

kingsford legal centre eBulletin winter 2010

Law reform and policy work

We have resumed our focus on law reform and policy work with some major international reviews on the agenda.

Universal Periodic Review

The Universal Periodic Review (UPR) is a mechanism of the UN Human Rights Council which involves a review of the human rights records of all 192 United Nations Member States. The review is intended to be a cooperative mechanism, based on interactive dialogue with the full involvement of the country concerned, together with other States, NGOs and national human rights institutions. Australia will be reviewed under the UPR in January 2011. The UPR provides a significant opportunity for Australian NGOs to encourage and influence the Australian Government to improve the protection and promotion of human rights and to fulfil its international legal obligations. The UPR mechanism allows for active engagement of NGOs throughout the process. Anna Cody is a member of the 3 person coordinating committee which is developing an Australian NGO Report to the UPR. The NGO coalition will submit its report in July 2010.

CEDAW

Australia is also being reviewed for its compliance with the Convention for the Elimination of all forms of Discrimination against Women (CEDAW) by the CEDAW committee in July 2010. Australia will present its case as to how it has protected, promoted and fulfilled its obligations to ensure the equality of women in Australia. A group of non governmental organisations has written an NGO report and the Indigenous Law Centre, an Indigenous women's NGO report. Anna Cody will be appearing before the Committee at the United Nations in New York in July 2010.

NSW Legal Assistance Forum(NLAF) Prisoner's working group

Kingsford Legal Centre is active within this working group to improve access to prisons for community legal centres and improve accessibility of advice in civil law areas. Prisoners frequently don't identify when they have a legal problem if it is not a criminal law issue. We have an ongoing relationship with Long Bay gaol and continue to work on these issues within the framework of the NLAF working group.

Clinical legal education

On the clinical front we are very excited at the two new clinics which we will be commencing in 2010.

Family Law and Domestic Violence Clinic

The Federal Attorney General Department has recently announced 3 year recurrent funding of this exciting new clinic which will be offered for the first time in semester 2 2010. The "Family law and domestic violence: street law" clinic will develop a range of training modules for various community groups and community members focussing on family law and the cross over with domestic violence. The clinic will build on Kingsford Legal Centre's links with the community including the local Aboriginal community, and the Centre's close working relationships with local community agencies to provide relevant, informative and interactive workshops for community members about family law and any domestic violence issues. It will also link with Women's Legal Services NSW to ensure that women living in rural and remote communities are provided with accurate and relevant information about family law. One of the units will involve a training workshop for Indigenous people at La Perouse, the local Aboriginal community, to be developed in conjunction with the Aboriginal Access worker at the Centre. Students will be responsible for preparing and presenting the workshops under the supervision of the Director and clinical supervisor and in conjunction with the Aboriginal access worker. Other units will focus on providing training to rural and remote communities in conjunction with Women's Legal Services NSW to ensure that women living in rural and remote communities are provided with accurate and relevant information about family law and domestic violence.

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Hong Kong Refugee Advice Clinic

We are also very excited to announce that Kingsford Legal Centre (Anna Cody) and the Migrant and Refugee Rights Project (Bassina Farbenblum) at the Australian Human Rights Centre have been developing a new clinical legal education program with the Hong Kong Refugee Advice Centre (HKRAC), based in Hong Kong. Unparalleled in any Australian law school, the program will involve UNSW Law students undertaking coursework and training at UNSW, and then engaging in a 8 week intensive clinical placement at the HKRAC. At the HKRAC, students will work under clinical supervision on refugee cases in Hong Kong. Students will directly represent clients at all stages, from interview to hearing, in their claim for protection from persecution. The course will be offered for the first time to UNSW Law Faculty students in summer session 2010/11.

Community legal education

CLE has continued with the below workshops and media exposure being the highlights of the quarter.

Asian Women at Work

Anna Cody and Linda Tucker attended a national forum at Sydney University organised by Asian Women at Work where Linda presented two workshops on employment rights.

Older Persons Legal Information Workshop – 28 April 2010

KLC in partnership with South East Neighbourhood Centre and the Older Persons Legal Service at TARS held a very successful information workshop on legal issues for older people. Kristie Clayer, KLC Student Law Clerk, spoke on power of attorney and guardianship, Alex Salib, Allens Seconded at KLC, spoke about wills and Margaret Small from Older Persons Legal Service spoke about helping your family financially, granny flats and reverse mortgages. Over 50 members of the local community listened with interest, asked lots of questions and then had a lovely lunch provided by SENC.



Margaret Small, Alex Salib & Kirsten Clayer

Scams Article

In response to increasing numbers of clients seeking advice about scams, the Southern Courier recently featured an interview with one of our secondees solicitors, Alexandra Salib, in an article warning the community about mail and telephone scams. Alexandra told the Southern Courier that KLC had recently seen a spike in the number of clients coming in with letters promising financial rewards. KLC warned people to be wary of inheritance scams where a person claims to be an overseas lawyer administering the estate of a relative as well as lottery scams. KLC also urged people to seek independent legal advice before responding to any such requests.

Casework

The student advocacy program continues to be a highlight of our clinical courses for students who participate, as well as being a great service for clients. The employment clinic continues to perform at capacity.

Student Advocacy Scheme

On 6 April 2010, a student from Kingsford Legal Centre attended Waverley Court to represent a client as part of our Student Advocacy Scheme. The matter was driving without a valid licence. The client pleaded guilty. Pleadings were made by the student on the client's good character, clean driving record and financial hardship. On the basis of these personal and financial circumstances, the

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magistrate was willing to dismiss the charges under s.10 of the *Crimes (Sentencing) Procedures Act 1999* (NSW). The magistrate was happy to be part of the program and praised the student for their excellent submissions. The client was extremely pleased with the result and in appreciation, brought chocolate for the staff at Kingsford Legal Centre. The Student Advocacy Scheme allowed an otherwise unrepresented and disadvantaged member of society to have their circumstances heard.

Volunteer Solicitors Needed

KLC currently has vacancies on its fortnightly Tuesday night roster for experienced solicitors with current NSW practicing certificates. At KLC volunteering involves not only giving advice to clients but working with and mentoring UNSW law students who attend our advice sessions and interview clients. So if you have some free time and want to help make a difference to our community, email Denise at: d.wasley@unsw.edu.au for an information sheet and application form.

Employment Clinic

The Clinic has been very busy with a number of matters being settled, including an unfair dismissal claim at Fair Work Australia for a client who worked as a cleaner; a discrimination complaint at the Human Rights Commission for a client who worked for the State Government and had made an age and disability complaint; and an employment matter for a client who had a long running matter against her employer who had not reinstated her after a workplace injury as the employer continued to assert there were no suitable duties. We came to a very good settlement without commencing proceedings and the client was extremely happy with the outcome.

The clinic settled an unfair dismissal matter that went to hearing at Fair Work Australia after notifying the Commissioner at the commencement of the hearing of serious problems with the unrepresented employer's evidence. The matter was adjourned and we then went into conciliation and reached a settlement that our client was very happy with.

Staff news

After a very stable 5 – 6 years, KLC is experiencing some key staff changes in 2010. Whilst the loss of this staff has been difficult, we are delighted with the results of our recruitment and the secondees programs continue with their dedicated and hard working staff.

Dianne Anagnos – New KLC Solicitor/Clinical Supervisor

Dianne Anagnos joined the KLC team in May 2010. She comes to KLC from the Welfare Rights Centre (NSW), where she was employed as a solicitor for almost nine years. Her work at Welfare Rights involved advice, advocacy and community education on all aspects of social security law and policy. She has also worked as a volunteer solicitor at Marrickville Legal Centre. Welcome to Dianne.



Dianne Anagnos

Linda Tucker Resigns

KLC employment solicitor/clinical supervisor, Linda Tucker has resigned and moved on to her new position of Manager of Casework at the Office of the Privacy Commissioner. Linda has been a joy to work with and has accomplished much in her 5 ½ years at KLC. Her expertise in employment law has ensured that she became a resource for not only UNSW students but all CLCs in NSW. She was prolific in her law reform and policy work; chaired the national network of employment lawyers; represented NSW on the National Association of

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Community Legal Centres Board; taught employment law subjects to UNSW law students; presented CLEs to both our local community and to practitioners on numerous occasions – all whilst maintaining a large advice and caseload. We are all grateful for all of her hard work and wish her the very best in the future.

Keith Ball Resigns from Kingsford Legal Centre

KLC staff are also sad to announce that their fabulous Aboriginal Access Worker, Keith Ball, has tendered his resignation from the Centre. Keith has decided he needs to take time out to work on his long term health problems and we wish him well with this. Keith was a dynamo and his intelligence, warmth and work ethic got the Centre's Aboriginal Access program off and running very quickly. His legacy to the Centre of a well resourced and organised program with very positive relationships with our local community is much appreciated. In short, Keith is a gem who will be a hard act to follow! We will be advertising the position shortly and will announce the new worker in the coming months.

New Freehills Seconded – Anita Mani

KLC is delighted to welcome back ex-student, Anita Mani, who commenced her 6 month secondment to the Centre on May. Anita was a student here in 2003 and was a star of the 'Street Practice' reality series filmed at KLC. Anita commenced her six months secondment at KLC in May. She completed a Commerce/ Law degree at UNSW in 2003 and was a student at KLC in her final semester. After graduating from university, Anita worked in Sydney and New York as a management consultant for Bain & Company for three years. In 2007, she decided to switch careers and joined Freehills as a solicitor in the Commercial Litigation group.

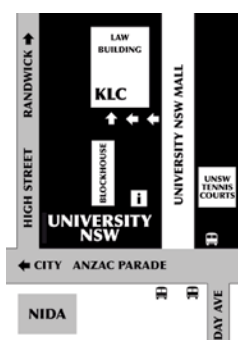


Anita Mani

Farewell to Fiona Poon

KLC secondee Fiona Poon's 6 month with KLC is over and she has returned to Freehills. Fiona was a real asset to the Centre and will be sorely missed. We wish her all the very best for the future and thank her for her hard work and commitment whilst here.

If you would like to subscribe (free) to this eBulletin or would like further information please email Denise Wasley at: d.wasley@unsw.edu.au. If you would like to unsubscribe to this eBulletin please email Denise Wasley at d.wasley@unsw.edu.au with "unsubscribe eBulletin" in the subject field.



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

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