

Annual Report

2018-2019

Australian Centre for
Disability Law



Acknowledgement



The Australian Centre for Disability Law ('ACDL' or 'the Centre') acknowledges the traditional owners of the lands across Australia, and particularly the Gadigal people of the Eora Nation, traditional owners of the land on which the ACDL office is situated. We pay respect to elders past, present and emerging.

Disclaimer

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This publication

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The Centre works with all people with disability and has experience with a wide range of impairments and disability, including physical, intellectual and sensory impairments as well as neurological, psychosocial and a range of long-term health conditions. It provides legal assistance free of charge to its clients, who come from socially, financially and legally disadvantaged backgrounds and rely on the Centre for legal assistance.

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Note: All case studies in this publication have been de-identified, and all names changed.



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About the Australian Centre for Disability Law

The Australian Centre for Disability Law is a community legal centre specialising in the legal rights of people who are discriminated against because of their disability. The Centre was established in 1994 as the NSW Disability Discrimination Legal Centre to assist people with disability and their supporters to learn about and pursue their rights under the Disability Discrimination Act 1992 (Cth).

Based in Sydney, the practice services disability clients across metropolitan and regional New South Wales and represents clients across Australia in human rights cases. Clients come from socially, financially and legally disadvantaged backgrounds and are provided with legal assistance free of charge.

Funding comes from the Commonwealth and New South Wales governments, and from the NSW Public Purpose Fund. From time to time the Centre also receives project-specific funding from other government and non-government supporters.



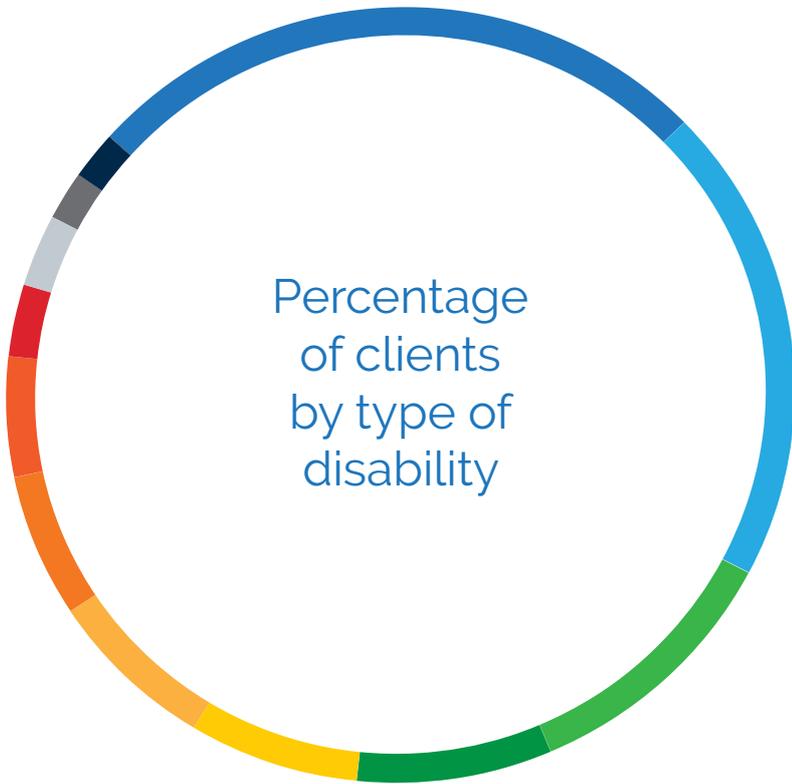
We are a community legal centre that aims to promote and protect the human and legal rights of people with disability and their supporters through legal advocacy.

The majority of the Centre's management committee, which provides oversight and governance, are people with disability. Members of the committee comprise people with extensive practical and academic legal expertise, and experience in disability advocacy, management and financial control.

The Centre has a small permanent staff of practicing solicitors who are supported by volunteer solicitors and paralegals. In addition, significant legal assistance on a pro bono basis is provided through partnerships with commercial law firms. Funding constraints means paid administrative and operational support is limited to one part-time resource. The Centre also works in close conjunction with a number of disability advocacy organisations.

Membership of the Centre is open to individuals, organisations and corporations who share the Centre's vision.

The Centre is an independent, non-profit, apolitical organisation that is incorporated under the Associations Incorporation Act 2009 (NSW). It is a public benevolent institution for the purposes of Australian taxation law and is therefore eligible to receive tax-deductible donations.



Established 25 years ago this year as a response to Australia's statutory recognition of the rights of people with disabilities

- 22% Physical
- 20% Psychological
- 11% Autism
- 8% Intellectual
- 7% Neurological
- 7% Specific learning
- 6% Head injury, stroke or brain injury
- 5% Hearing
- 3% Vision
- 3% Developmental delay
- 2% Speech
- 2% Other

We work with people with a wide range of impairments and disability, including physical, intellectual and sensory impairments as well as neurological, psychosocial and long-term health conditions.



Our vision

A society in which people with disability live with dignity, and in which their human rights and fundamental freedoms are recognised, respected and fulfilled.

Our purpose

We will work towards the realisation of our vision by providing people with disability and their supporters with specialist legal assistance in our designated practice areas, and by undertaking complementary community legal education, continuing legal education and policy and reform activities.

Our goals



To work with and alongside people with disability and their representative organisations towards the realisation of the legal and human rights of people with disability in our designated practice areas



To ensure that our work is distributed equitably across all disability groups



To ensure that those people with disability and their supporters who are most socially and legally disadvantaged, including Aboriginal and Torres Strait Islander people, have equitable access to our services



To understand and interpret disability and disability rights concerns within a social model of disability in which 'disability' is conceptualised not as a personal characteristic but as a result of people's interactions with a social environment prone to barriers that are capable of being overcome



To identify and pursue opportunities to achieve outcomes in our designated practice areas that will have a broad positive impact on the realisation of the human rights of people with disability



To contribute to the positive development of the law as it affects people with disability and their supporters at state, national and international levels



To support the work of Disabled People's Organisations in Australia and internationally, by contributing legal knowledge and expertise where this is relevant to their work



To build the capacity of disability rights and legal services in Australia



The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability is underway, presenting a stark reminder of potential consequences if legal needs are not met.

Chairperson's report

for the year ended 30 June 2019

Welcome to the 2018-2019 Annual Report of the Australian Centre for Disability Law. I hope that this report will assist you to understand and value the work that the Centre undertakes.

This financial year has brought a significant change to the funding environment for community legal centres (CLCs). We were encouraged by NSW Attorney-General Mark Speakman's acceptance of the recommendations of the Cameron Review into Community Legal Services. In particular, the Cameron Review recognised the vital work of CLCs, endorsed a funding methodology based on need, and recommended a three-year funding cycle to give CLCs stability and certainty and enable them to plan for the future and better serve their clients.

Despite an increase in the level of funding for community legal centres as a whole from the start of the 2019-2020 year onwards, the disability sector is not sharing in this increased funding. Our Centre specifically will lose over 20% or \$70,000 of State funding which will affect the number of clients the Centre is able to look after from 2020-2021 onwards. Ultimately, this mean more kids not getting the education they deserve to lead fulfilling and productive lives, and more adults left out of employment or forced to leave their jobs because employers won't provide them reasonable accommodations.

We are disappointed that the government has not responded to the higher level of complex, unmet legal need experienced by people with disability, as recognised by the Law and Justice Foundation, the

Productivity Commission and the Law Council of NSW. The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability is underway, presenting a stark reminder of potential consequences if legal needs are not met.

The Centre will look to alternative funding to cover the shortfall and prevent our projected deficit, so our staff and clients do not feel the impact of these cuts. Fortunately, prudent financial management means funds are available to cover the decrease in 2019-2010, and ongoing investment in the Centre's people and processes is continuously growing the Centre's capacity and operating efficiency.

This year, the Centre was pleased to deepen our outreach work in Aboriginal communities. This work is a testament to our collaborative relationships with both disability and first peoples organisations and is a crucial element in facilitating access to justice for a highly vulnerable group in society.

In addition to this strategic work we continue providing legal information, advice and legal representation, achieving above our targets. Additionally, our advice line service occupies a great deal of our time and remains an important feature of our service. For the people who request and require this assistance it may be essential for the protection of their rights, on an equal basis with others, to accommodation, employment, education and basic services. The complex nature of disability

discrimination law means that the Centre's casework is resource intensive, with each case revolving on its own facts.

This is my first year as Chairperson and I would like to thank my colleagues on the Management Committee for their support. In particular, I pay tribute to former Chairperson Rosemary Kayess who held the position for 24 years, and Lai Ha Wu, who retired from the Management Committee after 10 years as Treasurer. You both leave big shoes to fill, thank you for your commitment and your guidance.

I thank our paid and volunteer staff for their work. Principal Managing Solicitor Mark Patrick and his team go 'above and beyond' in the passion and dedication to their work and improving the lives of people with disability. Tiffany Whitham has been an invaluable addition as Operations and Administration Manager, helping with the running of the Centre.

The Centre could not achieve what it does without the dedicated support of volunteers — thank you for giving of your time so generously.

I am also very grateful to members from Baker & McKenzie, Hall & Wilcox, Sparke Helmore and HWL Ebsworth who every week provide us solicitors to assist on our advice line.

I commend this report to you.

Ya'el Frisch Chairperson



Message from the Executive Officer

for the year ended 30 June 2019

During the year we saw a fundamental change to the funding landscape for community legal centres (CLCs). This change came about as a result of the Cameron Review of Community Legal Services and requires all CLCs to tender for their state funding. Unfortunately the Centre was not successful in receiving the funding it requested and will lose approximately \$70,000 from 2020-2021. The Management Committee and I are working hard on strategies to secure alternate sources of funding.

Despite the upheavals during the year, the Centre implemented new strategies to increase its delivery of services to clients and diversify the legal practice into generalist areas of law. I am pleased to report that we exceeded nearly all our service delivery targets for the year. During the year we provided 240 instances of discrete legal services (legal advice and

legal tasks) to our clients, which exceeded our annual target of 165 by 45%. Of these matters 72% were related to disability discrimination, with the remaining 28 % comprising matters involving housing (6%), consumer law (3%) and 2% in each of NDIS appeals, employment, social security law, wills and estate matters, contractual matters, minor criminal matters and other civil law matters (10%).

In addition we continue to assist clients during proceedings in the Anti-Discrimination Board or the Australian Human Rights Commission and opened 14 new matters during the year, exceeding our target of 3 for the year. We also assisted 6 new clients with matters before the Courts or Tribunals. 100% of our closed representation services were delivered to people with disability experiencing financial disadvantage.



During the year, the Centre implemented new strategies to increase its delivery of services to clients and diversify the legal practice into generalist areas of law.



We have also continued to deliver community legal education (CLE) sessions across New South Wales. During the year we delivered 26 CLE sessions, exceeding our target of 15 by 73%. We also developed 9 new CLE packages, significantly exceeding our target of 1. This work is very important to the community, as we aim to educate and inform people of their rights under discrimination law. We also provide this training to organisations wishing to improve their understanding of discrimination law. We are grateful to our colleagues at People with Disability Australia for partnering with us to deliver some of these sessions.

I also pay tribute to the dedication and contribution of each of the Centre's paid staff, our legal and paralegal volunteers and the support we receive from our pro bono partners. I am especially grateful for the support of Baker & McKenzie, HWL Ebsworth, Hall & Wilcox and Sparke Helmore. Each of these firms provide us the equivalent of 1 solicitor per week to staff our advice line clinic and also accept referrals for more complex matters. In addition, Ashurst joined our pro bono team and provided us with valuable assistance in preparing law reform submissions during the year.

I thank the members of our management committee for their ongoing commitment to the Centre. In particular I congratulate Ms Ya'el Frisch on her election as the Chair and Ms Melinda Harrison as Vice Chair. I pay tribute to our former chair, Ms Rosemary Kayess, who after 24 years retired as Chairperson. I especially thank her for commitment to the Centre and outstanding leadership over the years. I am also relieved that Rosemary will continue as a member of the Management Committee. I also pay tribute to Ms Lai Ha Wu who also retired as Treasurer after 10 years of service. I will especially miss Lai Ha's commitment to the Centre and her thoughtful guidance over the years.

I also thank the Commonwealth and NSW governments and the Trustees of the NSW Public Purpose Fund for their financial support for ACDL's work. Special thanks also to Gaby Carney, Mia Zahra, Meagan Lee and Lila Sullivan from Legal Aid's Community Legal Centre program for their support during the year.

Mark Patrick Executive Officer

Our members in action

This year our retiring chair Rosemary Kayess commenced her first term as Vice Chairperson of the United Nations Committee on the Rights of Persons with Disabilities. The Committee meetings are held at the United Nations (UN) in Geneva and comprises of 18 Independent disability and human rights experts.

At the Committee's meeting in March considered the progress of 9 countries in meeting their obligations under the Convention. The Committee also finalised consideration of 5 individual complaints made to the Committee. Issues these cases covered included the provision of

reasonable accommodation following a disabling injury and access to justice.

It was a busy year for Rosemary. In addition to her work at the UN she is a member of the Australian Disability Law Experts Group (ADLEG). This year Rosemary contributed to the submission to the Senate enquiry into amendments to the Sex Discrimination Act from members of ADLEG and engaged in communications with the Attorney General regarding implications of the *Hinder v The Salvation Army Property Trust*¹ for other Disability Discrimination Act cases.

1. *Hinder v The Salvation Army Property Trust (No 3)* [2017] NSWCATAD 16, did not resolve but raised the question of whether gambling addiction constituted disability under the Anti-Discrimination Act 1977.



Our people

Our members

Membership of the Centre is open to all people, as well as to organisations and corporations. Members of the Centre may vote on important operational issues and may nominate to serve on our management committee.

Our members share our vision and are united in the aim of creating a society where people with disability are able to participate in all aspects of life through the removal of barriers, the elimination of discrimination, the empowerment of people with disability, the promotion of awareness and the ability to exercise rights.

Our management committee

Our volunteer management committee is responsible for the governance of the Centre. Its members have broad experience and expertise, including as practising and academic lawyers, disability advocates and as management and accounting specialists. The majority, as required by our constitution, are people with disability.

Ya'el Frisch
Chairperson (from 28 November 2018)
Policy Officer, Law Enforcement and Crime, Department of Communities and Justice

Melinda Harrison
Vice-Chairperson (from November 2018)
Training Manager, People with Disability Australia

Jennifer Green
Secretary
Community services consultant

Rosemary Kayess
Outgoing Chair (until 28 November 2018, but remains on the Committee)
Vice Chair of the United Nations Committee on the Rights of Persons with Disabilities

Julian Laurens
Project Officer Melbourne Law School

Mark Rae
Member of the Management Committee

Lai Ha Wu
Outgoing Treasurer* (retired 28 November 2018)
Chief Financial Officer First Peoples Disability Network

Our staff

Our staff work tirelessly to ensure the best possible outcomes for our clients. This year we farewelled a number of staff and welcomed several new staff to our team.

Mark Patrick Principal Solicitor and Executive Officer

Laura Cottam Solicitor

Jane Thomson Solicitor (from 5 December 2018)

Thea Debler-Depold Solicitor (from 18 March 2019) Paralegal (until 15 March 2019)

Mary Ann Odo Solicitor (until 15 March 2019)

Solomon Wakeling Solicitor (until 13 December 2018)

Melanie Bradfield Solicitor (until 17 September 2018)

Tiffany Whitham Administration Manager (from 16 October 2018)

* Anthony Crossley was appointed Treasurer on 14 August 2019, and has in this capacity signed the Committee Member's report and declaration to the 2019 Financial Statements.



"I have really enjoyed my time volunteering at ACDL. It has been a great way to jump out of my comfort zone and learn about a new area of law. From a human rights perspective, the Centre's work is essential and it has such a great team running the ship."

Georgia Murphy-Haste
Sparke Helmore
Lawyers

Our legal firm partners and volunteers

Our centre is fortunate to have support from law student volunteers, secondees and pro bono solicitors. We would especially like to thank volunteer Dilushi Wijesinghe who volunteered 2 days a week to assist the Centre, and our pro bono law firm partners Baker McKenzie, Hall & Wilcox, HWL Ebsworth and Sparke Helmore Lawyers who provided us with the equivalent of one solicitor per week during the year. In addition, both Baker McKenzie and Hall & Wilcox provided an additional solicitor twice per month and Ms Georgia Kennedy was very generously seconded from Sparke Helmore Lawyers for an extended period during the year.

Our clients benefit greatly from our partnerships with city law firms and other legal practitioners who provide assistance on a pro bono basis. These partnerships significantly increase our capacity to provide high-quality legal services to socially, financially and legally disadvantaged people with disability. In addition, the varied areas of legal expertise volunteers bring, augment our internal skills, broadening the areas of law in which we are able to assist clients. Secondments are particularly welcome as the continuity provides obvious advantages to the Centre. Moreover, the deep skill transfer from our disability discrimination specialists we trust raises our partners capability to advance disability rights outside the support they provide through their work with us.

We would also like to thank pro bono partner Ashurst for their ongoing assistance, Ben Fogarty of Denman Chambers and Gilbert + Tobin Lawyers, who this year assisted the Centre by providing advice on a number of complex issues on a pro bono or restricted-fee basis.

Our pro bono partners, student volunteers and interns provide us with much needed support and are integral to the work we do. They give up their time to staff our Advice Line, participate in research, and assist in drafting letters to both clients and respondents. We simply couldn't operate without their generous support.

In particular, we would like to thank the following solicitors and students for their work:

Anne-Marie Allgrove	Nick Gowland	Simon Morgan
Cassandra Andrews	Tania Hanna	Sarah Morton-Ramwell
Bethany Armstrong	Myfanwy Henry-Jones	Georgia Murphy-Haste
Franco Aversa	David Holland	Shankari Nadanachandran
Ferous Bahar	Adam Jeffrey	Rhea Nair
Matthew Bridges	Ian Jones	Angela Pale
Audrey Chan	Kirrilee Kennedy	Jesse Pereira
Rui Chen	Georgia Kennedy	Antonia Quinlivan
Janet Cho	Nathan Kennedy	Bernadette Rayment
Anthony Crowe	Karen Keogh	Liz Sarofin
Alan Darwin	Sibel Khan	Tanya Smart
Bianca Dearing	Jamie Kulczycki	Alicia Snijders
Jane-Elise Delis	Sara Lane	Courtney Straney
Rebecca Dominguez	Oksana Lutak	Chantal Tipene
Jen Fitzalan	Olivia Lynch	Samantha Treffiletti
Ali French	Bridget Maher	Adrian Vincent
Kate Gillingham	Patricia Marinovic	Dilushi Wijesinghe
Tatjana Giutronich	Veronica Mason	Jennifer Williams
Lucienne Gleeson	Posy McGrane	
Chelsea Gordon	Rachael Miles	

The logo for ashurst, featuring the word "ashurst" in a lowercase, dark blue, sans-serif font.The logo for Baker McKenzie, with "Baker" in red and "McKenzie." in dark red, both in a bold, sans-serif font.The logo for sparke HELMORE LAWYERS, with "sparke" in orange and "HELMORE" in dark blue, with "LAWYERS" in a smaller dark blue font below.The logo for HWL EBSWORTH LAWYERS, with "HWL" in green and "EBSWORTH" in dark grey, with "LAWYERS" in a smaller dark grey font below.The logo for Hall & Wilcox smarter law, featuring a stylized "H" and "W" in blue and black, with "Hall & Wilcox" in dark blue and "smarter law" in a lighter blue font below.



Case study 1 — policies become more inclusive

Fred has a number of mental health issues including PTSD from childhood abuse, which means that his ability to read and write and advocate for himself can fluctuate depending on the situation. Fred was having issues with his community housing provider, and he had made a complaint to the Australian Human Rights Commission (AHRC) in relation to their failure to assist him to put complaints in writing. Fred's relationship with his housing provider broke down and he preferred to move out and become homeless rather than continue to interact with them.

The Centre's original aim in assisting Fred was to clarify his complaint and the outcomes he sought, including assistance in getting alternate housing, a change to their policies to assist people with complaints and the waiver of some of his outstanding debt. It took some months to receive the response from the housing provider, which made it clear that they wouldn't help him be re-housed.

However, we thought that a conciliation conference would be useful to allow Fred a chance to tell his side of the story to the housing provider. We hoped that this would lead to a discussion about their policies and some of his debt being waived so he could apply for other housing. The AHRC agreed. While Fred was very nervous about the conciliation, he said afterwards that he found the process very exhilarating, as the housing provider's representatives, at a senior level, listened to him and responded sincerely to his statements.

After discussion, the housing provider agreed to waive all his debt, return his bond, and institute staff training that they should assist people to put complaints in writing if they appear to need it or ask for it. Fred was very happy with this outcome, as he got some money in his pocket, a clean slate so he could apply for new housing, and a change in policies and procedures to assist others.

Our work

Disability discrimination focused law practice

People with disability are the most disadvantaged and marginalised people in our community. They are subject to high levels of discrimination and are often the victims of violence, abuse, neglect and exploitation.

Our disability discrimination services are limited to people who are residents of NSW, or to complaints where the subject matter is substantially connected to NSW.

In the last year we have expanded our legal practice into other areas of law affecting people with disability. In particular, we commenced providing advice to clients participating in the National Disability Insurance Scheme (NDIS). We also helped clients with Guardianship and Public Trustee matters, problems with housing and debt as well as issues with disability service providers. Further, we continued to provide legal services to clients experiencing or at risk of family violence.

Over the course of the year, the Centre operated a telephone advice line which was staffed a minimum of three hours a day, three days a week. In all, we provided 210 instances of legal advice, completed 30 legal tasks, and provided 126 casework representation services. In addition, 637 people participated in the 26 community legal education events held, 696 people with disability were referred to other more appropriate community or legal services and we indirectly assisted more than 6000 people who accessed our disability discrimination booklet.

Included in those we assisted with specific legal services; 6 clients lived in outer regional or remote areas, 10 clients were experiencing homelessness, 16 clients were from culturally and linguistically diverse backgrounds and 16 clients identified as being Aboriginal or Torres Strait Islander.

Casework and representation

This area of our practice varied considerably in scope and intensity.

Like our work providing legal advice, the majority of our casework (82%) this year was related to disability discrimination. We also worked on matters related to wills and estates, guardianship and NDIS reviews and appeals.

Of our casework in the area of disability discrimination, 23% per cent related to education, 26% to the provision of goods and services, 32% to employment, and 16% to accommodation and access to

premises. Typically, our discrimination representative service involves very intensive and time consuming casework which may commence immediately before or after the alleged act of discrimination.

In some cases, this work involves sending a letter on behalf of a client advising the other party of their legal obligations and that action will be taken if they do not address a problem within a specified period. Sometimes we will attend meetings with clients to try to resolve matters. This often resolves the issue for the client without further legal action being required.

In other cases, this work involves assisting a person with a complaint to either the Anti-Discrimination Board (ADB) or the Australian Human Rights Commission (AHRC). This includes drafting complaints, advising on options and/or representing a person in a conciliation conference. Where these approaches fail, we will pursue the matter to conclusion in the relevant tribunal or court.

Similarly, our NDIS work involves drafting and lodging Tribunal documents and representing clients at the Administrative Appeals Tribunal (AAT).

This year we have also assisted clients in guardianship and financial management matters at the NSW Civil and Administrative Tribunal (NCAT).

Case work and representation are particularly time intensive and take up a substantial amount of resources. For this reason, although we receive many requests for this type of assistance, we are only able to assist in a small number of cases. In this respect we are an intensive casework service that yields substantial benefits to our clients. This concentrated and focused assistance has the potential to result in positive change for the particular client, and in systemic change that will benefit others living with disability.

This year we assisted 126 clients with intensive casework and representation services, a 31% increase on the previous year. This included representing 16 clients

in conciliation conferences at the AHRC or ADB and an additional 17 clients in matters before courts or tribunals (discussed in more detail below). We exceeded our targets for annual matters worked on across all three categories of representative services; by 4% for general matters, and on the more intensive dispute resolution and court/tribunal cases, by 220% and 155% respectively.

Representation in dispute resolution

All our casework matters are intensive, due to the complex nature of disability discrimination matters which are rarely addressed by standard responses. In some cases, we will take on matters that are more intensive or where legal proceedings have commenced. This is often because a client is particularly vulnerable. The work may involve attending a conciliation conference at the ADB or the AHRC or assisting with an NDIS appeal.

This year we helped 16 clients with intensive casework including:

- two matters involving an airline service refusing to allow an assistance animal to fly in the cabin of the aircraft;
- two matters involving service providers not making reasonable adjustments for their clients;
- one matter with a transport provider not providing an accessible service;
- five matters involving unfavourable treatment in employment due to their disability;
- one matter involving a child being denied medical assistance at a childcare centre; and
- one matter involving a student denied reasonable adjustments at a school
- one matter involving a retirement village not providing accessible pool facilities.



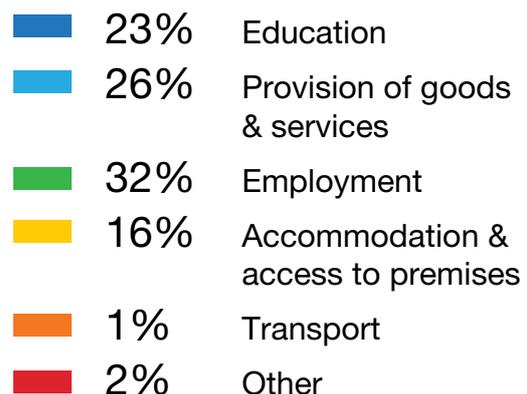
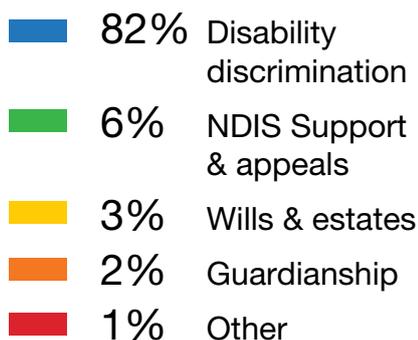
Court and Tribunal Matters

When resources permit, the Centre will act for parties involved in matters before courts or tribunals in relation to systemic issues that warrant the intensive use of our resources. This is usually the most intensive disability discrimination client work we undertake and we examine the individual merits of such cases carefully before proceeding to represent the client. This year we assisted 17 clients including:

- Representation of a client at the NCAT in a disability discrimination matter that involved a change in policy that affects many workers for a NSW Government Agency. This matter settled prior to it being set for a hearing.
- Representation of an 84 year old client at the NCAT in an application to revoke a financial management order. The Public Trustee and Guardian was holding a large sum of money on the

client's behalf and limiting his access to his funds. Unfortunately we ultimately had to withdraw from this matter. We did however manage to negotiate with the Trustee and Guardian to pay our client more money from his funds on a weekly basis.

- Representation of a mother with a physical disability at the NCAT. This client requested and was denied the use of a ramp to assist her in boarding a bus on multiple occasions with her children in their pram. We had assisted the client at the ADB, where an outcome wasn't achieved at conciliation. This matter settled at mediation at the NCAT prior to it being set for a hearing, which led to a positive outcome of additional training and policy change for the company which will assist other bus users in the future.

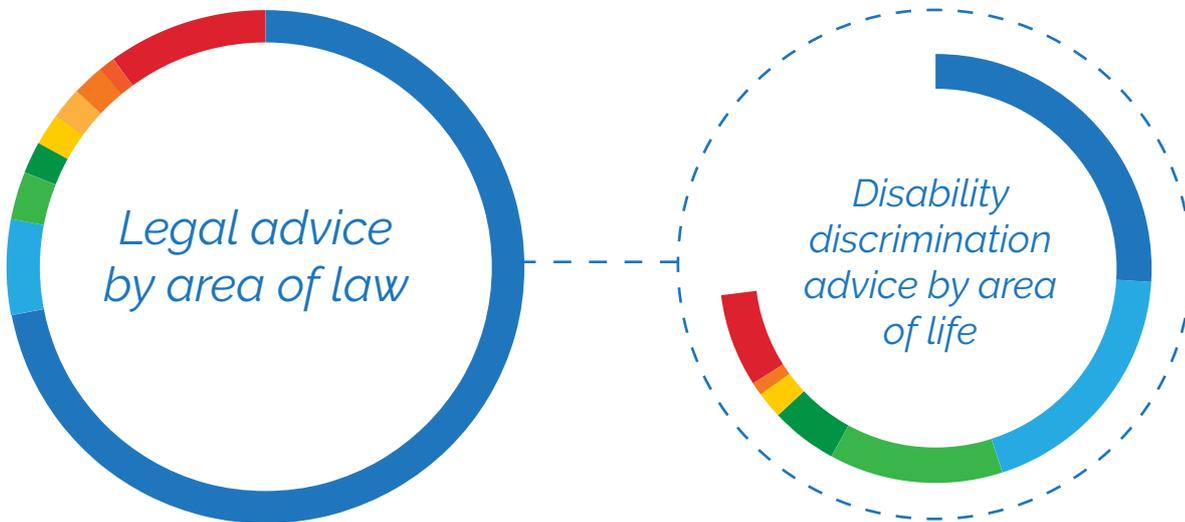


Legal advice

During the year we provided 240 instances of legal advice and tasks. We exceeded our targets by 45% and more than doubled the number of services provided in the previous year.

While the majority (72%) of our work is related to disability discrimination, we provided advice on other areas of law affecting our clients, including housing and accommodation access matters, wills and estates, guardianship matters and NDIS reviews and appeals.

Of our advice in the area of disability discrimination, 36% per cent related to education, 26% to the provision of goods and services, 19% to employment, and 7% to accommodation and access to premises. We also provided advice on consumer contracts and other areas of civil law, employment law; housing and tenancy matters.



72%	Disability discrimination
6%	Housing
3%	Consumer and Debt
2%	NDIS support & appeals
2%	Employment
2%	Social security
2%	Wills and estates
1%	Guardianship
10%	Other

36%	Education
26%	Provision of goods & services
19%	Employment
7%	Accommodation & access to premises
2%	Government
1%	Transport
9%	Other



Representation during proceedings at tribunal and court is particularly time-intensive and consumes a substantial amount of resources.

Legal information and referral

Our legal information and referral service includes the provision of general information about disability discrimination law over the telephone or by email.

We will provide referral information where an enquiry falls outside our areas of practice. These referrals may be to appropriate complaint-handling bodies, to other sources of legal assistance, or to disability advocacy organisations. During the year we helped 696 people with disability by referring them to appropriate services.

In addition, we produce a Guide to Using Disability Discrimination Laws ('the Guide'). Although this Guide is

intended mainly for people with disability and their supporters, it is also relevant to a range of other audiences including students, carers, disability and other legal service providers, and organisations that may be respondents to disability discrimination claims.

During the past year we began the process of reviewing and updating the Guide to ensure its ongoing quality and its accurate reflection of the current laws. This included submitting it to several legal professionals for in-depth review and comment. The new version will be available in hard copy and from our website from January 2020.

Community legal education

Since its establishment, the Centre has played a role in educating members of the community about disability discrimination laws, what disability discrimination looks like, and how to act on possible discrimination when it arises. We provide legal education and training to groups including councils, government departments, community groups and large private organisations.

Significantly during the past year the Centre in conjunction with People with Disability Australia (PWDA) rolled out an extensive training package on disability awareness within workplaces and services. The Centre complements PWDA's training by working in partnership to deliver information on disability discrimination and other areas of law relevant to people with disability, including the NDIS. This included Domestic and Family Violence services in

Orange, Young people in Dubbo, Youth services in Sydney, LGBTI service in Sydney, and NDIS participants on the South Coast.

Several sessions were provided to local councils. One council in particular wanted to improve services for staff and residents with disability and to better understanding their obligations under anti-discrimination legislation to prevent possible discriminatory practices.

In all we conducted 26 community legal education events reaching a total of 637 participants. This represents an increase of 13% compared to the previous year and is 73% above our target. Development of education resources also exceeded our target by 800%, with 9 resources produced in the period.

Outreach

We visited a number of regional areas this year to provide advice and education on disability discrimination and about rights. We visited advocacy and legal services, disability services, domestic violence services, Aboriginal specific services and Land Councils and individual clients.

- Outreach was undertaken in: Orange, Dubbo, Blayney, Bathurst and the South Coast of NSW including Nowra, Batemans Bay, Moruya and Narooma.
- A highlight was the Remote and Regional conference held at Dubbo. This is a two day event put on by a Community Legal Service to share information, to network and to learn about current practice.

- We have also been particularly focused on reaching out to Aboriginal communities and to provide culturally appropriate services to Aboriginal clients.

In October 2018, we also commenced a fortnightly outreach at the Surry Hills. The Community Connect Hub, established by the NSW Department of Communities and Justice is located at the Northcott housing estate in Surry Hills. The Hub provides a range of legal and non-legal services and referrals, and our participation in this outreach allows tenants of the estate to get free legal advice on a range of issues including housing, discrimination, debt, guardianship and other civil law matters.

Case study 2 — staying in the family home

Colin and his brother Archie have multiple physical and mental health issues. Colin is also Archie's carer. Their mother had lived in their Housing NSW property in northern NSW for over 40 years, where they lived most of their lives, including caring for their mother during her final years. When she died, however, she hadn't completed the transfer of tenancy documents for her sons to take over her house, and they had to apply for their own tenancy with Housing NSW. They did so requesting to stay in the house with its years of positive associations, and appropriate modifications for their disabilities, including a third bedroom for Colin's rehabilitation equipment.

Housing NSW initially only approved a 2 bedroom house, as they didn't agree to accommodate Colin's needs as carer. Their local tenant advocate was tenacious in fighting for them, lodging appeals with Housing NSW and contacting the Centre to see if we could assist. We wrote a letter on behalf of Colin advocating for Housing NSW to consider his housing needs as Archie's carer and advocating for them to stay in the house that suited all their physical and mental health needs. We advised them it was our legal opinion to refuse to do so was discriminating against both brothers.

Housing NSW agreed verbally that Archie could qualify for a 3 bedroom house, but refused to confirm that the brothers could stay in their current property. They were offered a temporary 3 months lease extension and told they were subject to a 'wait-turn' policy and likely to have to move. Their advocate told us that both men were suicidal at the uncertainty about their future, and a further appeal on their behalf was lodged. As Housing NSW had not taking into account the reasonable adjustments requested for their mental health, the Centre wrote a further letter on their behalf to Housing NSW, requesting confirmation of the 3 bedroom entitlement and a long-term lease in their current property.

Just before Christmas, we received confirmation that the brothers had been given a long-term lease on their property — a very happy outcome for all concerned, and demonstrating the importance of working with other service providers to achieve the same goal.





240
legal
advices

12
legal advice
clinics in
regional
NSW

126
casework and
representation
services

26
community
legal education
events

33
intensive
casework
matters

100%
from financially
disadvantaged
backgrounds

Community events

This year the Centre attended several disability expositions and events, to raise our profile and promote better awareness among people with disability and relevant organisations about our service. These events are an opportunity to network with other disability and legal organisations and make contact with people with disability who are in need of legal assistance. Events attended this year included:

- City of Sydney Disability Expo – Sydney Town Hall.
- Western Sydney NDIS Expo for School leavers – Blacktown
- EWON Bring your Bills Day – Nowra
- EWON – Bring your Bills Day – Batemans Bay

Policy and law reform

Policy and law reform is often the most efficient way of dealing with systemic legal issues and social injustice. It can result in change for a whole group of people and prevent repeated costly, time-consuming legal proceedings for individuals facing similar situations.

The Centre contributes to policy and law reform activities when appropriate. Our policy and law reform work is informed by our casework experience, as well as by detailed research and policy analysis. Much of this work is undertaken by our volunteers.

Policy and law reform work undertaken this year by the Centre included:

- contributions to policy and law reform relating to the transport standards and access to railway stations;
- communications with the Commonwealth Attorney-General regarding the implications of *Sklavos v Australasian College of Dermatologists* on requests for reasonable adjustments;
- consultations with Legal Aid on the legislative basis to compel organisations to make reasonable adjustments for people with disability under the *Anti-Discrimination Act*.

- development of case studies for submission to the Royal Commission into Violence and Abuse against People with Disability; and
- work on a submission to the ‘Free and Equal’ consultation being undertaken by the Australian Human Rights Commission.

We continued this year to facilitate the Australian Disability Rights Network. Through this work we help to build the capacity of disability rights and legal services in Australia by coordinating quarterly support meetings and organising the Network’s annual conference.

Nationally, we also continue to play a central role in the implementation and monitoring of the Convention on the Rights of Persons with Disabilities in Australia. This year we assisted with the development of the Civil Society

Shadow Report on the Convention on the Rights of Persons with Disabilities (CRPD). The Shadow Report presents the perspective of people with disability in relation to Australia’s compliance with its obligations under the CRPD, and will be represented in Geneva in October 2019 as the UN Committee reviews the report and representations from the Australian Government.

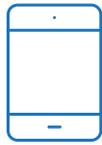


Human rights law practice

In addition to our disability law legal practice, we continue to develop our human rights legal practice. This involves assisting people with disability in relation to complaints that allege a contravention of their human rights as recognised under the Australian Human Rights Commission Act 1986 (Cth). We also assist people with disability in relation to communications to the United Nations Committee on the Rights of Persons with Disabilities under Article 1 of the Optional Protocol to the Convention on the Rights of Persons with Disabilities that allege violations of their human rights as those rights are recognised or declared in the Convention on the Rights of Persons with Disabilities. Unlike our disability discrimination legal practice, our human rights legal practice operates on a national basis and is unfunded, relying heavily on the work of

our volunteers and pro bono legal partners. As such, it is only capable of providing legal assistance to a very limited number of people. Priority is given to people with legal problems that, if resolved, will result in systemic change for people with disability and their supporters. The practice specifically assists people with disability in making complaints under the complaints mechanism of the Convention on the Rights of Persons with Disabilities (CRPD) and its Optional Protocol. ACDL remains committed to developing this area of practice and to continuing to participate in the development of international law. It does this by advancing international jurisprudence through the complaint mechanisms and by participating in the international forum.

Some highlights



900

hours of telephone advice line available



59

pro-bono solicitors and student volunteers



240

legal advices provided to people with disability

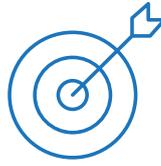
Our website was visited
13,423
times





126

clients assisted with intensive casework and representation



9

education resources created — 8 above target

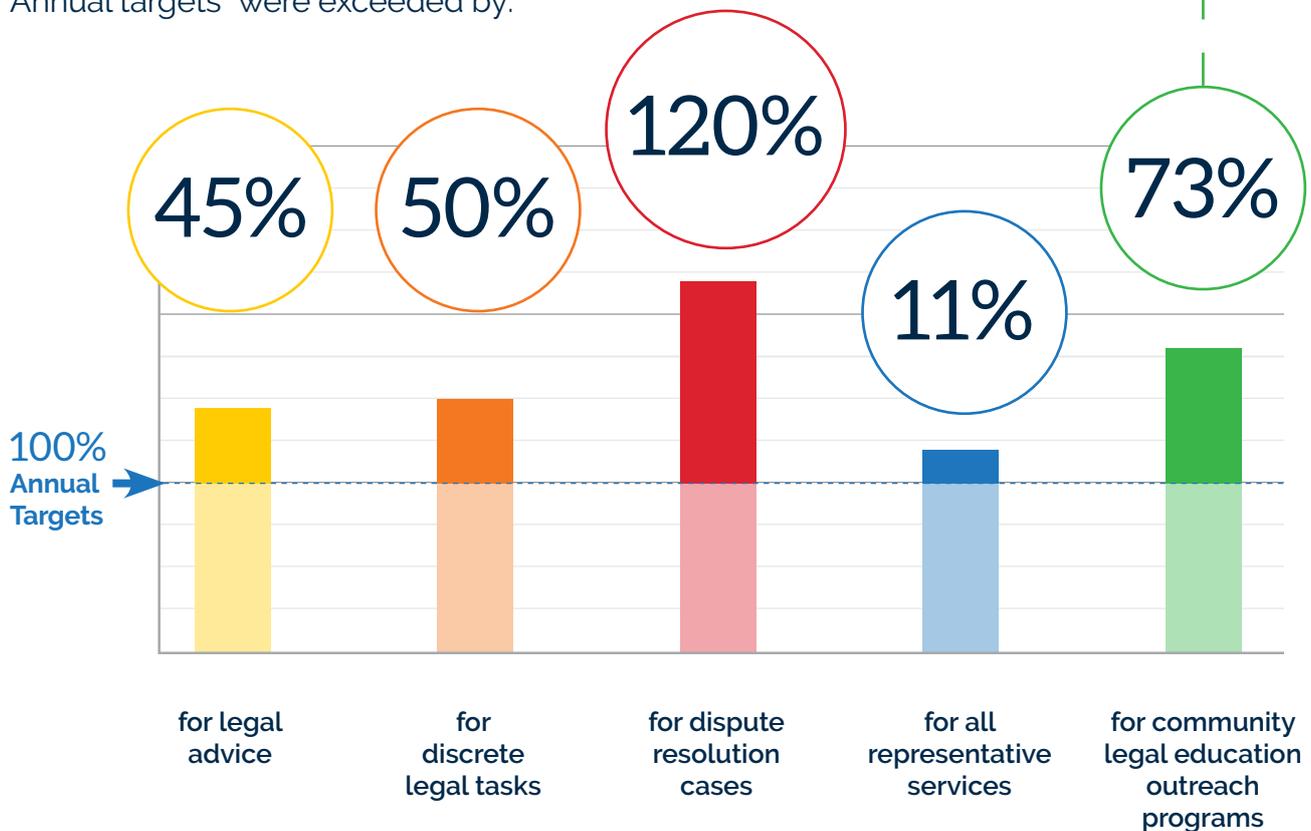


26

community legal education programs conducted, reaching 637 participants

Exceeding expectations

Annual targets* were exceeded by:



* Services/matters worked on during the period

Why we do what we do

People with disability are amongst the most legally disadvantaged in our community, according to the Law and Justice Foundation, the Australian Productivity Commission and the Law Council of NSW. Moreover, the Productivity Commission confirms what we see in our practice every day; that people with disability experience a complex clustering of problems and, according to the Commission's research, are 1.6 times more likely than those without disability to experience multiple legal issues.²

For people with disability multiple compounding obstacles create extensive barriers to accessing legal assistance. Barriers include: a lack of systemic responsiveness to people with disability; poorer legal knowledge, literacy and communication skills; limited and strained resources; fewer resources to avoid or mitigate problems; and health and personal needs that present additional access barriers.

The evidence demonstrates that even amongst disadvantaged groups, people with disability have the highest prevalence of vulnerability to legal problems according to the greatest number of measures.

In 2018-19, disability discrimination was the top source of complaints to the Australian Human Rights Commission, accounting for 44% of all complaints received. Of these 43% were in the area of good and services and 36% related to employment. Both these areas, together with education matters make up the majority of our legal practice.

Our specialist legal assistance and complementary community legal education, continuing legal education and policy and reform activities seeks to address disadvantage and discrimination. Our aim is that that people with disability are afforded the same opportunity as others in our society to live with dignity and with their human rights and fundamental freedoms recognised, respected and fulfilled.

2. Productivity Commission Access to Justice Arrangements 2014



People
with disability
are among the
most legally
disadvantaged in
our community



1.37m people
or 17.5% of the
NSW population
live with a
disability.³

One in twelve
Australians report
experiences of
discrimination or unfair
treatment because of
their disability.⁴

The link
between 'disability'
and vulnerability to legal
problems is strong and
strengthens as the severity
of 'disability' increases,
particularly for mental
impairment.⁵

"... people
with disability
stood out as the
disadvantaged group that
had higher prevalence [of
legal problems] according
to the greatest number
of measures"⁶

"having
a long term
illness or disability
is the strongest
predictor of
justiciable
problems."⁷

People
with disability
are significantly
overrepresented in the
criminal justice system
with approximately 50%
of adult prisoners living
with a disability.⁸

People with
disability face a "...
wide range of systemic and
structural barriers to accessing
justice"; including inaccessible
legal information, inflexible court
procedures, negative attitudes
and stigma towards people
with disability and an
under-resourced legal
assistance sector.⁹

3. Australian Bureau of Statistics: Disability, Ageing and Carers Australia report 2015

4. Law Council of Australia: August 2018 Justice Project Final Report Part 1 People with Disability

5. Law and Justice Foundation 2012 report: Access to Justice and Legal Need; Australia Wide Survey, Legal Need in New South Wales.

6. Law and Justice Foundation 2012 report: Access to Justice and Legal Need; Australia Wide Survey, Legal Need in New South Wales.

7. Productivity Commission Access to Justice Arrangements 2014

8. Law Council of Australia: August 2018 Justice Project Final Report Part 1 People with Disability

9. Law Council of Australia: August 2018 Justice Project Final Report Part 1 People with Disability

Interning at the Australian Centre for Disability Law

When I was searching for internships, I was immediately drawn to the Centre due to personal experiences growing up in an environment surrounded by people with disability. After being immersed in the environment for 1.5 years, I feel like I've established a better knowledge of the law as well as a deeper understanding of the diverse range of disabilities that exist in the world.



Fortunately, my experience at the Centre has been very hands-on and I was able to work closely alongside the solicitors on a wide range of cases. I was thus provided with a great space to learn and personally grow with the support and guidance from the team. The mentoring provided to me throughout this internship has motivated me to continue studying this area of law at university next year.

I've acquired numerous skills that have helped me grow personally and professionally, but the one that pushed me the most out of my comfort zone was client communication. It was a skill that actively took a lot of time and dedication to improve on, which was rewarding.

The most memorable part of interning at the Centre was the clan-like company culture and inclusive environment I was lucky to be a part of. I got the chance to work closely and personally with a great team, and alongside a great organisation.

Dilushi Wijesinghe





Our members in action

Mel Harrison has used a wheelchair since she was 14 years old. Her life is proof of a core value held by members and supporters of the Centre: that 'disability' is not a personal characteristic but a result of interactions with a social environment that unnecessarily raises barriers to inclusion. Two of Mel's favourite past-times, are sailing and adaptive fitness.

Mel has done adaptive training for 6 years in mainstream fitness facilities. Her example educates people that regardless of disability, people always have the ability when there is adequate support and no judgement. This year she worked with fitness instructors to create an inclusive fitness community and choreographed and taught a routine for the 'Pound' fitness class, becoming the first Pound fitness instructor using a wheelchair. Pound uses light weight drum sticks for strength in a Pilates and yoga like exercise class. Mel choreographed a routine to the song Footloose with the purpose of including people of all abilities - and to match her sense of humour! It was a huge success

and the routine has now become a regular number in the Monday night Pound class.

This year she sailed from Hobart to Sydney and from France to Holland on the Tenacious Tall Ship. With assistance, Mel helped sail the ship, participated in the watches, climbed the 20 metre high mast up to the crows nest without her wheelchair, and even climbed out onto the bow sprit while sailing over the Bass Strait. Mel says she loves the freedom that being on the water brings her, and that sailing on the Tenacious provided people with mixed abilities the freedom to explore their own ability and potential.

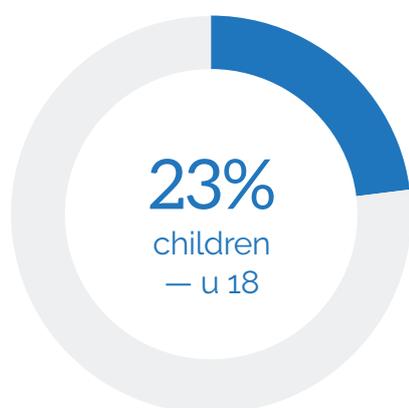
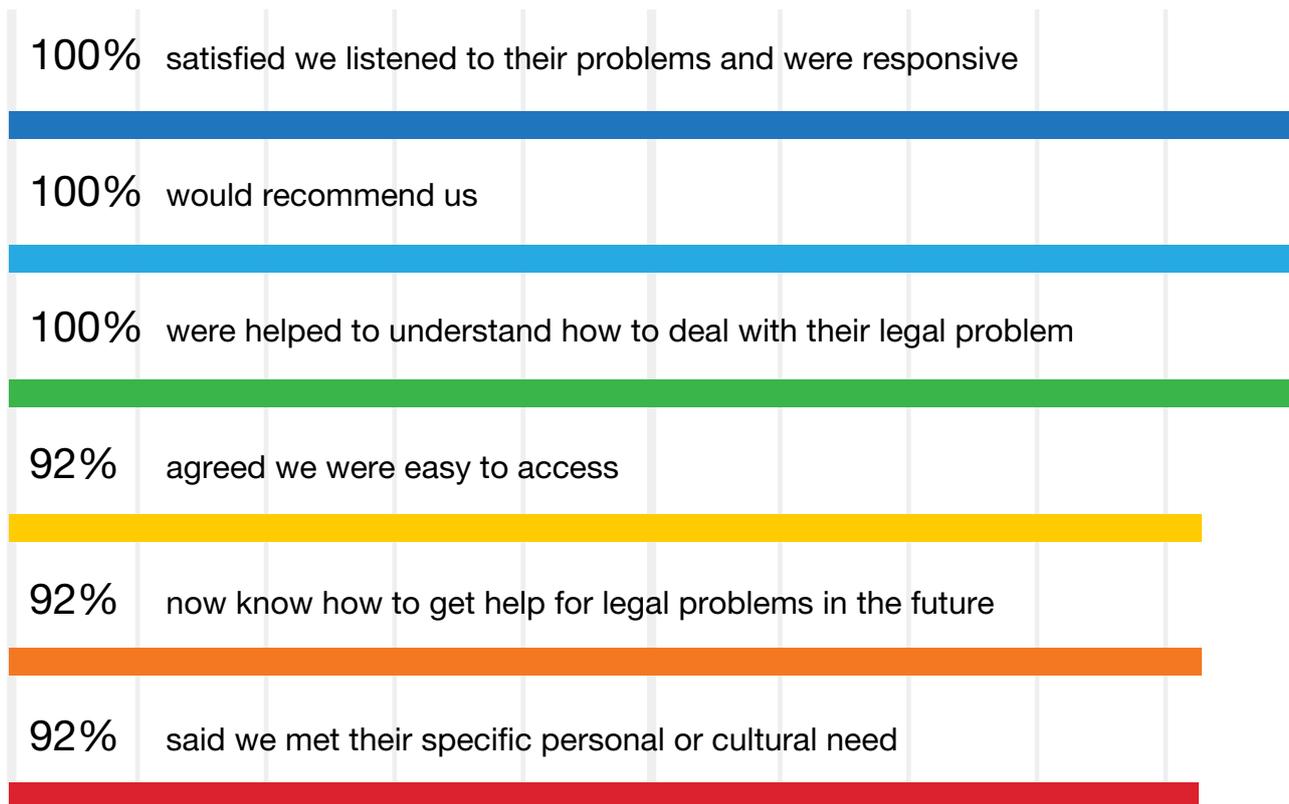
Mel's example shows that when people take a moment to understand and are willing to look for ways to be inclusive, barriers can be overcome. This is the kind of society where people with disability can thrive, and which the work of the Centre assists our clients to realise.

Find out more about Mel at <https://www.sittinglowreachinghigh.com/>

What our clients say about us

During the year we conducted a client satisfaction survey, in accordance with the National Partnership Agreement, the survey was administered both online and over the telephone as appropriate. Responses were overwhelmingly very positive, and we are encouraged to know we are making a real difference in our client's lives.

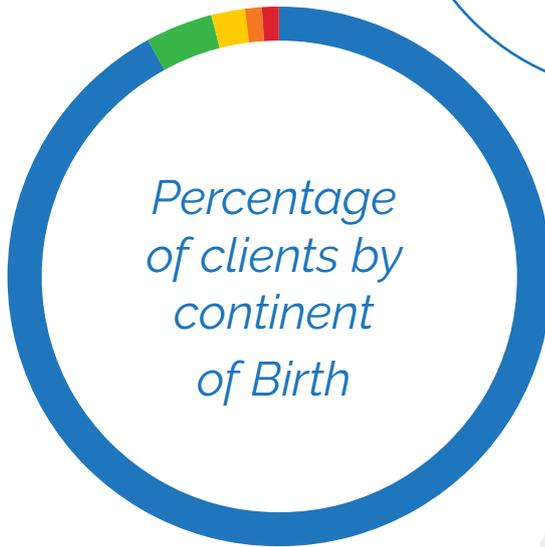
Client Survey Results



“Without you folks, we disabled people would not stand a snowball's chance in Hell.”
Stephen Hopkins



The centre continues to work towards increasing our reach into CALD communities. In 2019 we assisted 16 clients from non-English speaking backgrounds compared to 9 in 2018



- 92.6% Australia
- 4% Europe
- 1.5% Asia
- 1.1% Africa and the Middle East
- 0.7% Pacific and Sth America



"The prompt response from Laura was first class, her understanding, compassion and willingness to listen and answer my questions is a credit to the organisation. Thanks again for your help"
James



- 66% Sydney–Wollongong,
- 24% NSW North Coast or Central Coast
- 5% South Eastern NSW
- 5% Riverina–Orange

Capacity building

2019 has seen a shift change in the Centre's operating efficiency. A large one-off State grant in 2017/18 meant the Centre was this year able to employ a part time administration manager. This has naturally translated into some operational process improvements, but most importantly has freed up the time of the Managing Principal Solicitor and our other solicitors, who have been as a result able to focus more of their efforts on providing more legal services to clients.

The Centre is maturing in its operating processes. Significantly, the Centre met all the requirements of our National CLC accreditation program and improvement plan and introduced a comprehensive risk management framework to bring together and draw on the expertise and knowledge of staff, management and our volunteer Management Committee. The Centre with the leeway provided from the one-off State funding, was also able to increase our focus on planning and staff development.

The Centre was fortunate this year to welcome to the ranks of solicitor, Ms Thea Debler-Depold. Having first volunteered at the Centre, then worked as a paralegal, she was immediately productive as a solicitor. The Centre is also fortunate to have the services of Laura Cottam. Laura commenced with the Centre in January 2016 and in addition to the prominent role she plays in providing legal services to our clients, she is also responsible for inducting and mentoring our volunteer law students and new staff members.

It is particularly gratifying so see this year an increase in the Centre's capacity to assist marginalised client groups. Our alliance with First Peoples Disability

Network and the recruitment this year of Ms Jane Thomson, who came to us from the Aboriginal Legal Service NSW/ACT, has extended our ability to reach Aboriginal people living with disability. 6% of clients assisted this year identified as being Aboriginal or Torres Strait Islander, up from 3.5% the previous year. Federal funding provided in 2018 to grow our capability to assist people experiencing family violence is also showing results, with an estimated 30% of clients assisted this year experiencing or at risk of family violence.

The growing capacity and capability of the Centre is evident from our performance this year.

- Of the two most complex and intensive casework services, we achieved 320% and 155% of our annual targets, an increase of 100% and 13% from the number worked on last year. We were also able to assist 27% more clients with standard casework services, which was 4% above target.
- We provided 96% more legal advices than last year, seeing us achieve 145% of our target.
- Legal tasks completed were 150% of target and an impressive 329% above the previous year.
- We delivered 3 more community legal education events - 173% of our target; and produced 9 legal education resources, 8 more than last year and 8 more than target.
- We undertook 12 outreach visits to regional NSW, 10 above target.

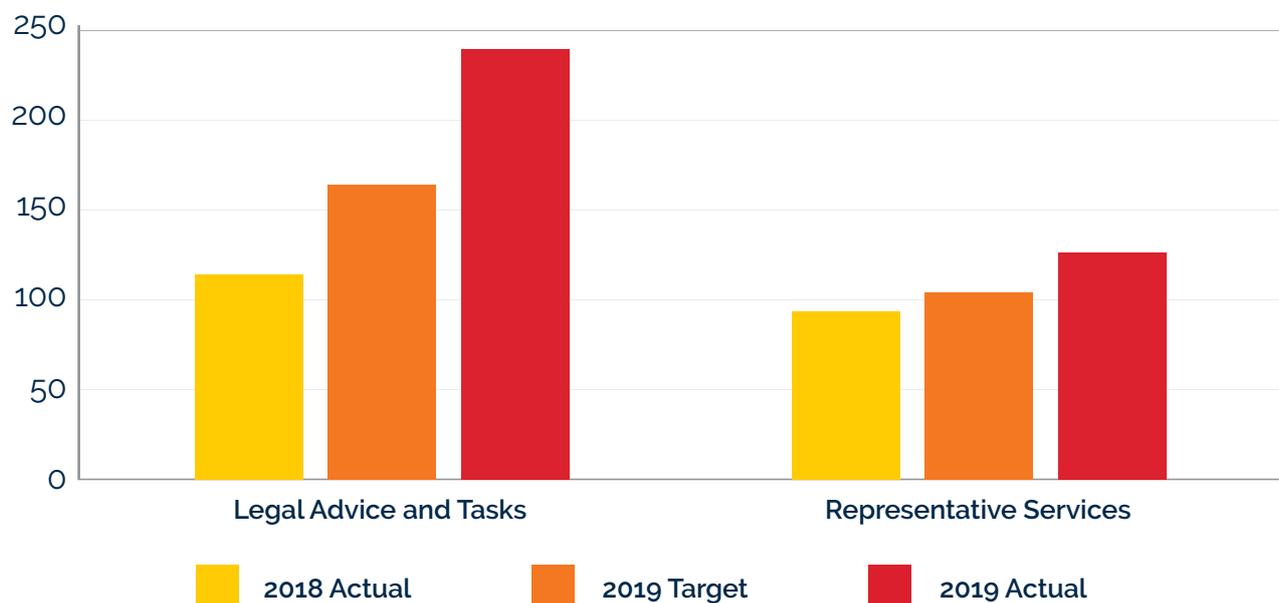


In addition to the increases in legal services delivery and education we were also more active in systemic advocacy, doubling our engagement in law reform activities and undertaking some form of stakeholder engagement almost weekly over the year.

The one-off funding that has supported the Centre to build capacity this year has prudently been apportioned over three years. We will therefore have the resources to continue to invest in our people and processes for the coming year at least, and we trust continue to reap the benefits, enabling us to provide more assistance to a greater number of clients.

Our increasing capacity delivers results

(Cases/matters worked on)



Case Study 3 – carer responsibilities accommodated

Vijay is a bus driver, who works a variety of shifts. His wife has a number of disabilities including epilepsy and schizophrenia, for which she is medicated but needs assistance and support particularly in the evenings. When Vijay commenced his employment, he told his manager that he needed to finish his shifts earlier in the afternoon/evening so he could get home to look after his wife. This was accommodated for some time, until he got a new manager, who kept forgetting and Vijay had to remind him most weeks. At the end of 2018, his manager made a comment in front of other staff about Vijay's requests, which made him feel humiliated in front of other staff.

Vijay made a complaint to the AHRC, and came to us for advice only 2 weeks before conciliation time, as he wanted a guarantee of consistent shifts finishing by 5pm. Vijay's first language is not English, and it was clear that he would need assistance to communicate effectively with his employers to get a good outcome at a phone conciliation. The Centre therefore agreed to represent him at the

conciliation, despite the short timeframe to prepare. The bus company was quite hostile to making adjustments for Vijay in preference to other drivers who also requested adjustments for other reasons. They claimed it would cause them unjustifiable hardship to accommodate his shift requests as they would need to hire additional drivers.

However, they did offer two alternative locations for Vijay to consider, as well as agreeing to do their best to ensure his shifts finished no later than 7pm, and the majority by 5pm where possible. Vijay was happy with his current location, and with the rosters that they gave him after the conciliation and ongoing. The bus company didn't require a deed of settlement, which means Vijay retains the right to make further complaints if they don't continue to make the adjustments.

This case demonstrates the importance of having legal assistance at a conciliation to help negotiate a good outcome for vulnerable clients who may find it difficult to otherwise advocate for themselves.





These relationships seek to maximise the strengths of each organisation within a collaborative framework to achieve the best possible outcomes.

Our community organisation partners

The Centre maintains a number of partnerships with cross-disability Disabled People's Organisations that share our vision and values. These relationships maximise the strengths of each organisation within a collaborative framework to achieve the best possible outcomes. In particular, we would like to thank First Peoples Disability Network (FPDN) and People with Disability Australia (PWDA) for their ongoing association and support.

Many of our clients don't have the resources, confidence or knowledge to take their legal complaints beyond the advice stage. Our partnerships with disability advocacy service providers puts us in a unique position to provide clients with a holistic service to suit both their legal and advocacy needs, so that the best overall outcome can be achieved.

Focus on First People living with disability

Aboriginal and Torres Strait Islander people ('First People') are significantly over-represented in disability statistics. 2014–2015 Australian Bureau of Statistics data shows just under half of First People aged over 15 identified that they live with disability, compared to 18.5% of the Australian population.

First People living with disability experience unique forms of 'intersectional discrimination', inequality which is an interaction of both race and disability discrimination. They are also impacted by 'apprehended discrimination', where the expectation of discrimination leads to the avoidance of situations, leading to further isolation and exclusion.



While 5% of the population identify as Aboriginal or Torres Strait Islander — since 2011 the % in the juvenile justice system has not fallen below 45%.¹⁰

Despite the prevalence of disability and discrimination experienced by First People, only about 2% of disability discrimination complaints received by the Australian Human Rights Commission, relate to Aboriginal and Torres Strait Islander people. The low percentage shows that the cultural and systemic barriers limiting access by First People to legal and other services are substantial.

The concept of apprehended and intersectional discrimination indicates fostering trust and engagement are vital components of effective service delivery to First People. Effective disability discrimination advice must be delivered in a cultural appropriate context that understands the intersection of the two marginalised populations. Our association with FPDN grows our capability to reach and effectively work with Aboriginal and Torres Strait Islander people living with disability and we value it highly.



First Peoples
Disability Network
Australia



10. 2015 Young People in Custody Health Survey: Justice Health & Forensic Mental Health Network and Juvenile Justice NSW

11. Justice Health & Forensic Mental Health Network and Juvenile Justice NSW: 2015 Young People in Custody Health Survey: Table 117

12. Law Council of Australia: August 2018 Justice Project Final Report Part 1

Case study 4 — keeping service providers accountable

Kate booked a cruise as part of her dream holiday to Europe through a travel agency. The cruise was meant to be the centerpiece of her holiday. Kate uses a wheelchair and she made sure her agent informed the cruise line of this. She was told that the Penthouse Suite was the only accessible room on the ship. This room was the most expensive option, however Kate booked it. She also booked a number of day trips based on the accessibility information on the cruise company's website.

One week prior to the cruise, and after Kate had commenced her trip and was in Europe, the cruise company contacted her to let her know that the day trips she had booked were mostly not accessible for her. The Company told her however that they would assist as in every way

they could to ensure she was able to access as many daytrip as possible. On this basis, Kate decided to go ahead with the cruise. Unfortunately this did not occur.

Kate was given little help with accessing day tours resulting in her missing out on seeing some of the sites and on her having to pay extra money for taxis to be able to take part in other day trips. Kate also found many of the staff rude and disrespectful.

Kate made a complaint to the Australian Human Rights Commission and the Centre assisted her with the complaints process. The complaint was resolved with the cruise company agreeing to refund the cost of the cruise as well as to review its booking process and provide a disability discrimination awareness program for all existing and new staff.





Policy landscape

Needs based funding, but disability legal centres face cuts

The Centre could not operate without the grants it receives from the Australian and New South Wales Governments under the National Partnership Agreement on Legal Assistance Services.

In August 2018, NSW Attorney General Mark Speakman accepted the majority of the recommendations of the Cameron Review into Community Legal Services. In particular, the Cameron Review recognised the vital work of Community Legal Centres (CLCs), endorsed a funding methodology based on need, and recommended a three-year funding cycle to give CLCs stability and certainty to serve their clients and plan for the future.

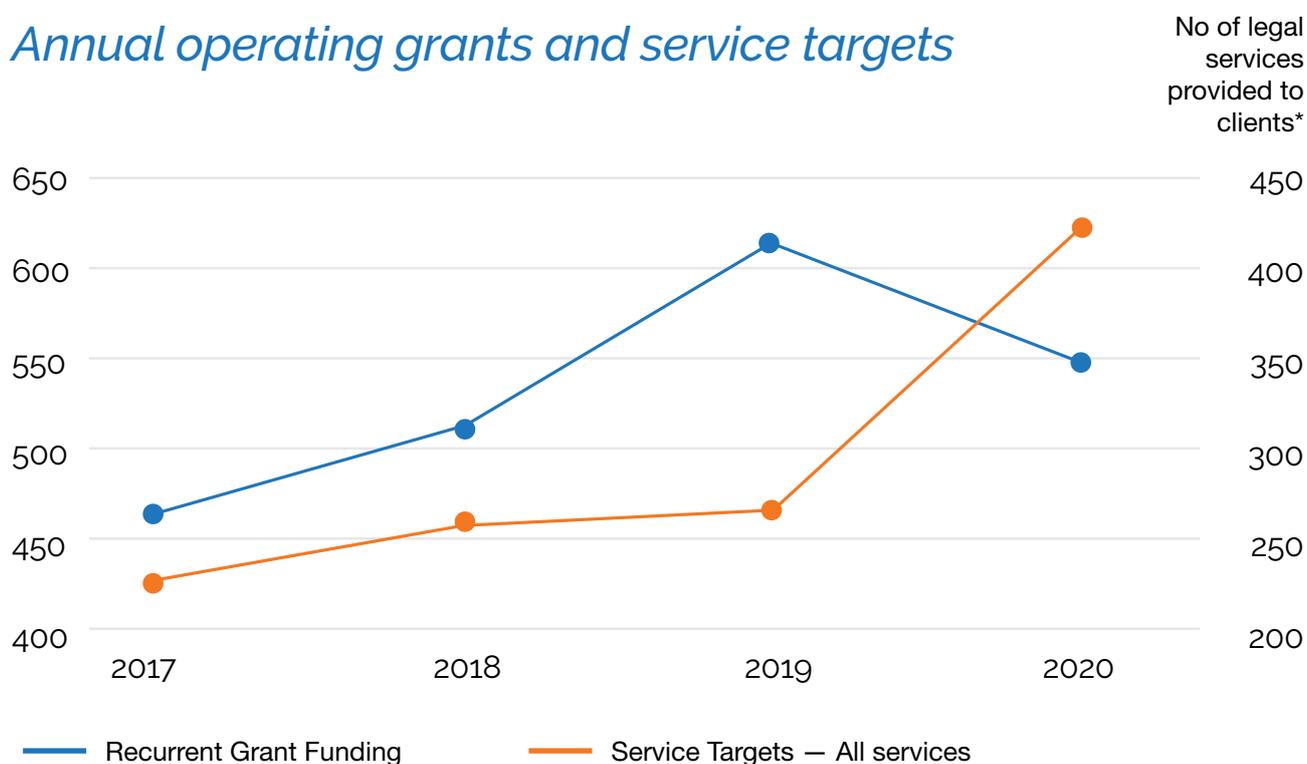
Based on these recommendations, State funding for the sector was increased, by \$5.2 million from 2019-2020; and CLCs tendered for their funding for the first time. As core criteria, CLCs were asked to demonstrate the legal needs of the population they serve. Drawing on evidence-based research, the Centre's submission demonstrated that people with disability have the highest level of complex and multiple legal needs of all vulnerable groups.

Given the overall funding increase for community legal centres as a whole, it is both surprising and concerning that the disability sub-sector has experienced significant cuts as an outcome of the same process. Both our Centre and the only other specialist disability legal centre in NSW received a funding decrease over the next three years.

It is also worth noting that certain targets, essentially the numbers of different matters handled by the Centre during a year, have been increased without it would appear regard to the independently acknowledged level of need and the differences between the needs and issues of disability and other disadvantaged groups. Our practice is focused on a very specialised area of law and the majority of matters involve a level of complexity and resource intensity not always comparable to other legal centres. We may find it difficult to meet these targets under the current funding envelope.

The Centre however, like the clients we serve, is resilient and will examine additional funding sources to minimise the impact of the proposed reductions on clients and staff.

Annual operating grants and service targets



* Includes legal advices, tasks, casework and representative services

Royal Commission into violence and abuse against people with disability welcomed

The Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability was established on 4 April 2019.

This follows many years of advocacy by people with disability and their supporters, and the Centre welcomes both the Royal Commission's establishment and its broad terms of reference.

Violence and abuse against people with disability is widespread and systemic, and the Royal Commission presents an opportunity to work towards holistic solutions, and crucially give survivors the chance to give evidence in a safe environment.

The Centre looks forward to supporting the Royal Commission's work.





Case study 5 — levelling employment requirements

James has been deaf since birth. He applied for a job at a delivery service as a Heavy Vehicle truck driver. A prerequisite for the position was that the successful applicant must have a heavy vehicle license, which Luke had already obtained. James told the employer he was deaf at the outset.

He underwent an interview process including a driving test and was found suitable for the role and informed he was successful in obtaining the job subject to a medical examination. He passed the medical exam but was told he needed to get an extra audiologist report at his own cost. James paid for an extra report but was subsequently told his deafness precluded him from the job. The organisation stated that James did not meet the requirement for a 'commercial vehicle licence' under the Federal Standards.

James contacted the Centre for help. The Centre wrote to the employer and attended a meeting with the employer and James. James was able to provide information in relation to his deafness and driving ability which the employer accepted and James was subsequently offered a role as a heavy vehicle driver. The employer also agreed to reimburse James for the out of pocket expenses he paid for the extra medical report.

James' experience is unfortunately not untypical of the ways that people with disabilities are treated. It is not uncommon to be forced by potential employers to undergo extra processes, often at their own expense, and subsequently have offers of employment withdrawn without a coherent explanation.

Australian Centre for Disability Law

ABN 15 992 360 253

Summary financial statements - 30 June 2019

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Committee members' report

30 June 2019

The committee members present their report, together with the summary financial statements, on the association for the year ended 30 June 2019.

Members of Management Committee

The following were members of the Management Committee of the association during the whole of the financial year and up to the date of this report, unless otherwise stated:

Ms Ya'el Frisch	Chairperson (appointed as Chairperson on 28/11/2018)
Ms Melinda Harrison	Vice Chairperson
Ms Jenny Green	Secretary
Ms Rosemary Kayess	Member (retired as Chairperson on 28/11/2018)
Mr Mark Rae	Member
Mr Julian Laurens	Member
Ms Lai Ha Wu	Treasurer (retired on 28/11/2018)
Mr Anthony Crossley	Treasurer (appointed by the Management Committee on 21/8/2019)
Mr Morri Young	Member (appointed by the Management Committee on 21/8/2019)

Principal activities

During the financial year the principal continuing activities of the association consisted of:

- promotion of community awareness of the potential to use discrimination laws to advance the rights of people with disabilities and
- provision of legal service for people with disabilities, their associates and representative organisations, who have been discriminated against

No significant change in the nature of these activities occurred during the year.

On behalf of the committee



Ya'el Frisch
Chairperson

19 October 2019



Anthony Crossley
Treasurer

Statement of profit or loss and other comprehensive income

for the year ended 30 June 2019

	2019	2018
	\$	\$
Revenue	619,838	517,273
Expenses		
Employee benefits expense	(481,128)	(363,506)
Other expenses	(21,739)	(26,146)
Accounting fees	(9,500)	-
Audit fee	(5,000)	(6,000)
Computer/IT/website	(10,473)	(26,158)
Corporate service	(18,504)	(18,504)
Depreciation and amortisation expense	(5,601)	(13,339)
Insurance	(3,071)	(1,594)
Legal and consultancy fees	(13,675)	(15,825)
Printing and stationery	(10,970)	(7,047)
Rent	(28,413)	(28,143)
Resources/subscriptions	(5,706)	(5,562)
Surplus before income tax expense	6,058	5,449
Income tax expense	-	-
Surplus after income tax expense for the year	6,058	5,449
Other comprehensive income for the year, net of tax	-	-
Total comprehensive income for the year	6,058	5,449

Statement of financial position

as at 30 June 2019

	2019	2018
	\$	\$
Assets		
Current assets		
Cash and cash equivalents	531,559	509,128
Trade and other receivables	4,662	2,093
Prepayments	6,450	-
Total current assets	542,671	511,221
Non-current assets		
Property, plant and equipment	38,435	9,435
Total non-current assets	38,435	9,435
Total assets	581,106	520,656
Liabilities		
Current liabilities		
Trade and other payables	52,841	40,681
Employee benefits	47,696	36,954
Deferred revenue	317,600	300,261
Total current liabilities	418,137	377,896
Non-current liabilities		
Employee benefits	14,151	-
Total non-current liabilities	14,151	-
Net assets	148,818	142,760
Equity		
Retained surpluses	148,818	142,760
Total equity	148,818	142,760

Statement of changes in equity

for the year ended 30 June 2019

	Retained Surplus	Total Equity
	\$	\$
Balance at 1 July 2017	137,311	137,311
Surplus after income tax expense for the year	5,449	5,449
Other comprehensive income for the year, net of tax	-	-
	<hr/>	<hr/>
Total comprehensive income for the year	5,449	5,449
	<hr/>	<hr/>
Balance at 30 June 2018	142,760	142,760
	<hr/>	<hr/>

	Retained Surplus	Total Equity
	\$	\$
Balance at 1 July 2018	142,760	142,760
Surplus after income tax expense for the year	6,058	6,058
Other comprehensive income for the year, net of tax	-	-
	<hr/>	<hr/>
Total comprehensive income for the year	6,058	6,058
	<hr/>	<hr/>
Balance at 30 June 2019	148,818	148,818
	<hr/>	<hr/>

Statement of cash flows

for the year ended 30 June 2019

	2019	2018
	\$	\$
Cash flows from operating activities		
Receipts from customers (inclusive of GST)	692,186	866,964
Payments to suppliers and employees (inclusive of GST)	(640,704)	(598,439)
Interest received	5,550	2,765
	<hr/>	<hr/>
Net cash from operating activities	57,032	271,290
	<hr/>	<hr/>
Cash flows from investing activities		
Payments for property, plant and equipment	(34,601)	(3,847)
	<hr/>	<hr/>
Net cash used in investing activities	(34,601)	(3,847)
	<hr/>	<hr/>
Cash flows from financing activities		
Net cash from financing activities	-	-
	<hr/>	<hr/>
Net increase in cash and cash equivalents	22,431	267,443
Cash and cash equivalents at the beginning of the financial year	509,128	241,685
	<hr/>	<hr/>
Cash and cash equivalents at the end of the financial year	531,559	509,128
	<hr/>	<hr/>

Notes to the summary financial statements

30 June 2019

Note 1. Basis of preparation on the summary financial statements

The summary financial statements relate to Australian Centre for Disability Law during and at the end of the year ended 30 June 2019.

The summary financial statements have been prepared in accordance with Australian Accounting Standard AASB 1039: *Concise Financial Reports*. The accounting policies adopted have been consistently applied to all the financial years presented unless otherwise stated.

The presentation currency used in this report is Australian dollars.

This summary financial report is an extract from the full financial report of the Australian Centre for Disability Law for the year ended 30 June 2019 and accordingly the financial statements and specific disclosures included in this concise report have been derived from the full financial report. This concise report cannot be expected to provide as full an understanding of the financial performance, financial position and financing and investing activities of the entity as the full financial report, and further financial information can be obtained from the full financial report which is available, free of charge, on request to the Australian Centre for Disability Law, PO Box 989 Strawberry Hills NSW 2012.

Committee members' declaration

30 June 2019

In the committee members' opinion:

- a) the summary financial statements of Australian Centre for Disability Law for the financial year ended 30 June 2019 as set out on the accompany summary financial statements and note:
 - i. has been prepared in similar format to that prescribed under the Accounting Standard AASB 1039: Concise Financial Reports; and
 - ii. has been derived from and is consistent with the financial statements of Australian Centre for Disability Law; and

- b) at the date of this declaration there are reasonable grounds to believe that the Association will be able to pay its debts as and when they become due and payable.

On behalf of the committee



Ya'el Frisch
Chairperson

19 October 2019



Anthony Crossley
Treasurer

**LBW & Partners**

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Report of the Independent Auditor on the Summary Financial Statements to the members of Australian Centre for Disability Law

Opinion

The summary financial statements, which comprise the summary statement of financial position as at 30 June 2019, the summary statement of comprehensive income, summary statement of changes in equity and summary statement of cash flows for the year then ended, and related note, are derived from the audited financial report of Australian Centre for Disability Law for the year ended 30 June 2019.

In our opinion, the accompanying summary financial statements are consistent, in all material respects, with the audited financial report, on the basis described in Note 1.

Summary Financial Statements

The summary financial statements do not contain all the disclosures required by Australian Accounting Standards. Reading the summary financial statements and the auditor's report thereon, therefore, is not a substitute for reading the audited financial report and the auditor's report thereon.

The Audited Financial Report and Our Report Thereon

We expressed an unmodified audit opinion on the audited financial report in our report dated 21 October 2019. The audited financial report can be obtained from the full financial report which is available, free of charge, on request to the Australian Centre for Disability Law, PO Box 989 Strawberry Hills NSW 2012.

Management's Responsibilities for the Summary Financial Statements

Management is responsible for the preparation of the summary financial statements on the basis described in Note 1.

Auditor's Responsibilities for the Audit of the Financial Report

Our responsibility is to express an opinion on whether the summary financial statements are consistent, in all material respects, with the audited financial report based on our procedures, which were conducted in accordance with Auditing Standard ASA 810 *Engagements to Report on Summary Financial Statements*.

Rupaninga Dharmasiri
Partner

LBW & Partners
Chartered Accountants
Level 3, 845 Pacific Highway
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Dated this^{19th}..... day of October 2019



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