings on the form. As a result, Mohdi's older sister, born overseas, was not recorded on Mohdi's certificate as a sibling. We

assisted Layla with obtaining certified translations of the older sibling's birth certificate and were successfully able to amend the birth register so Mohdi's birth certificate is now accurate. We are in the process now of applying for the original of this amended certificate for Layla. As Layla and her children have complex other legal issues, including visa and family law matters, the amended certificate should help her avoid problems with her visa application.

Layla was able to be assisted predominantly by phone and email, with support from her caseworker. As a migrant she is not entitled to government income support and works limited allowed hours for her income. Street Law's flexibility meant she was able to be assisted and work through the matter at times where she was available, without needing to miss any work hours or income.

**John Alati, Supervising Solicitor, Street Law**



# Social Media

CCL is active on Facebook, Twitter, Instagram, and LinkedIn and use all four platforms to promote community legal education, events we host or participate in, employment opportunities and community or sector wide announcements that are relevant to our clients, colleagues, and the broader community.

We have 2781 followers on Facebook, 1489 on Twitter and 865 on Instagram. Our posts regularly reach 250-400 individuals.

We use our social media presence to:

- Engage directly with the community about legal changes and announcements. This was particularly important during the ACT lockdown when there were numerous changes to public health orders, rights and responsibilities under Canberra's tenancy laws and social security payment entitlements.

- Share government and non-government resources about where to get assistance for different legal and social needs.
- Promote our, and sector wide events to both our client base (over Facebook and Instagram primarily) and our colleagues (over LinkedIn and Twitter).
- Answer general questions directly when clients message us on various platforms and refer them to appropriate legal services to ensure they get the support they need.

We make the majority of our social media content ourselves using the online design tool canva and have worked hard to improve the accessibility of our social media presence by adding image descriptions and transcripts to videos where possible.



Canberra Community Law Staff.

# 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. CCL also supported non legal staff to meet professional development requirements. The Centre provided external supervision for its Social Worker and Disability Justice Liaison Officer. CCL also supported one staff member to undertake a Churchill Fellowship.

Professional Development Opportunities provided to staff during the reporting period included:

- Community Workers' Guide to Health Literacy and Health Care
- ACT Law Society – LGBTI+ inclusion and the law
- Administrative Law on the Edge – an Overview Part 2 – Clayton Utz Training
- Trauma-informed practice mentoring session
- DV and Telcos – Redfern Legal Centre
- ACT Law Society – Grief and COVID
- Lifeline – The Art and Practice of Self-Compassion
- Medical Law for Social Workers – Slater and Gordon
- Professional Indemnity Insurance Seminar
- Refugees, Social Justice and the Law – Slater and Gordon
- EJA Conference
- Rising from the Ashes – Breaking the burnout cycle
- Making the right to health a reality
- Passing the Message Stick
- CLCA – Grief and COVID
- Vaccination Policies – Guidance for Centres on how to respond from an employer viewpoint (A National Perspective)
- Child Rights Webinar – Using the Convention in Practice – A view from the Bar
- Australian Military Law Compensation – Slater and Gordon
- What Are We Not Talking About Inclusion and Diversity Webinar – LGBTI+ inclusion and the law – Organised and facilitated panel event
- What Are We Not Talking About Inclusion and Diversity Webinar – Older Persons and the Law
- Accessible Social Media Webinar
- Stress Better Workshop
- Multiculturalism and Disability Panel (Your Story) Webinar
- ACT Law Society CPD on stress and resilience
- Rebellious Lawyering Conference
- CLCA -Streamlining Intake and Servicing Communities
- Clayton Utz Health and Well Being Webinar
- ACT Law Society Employer Obligations
- Mental Health and Centrelink: Your Rights
- Wellbeing is Everyone's Business
- Looking Downstream – the long term costs of funding Legal Aid in Australia
- CCL Internal Workshop – Maintaining Well Being in the Work Setting
- Immigration Law – Ministerial Intervention and Appeals
- Risk and Practice Management when Working from Home – Your Professional Legal Obligations
- CCL Internal Training – Ethics Presentation
- Participation in EJA's Voice Coaching Workshops
- Regulation of Restrictive Practices session at ACT Law Society
- A Gender Agenda Gender Training – Understanding Sex and Gender Diversity
- Cultural Awareness Training provided by BlackCard courtesy of Clayton Utz
- Management Training – Leading Self and Teams
- ACT Law Society Intensive Series
- Legal Wise Compulsory Units Law CPD training
- First Aid Training
- Blackburn Lecture with former Chief Justice
- Disability Liaison Officer Community of Practice Meetings



Multiculturalism and Disability Panel (Your Story) Webinar, May 2022.

# Our Volunteers, Students and Secondees

We greatly appreciate the volunteer, student and pro bono support we have received over the past year.

Thanks also to our pro bono partners, Australian Government Solicitor, Ashurst, Clayton Utz, Hall & Wilcox, HWL Ebsworth, Ken Kush and Associates, Minter Ellison for their ongoing commitment to CCL and our work.

## Night Time Legal Advice Service (NTLAS Volunteers)

### Pro Bono Support

As always, NTLAS has enjoyed enthusiastic support from pro bono partners, including Minter Ellison, Clayton Utz, Hall & Wilcox, Sparke Helmore, as well as many private individuals who gave of their time.

### NTLAS Volunteers & Supporters

Lauren Armstrong  
Jasmine Chen  
Cindy Chia  
Hilary Neville  
Eric Raymond  
Sarah Hein

### The pro bono team at Sparke Helmore:

Mya Anumalapudi  
Molly Campbell

### The pro-bono team at Clayton Utz:

Rachael Grivas  
David Purvis  
Alfonso del Rio  
John McPherson

### The pro-bono team at Hall and Wilcox

Grace Han  
Andrew Banks  
Nathan Kennedy  
Nelson Tang

## Street Law Pro Bono Support – Secondees and Volunteers

Street Law received the following support from the ACT legal community:

Claire Smart from Australian Government Solicitor  
Gabrielle Wilson and Lydia Edwards from Clayton Utz  
Akhila Sambhara, HWL Ebsworth

## HWL Ebsworth

HWL Ebsworth secondees providing legal support to our Social Security Law advice line with their graduates undertaking 1-2 rotations of 3 weeks full time.

Natalie Ellison  
Claudia Crawley  
Mollie Smith  
Lucy Price  
Marissa Parel  
Anna Ziegler  
Kate Torney  
Liam Gilligan  
Akhila Sambhara  
Alice Beer  
Sami Chaudhury  
Vinayak Kaushik  
Jess Pantinople  
Celeste Wills  
Edwina Morton

## Volunteer Paralegal Program

The inaugural Volunteer Program, comprising penultimate and final year law students has provided invaluable support to the front office and solicitors across CCL.

Arden Li  
Benjamin Allen  
Benjamin Yates  
Gemma Smith  
Khushi Singh  
Ruby Donegan  
Sukriti Kapoor  
Susie Kim  
Anna Pinayeva



Georgia Crocker  
Jessica Honan  
Sarah Lim

## **Day Time Secondees**

Australian Government Solicitor:  
Tracey Xue  
Amber Barney  
Clayton Utz:  
HWL Ebsworth Lawyers:  
Claudia Crawley  
Akhila Sambhara

## **Day Time Volunteers**

Rosemary Budavari  
Cesira Costello  
Phillip Finley

## **ANU Clinical Law Students**

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

### **Semester 2, 2021**

Connor Armstrong  
Jess Knapman  
Shahid Shiban  
Cecilia Pattison-Levi  
Eleanor Hsu  
Zara Olsen  
Georgia Crocker  
Lily Butterfield  
Vinayak Kaushik  
Sze Chun Chan  
ANU Course Convenor: Radhika Chaudhri

### **Semester 1, 2022**

Alexander Kupa  
Petra Lejins  
Andy Jin  
Madaleine Chia  
Claire Richardson  
Dan Watson  
Gibson Crampton  
Isabel Michael  
Joseph Stafford  
ANU Course Convenor: Margie Rowe

# Appendix: Auditor's Report

## Canberra Community Law

Level 1, 21 Barry Drive, Turner ACT 2612

Postal Address:

PO Box 547 Canberra ACT 2601

[canberracommunitylaw.org.au](http://canberracommunitylaw.org.au)

