

# Annual Report

2019-2020

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.

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Australian Centre for  
**Disability Law**

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 to help 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.

The Centre's management committee provides oversight and governance. Members of the committee include people with disability, those 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 mean paid administrative and operational support is limited. The Centre also works in close conjunction with a number of disability advocacy organisations.

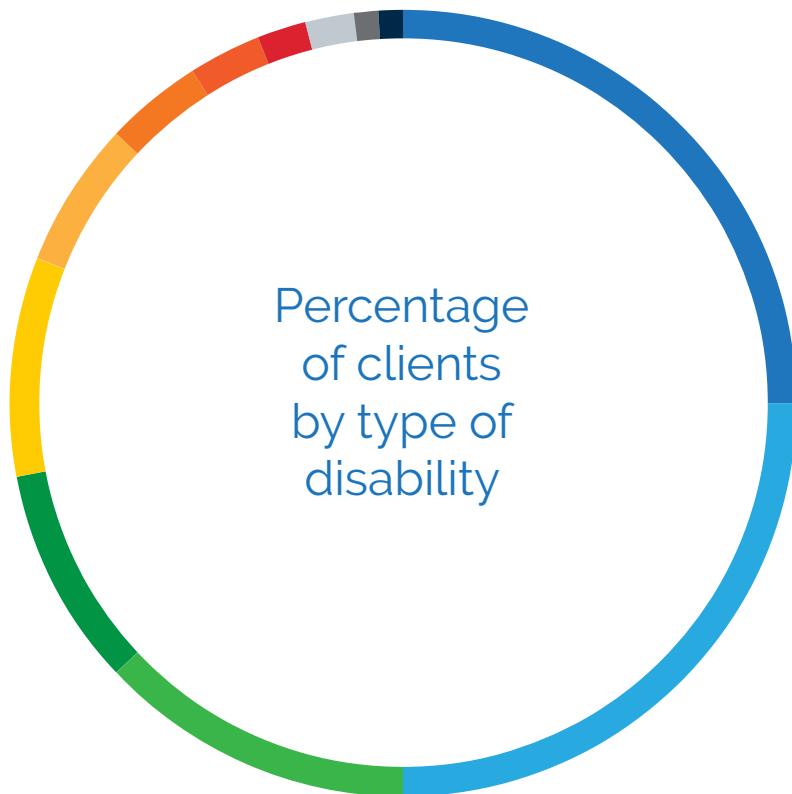
Membership of the Centre is open to individuals, organisations and corporations who share the Centre's vision.

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.



ACDL is a community legal centre specialising in the legal rights of people who are discriminated against because of their disability.

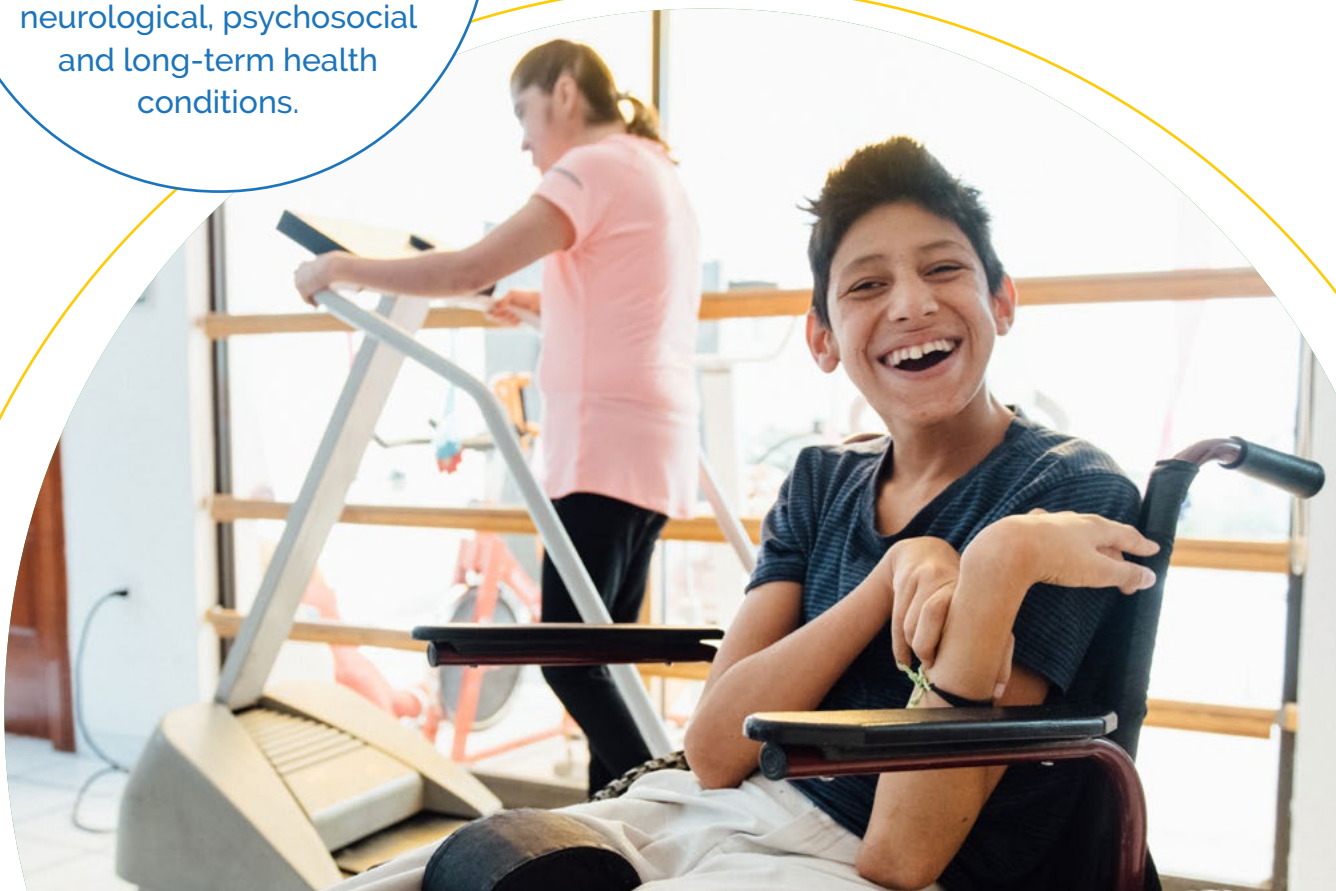




Last year we assisted 122 clients who have multiple (two or more) disabilities

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.

- 25% Physical
- 25% Psychological
- 13% Autism
- 9% Intellectual
- 9% Specific learning
- 6% Neurological
- 4% Hearing
- 3% Vision
- 2% Head injury, stroke or brain injury
- 2% Speech
- 1% Developmental delay
- 1% Other



## 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

# Chairperson's report

for the year ended 30 June 2020

Welcome to the 2019-2020 Annual Report of the Australian Centre for Disability Law (ACDL). I trust this report will assist you to understand and value the work that ACDL undertakes.

During this year we were all confronted by the significant change to our personal and working lives brought on by the COVID-19 pandemic. This has brought not only significant change to the working environment of the Centre's staff but also the lives of people with disability. The pandemic has highlighted the inequality and discrimination experienced by people with disability and I commend the Commonwealth government for providing additional IT funding and frontline funding to specifically address the needs of our clients affected by COVID-19.

Legal advocacy is a primary objective of the ACDL and under the direction of the Principal Solicitor Mark Patrick, Solicitor Laura Cottam and a team of volunteers, ACDL continues to provide professional and efficient service to the increasing number of clients accessing the service. ACDL has strong ties with a number of pro-bono law

firms — Baker & McKenzie, Hall & Wilcox, HWL Ebsworth and Sparke Helmore — who continued to provide volunteer solicitors to the centre during the pandemic and I would like to thank them for their continued invaluable support.

We welcomed to the ACDL team during the financial year solicitors Caterina Mazza and Roshana Wikramanayake following the departure of Jane Thomson and Thea Debler-Depold, and we thank Jane and Thea for their contribution to the Centre during the year. I thank our paid and volunteer staff for their ongoing commitment to the centre and hard work during the year, and I especially thank Mark Patrick, Principal Solicitor for his steady hands in steering the centre through these difficult times.

I would like to acknowledge the work, support and professionalism provided to the ACDL, and to me by the Management Committee. I give my thanks and pay tribute to my colleagues on ACDL's Management Committee for their support for ACDL.

I commend this report to you.

**Rosemary Kayess** Chair



The pandemic has highlighted the inequality and discrimination experienced by people with disability





# Message from the Executive Officer

for the year ended 30 June 2020

ACDL to develop an easy-to-read tool kit for students with disability and their families on the legal rights and laws covering education.

I am pleased to present the Australian Centre for Disability Law (ACDL) 2019-2020 Annual report.

We faced a very difficult second half of the reporting period, with the COVID-19 pandemic impacting the operations of the Centre in many respects — staff commenced working from home from 17 March 2020 which presented new challenges. Our IT equipment required updating, which necessitated urgent purchases of laptops and printers to ensure our work continued without interruption. We fitted out each staff member with a home office, and developed a working from home checklist to ensure all staff receive the necessary support to work remotely.

During the pandemic we continued to provide legal services which, at times, proved difficult. We suspended our student volunteer program which added to the administrative burden on staff. Despite these difficult conditions we continued to deliver legal services to clients, and I thank Laura Cottam, Solicitor, and

Tiffany Whitham for their hard work and commitment to the centre during this time. We also brought on 2 new staff members, Caterina Mazza and Roshana Wikramanayake during the pandemic and I thank them for their hard work. I am also delighted to report we commenced developing a Reconciliation Action Plan to develop concrete actions to support reconciliation. I am grateful to Community Legal Centres NSW for initiating this project for small state-wide community legal centres.

We are very grateful to the Commonwealth government for reimbursing the costs associated with buying new computers and moving to an online work environment. We were also very grateful for further Commonwealth funding made available over 12 months to fund front line services to support the delivery of legal services to our clients in response to an increase in demand due to COVID-19.

During the reporting period ACDL also submitted two successful applications for Information, Linkages and Capacity

Building grants (ILC). ILC grants are administered by the National Disability Insurance Agency (NDIA) and are funded for 3 years.

The objectives of the grants are to ensure people with disability have the knowledge, skills and confidence they need to set and achieve their goals, and actively contribute to leading, shaping and influencing their community. The ILC programme also aims to strengthen and build the capacity of Disabled Peoples Organisations or Family Organisations (DPO/FOs) across Australia through organisational capacity building.

The first grant is a consortium project with First Peoples Disability Network and People with Disability Australia, and will focus on empowering generations of First People with Disability & their communities to understand their legal rights and advocate for themselves.

This project builds capability of First Peoples with Disability (FPwD), their families and communities to assert their legal rights, speak up to perceived authority and negotiate effectively from a position of strength with schools, employers and service providers.

It will also provide education and develop peer support to address the cultural

blindness and shame associated with some disabilities which stops FPwD knowing they are eligible for NDIS supports and accessing support, services and activities easily available to others. ACDL will administer the grant and provide legal knowledge and support to the consortium partners First Peoples Disability Network and People with Disability Australia.

This grant also includes a component for organisational capacity building for each organisation to develop cross-organisational processes for business development.

The second grant is entitled “Rights-based self-advocacy for students with disability. Towards an equitable and inclusive education for all Australians, including those from culturally and linguistically diverse (CALD) communities.”

This project will allow ACDL to develop an easy-to-read tool kit for students with disability and their families on the legal rights and laws covering education. The toolkit will be made available in a number of accessible formats and translated into community languages. A community training program will also be developed and rolled-out, utilising peer trainers and a range of delivery modes.





This grant also includes a component for organisational capacity building for ACDL to invest in strategic and operational planning, management training, leadership and role-specific training (for staff, volunteers & committee members), and the upgrading of our operational infrastructure.

For more information about these two exciting projects, please see Capacity Building — featured later in this report.

I would also like to 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. I also thank HWL Ebsworth, Sparke

Helmore and Johnson Winter and Slattery for providing seconded solicitors to the Centre during the year.

I thank the members of our management committee for their ongoing commitment to the Centre.

I also thank the Commonwealth and NSW governments and the Trustees of the NSW Public Purpose Fund for funding the Centre's work through the Community Legal Centres Program administered by Legal Aid NSW.

Finally, I would also like to thank Gaby Carney, Mia Zahra, Meagan Lee and Lila Sullivan and Julia Cordina from Legal Aid's Community Legal Centres Program for their support during the year.

**Mark Patrick** Executive Officer





## *Our members in action*

This year our Chairperson Rosemary Kayess was honoured with the prestigious 2019 Human Rights Medal in recognition of her work in international human rights law for people with disability.

Rosemary, a leading human rights advocate for people with disability in Australia and worldwide, contributed to drafting the United Nations Convention on the Rights of Persons with Disabilities and successfully lobbied for its ratification in Australia.

“The fact that I’ve been awarded this medal amongst all these other nominees just gob-smacks me,” said Rosemary Kayess.

The Human Rights Awards acknowledge and celebrate the work done in our communities by ordinary Australians,

organisations, businesses and community groups to further human rights and freedoms in Australia.

Rosemary joins the ranks of human rights activists such as Indigenous activist Rose Colless OAM, Fred Hollows AC, Peter Greste, Dorothy Hoddinott AO, Ian Thorpe, Jonathan Thurston the Hon Peter McClellan AM QC and Chrissie Foster AM.

“The Human Rights Medal is awarded to an individual who has made an outstanding contribution to the promotion and protection of human rights in Australia,” said Commission President Emeritus Professor Rosalind Croucher AM.

“Rosemary Kayess’ lifelong advocacy for equal rights for people with disability has made the world a better place for so many people in Australia and across the world.”



# 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.

**Tony Crossley**  
Chairperson

**Ya'el Frisch**  
Vice Chairperson  
Policy Officer, Law  
Enforcement and  
Crime, Department of  
Communities and Justice

**Rosemary Kayess**  
Outgoing Chair  
Vice Chair of the United  
Nations Committee on the  
Rights of Persons with  
Disabilities and Senior  
Research Fellow at UNSW  
Social Policy Research  
Centre

**Julian Laurens**  
Project Officer Melbourne  
Law School

**Mark Rae**  
Member of the  
Management Committee

**Samantha French**  
Member, Senior Policy  
Officer People with  
Disability Australia

## 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

**Caterina Mazza** (commenced 20 April 2020)

**Roshana Wikramanayake** (commenced 18 May 2020)

**Anna Nguyen** (commenced 8 August 2020)

**Laura Cottam** Solicitor

**Jane Thomson** Solicitor (resigned 6 February 2020)

**Thea Debler-Depold Solicitor** (resigned 29 December 2019)

**Tiffany Whitham** Administration Manager

## 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 volunteers Dilushi Wijesinghe and Melanie Collins who both 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, HWL Ebsworth, Sparke Helmore and Johnson Winter Slattery generously provided us with secondees — Harry Rutner from Sparke Helmore, Chiara D’Ercole from HWL Ebsworth, and Lara Douvartzidis from Johnson Winter Slattery.

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, Ben Fogarty of Denman Chambers, and Baker & McKenzie and Gilbert + Tobin Lawyers, who during the the year assisted the Centre by providing advice on a number of complex issues on a pro bono or restricted-fee basis.



“Being a volunteer solicitor at ACDL offered me the opportunity to work in a new area of law, with a diverse range of clients and, most importantly, give back to my local community.

Being part of this incredible team is an experience that I will never forget, and I highly recommend other solicitors, legal interns and interested volunteers to seize any opportunity to work with the ACDL team.”

**Harry Rutner Sparke**  
Helmore Lawyers

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:

Simon Morgan	Emily Ransom	Kate Gillingham
Jane-Elise Delis	Bianca Dearing	Nathan Kennedy
Ian Jones	Lucy Neighbour	Ruby Hunt
Tania Hanna	Jennifer Wicks	Georgia Murphy-Haste
Chelsea Gordon	Sana Minhas	Karen Keogh
Antonia Quinlivan	Chiara D'Ercole	Ali French
Jamie Kulczycki	Harry Rutner	Shankari Nadanachandran
Samantha Treffiletti	Viktoria Parkhomenko	Rod Kennedy
Chantal Tipene	Katt Faapito	Megan Fung
Myfanwy Henry-Jones	Carl Newton	Lucy Jedlin
Adrian Vincent	James Gough	Heidi Pfeiffer
Patricia Marinovic	Kim Fisher	Emma Della Posta
Rui Chen	Natalie Sinclair	Isabelle Whelan
Audrey Chan	Amber Mahoney	Sarah Lee
Anthony Crowe	Lara Douvartzidis	Adrian Lawrence
Bernadette Rayment	Francis Dreyer	
Tatjana Giutronich	Crispin Scott	<b>PLT interns</b>
Lucienne Gleeson	Adam Jeffrey	Melanie Collins
Angela Pale	Elizabeth Sarofim	Dilushi Wijesinghe
Kristina Hewetson	Rebecca Dominguez	Jack Pearce

**Baker  
McKenzie.**

**sparke**  
**HELMORE**  
LAWYERS

**HWL**  
**EBSWORTH**  
LAWYERS

**Hall&Wilcox**  
**smarter law**

## Helping Alex get the adjustments and support he needs to complete his HSC

Alex is a 19-year-old student doing year 12 at his local high School. Alex has anxiety, depression, and dyslexia. He also moved from Hong Kong 3 years ago and English is his second language. Because of Alex's disability, he has to take time off. He tries to study when he is home, but his disability will not always allow this.

The Principal of Alex's school had threatened to expel Alex because of his low attendance and because he had not handed in all his assignments. Alex finds communication difficult. ACDL spoke to Alex about what his rights were, and explained to him that he could ask for adjustments. We asked Alex what kind of adjustments he felt he may need to

complete his HSC, and what compromises he was happy to make. This empowered Alex to make his own decision on what would be best for him.

ACDL then helped Alex write a letter to his school, which clearly set out his disability and what adjustments he needed and why. Upon receiving the letter, the Principal stopped trying to expel Alex and instead met with him to put some of the adjustments in place and work out a plan. Alex was then able to sit his HSC exams.

By providing support early on, ACDL can often assist people to achieve a positive outcome without needing to make a formal complaint.







## 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 legal practice covers areas of the law affecting people with disability including discrimination, other civil law types, guardianship and public trustee matters, problems with housing and debt, and employment. We also assist clients participating in the National Disability

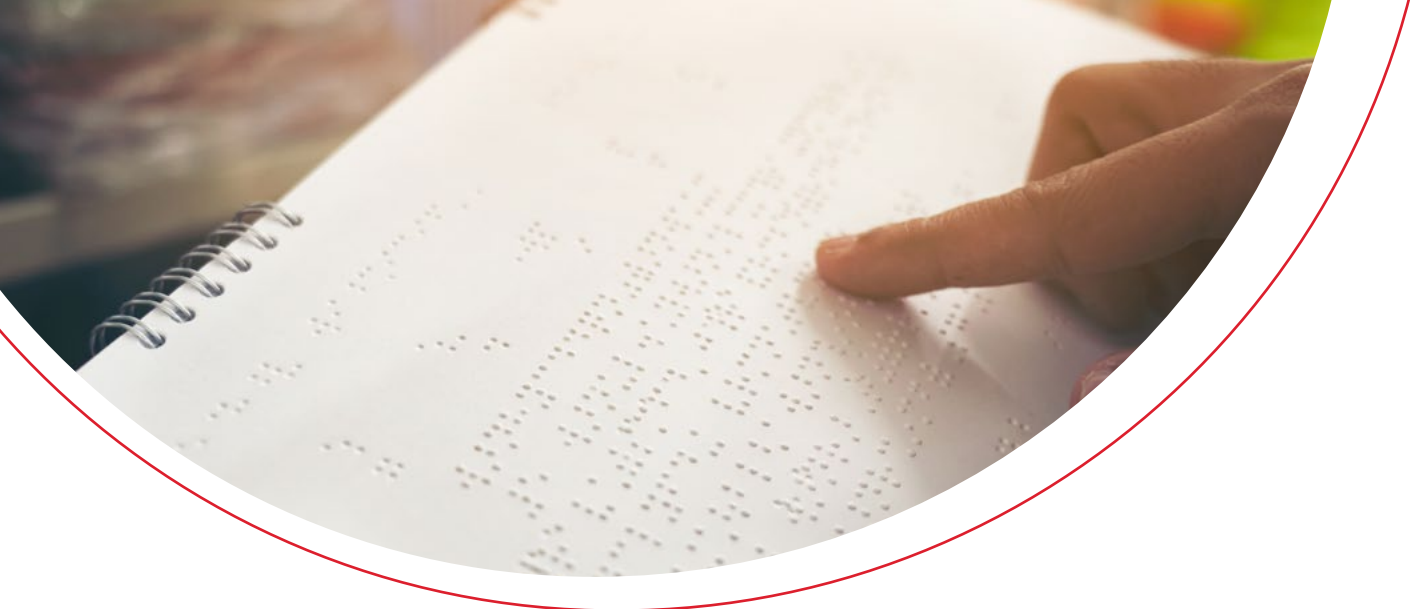
Insurance Scheme (NDIS), and students and families experiencing issues with education.

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 299 instances of legal advice, completed 23 legal tasks, and provided 147 casework representation services. In addition, 820 people with disability were referred to other more appropriate community or legal services.

### Casework and representation

A significant focus at the beginning of this year was increasing our casework and representation work. However, due to changes in the size of our team during the year and the onset of the COVID-19 pandemic, our team needed to quickly

adapt to remote work — focussing on providing continued support and representation where possible (e.g. participation in online and telephone representation activities).



Typically, our discrimination representation 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 NSW (ADNSW) 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 147 clients with intensive casework and representation services. This included representing 24 clients in conciliation conferences at the AHRC or ADNSW and an additional 12 clients in matters before courts or tribunals.

### **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 ADNSW or the AHRC.

Some examples of the matters we assisted clients with this year were:

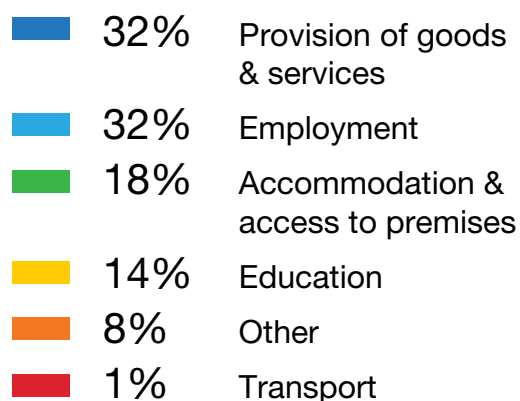
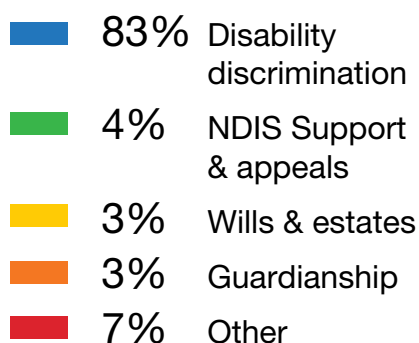
- A client who was unable to enter his local shop
- A client who was being threatened with breaching the by-laws of a strata complex for behaviour relating to his disability
- Several matters involving unfavourable treatment in employment due to disability, including termination or failure to receive a promotion
- Multiple matters involving an airline service refusing to allow assistance animals to fly in the cabin of the aircraft
- Matters involving access to appropriate adjustments in social housing
- Matters involving students not being given appropriate education support.

## 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.

Some of the intensive cases we assisted with this year included:

- A client whose employment had been terminated due to their disability
- two matters in relation to employment, one involving termination and one involving a failure to be given a position due to their disability
- one matter involving an issue with an NDIS plan

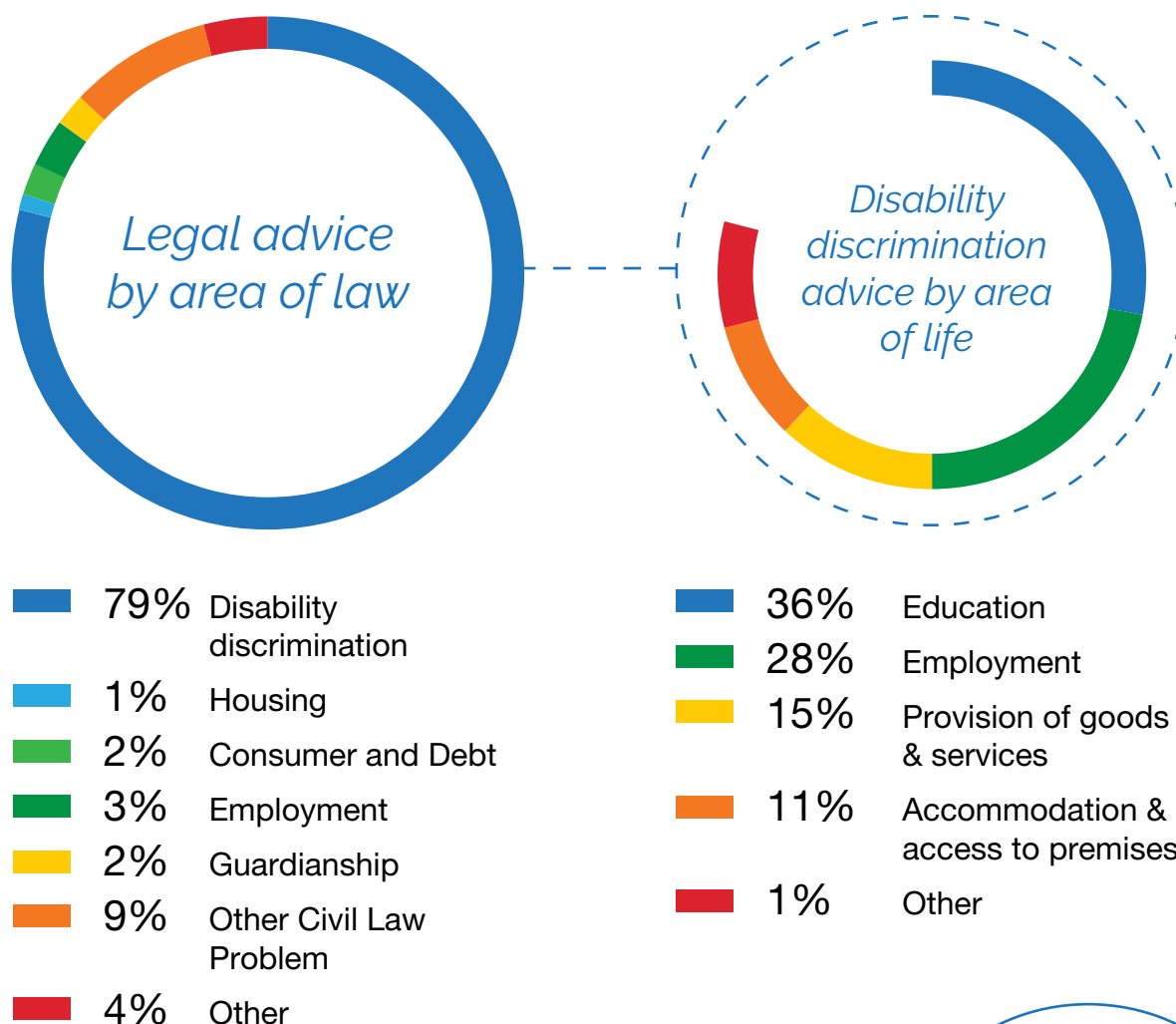


## Legal advice

During the year we provided 299 instances of legal advice and tasks, a 24% increase on the previous year.

While the majority (79%) 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, 28% to employment, 15% to the provision of goods and services and 11% 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.



During the year, we helped 820 people with disability by referring them to appropriate services.





## Legal information and referral

Our legal information and referral service includes providing 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 820 people with disability by referring them to appropriate services.

In addition, we updated and promoted our 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.

## 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.

This year the Centre in conjunction with People with Disability Australia (PWDA) continued to roll-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.

Participating organisations included disability advisers of TAFE Universities and Schools, youth peak bodies in Sydney, SDA housing bodies, the Japanese Community Association, the Chinese Parents Association, community support workers at a community legal centre, and a video presentation to Migraine Australia. Several sessions were also provided to local councils.

In all we conducted 19 community legal education events prior to the COVID-19 outbreak and subsequent restrictions on public gatherings from March. Significant work was also concentrated on the development of education resources, including COVID-19 specific information, and we commenced a large-scale project

to develop an education toolkit for students with disability and their families (discussed in more detail under 'Capacity Building'). We developed 5 new CLE resources during the reporting period.

## Outreach

Our team make visits to rural and regional areas to provide advice and education on disability discrimination and about rights. During the first half of this year we visited advocacy and legal services, disability services, family violence services, Aboriginal specific services and Land Councils and individual clients.

This year some of our outreach services were impacted by severe bushfires, and significant public health restrictions due to the COVID-19 pandemic.

Our team attended outreach to Cobowra Aboriginal Land Council in Moruya on the NSW South Coast. We also provided fortnightly outreach at the Northcott housing estate in Surry Hills. The Surry Hills Community Connect Hub, established by the NSW Department of Communities

and Justice 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.

Before COVID-19 shut down face to face outreach attendance, we participated in a community event for Seniors Week with the Surry Hills Community Connect, providing information about disability discrimination to the residents. When COVID-19 restrictions impacted on our ability to attend in person, we were able to continue offering this outreach service virtually for the remainder of the year.



## Community events

The Centre attends 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 by our team this year included:

- EWON Bring your Bills Day in Wyong
- A mental health forum for CALD communities in North Sydney
- Sydney Disability Expo in Homebush

ACDL is committed to increasing our profile in regional, rural and remote communities and increasing referrals to and engagement with our service. We are especially committed to providing a better service to Aboriginal communities across regional, rural and remote communities.

In the last year, we have been attending and participating in meetings across the following Cooperative Legal Service Delivery (CLSD) regions:

- Albury
- Moree
- Central Coast
- Far West
- South Coast

- Wagga Wagga
- Hunter
- Taree

Through the CLSD program, ACDL solicitors have been actively involved in most regions across regional, rural and remote communities within NSW. As well as attending meetings and keeping up to date with different communities across NSW, we have also actively participated in meetings across NSW, through:

- engaging in CLEs presented to the groups,
- presenting our own CLE to the groups, and
- engaging in Q&A sessions with the groups.

This has led to an increase in enquiries from legal and non-legal service providers across NSW, who are interested in the services we provide and how we might be able to assist their clients now and in the future. It has also led to more legal and non-legal service providers within communities familiarising themselves with the disability discrimination booklet and keeping our service in mind while engaging with their clients. Attending CLSD meetings across NSW and increasing our profile in these communities has also led to an increase in referrals to our service by legal and non-legal service providers in those areas.

## 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.





## Assisting Odette to overcome discrimination at work

Odette was a learning support co-ordinator at a private Christian school. She had been happy and successful in this part-time role, however changes to staffing below and above her meant her workload was increased without considering the impacts on her time management and ability to supervise others.

Odette subsequently developed anxiety and depression. She took some time off, and requested adjustments to assist her — such as flexible starting times, the ability to manage her own workload (in consultation with her manager) and greater clarity on the hours she was expected to work in the classroom.

Odette provided a medical certificate indicating she was fit for work with these adjustments. Her principal refused, and said Odette could not return to work until she was fit for work without any adjustments. She was placed on unpaid sick leave.

ACDL assisted Odette by writing a letter on her behalf to her school, outlining the issues of discrimination and requesting a meeting to discuss a return to work. The school decided to offer her a severance package instead, which Odette was happy to accept after some negotiations about the content of the deed they wanted her to sign.

Legal advocacy by ACDL on behalf of a client can often lead to a mutually agreeable solution prior to the formal complaint process.



This year, policy and law reform work undertaken by ACDL included:

- A submission to the review of the Civil and Administrative Tribunal Act 2013
- Two submissions to the Royal Commission into violence and abuse against people with disability in the areas of criminal justice and education
- Completing a submission to the 'Free and equal' consultation being undertaken by the Australian Human Rights Commission.


Also this year, Ms Jenny Green (Member, Management Committee) and Mr Mark Patrick (Managing Principal Solicitor) travelled to Geneva to attend the Committee of the Rights of Persons with Disabilities review of Australia's progress in implementing the Convention on the Rights of Persons with Disability (CRPD). During the review they participated in the following activities:

- Private briefings by the Australian civil society delegation to the Committee of the Rights of Persons with Disabilities.
- 8 private briefings to individual Committee members to highlight significant issues in inclusive education, people with disability serving on juries, discrimination against migrants and refugees with disability, indefinite detention of people with disability, strengthening the disability discrimination laws to remove the effects of the Sklavos case (effectively limits complaints of discrimination on the grounds of refusal to provide reasonable adjustments), amendments to the AHRC Act to allow representative complaints by advocacy/disabled peoples organisations, introduction of a Human Rights Act, and consolidation of the various discrimination legislations
- Civil Society Delegation briefing to the Office of the High Commissioner of Human Rights

- Briefing with the Australian Permanent Mission to the United Nations
- First Peoples Disability Network's side event: Art Exhibition "Culture is Inclusion"
- Film screening of "In My Blood it Runs". A rare insight into the world of 10-year old Dajuan, an Arrernte/Garrwa boy living in Alice Springs who is a child-healer, speaks three languages yet is 'failing' in school
- Attended both sessions of Australia's Public Dialogue with the Committee of the Rights of Persons with Disability and drafted 2 questions for Committee members
- Attended 1 session of the Public Dialogue between Australia and the Committee of the Rights of the Child
- Debrief with the Australian Government Delegation

In its concluding observations, the Committee made 67 recommendations. Some of the key observations were:

- Australia must address the current limitations in the Disability Discrimination Act 1992
- Australia should strengthen the Disability Discrimination Act to address and prohibit systemic, intersectional and multiple forms of discrimination



Priority is given  
to people with  
legal problems that,  
if resolved, will result  
in systemic change for  
people with disability  
and their supporters.

- Develop legislation in all states on the equal participation of persons with disabilities in the jury system
- Implement the recommendations contained in the Senate Community Affairs References Committee 2016 report Indefinite Detention of People with Cognitive and Psychiatric Impairment in Australia;
- Stop committing persons with disabilities to custody and for indefinite terms or for terms longer than those imposed in criminal convictions
- Review and amend its migration laws and policies to ensure that persons with disabilities do not face discrimination in any of the formalities and procedures relating to migration and asylum
- Conduct a robust review, in consultation with organizations of persons with disabilities, of the Disability Standards for Education 2005,

implement the recommendations arising from that review and develop a national action plan for inclusive education

- National advocacy programs are not adequately or sustainably funded for people with disability.

It called on Australia to:

1. Enact national uniform and enforceable legislation prohibiting sterilisation and medically unnecessary interventions on people with disability.
2. Develop a national action plan for inclusive education and a national disability jobs strategy.
3. Develop a formal mechanism, including a monitoring and evaluation framework, for the implementation of the CRPD which involves the meaningful engagement of people with disability and their representative organisations.

## 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



58

pro-bono solicitors and  
student volunteers



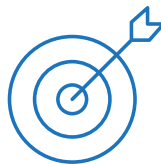
299

legal advices provided to  
people with disability



147

clients assisted with  
intensive casework  
and representation



5

education resources  
created

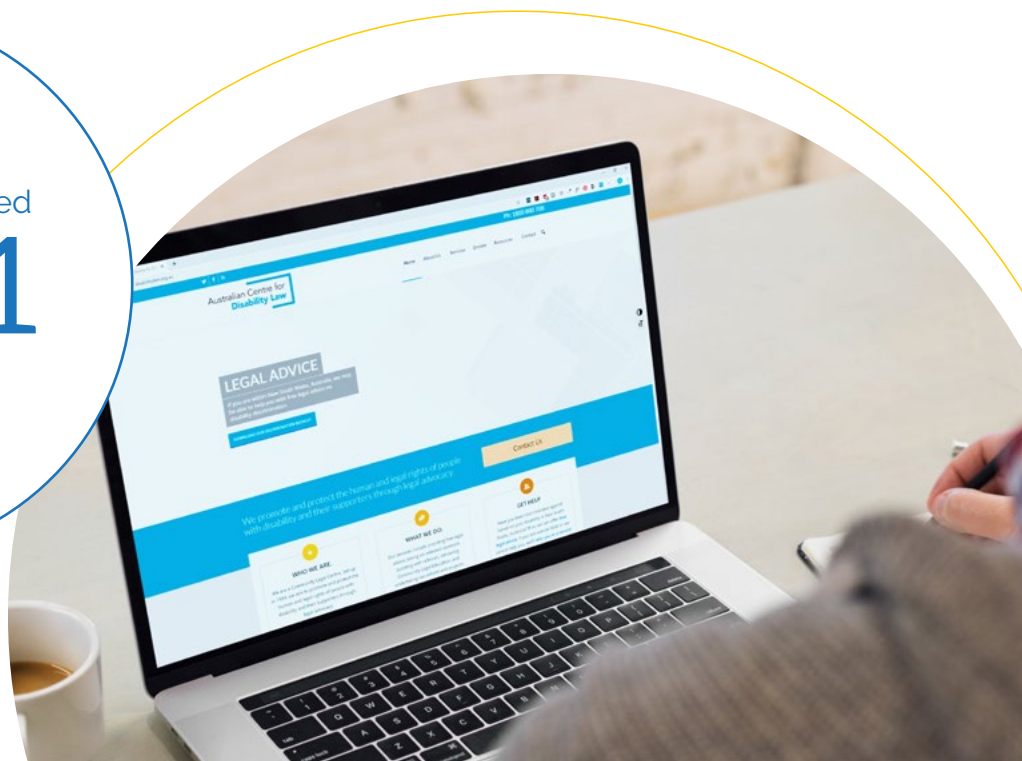


19

community legal education  
programs conducted

Our website was visited

13,211  
times



# Why we do what we do

In 2019-20, disability discrimination was the top source of complaints to the Australian Human Rights Commission, accounting for 44% of all complaints received. Of these 39% were in the area of goods, services and facilities and 20% related to employment. Both these areas, together with education matters make up the majority of our legal practice.

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.<sup>1</sup>

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.

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.

1. Productivity Commission Access to Justice Arrangements 2014



Our aim is that that people with disability are afforded the same opportunity as others in our society





1.37m people  
or 18.1% of the  
NSW population  
live with a  
disability.<sup>2</sup>

One in twelve  
Australians report  
experiences of  
discrimination or unfair  
treatment because  
of their disability.<sup>3</sup>

The link between  
'disability' and  
vulnerability to legal  
problems is strong and  
strengthens as the severity  
of 'disability' increases,  
particularly for mental  
impairment.<sup>4</sup>

"in the four years to  
2019, more than two  
thirds of kindergarten  
suspensions in NSW public  
schools involved students  
with a disability."<sup>5</sup>

"having  
a long term  
illness or disability  
is the strongest  
predictor of  
justiciable  
problems."<sup>6</sup>

People  
with disability  
are significantly  
overrepresented in the  
criminal justice system  
with approximately 50%  
of adult prisoners living  
with a disability.<sup>7</sup>

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 to towards people  
with disability and an  
under-resourced legal  
assistance sector.<sup>8</sup>

2. Australian Bureau of Statistics: Disability, Ageing and Carers Australia summary of findings 2018

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

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

5. J Baker, Sydney Morning Herald 24 November 2019

6. Productivity Commission Access to Justice Arrangements 2014

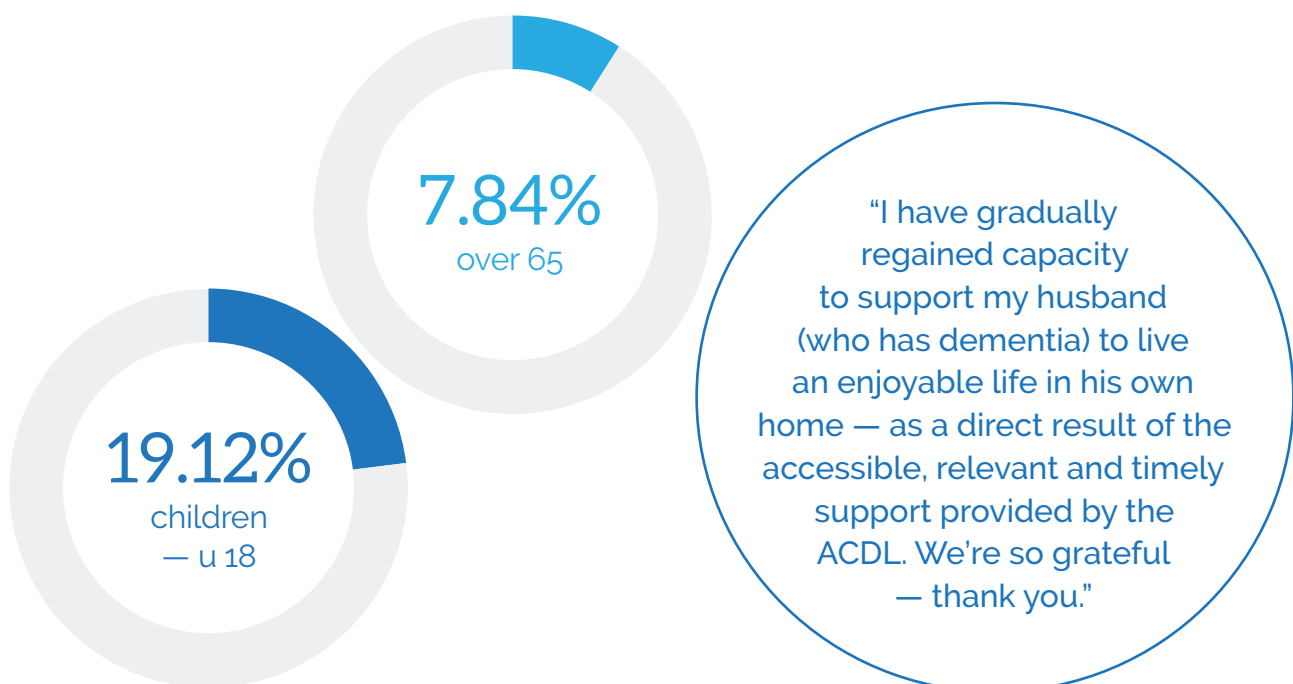
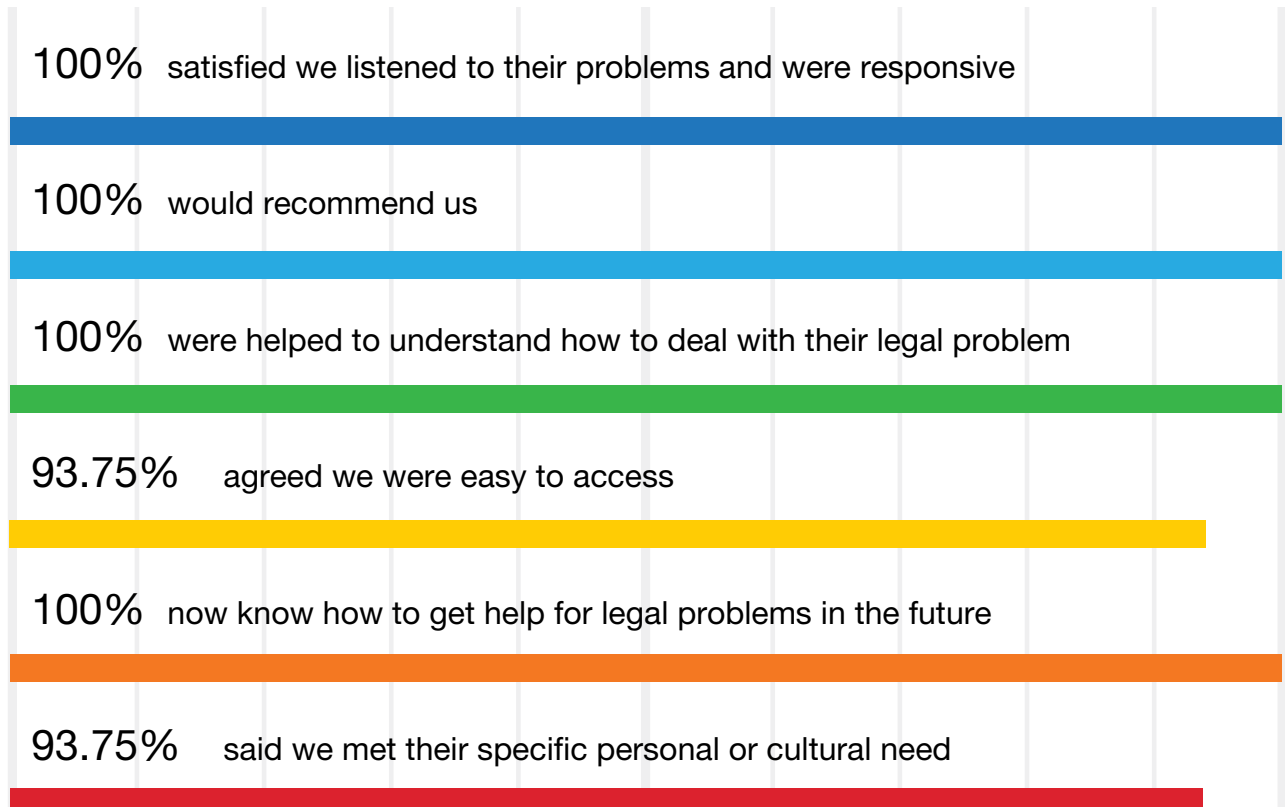
7. Law Council of Australia: August 2018 Justice Project Final Report Part 1 People with Disability

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

# What our clients say about us

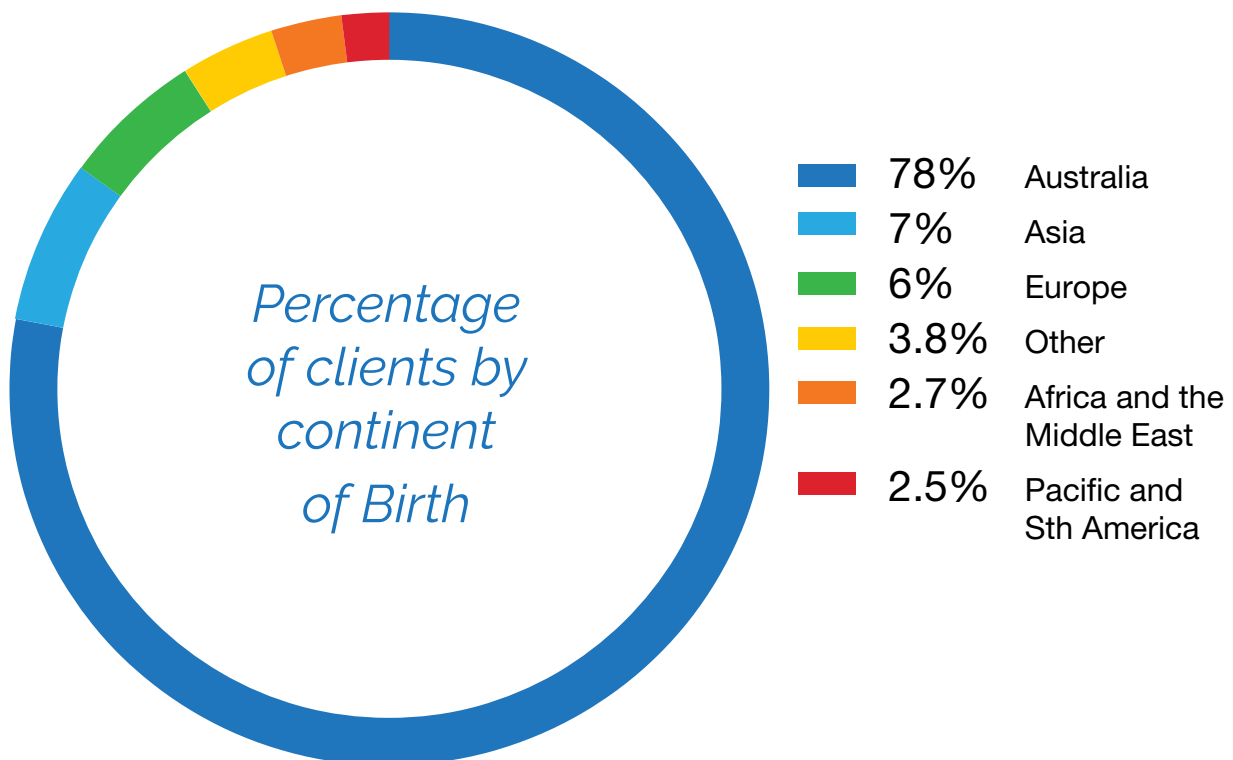
During the year we conducted a client satisfaction survey, in accordance with the National Partnership Agreement, the survey was administered both online and over the telephone as appropriate. Responses were overwhelmingly very positive, and we are encouraged to know we are making a real difference in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

## Client Survey Results





In 2020  
we assisted  
21 clients from  
non-English speaking  
backgrounds,  
compared to 16  
in 2019.



"Thanks to the very  
hard work by everyone  
down there at ACDL we  
were able to resolve an  
outstanding discrimination  
issue in a quick and  
expeditious manner."

\*closed representation services

# Capacity building

This year in addition to legal services delivery and education, we were very active in systemic advocacy, engaging in law reform activities and undertaking significant projects to build capacity across the community and within our organisation.

## **Rights based self-advocacy for students with disability. Towards an equitable and inclusive education for all Australians, including those from culturally and linguistically diverse (CALD) communities.**

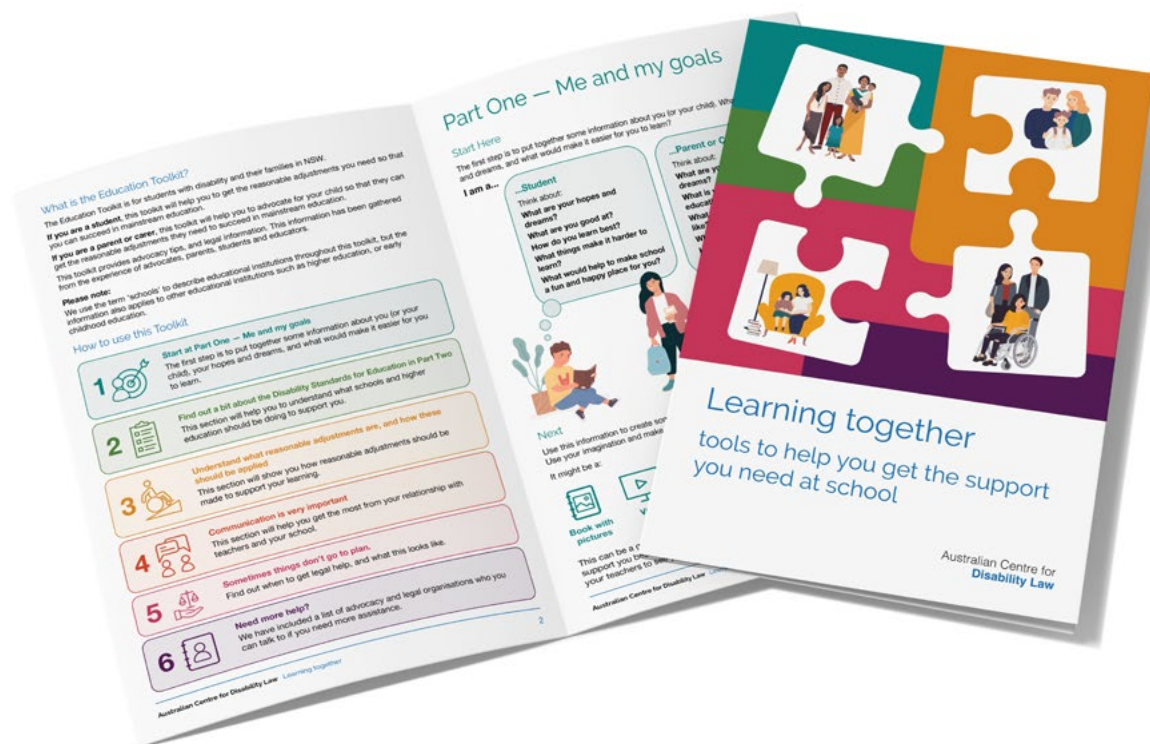
We commenced work on an exciting project to make it easier for students with disability to stay in mainstream education and reach their full potential.

Funded by the NDIS through their Information Linkages & Capacity Building (ILC) programme, we are currently developing an Education Toolkit so that students and families can understand their rights in regard to education in NSW, and advocate more effectively for reasonable adjustments.

Our Education Toolkit will assist students with a range of disabilities to access an equitable and inclusive education. It will build capacity and empower families and students with disability to advocate from a position of knowledge and strength for reasonable adjustments. The toolkit will also help to preserve relationships between families and schools, and avoid stressful and lengthy formal complaint mechanisms being invoked. Finally, the toolkit will optimise the legal position of students and families if self-advocacy fails, and formal complaints are later required.

The first phase will see the development of an accessible English version of the Education Toolkit, developed and tested in consultation with students, families and working group members who represent a number of legal, advocacy, youth-specific and disability organisations.

Subsequent phases will see a community training program developed and rolled-out with the assistance of Peer Trainers,





and the creation of multimedia resources. We will also begin consultation with CALD communities to develop culturally appropriate community language versions of the Education Toolkit.

This project will allow ACDL to invest in strategic planning, professional development and leadership capacity building activities, and infrastructure upgrades. The unmet legal needs of people with disability are chronic, extensive & frequently urgent. The development of strategic planning capability will assist us to ensure we are targeting those most in need and utilising our resources efficiently.

**Empowering generations of first people with disability and their communities to understand their legal rights and advocate for themselves.**

ACDL is also working in consortium with First Peoples Disability Network and People with Disability Australia to build the capability of First People (Aboriginal & Torres Strait Islanders), families and communities to assert their rights, speak up to perceived authority, and negotiate effectively from a position of strength with schools, employers and service providers.

This project will provide education and develop peer support to address cultural factors and stigma associated with some disabilities which prevents first people with disability from identifying and accessing NDIS supports and other services easily accessible to others.

First people with disability also experience unique forms of 'intersectional discrimination' — a form of social inequality which is an interaction of discrimination that is both race & disability related. Research shows intersectional inequality is both acute & pervasive across all support services — including disability services, health, education, employment, housing and transport.

Utilising a specialist team and leveraging the skills, knowledge and networks of the three partner organisations, we are working to develop and deliver culturally appropriate education, training and resources to first people with disability and their communities, and embed self-advocacy skills.





## Helping Isaiah to overcome a difficult physical accessibility challenge

Isaiah recently arrived from Pakistan, and uses an electric wheelchair to get around due to his quadriplegia. Isaiah buys meat once a month from his local butcher, however due to a step at the entrance, he couldn't get to the counter to buy his meat. This meant Isaiah was often left waiting outside the butcher for long periods while trying to get the attention of staff to assist him, leading to embarrassment and humiliation.

Isaiah was warmly referred to us by the Australian Human Rights Commission (AHRC) after he submitted a complaint, as he was particularly vulnerable due to the fact he struggles with English. ACDL assisted Isaiah in pre-conciliation negotiations.

ACDL negotiated with the butcher via the AHRC about possible outcomes to resolve Isaiah's complaint. The butcher at first agreed to let Isaiah through the back door, and told him he could phone ahead to place his order and that they could have the meat ready for him when he arrives.

However, this was not an appropriate solution for Isaiah as he still couldn't see the available meat or access the front of the store on the same basis as anyone else without his disability. For him, being able to pick and choose his own meat is very important as he does not go to the Butcher already knowing what meat he would like to purchase. Rather, he prefers to choose his meat based on the quality, look, price and availability at the time.

After further negotiation, the butcher agreed to look at temporary ramp options and they consulted with Isaiah on what ramp would be most appropriate for his needs. After a few weeks the butcher had the ramp in place and invited Isaiah to call ahead of his arrival so that they could put the ramp out in advance to avoid the embarrassment caused to Isaiah by having to wait long periods outside the shop.

This was a great outcome for all involved — the matter did not have to go through the conciliation process and was instead resolved informally between the parties.

# 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.

Many of our clients don't have the resources, confidence or knowledge to take their legal complaints beyond the advice stage.







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%.<sup>9</sup>

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

87%  
of young  
Aboriginal people  
in the juvenile justice  
system meet the  
criteria for at least  
one psychological  
disorder.<sup>10</sup>

Aboriginal  
and Torres Strait  
Islander people  
experience higher rates  
of disability compared  
to other Australians, and  
often experience double  
discrimination due  
to race and  
disability.<sup>11</sup>



**PEOPLE WITH DISABILITY  
AUSTRALIA**

9. 2015 Young People in Custody Health Survey: Justice Health & Forensic Mental Health Network and Juvenile Justice NSW

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

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

## Helping Gloria to navigate the formal complaint process

Gloria was studying psychology at a private college. She experienced some family health issues, as well as personal health issues including anxiety, and requested adjustments including extensions on assignments and delays to exams. She was given some adjustments, but not all, and was informed of rescheduled exams with only 2 days' notice, causing her difficulty.

Gloria was also told she would be more heavily supervised because of concerns for her mental health, despite performing well in assessments generally, which caused a general breakdown in the relationship with her teachers and increased her anxiety and distress.

Gloria made a complaint to the Australian Human Rights Commission (AHRC), and the AHRC requested additional documentation and information to clarify the issues, which Gloria found too overwhelming to do, as she had a large volume of emails and other documents, and was very emotionally invested in the issues.

ACDL assisted Gloria by reviewing the documents, providing her with a letter of advice and re-drafting her complaint to make it clearer and stronger. ACDL was able to make the formal complaint process smoother and less overwhelming for Gloria.



# Policy landscape

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.

We were also grateful to receive additional Commonwealth funding this year in response to the COVID-19 pandemic. The Australian Government provided targeted funding to support the community legal centre (CLC) sector to respond to the

COVID-19 pandemic and the increased demand for legal assistance. Funding was made available to support frontline service delivery, and infrastructure upgrades required due to COVID-19.

This meant that we were able to adapt our service delivery model to operate in a virtual setting, and address the increased demand for our services during this challenging time.

## Royal Commission into violence and abuse against people with disability

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.

This year we invested significant time in developing two submissions to the Royal Commission with regard to employment, and education. We also referred a number of clients to the Royal Commission, and in some cases we provided legal advice and assistance to people who wanted to make a submission.

The Australian Human Rights Commission report ("AHRC Report") into employment discrimination against people with disability<sup>12</sup> found that:

- people with disability reported the denial or inconsistent provision of workplace adjustments, bullying and unreasonable demands for information to support a request; and

- people with disability are perceived to be more often targeted for redundancies during periods of restructure or downsizing.

In our experience, many clients believe that their disability was the real reason that they were chosen for redundancies, and is often the culmination of with multiple other issues that they have experienced throughout their employment in relation to the refusal to make reasonable adjustments such as flexible working arrangements and provision of appropriate workplace facilities and materials.

In its 2019 National Education Survey, Children and Young People with Disability Australia (CYDA) found that 'students with disability are routinely excluded in their education, with many being segregated from 'mainstream' schools and classrooms, not attending school full-time, refused enrolment and excluded from school activities. Suspensions and expulsions are also familiar practices, showing the lack of understanding and support for students with disability'.<sup>13</sup>





In our work with students and their families, we encounter many stories of children with disability in schools being subjected to restrictive practices including seclusion under the guise of ‘behaviour management’ policies and practices. We hear of children being locked into small seclusion rooms or left alone in classrooms due to what is considered bad behaviour.

Parents are told that they must medicate their children before they are allowed to attend school and children are often only allowed to attend school for very short periods of the day. Children as young as 5 and 6 years old are being expelled from schools due to what is seen as problematic

behaviour, but which is often linked to their disability. Students are also often restricted from attending excursions, camps, carnivals and other school activities, both on and off campus, because of their disabilities.

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.

12. Australian Human Rights Commission (2016), “Willing to Work: National Inquiry into Employment Discrimination Against Older Australians and Australians with Disability” (full report) (AHRC report).

13. CYDA Submission to the Disability Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability: Education of children and young people with disability, October 2019



## Niall able to access hospitality venues on the same basis as everyone else

Niall is a gay man with mental health issues who enjoys visiting various clubs in Sydney's Oxford Street. However, he has experienced issues with certain security guards who taunt him and trigger him to respond aggressively. This harassment has led to Niall being evicted and then banned from multiple establishments.

Niall made a number of different complaints to Anti-discrimination NSW, against both the establishments and the security companies. Some complaints were resolved, and some were rejected. Due to the multiple complaints, Niall found that the establishments' managers would no longer respond to his emails, and he wasn't sure whether he was able to re-enter the establishments, or whether he was banned.

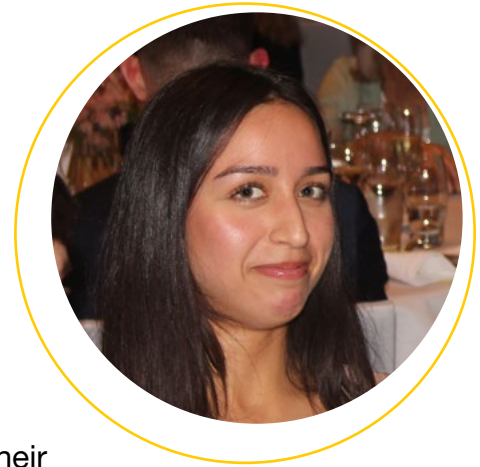
ACDL wrote letters on Niall's behalf to 3 establishments, requesting clarification about his status as a banned patron, and found that they responded quite quickly. The venues confirmed that Niall was able to enter, provided he behaved appropriately.

Niall's story highlights the effectiveness of corresponding and advocating on behalf of a client, where a 'legal letter' can often be very effective in getting an answer to a question. In this case, it means that Niall is now able to access venues on the same basis as everyone else.



## *Working as a Solicitor seconded to the Australian Centre for Disability Law*

For over a year now, I've worked with the ACDL team under a secondment which I originally expressed interest in, and had arranged by the Centre and my primary place of work. I'm grateful that the Centre's own solicitors welcome the assistance of law firms like mine, and it is encouraging to see that so many firms have teams of people who are (enthusiastically) putting their hands up to assist people with disabilities however they can.



What is more encouraging is the knowledge that ACDL exists, and that it is serving people with disabilities in our community with matters that often don't receive the attention they deserve. I can say firsthand that the team I assist at ACDL is extremely knowledgeable about disability discrimination issues, the processes involved to resolve them; and importantly, willing to help.

To anyone reading this, who is feeling helpless or disheartened in something/ someone they trust: please be comforted by the knowledge that you can trust ACDL; and that ACDL is here to listen. You might even catch me on the phone if you ring up.

Working with the ACDL team has allowed me to develop my communication skills as a lawyer; but most importantly, reopened my eyes to the complicated issues people with disabilities face every day, which I am constantly aware of now as I move through life. I hope that anyone thinking about volunteering with the Centre follows through with confidence that they will be a part of real change in Australians' lives.

**Chiara D'Ercole** HWL Ebsworth



# Australian Centre for Disability Law

ABN 15 992 360 253

## Summary financial statements — 30 June 2020

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# Committee members' report

30 June 2020

The committee members present their report, together with the summary financial statements, on the association for the year ended 30 June 2020.

## 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 Rosemary Kayess	Chair (Appointed as Chair on 23/09/2020)
Ms Jenny Green	Vice Chair (Appointed as Chair on 23/09/2020)
Mr Julian Laurens	Secretary (Appointed as Chair on 23/09/2020)
Mr Mark Rae	Member
Samantha French	Member (Appointed on 27/11/2019)
Ms Ya'el Frisch	(Retired on 18/02/2020)
Mr Anthony Crossley	(Retired on 18/02/2020)

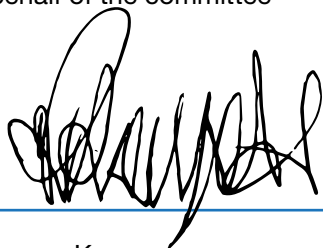
## Principal activities

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



Rosemary Kayess  
Chair



Jenny Green  
Vice Chair

23 September 2020

# Statement of profit or loss and other comprehensive income

for the year ended 30 June 2020

	2020	2019
	\$	\$
Revenue	778,993	619,838
Expenses		
Employee benefits expense	(452,731)	(481,128)
Accounting fees	(15,000)	(9,500)
Audit fees	(6,128)	(5,000)
Board/Governance expenses	(8,617)	(2,345)
Computer/IT/website	(22,634)	(10,473)
Consultancy/Legal costs	(43,996)	(13,675)
Depreciation and amortisation expense	(9,923)	(5,601)
Insurance	(4,636)	(3,071)
Office equipment	(23,205)	(269)
Printing and stationery	(19,624)	(10,970)
Rent & operating lease expense	(42,580)	(48,282)
Resources/subscriptions	(11,945)	(5,706)
Telephone & Internet charges	(10,054)	(5,016)
Travel & Accommodation	(9,695)	(7,627)
Other expenses	(16,030)	(5,706)
Surplus before income tax expense	82,195	6,058
Income tax expense	-	-
Surplus after income tax expense for the year	82,195	6,058
Other comprehensive income for the year, net of tax	-	-
Total comprehensive income for the year	82,195	6,058

# Statement of financial position

as at 30 June 2020

	Note	2020	2019
		\$	\$
<b>Assets</b>			
<b>Current assets</b>			
Cash and cash equivalents	6	1,665,417	531,559
Trade and other receivables	7	48,367	4,662
Prepayments		3,600	6,450
Total current assets		1,717,384	542,671
<b>Non-current assets</b>			
Property, plant and equipment	8	28,512	38,435
Total non-current assets		28,512	38,435
<b>Total assets</b>		<b>1,745,896</b>	<b>581,106</b>
<b>Liabilities</b>			
<b>Current liabilities</b>			
Trade and other payables	9	77,921	52,841
Contract liabilities	10	1,366,506	-
Employee benefits	11	45,879	47,696
Deferred revenue		-	317,600
Total current liabilities		1,490,306	418,137
<b>Non-current liabilities</b>			
Employee benefits	12	24,577	14,151
Total non-current liabilities		24,577	14,151
<b>Total liabilities</b>		<b>1,514,883</b>	<b>432,288</b>
<b>Net assets</b>		<b>231,013</b>	<b>148,818</b>
<b>Equity</b>			
Retained surpluses		231,031	148,818
<b>Total equity</b>		<b>231,013</b>	<b>148,818</b>

# Statement of changes in equity

for the year ended 30 June 2020

	<b>Retained Surplus</b>	<b>Total Equity</b>
	<b>\$</b>	<b>\$</b>
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	<b>148,818</b>	<b>148,818</b>
	<hr/>	<hr/>

	<b>Retained Surplus</b>	<b>Total Equity</b>
	<b>\$</b>	<b>\$</b>
Balance at 1 July 2019	148,818	148,818
Surplus after income tax expense for the year	82,195	82,195
Other comprehensive income for the year, net of tax	-	-
	<hr/>	<hr/>
Total comprehensive income for the year	82,195	82,195
	<hr/>	<hr/>
Balance at 30 June 2020	<b>231,013</b>	<b>231,013</b>
	<hr/>	<hr/>



# Statement of cash flows

for the year ended 30 June 2020

	Note	2020	2019
		\$	\$
<b>Cash flows from operating activities</b>			
Receipts from customers (inclusive of GST)		1,954,366	692,186
Payments to suppliers and employees (inclusive of GST)		(824,558)	(640,704)
Interest received		4,050	5,550
Net cash from operating activities	14	1,133,858	57,032
<b>Cash flows from investing activities</b>			
Payments for property, plant and equipment	8	-	(34,601)
Net cash used in investing activities		-	(34,601)
<b>Cash flows from financing activities</b>			
Net cash from financing activities		-	-
Net increase in cash and cash equivalents		1,133,858	22,431
Cash and cash equivalents at the beginning of the financial year		531,559	509,128
Cash and cash equivalents at the end of the financial year	6	1,665,417	531,559

# Notes to the summary financial statements

30 June 2020

## Note 1. Basis of preparation on the summary financial statements

The financial statements cover Australian Centre for Disability Law as an individual entity. The financial statements are presented in Australian dollars, which is Australian Centre for Disability Law's functional and presentation currency.

Australian Centre for Disability Law is a not-for-profit association, incorporated in New South Wales under the Associations Incorporation Act 2009 and domiciled in Australia. The association is registered with Australian Charities and Not-for-profits Commission as a charity. Its registered office and principal place of business is:

Level 8  
418a Elizabeth Street  
Surry Hills NSW 2010

A description of the nature of the association's operations and its principal activities are included in the committee members' report, which is not part of the financial statements.

The financial statements were authorised for issue on 23 September 2020.

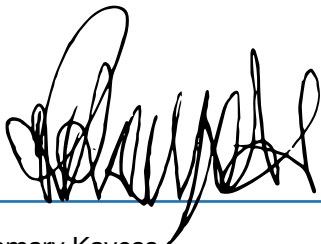
# Committee members' declaration

30 June 2020


In the committee members' opinion:

- the association is not a reporting entity because there are no users dependent on general purpose financial statements. Accordingly, as described in note 2 to the financial statements, the attached special purpose financial statements have been prepared for the purposes of complying with the Australian Charities and Not-for-profits Commission Act 2012 and New South Wales legislation the Associations Incorporation Act 2009 and associated regulations;
- the attached financial statements and notes comply with the Australian Accounting Standards as described in note 2 to the financial statements;
- the attached financial statements and notes give a true and fair view of the association's financial position as at 30 June 2020 and of its performance for the financial year ended on that date; and
- 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



Rosemary Kayess  
Chair



Jenny Green  
Vice Chair

23 September 2020

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**Australian Centre for Disability Law****Independent Auditor's Report to the members of Australian Centre for Disability Law****Opinion**

We have audited the accompanying financial report, being a special purpose financial report of Australian Centre for Disability Law (the Association), which comprises the statement of financial position as at 30 June 2020, the statement of profit or loss and other comprehensive income, the statement of changes in equity and the statement of cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies, and the committee members' declaration.

In our opinion, the accompanying financial report of the Association has been prepared in accordance with Division 60 of the *Australian Charities and Not-for-profits Commission Act 2012*, including:

- (a) Giving true and fair view of the Associations financial position as at 30 June 2020 and of its financial performance for the year the ended; *and*
- (b) Complying with *Australian accounting standards* to the extent described in Note 2, and Division 60 of the *Australian Charities and Not-for-profits Commission Regulation 2013*.

**Basis for Opinion**

We conducted our audit in accordance with Australian Auditing Standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of our report. We are independent of the Association in accordance with the ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities in accordance with the Code.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

**Emphasis of Matter - Basis of Accounting**

We draw attention to Note 2 to the financial report, which describes the basis of accounting. The financial report has been prepared for the purpose of fulfilling the Association's financial reporting responsibilities under *the Australian Charities and Not-for-profits Commission Act 2012*. As a result, the financial report may not be suitable for another purpose. Our opinion is not modified in respect of this matter.





## **Australian Centre for Disability Law**

# **Independent Auditor's Report to the members of Australian Centre for Disability Law**

### **Responsibilities of the Committee for the Financial Report**

The committee is responsible for the preparation and fair presentation of the financial report that gives a true and fair view and have determined that the basis of preparation described in Note 2 to the financial report is appropriate to meet the requirements of the *Australian Charities and Not-for-profits Commission Act 2012*, the *Associations Incorporation Act (NSW) 2009* and *Associations Incorporation Regulation (NSW) 2010*. The committee's responsibility also includes such internal control as the committee determines is necessary to enable the preparation of the financial report that gives a true and fair view and is free from material misstatement, whether due to fraud or error.

In preparing the financial report, the committee is responsible for assessing the Association's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the committee either intend to liquidate the Association or to cease operations, or have no realistic alternative but to do so.

### **Auditor's Responsibilities for the Audit of the Financial Report**

Our objectives are to obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial report.

A further description of our responsibilities for the audit of the financial report is located in the auditing and Assurance Standards Board website at: <http://www.auasb.gov.au/Home.aspx>. This description forms part of our auditor's report.

Rupaninga Dharmasiri  
Partner

LBW & Partners  
Chartered Accountants  
Level 3, 845 Pacific Highway  
CHATSWOOD NSW 2067

Dated this 24<sup>th</sup> day of September 2020

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