KLC
kingsford legal centre

E BULLETIN

Summer 08

LOCATION

Kingsford Legal Centre is located on the ground floor of the Law Building, University of New South Wales, Anzac Parade, Kensington.

Enter the university at the main entrance on Anzac Parade, walk down the main walkway and turn down the 2nd path on the left. The entrance to the legal centre is opposite the Uni Bar.

POSTAL ADDRESS

F3-003
Kingsford Legal Centre
University of New South Wales
NSW 2052

CONTACT DETAILS

Phone: (02) 9385 9566
Fax: (02) 9385 9583
TTY: (02) 9385 9572
E-mail: legal@unsw.edu.au
www.kingsfordlegalcentre.org

KLC APPOINTS AN ABORIGINAL ACCESS WORKER

Keith Ball commenced work with the KLC on the 10th of November 2008, as the Aboriginal Access Worker. Keith completed his Bachelor of Applied Science (Indigenous Community Management & Development) at Curtin University of Technology. Keith is a member of Wadi Wadi people from the Wollongong & Illawarra region, but was raised in the inner city and inner western suburbs of Sydney. He comes to us from the health sector, working in state and national non-government community based HIV/AIDS organisations in Indigenous specific projects. Keith's first few weeks have been a frantic whirl of meeting our local Aboriginal community members and the community networks. He will be working three days a week to improve access to legal services for members of the local Aboriginal communities. Welcome Keith!

FREEHILLS SECONDEE, LILA OLDMEADOW & KEITH BALL AT YARRA OUTREACH

INDIGENOUS SHOWCASE

In early October, together with the Law School and the Indigenous Law Centre Kingsford Legal Centre participated in the UNSW Indigenous Showcase. The showcase brought together many of the Indigenous programs and activities undertaken at UNSW. The Showcase also provided the legal centre with the opportunity to inform the university community of the projects and services provided by KLC to the local Indigenous community.

MATT BUTT (RIGHT FRONT) AND MICHELLE WHITE (3RD FROM RIGHT, MIDDLE ROW) WITH PRE-LAW INDIGENOUS STUDENTS.

INDIGENOUS PRE-LAW STUDENTS ATTEND KLC

On November 20 KLC was delighted to host the Indigenous pre-law students to chat to them about the centre and community law. This year was the biggest ever with 20 young people attending. Staff love being a part of this program and meeting such bright and determined young people. We wish them all luck in the future and look forward to having an ongoing relationship with many of them through our clinical courses.

LETTER FROM MEXICO FROM ANNA CODY

(KLC Director Anna Cody is currently on sabbatical in Mexico)

We have settled well into Oaxaca Mexico which is a beautiful colonial town with strong Indigenous communities all around it. There are many languages spoken on the streets and some inspiring non-governmental organisations working with them. For the last couple of months I have been working with one organisation called Centre for Indigenous rights, Flor y Canto. They are a small organisation working in the area of economic, social and cultural rights particularly right to water for Indigenous communities and around rights affected by mining activities. There are 12 communities who are organising to try and take control of their access to water and their ability to use water for farming activities. This is based in the Mexican Constitution but faces an uphill battle as the State would have a lot to lose to give control over water use to these communities. It has been fascinating to watch these lawyers experiment with the law to try and improve the situation for these communities.

I have also been working with another slightly larger organisation called "EDUCA" which focuses on civil and political rights but also economic and cultural human rights and community, grassroots education. My work is writing up some evaluations of economic rights projects they run in 2 communities about 6 hours from Oaxaca. Both NGOs are inspiring and exciting to see how they work with communities.

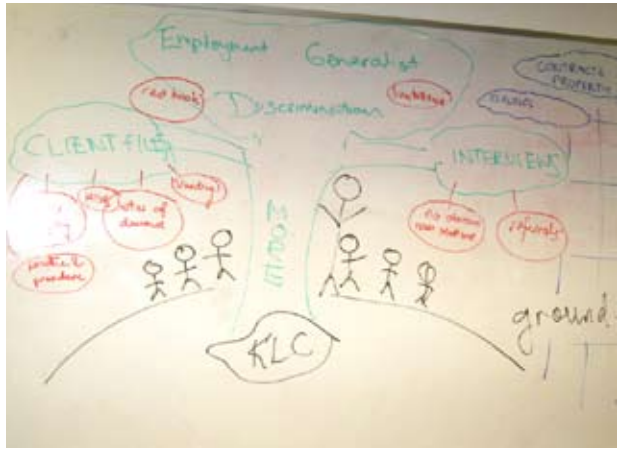
While doing this, I'm also trying to write about our work at Kingsford Legal Centre, teaching students how to work with communities and reflecting on working with Indigenous communities in Oaxaca. So it is a busy time. I've enjoyed giving a couple of seminars to Universities in Mexico city, one for the National University of Mexico another for a smaller private University which also has legal clinics.

And truly one of the highlights on a cultural level has been the "Day of the Dead" which Mexicans celebrate at the beginning of November. For this the whole country stops and creates an altar in each house and people go to the cemetery where their dead loved ones are buried. They decorate with gorgeous bright orange marigolds and light candles. They spend all night, eating, playing music, welcoming the dead person back to be with them. On the altars in houses are sugar skulls and little photos of all the loved family members who have died. Each altar has to contain all the food and drink which the dead person loved such as beer, mole chicken, beans and for children, lollipops and sweets. It is astounding and such a celebration of life, relationships and acceptance of death as part of life.

So I will be soon be back, in February, and look forward to resuming my regular life at Kingsford.

SEMESTER 2

Semester 2 students left us in mid-October. It was a great semester and the students worked really hard for our clients – thanks to all of you and good luck for the future. Summer session students commenced on 24 November – welcome!



SEMESTER 2 STUDENT NEWTON LEE'S PICTORIAL REPRESENTATION OF KLC

SUSTAINABLE BURIALS IN SYDNEY GREATER METROPOLITAN REGION SUBMISSION

In June 2008, KLC did a submission to the Department of Lands on their paper on Sustainable Burials in the Sydney Greater Metropolitan Region. As a result of our experience with the Fridland matter (see Winter 2008 edition of e-Bulletin), we realised that the fact that demand far outstrips supply for burial sites in Sydney, has put consumers in a difficult position. Our concern is that the imbalance has meant that Cemeteries are in very powerful positions. We submitted that it is important for these issues to be considered and consumers to be properly protected when the Department of Lands makes decisions about the future of the burial industry in New South Wales.

EMPLOYMENT CLINIC

In October we appeared for a client in one of our many maternity-leave related matters in her unlawful dismissal application to the Federal Magistrates court. After a three day hearing, the decision was reserved and we await the outcome. The following week we appeared for a client in an unfair dismissal arbitration before the Australian Industrial Relations Commission. The hearing ran over two days and has been set down for a third day in December.

STUDENT ADVOCACY SCHEME

Three KLC students had the opportunity to represent clients with guilty pleas on minor matters at Waverley court over the past 3 months

The first student appeared for a client who was pleading guilty to a shoplifting offence and would otherwise have been unrepresented. Prior to the court appearance, the student met with the client on a number of occasions to discuss the circumstances of the offence and prepare the pleadings. The student was successful in having no conviction recorded and a good behaviour bond.

The following week, a second student also had the opportunity to appear for a client on a matter involving two consecutive driving whilst suspended offences. This was a challenging plea as there were two offences. The Magistrate was prepared to grant a judgment with no conviction recorded for the first offence, and accordingly, could treat the second offence as a first. For the second offence, the client was sentenced to a two year good behaviour bond, the client's licence was suspended for 12 months and a small fine was imposed. The client was relieved with the outcome considering the potential sentence for an offence such as this.

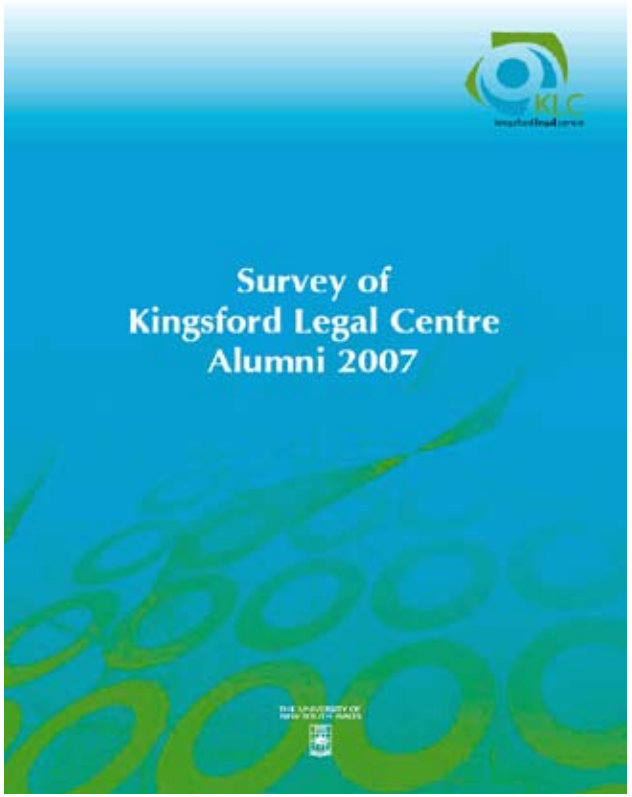
In November 2008 a student attended Waverley Local Court with a client pleading guilty to a charge of common assault. Linda Tucker was there to supervise the student making the plea. It was a valuable, although challenging, experience, as it was necessary to negotiate an alteration of the police facts

sheet with the prosecutor. A Section 10 was granted to the very relieved and grateful client. Fortunately, throughout the process, Linda remained an oasis of calm. During the time it took to deal with the police facts, the student also had the benefit of observing a number of other pleas by lawyers and a self-represented defendant.

All of the clients were delighted with their outcomes and it was an invaluable learning experience for the students involved. The Student Advocacy Scheme remains a vibrant teaching tool for students, which also has immediate and lasting benefit for our clients.

KLC SURVEY OF EX-STUDENTS

In the summer 2007 edition of the e-Bulletin we reported that KLC had undertaken a survey of ex-students to gain a sense of their experience of KLC and the influence it has had on their career and pro bono choices. We have now analysed the results and compiled the responses into a publication which was distributed widely in September. If you would like to have a copy it is now available on our website at: http://www.law.unsw.edu.au/centres/klc/doc/KLC_alumni_survey_2007.pdf. Or if you would like a hardcopy contact us at: d.wasley@unsw.edu.au. Thanks to all of our alumni who responded.



AUSTRALIAN HUMAN RIGHTS CONSULTATION

The stage looks set for the Attorney General to announce on 10 December, the 60th Anniversary of the Universal Declaration of Human Rights, a consultation on how best to protect human rights in Australia. The Australian Government wants to hear people's views on how their rights should be protected and Kingsford Legal Centre is keen to help people from our local community do just that. If you are interested in having your voice heard, please contact Teena Balgi on (02) 9385 9566 or t.balgi@unsw.edu.au. Also if you are not from our local community and would like to know how to get involved, please feel free to contact Teena and she point you in the right direction.

COMBINED COMMUNITY LEGAL CENTRES GROUP (CCLCG) BOARD

KLC remains active on the state body board with Anna Cody remaining on the board in 2009 as Deputy Chair and LindaTucker making her debut as the NSW representative on the NACLC board. Denise has stepped down as Treasurer after a year on the board and has handed the baton back to Hilary from Redfern Legal Centre.

MANDATORY CLE: RULE176 EEO / DISCRIMINATION / OHS TRAINING FOR ALL SOLICITORS

Kingsford Legal Centre solicitors Shirley Southgate and Linda Tucker, along with Mark McDiarmid from the Elizabeth Evatt Legal Centre delivered the above training at the November quarterly meetings of the sector.

NEW ALLENS ARTHUR ROBINSON SECONDEE

Welcome to Laura Brown, KLC's new Allens secondee. Laura started with KLC in early September and will be with us for 6 months. Laura completed her Arts (Honours) degree in English at UNSW in 2003, and completed her graduate law degree (also at UNSW!) in 2006, so after 7 years on this campus, she finds it strange but comforting to be back here! Laura was on exchange in Aarhus, Denmark, for the final session of her law degree, and then completed an internship at the Office of the Prosecutor for the International Criminal Tribunal for the former Yugoslavia, in the Hague, the Netherlands at the start of 2007. Laura has worked at Allens since July 2007, in the Litigation Department. She enjoys travelling, skiing, watching trashy TV and baking, and is always up for a good chat.

NEW FREEHILLS SECONDEE

Welcome also to Lila Oldmeadow. Lila has taken over from Lucinda as the KLC secondee. She started with KLC in late September and will be with us for 6 months. Lila is a 2nd year solicitor at Freehills in the property group. She studied Arts/Law at Sydney Uni and did an honours year in modern history. Lila enjoys photography, eating out, cooking, and… eating in. Although Lila attempts to deny her half American heritage on most occasions, she is looking forward to joining the celebrity supporters of Obama in his upcoming presidency. She is particularly looking forward to working with the KLC staff and students during her 6 months.

FREEHILLS SECONDEE LUCINDA FLANAGAN & ALLENS SECONDEE LAURA BROWN

FAREWELL TO FREEHILLS SECONDEE LUCINDA FLANAGAN

Lucinda's 6 months have flown by and she left KLC on 3 October. Lucinda really made her mark on the Centre – she proved to be an extremely hard working, intelligent and compassionate solicitor and she will be missed by both staff and her clients. We wish her all the luck in the future.

VISITORS FROM ILS LAW COLLEGE, INDIA

On Friday 14 November KLC was visited by Ms Laxmi Paranjape and Dr Jaya Sagade from ILS Law College in Pune in the Indian state of Maharashtra. The college has its own community legal centre, the first of its kind in the Indian state of Maharashtra, and a clinical legal education program at the centre for its students, similar to KLC's own program. Ms Paranjape and Dr Sagade met with Linda, Teena, Shirley and Matt to hear about the work of KLC. It was fascinating, in turn, to hear about the work of the college in Pune.

One aspect of their work that particularly intrigued everyone was what Ms Paranjape and Dr Sagade called 'Public Interest Litigation'. This appears to be similar to a class action but without the obstacles posed in Australia by rules of standing and the possibility of costs. They described one case run entirely by students at the college where the students had successfully challenged the Pune city administration over its failure to meet standards of accessibility for persons with a disability such as on its buses. KLC staff had a wistful moment thinking about the possibilities if this kind of action were available in Australia!

PRINCE OF WALES SOCIAL WORK PROJECT.

In September 3 energetic and keen social work students who were on their final placement at the Prince of Wales Social Work department spent the day at Kingsford Legal Centre. This project has been developed between the hospital and KLC to provide both social work students and legal students an understanding as to how the other profession works. The students had an opportunity to see the legal centre in action, have discussions with the solicitors regarding the services provided, the legal issues of our clients and the impact of legal issues on our clients.

On 10 October 5 KLC students spent the day with the Social Workers at the hospital. The KLC students found the experience very educational and interesting and were very grateful that they had the opportunity. Given the success of the 2 visits it is planned that the project will be repeated in 2009.

ANTI POVERTY WEEK

During Anti Poverty Week Anna Hartree spoke about the services provided by KLC at a forum on Justice and Poverty organised by interns at the Social Justice Project. Other speakers included Professor David Brown who spoke on crime and poverty and Sky Rose discussed whether Pro Bono can really assist the poor.

EX-KLC STUDENT LIZ WILSON GRADUATES

KLC first encountered Liz as a Pre-Law student in 2003. Since then she has come back to the Centre 3 times:- as a Foundations Enrichment 2 student; a Law Lawyers and Society student and then finally as an Employment Clinical Legal Education student. Liz has now graduated and all at KLC want to express our pride in her achievement and wish her all the very best in the future.

LIZ WILSON BEING CONGRATULATED BY JUSTICE MICHAEL KIRBY AT HER GRADUATION CEREMONY RECENTLY.

CRADDOCKS MURRAY NEUMAN PROBONO CLINIC UPDATE

For over a year Craddock Murray Neuman Solicitors have been supporting KLC by providing a solicitor every second Tuesday to attend the Centre and give advice to 4 KLC clinics. However, due to increased pressure on KLC resources due to an extra class which was also run on Tuesdays we have had to discontinue this pro bono clinic. In it's place we have asked if Craddocks would be willing to take referrals from us of clients who are entering guilty pleas at the Downing Centre and, wherever possible, provide a solicitor to help out on one of our Thursday evening advice sessions fortnightly. We are currently trialing this new arrangement and hope that it works for both organizations. We would again like to thank Craddocks solicitors for their generous support over the last year.

NEW CASUAL STAFF

Semester 2 student Matt Butt has stayed on after semester to help us out on the front desk until mid December. CLC solicitor Kim Healey has also come on board and is taking on Shirley's daytime discrimination appointments and evening advice sessions until mid-December, freeing Shirley to work on a precedent project for the legal practice.

STUDENT NEWS

Javeria Khan, a student from summer 06/07 has returned to do 16 days practical legal training with us. Michelle White, an employment student from semester 2, has stayed on to do PLT with us. Welcome Javeria & Michelle.

PLT STUDENT JAVERIA KHAN

XMAS SHUTDOWN

KLC's shut down dates are as follows:-

Advice Nights last one for 2008
Thursday 18 December
First one for 2009
Tuesday 13 January
Daytime advices last one for 2008
Tuesday 23 December
First one for 2009
Monday 5 January

The Centre will close from 1pm Wednesday 24 December and reopen on Monday 5 January.

Thanks to all for your support over the past year and we hope you all have a great Xmas!

IF YOU WOULD LIKE TO SUBSCRIBE (FREE) TO THIS BULLETIN OR WOULD LIKE FURTHER INFORMATION PLEASE EMAIL DENISE WASLEY AT: D.WASLEY@UNSW.EDU.AU.

IF YOU WOULD LIKE TO UNSUBSCRIBE TO THIS BULLETIN PLEASE EMAIL DENISE WASLEY AT D.WASLEY@UNSW.EDU.AU WITH "UNSUBSCRIBE E-BULLETIN" IN THE SUBJECT FIELD.