Annual Report 2024



We acknowledge and pay our respects to the Gadigal as the Traditional Owners of the land on which our office stands and recognise their continuing connection to land, water and community. Sovereignty over Gadigal land was never ceded and we stand with First Nations people in their struggle for justice.

Welcome to our first annual report as the Justice and Equity Centre.

Building on more than 40 years of fighting injustice and inequality as the Public Interest Advocacy Centre, in 2024 we changed our name to better reflect our purpose: changing laws and policies that cause unfairness and entrench disadvantage.

PIAC's groundbreaking test cases and tenacious policy advocacy have delivered justice for countless people and made our society a fairer one. We are proud to be carrying on that legacy as the Justice and Equity Centre. Our work remains directed by the priorities of the people and communities we represent. We continue to drive change across five focus areas, where our expertise and relationships maximise our impact:

- Civil rights
- First Nations justice
- Disability rights
- Homelessness
- Energy and water justice.

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* Throughout this report we share experiences of our clients. Where we have changed their name to protect privacy, it is denoted with an asterisk (*).



From our Chair and CEO



We are delighted to deliver this first annual report as the Justice and Equity Centre.

Changing the name of a much-loved and respected institution like the Public Interest Advocacy Centre is not something done lightly. We became the Justice and Equity Centre to reflect our vision for a just society, one that is fair and free from disadvantage.

We honour the legacy of PIAC by building on its solid foundations and ensuring our organisation continues to be dynamic, bold and ambitious to make social justice happen.

Of course, some things remain very much the same. We are still sought out for our strategic expertise as lawyers and policy experts. We are still driven by partnerships and known as a trusted and generous collaborator. And we are still respected as a principled and determined advocate, both able to act with urgency and play the long game.

In reflecting on another year of confronting injustice and building strength in the community to make change, we are very proud of the impact of our work – on display throughout this report. Measuring the impact of social change advocacy is notoriously difficult, but we have worked hard to be a sector leader in both planning for, and being able to show, how we make a difference. Across our five priority areas of civil rights, First Nations justice, disability rights, homelessness and energy and water justice, we have worked with clients and community organisations to make real change that has improved the lives of people facing disadvantage.

Another constant in our work is our refusal to accept that injustice is inevitable. While there is still much to do, we are fortified by our community of supporters who stand with us, undaunted by the challenge. Your commitment makes it possible for us to achieve so much.

Thank you for sharing our belief in a fair and just society.



Sera Mirzabegian SC Chair



Jonathon Hunyor Chief Executive Officer

Driving change and improving lives

HIGHLIGHTS FROM OUR IMPACT IN 2023-24

- NSW Police ended the Suspect Targeting Management Plan, a discriminatory policing strategy that unfairly targeted young Aboriginal people, after it was found to be unjust, oppressive and discriminatory, and its use against young people amounted to misconduct and maladministration.
- Proposed changes to the NDIS were made much fairer for participants after the Government made significant amendments to its 'Getting the NDIS Back on Track' Bill.
- The NSW Department of Communities and Justice ended use of a discriminatory casework tool used in child protection matters and committed to developing a new approach in partnership with leading Aboriginal organisations.
- The NSW and Commonwealth Governments will invest \$175 million in energy efficiency upgrades to 24,000 NSW social housing properties, keeping homes cooler in summer and warmer in winter, and reducing energy bills.
- A coalition of more than 130 organisations spanning First Nations justice, health, legal, NGO and social services sectors has come together to raise the age of criminal responsibility in NSW and provide alternatives to locking up 10-year-old children.

- The City of Sydney halved the number of alcoholfree zones across the city, which unfairly target people experiencing homelessness.
- People with disability are holding airlines and airports accountable for discrimination and advancing industry-wide reform.
- The Aboriginal Authority for Restoring Children is being established in NSW to oversee efforts to return Aboriginal children to their families from the child protection system.
- Households with large and long-term energy debt will benefit from a \$10 million 'debt relief' trial by the NSW Government.
- Ticketek has launched a new booking platform, allowing people with disability who need accessible tickets to purchase them online, in real time, like everybody else.
- The NSW Minister for Mental Health has committed to developing a framework for a new approach to responding to people in mental health crisis, recognising the current police-led approach is failing.
- New rules mean the energy regulator must consider emissions implications before signing-off on energy company proposals relating to network costs, ultimately paid for by consumers.





How we create impact

We tackle injustice and inequality by:

Exposing injustice

We show where laws, policies or practices are causing or entrenching disadvantage.

For example: We achieved major media coverage when we filed a Supreme Court case alleging repeated trespass by police, sharing our client's experience and highlighting the impact of police harassment.

Challenging decision-makers

We hold those with power to account over actions that are unlawful or unfair.

For example: We challenged unfair evictions and rent increases, social housing debts, and police charges related to poverty and homelessness for more than 460 clients through our Homeless Persons' Legal Service.

Identifying solutions

We work collaboratively to develop and promote legal and policy solutions that deliver fair, practical outcomes.

For example: We worked with the disability community to secure a government commitment to a disability standard for aviation to make air travel accessible, safe and convenient for everybody.

Engaging the public and decision-makers

We lead conversations and campaigns that bring about change.

For example: We collaborated with consumer and community groups to develop recommendations on energy efficiency in homes, leading to a government commitment to upgrade 24,000 NSW social housing properties.

Empowering people

We support individuals, groups and organisations to initiate, inform and influence positive change and become leaders in social justice.

For example: We are supporting Aboriginal partners to establish the Aboriginal Authority for Restoring Children, which will oversee efforts to return Aboriginal children to their families from the child protection system.

Year at a glance

Over the year, the Justice and Equity Centre has:



HELPED

691 people

resolve their legal problems



SECURED

\$567,827 for our clients

in compensation, debt relief and other entitlements



SUPPORTED

273 organisations

to achieve their social justice objectives with our legal and policy expertise

*

ATTRACTED



to our website

*

INFLUENCED WITH

420 briefings letters and submissions

to politicians and decision-makers

*

REACHED UP TO

5,710,000 people

each month in the media

*

CONNECTED WITH

7,416 followers

on LinkedIn

*

LEVERAGED OVER

\$13.5 million

worth of pro bono support from 22 pro bono partners



Because those with power must be accountable.



'I can't thank the JEC enough for how they helped me. From the first phone call you get that feeling they're good people, they're going to help you. It started from there. And every engagement that I had with them, they've been amazing. They've made a big difference in my life. Without the JEC I wouldn't know I could stand up for myself.'

- Megan*, JEC client

The JEC's impact litigation fund is supported by Woodsford, Kathryn and Scott Roulstone, KordaMentha, John Temple-Cole, Mayweathers, William Roberts Lawyers, Slater and Gordon Lawyers, CASL Management Proprietary Limited, Paul Lindholm, Balance Legal Capital LLP, Dawna Wright, FTI Consulting and several anonymous donors. We thank The Ross Trust and Williams Fund for supporting our Asylum Seeker Rights work.

We gratefully acknowledge the Paul Ramsay Foundation, the Dusseldorp Forum and generous individual donors for supporting the Raise the Age campaign.

Defeating the intrusive and discriminatory STMP

After eight years of determined advocacy, NSW Police finally abolished the intrusive and discriminatory Suspect Targeting Management Plan (STMP)

In 2015, we formed a coalition with partners including the Aboriginal Legal Service (NSW/ACT) and the Shopfront Youth Legal Centre, after several young people we represented reported being subject to ongoing and intimidating searches and home visits because they were 'on the STOMP'.

Known officially as the STMP, police claimed it was a proactive policing strategy but were unable to show it was preventing crime. We could show, however, that many young people, a large proportion of them Aboriginal, were being unfairly and often unlawfully targeted and harassed.

Our coalition's advocacy led to an investigation by the Law Enforcement Conduct Commission (LECC). In October 2023, its scathing final report revealed maladministration, misconduct, illegality and a disproportionate impact on Aboriginal children – confirming the concerns we had exposed.



CHALLENGING MISTREATMENT

Levi* was 12 when he was put on the STMP. He had never been charged with a criminal offence and had no history of interactions with police. Levi is Aboriginal and has been diagnosed with an intellectual disability, ADHD and complex developmental trauma. While on the STMP, Levi was stopped and searched 20 times over 21 months, leaving him frustrated and feeling like he would always be targeted. We are representing Levi to challenge this treatment and seek compensation from NSW Police for what we believe was unlawful conduct.

We secured media coverage in the ABC, Sydney Morning Herald, The Guardian, National Indigenous Times and AAP.



NSW Police stopped using the STMP on children immediately and announced it would end use against adults in a matter of weeks.

NSW Police have said the STMP will not be replaced. We have, however, raised serious concerns with Police, the LECC and the Police Minister about how other police approaches such as 'PDR' (prevent, disrupt, respond) may lead to similar discriminatory and oppressive practices.

We have formally requested the LECC keep open its investigation into the STMP, to scrutinise 'proactive policing' practices and ensure they do not replicate the STMP's harms.

Protecting the rights of asylum seekers

People locked up in immigration detention have a right to be treated humanely and with dignity. But Australia's regime is arbitrary, cruel and often fails to meet international law obligations. We protect the fundamental rights of people seeking asylum by holding the Government and its contractors to account.

CHALLENGING HANDCUFFING IN IMMIGRATION DETENTION

Many asylum seekers in detention have a history of torture and abuse. But they are regularly forced to wear handcuffs to travel to medical appointments or between facilities, causing ongoing trauma. For all detainees, handcuffing is humiliating and inhumane.

Official policies say handcuffs should be only used as a last resort. But our work has exposed they are used routinely, often without appropriate risk assessment or based on assessments using incorrect or incomplete data. The Australian Human Rights Commission and Commonwealth Ombudsman have raised these same concerns.

After settling a test case for our client Yasir* in mid-2023, we started investigating a potential class action on behalf of people who have been handcuffed in immigration detention and building our understanding of how to most effectively challenge this systemic issue. We have:

- spoken to more than 30 current and former detainees about their experiences,
- made more than 20 Freedom of Information requests, and
- unearthed thousands of pages of unpublished government records.

These investigations have confirmed the broken systems and processes behind the use of handcuffs, including in circumstances where use is contrary to the advice of medical professionals.

CONEWS

Commonwealth settles case with asylum seeker who missed medical appointments because of handcuff PTSD

By political reporter Evelyn Manfie Posted Wed 15 Nov 2023 at 8 17am





Flawed immigration detention risk assessment tool can't be upgraded as ABF data 'riddled with errors'



EXPOSING A FAULTY IMMIGRATION DETENTION TOOL

A flawed, discredited and highly secretive risk assessment tool is being used to make crucial decisions about the use of force and restraints like handcuffs on people in immigration detention.

While details about the Security Risk Assessment Tool (SRAT) are extremely difficult to uncover, in our work with asylum seekers we have seen cases where the risk rating output by the tool has been based on inaccurate or incomplete information, with no process for review. This is particularly concerning where the rating influences consequential decisions, like whether a person will be handcuffed to attend medical appointments. Faulty assessments mean people are subject to unnecessarily harsh treatment causing significant mental and physical harm. We gave expert commentary to a Guardian investigation into the SRAT, sharing serious concerns about its accuracy and noting the Department of Home Affairs has known about its flaws since at least 2019 when it received independent advice, but has continued to use it.

UN REPORT CRITICISES AUSTRALIA'S DETENTION REGIME

Late in 2023, the UN Subcommittee on the Prevention of Torture released its report on Australia's detention regime, following a visit controversially suspended when authorities refused UN inspectors access to some facilities.

In an AAP report syndicated across national media, we spotlighted findings that Australia is failing to meet basic obligations to protect the human rights of people in immigration detention.



HANDCUFFED IN HOSPITAL

While being held in Australian immigration detention, Ahmad* has needed offsite treatment for several mental and physical health issues. He has been forced to wear handcuffs each time.

'I had an operation for my hernia and had over 40 stitches. When I was in the hospital in a wheelchair I was handcuffed which was very embarrassing and hard for me. Even straight after my surgery, they had handcuffs on me. When I was discharged from hospital, IHMS [immigration detention medical staff] said why are you back? Your wound is too fresh. So the same night they sent me back to hospital and again in handcuffs with all my stitches.'

- Ahmad, immigration centre detainee



When Ahmad was returned to detention a second time, he still felt extreme pain and an ambulance was called. But Ahmad declined to go back to hospital because he would have been handcuffed. He asked to have just one arm handcuffed to the transportation trolly, to ease the pressure on his painful abdominal area, but detention centre uards refused.

Raise the Age NSW

NSW continues to lock up children as young as 10, removing them from schools, families and communities, and causing lifelong harm. But the campaign to raise the age of criminal responsibility from 10 to 14 has grown in power, and can deliver practical alternatives to police, courts and prisons.

Members of Raise the Age NSW now span the state. After building a lead group of First Nations organisations, legal and human rights groups, peak bodies and trade unions, our focus shifted to growing our community. There are now more than 130 partner organisations and hundreds of individual supporters of the campaign.

Members offer diverse expertise: from national bodies advocating for policy change, to local service providers working with children on the ground. While some states and territories have made progress towards raising the age to 14, NSW has moved in the wrong direction. Disappointingly, the Government has responded to shrill calls to be 'tough on crime' with stricter bail laws and additional police powers, which will see more children locked up and for longer periods.



Renewed push for NSW to raise age of criminal responsibility to 14

Exclusive: With children as young as 10 'regularly' before the courts, NSW must consider raising the age of criminal responsibility, says broad group of child advocates





We continue to build our influence and power, aware that reforms like this take tenacity, courage and time. Our work coordinating the NSW campaign has engaged supporters and strengthened the argument for raising the age with message-tested communications campaigns. We have challenged the NSW Government to do better for kids and communities in media and other public forums.

Our submission to a NSW Parliamentary inquiry into community safety in regional and rural communities made an undeniable case for a new approach. It gave a voice to member organisations, who articulated passionately why they support the campaign. We anticipate we will be called to give evidence to the inquiry and look forward to the opportunity.

'We are ready to help the NSW Government embrace the opportunity to do better for kids and communities. Our coalition has the expertise to deliver viable alternatives to locking 10-year-old kids in prisons and police cells.'

- Emily Mayo, Manager, Raise the Age Campaign

Reforming fines for children

Children don't have the means to pay fines or know how to appeal them, but consequences can be long-term and financially crippling.

We partnered with the Aboriginal Legal Service (NSW/ACT) and Redfern Legal Centre to commission an independent report examining the impacts of fines given to children during the COVID-19 pandemic.

The report, by experts from the University of Wollongong, the University of New South Wales and the University of Technology Sydney, found fines were disproportionately issued to historically over-policed groups, including Aboriginal and Torres Strait Islander children, children with cognitive impairments, and children experiencing socioeconomic challenges, homelessness, or unsafe home environments.



"More than half of the fines issued were for \$1000, with some reaching \$5000, far surpassing the maximum \$1100 fine that can be given in the NSW Children's Court," the report read. Coverage across the Sydney Morning Herald, Nine News online, The Daily Aus and the National Indigenous Times highlighted the urgent need to learn from our pandemic response and reform the fines system, to protect children's rights and wellbeing.



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The Redfern Legal Centre, the Public Interest Advocacy Centre and the Aboriginal Legal Service said the 3600 fines issued to minors over two years during the COVID pandemic – to children as young as 10, worth up to \$5000 – intensified and exposed a wider problem.

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'Fines are not an effective deterrent but can saddle children and their families with overwhelming debt, which simply amplifies disadvantage and builds distrust in the system.'

- Grace Gooley, Senior Solicitor



Improving LGBTIQ+ rights in NSW

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'While events like the Sydney Gay and Lesbian Mardi Gras might give us a gay-friendly reputation, NSW continues to be the Australian jurisdiction with the worst protections for LGBTIQ+ communities. Reform is too slow and we will keep the pressure on until that changes.'

 Alastair Lawrie, Director of Policy and Advocacy

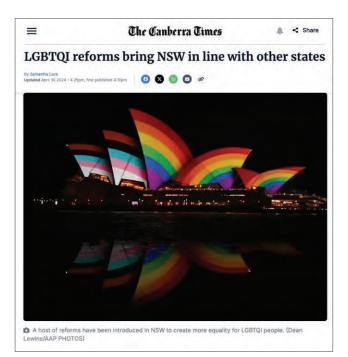


In March 2024, we welcomed the NSW Government fulfilling a key election commitment with laws banning 'conversion practices'. These practices aim to change or suppress sexual orientation or gender identity and are known to cause immense harm.

We were involved in consultations about the legislation and supported survivors of conversion practices to seek improvements to the Bill.

We also supported critical reforms proposed in the Equality Bill, introduced by Independent Member for Sydney Alex Greenwich. We explained in the media how the reforms would substantively improve the rights of LGBTIQ+ people, including through muchneeded and long-overdue birth certificate reforms for trans and gender diverse people, and protections for bisexual, non-binary and intersex people under the Anti-Discrimination Act.

We assisted the Parliamentary inquiry considering the legislation through a submission and Committee hearing appearance, with coverage of our evidence in the Canberra Times.



Ending discrimination by religious organisations

A fair system gives everyone an equal opportunity to participate in society, regardless of who they are, what they believe or the communities they belong to. But outdated exceptions in NSW and Commonwealth anti-discrimination laws create fear and expose people to harm.

Having successfully advocated for a comprehensive review of the NSW *Anti-Discrimination Act* by the NSW Law Reform Commission, we are working to secure recommendations that will fix our out-dated and ineffective anti-discrimination legislation. The Commission's inquiry is ongoing.

We have continued to influence public debate about the need to remove the exceptions allowing religious organisations to discriminate against LGBTQ students and teachers.

In March 2024, we supported the Australian Law Reform Commission's recommendations for straightforward amendments to the *Sex Discrimination Act* and *Fair Work Act* to make all schools safe for everyone. When the Government announced they would not act on the recommendations without Opposition support, which was not forthcoming, we drew attention to its broken election commitment to protect LGBTQ students and teachers. Our expert commentary and opinion pieces gained coverage across the Sydney Morning Herald, The Guardian, The Canberra Times and ABC Radio.

When Citipointe Christian College apologised for anti-LGBTQ enrolment contracts as part of a settlement with parents, we took the opportunity to highlight the success of Queensland antidiscrimination laws in protecting young people from harm. The human impacts of the broad exceptions that allow religious organisations to discriminate against employees and people accessing services were again demonstrated when media reported on Anglicare's rejection of a foster carer because she was in a same-sex relationship. The Guardian reported on our commentary about the need for reform.

Guardian Newspaper of the year

NSW government launches review after court hears Aboriginal baby's aunt refused as carer due to same-sex relationship

Court told Anglicare Sydney refused to assess woman as a long-term carer and sought to have baby adopted to non-Indigenous couple



Promoting access to justice

We work with civil society partners to hold decision-makers to account and ensure legal and government systems are transparent and accessible.

We partnered with Grata Fund to call for reform to how legal costs are awarded in federal discrimination law matters, implementing a recommendation of the landmark Respect@Work Report.



At a Senate Committee inquiry, we explained how financial risk is a barrier to people challenging discrimination and sexual harassment, and how our proposed 'equal access costs model' would even the playing field. In its final report, the Committee recommended adoption of this model.

Also with Grata Fund, we coordinated an open letter urging the Attorney-General to respond to a damning Senate Committee report into the Commonwealth Freedom of Information (FOI) regime. Our evidence to that Committee highlighted major problems with the FOI system and the need to improve transparency, accountability and funding. With signatories including leading legal groups, FOI experts and media organisations, the letter gained media attention and added to pressure on government to restore integrity with action.

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'The FOI system is convoluted and confusing. It prevents people from seeing information that agencies hold about them – information they are entitled to and that they need to understand their legal rights.'

- Ellen Tilbury, Principal Solicitor



Challenging police trespass in the Supreme Court

We have filed two major test cases in the NSW Supreme Court on behalf of Megan* and Joanne*. These two mothers are suing NSW Police following months of disruptive and intimidating visits to their homes purportedly for 'bail checks' on their children.

Megan and her three young boys were subjected to 153 home visits over 20 months. Police started turning up after two of the boys, aged 11 and 13, were charged with being passengers in a stolen car and were put on bail with a curfew.

NSW Courts can authorise police to check if a person is complying with a bail condition like a curfew – but in this case the Court did not do so. We argue that, without authorisation, police did not have the power to conduct random checks and were trespassing.

Police often visited Megan's house between midnight and 4am, and more than once a night. Megan would have to get the boys out of bed or let police into their bedrooms.

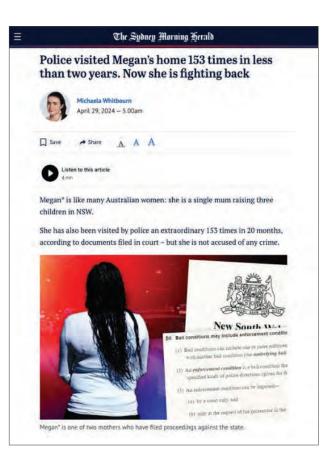
'Sometimes it's two police, but the majority of the time it's over four. Over four police is very intimidating. I know police have got a job to do, but I also have a job to do, and that's to look after and provide for my young fellas.'

Megan, JEC client, speaking to the Sydney Morning Herald

Joanne and her three children were subject to more than 90 police visits over 18 months. Fifty-nine appear to have been unlawful. Joanne's anxiety increased and she had difficulty sleeping.

'Police coming around didn't only affect my son who was on bail. It also affected me and his sisters, especially when police were shining torches through the windows after midnight. It felt as though they were harassing the whole family. My youngest daughter is now scared of police.' We are asking the Court to declare the police are acting unlawfully to put a stop to this practice and order compensation for Megan and Joanne.

In addition to these test cases, we have engaged with the Law Enforcement Conduct Commission on this issue. The LECC responded in May with an issues paper and a call for submissions on police powers to conduct bail compliance checks without Court authorisation. We have briefed sector partners and stakeholders, to ensure strong the review is informed by their perspectives and experiences.



Because reconciliation requires action.

iStock.com / JohnnyGreig

'AbSec's mission to champion justice and self-determination for Aboriginal communities is strengthened by allies who walk alongside us. Our partnership with the Justice and Equity Centre is vital. We admire the humility and respect with which the JEC has approached working with us and our families. Together, we can drive even greater change and move closer to a future which recognises the sovereignty of our people'.

- John Leha, AbSec CEO

We gratefully acknowledge generous financial support from Allens for our work on First Nations justice.

The JEC and Shopfront Aboriginal Social Justice Graduate Program is supported by generous grants from the Matana Foundation for Young People, the B B & A Miller Fund and Herbert Smith Freehills. Our Aboriginal Child Protection Project is supported by a generous grant from the B B & A Miller Foundation.

Towards Truth is made possible by financial support from the Maple-Brown Family Foundation, Clayton Utz Foundation, Maurice Blackburn Lawyers, Lander & Rogers, Allens, Herbert Smith Freehills, Commonwealth Bank Australia, Macquarie, and the Johnstone Gumption and Williams sub-funds of the Australian Communities Foundation.

Closing the gap: calling out police failure

First Nations people in NSW are unfairly targeted by police, resulting in disproportionate rates of arrest and imprisonment. Working in collaboration with Aboriginal partner organisations, we call out discriminatory police practices that pull First Nations people into the criminal legal system.

An October 2023 report from the Law Enforcement Conduct Commission (LECC) exposed comprehensive failure by NSW Police to take seriously its NSW Closing the Gap commitments and reduce the stark overrepresentation of Aboriginal people in the criminal justice system.

On ABC Radio, in the National Indigenous Times and the Law Society Journal, our CEO Jonathon Hunyor highlighted the unacceptable numbers of Aboriginal young people being targeted by unfair over-policing. He called out the discriminatory Suspect Targeting Management Plan, where at times more than 70% of the young people targeted identified as Aboriginal.

Just months later, statistics from the NSW Bureau of Crime Statistics and Research revealed the proportion of young people in youth detention who were Aboriginal was the highest on record.



Closing the Gap targets would lead to "competing duties": NSW Police Commissioner

Dechlan Brennan - October 25, 2023

Public Interest Advocacy Centre (PIAC) has called for reform on the "harmful" STMP programme, including stopping its use on children and youths.

PIAC argue once a person is placed on the STMP, they are targeted for "pro-active attention". This increased attention from police and created risks of oppression and harassment.

PIAC CEO Jonathon Hunyor said over 70 per cent of young people subject to the STMF identified as Aboriginal, a statistic he described as "unacceptable".

"Aboriginal communities continue to be targeted by unfair and discriminatory over-policing. The LECC raised concerns about the over-representation of Aboriginal young people on STMP target lists in 2020, but the numbers have been getting worse," he said.

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'The LECC report calls out a core principle of the Closing the Gap framework: overrepresentation of Aboriginal people in the criminal justice system will not improve unless Aboriginal peak organisations and communities are included in decisionmaking and design of policies that impact them. NSW Police need to step up and be part of the solution.'

- Jonathon Hunyor, CEO



Family is Culture: supporting Aboriginal-led reform of the child protection system

Aboriginal children belong with their families and communities, connected to culture and Country. But too many Aboriginal families are torn apart by a child protection system that perpetuates injustice and discrimination.

We work in partnership with AbSec – the NSW Child, Family and Community Peak Aboriginal Corporation, the Aboriginal Legal Service (NSW/ACT) and UTS Jumbunna Institute, to drive urgently needed reform of the NSW child protection system.

Our coalition has built its influence through many years of expert advocacy, with the Minister and departmental staff now regularly seeking us out for consultation on policy and reform.

Achieving full implementation of the recommendations of the Aboriginal-led Family is Culture (FIC) Review continues to be our focus. These recommendations place self-determination and accountability to community at the heart of child protection decision-making.

While the Minns Labor Government has given positive indications towards reform, securing a commitment to transforming the system in genuine partnership with Aboriginal people remains challenging.

Our coalition's recent Community Report Card called out the Government's failure to commit to implementing FIC in full. It observed 'progress on implementation of the FIC recommendations has been disappointingly and unjustifiably slow'. Aboriginal children are paying the price, being removed from their families at a rate over 10 times that of non-Aboriginal children. Scathing reports from the National Productivity Commission, NSW Auditor General and NSW Ombudsman again confirmed the system is failing Aboriginal families across the entire continuum of care.

But we have fought for – and won – significant reforms that help to address the system's failings.

ENDING USE OF A DISCRIMINATORY CASEWORK TOOL

Our coalition scored a significant win when the NSW Department of Communities and Justice (DCJ) agreed in late 2023 to abandon a controversial casework tool used in child protection matters. Notably, DCJ committed to co-designing a new tool in partnership with AbSec and the Aboriginal Legal Service.

Our legal analysis had identified options for a legal challenge. Researchers had shown a similar tool used in Queensland was racially discriminatory, leading to the Queensland department ending its use. Both the JEC and AbSec raised these concerns with the Department.

Following its announcement, DCJ also gave a tentative agreement to review the whole suite of tools and guidance around child protection decision-making, in genuine partnership with Aboriginal organisations.

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'A review of child protection tools and decision-making, done in partnership with Aboriginal organisations, can lay the foundation for a transformational re-design of child protection casework, to a system that better supports and recognises the needs and strengths of Aboriginal children and families.'

- Jonathan Hall Spence, Principal Solicitor



ESTABLISHING THE ABORIGINAL AUTHORITY FOR RESTORING CHILDREN

In February 2024, the NSW Government announced a new 'restoration taskforce' to oversee efforts to return removed Aboriginal children to their families. The Minister for Communities, Kate Washington, vowed to work in partnership with Aboriginal community-controlled organisations to address the 'shocking proportion' of Aboriginal children in out of home care.

This is a significant policy shift and follows years of determined advocacy by Aboriginal communities, organisations, academics and legal experts, work the JEC has been proud to be part of. We are now assisting our partner organisations and Wiradjuri academic Dr BJ Newton to establish the Aboriginal Authority for Restoring Children (AARC), an Aboriginal community-led, state-wide initiative. We are providing expert legal analysis of child protection legislation to Dr Newton and AbSec, and liaison with government lawyers as the structure of the Authority's processes are established.

JEC 2024 ANNUAL REPORT

Empowering First Nations truth-telling

Towards Truth, our award-winning partnership with the UNSW Indigenous Law Centre, invites Australians to reckon with our past as a foundation for repair, reform and recognition.

A world-first project, Towards Truth compiles laws and policies that have impacted First Nations people since colonisation began. Parliamentary debates, analysis, articles, reports and case studies demonstrate how those laws and policies have shaped First Nations communities over generations.

The Towards Truth website won the Innovation award at the 2024 Australian Web Awards, as well as being a finalist in the Not For Profit and Community & Culture categories. More than 6,000 people have visited the public website since it launched in June 2023.

In April 2024, we released new research into laws and policies that have determined where and how Aboriginal people could live, hunt and fish. The 'Living on Country' research reveals how governments forced assimilation through housing policies and restricted Aboriginal cultural fishing contrary to native title rights. It also highlights the advocacy by Aboriginal communities that has driven reform, with the emergence of Aboriginal community housing, as well as law and policy that supports traditional fishing practices.



Towards Truth staff shared the project's research at a number of major conferences, building an understanding of the human impacts of government decisions, and an evidence base with which to champion Aboriginal-led decision-making models.

We also shared insights from our research in the Law Society Journal. Our article explained how laws have excluded First Nations people from participating in the justice system while exposing them to overpolicing and disproportionate rates of arrests and imprisonment.





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'Towards Truth promotes a shared understanding of the wrongs of our history, while also telling a story of resilience and resistance – how Aboriginal people have fought for justice and driven reform of unjust laws and policies.'

- Anna Harding, Towards Truth Director

*

FACING UNCOMFORTABLE TRUTHS IS A CHANCE FOR REPAIR

Towards Truth Legal Research Officer and Biripi woman Sally Treveton wrote a powerful opinion piece for the National Indigenous Times, in response to Victorian Premier Jacinta Allan's testimony at the Yoorrook Justice Commission. The Premier revealed that, before preparing for the hearing, she was unaware of the extent and brutality of massacres of Aboriginal people on Dja Dja Wurrung country, where she lives in central Victoria.

Sally's piece spoke to the role truth-telling can play in repair and reform, and was shared widely.

'This isn't merely historical recounting. The repercussions of these actions are woven into our societal fabric. Recognising the significance of the past is akin to acknowledging how a restless night affects the day that follows.'

- Sally Treveton, Towards Truth Legal Research Officer



Challenging knee-jerk responses on 'law and order'

We joined with Aboriginal communities to oppose new measures that will result in more Aboriginal young people arrested, charged and locked up in prisons and police cells.

When we learned the NSW Government was considering harsher bail laws for young people, we stood with Aboriginal partner organisations in opposition. We knew the laws would result in more children – particularly First Nations children – refused bail and would not make communities any safer. Aboriginal Legal Service (NSW/ACT) (ALS) CEO Karly Warner described the proposal as 'a devastating betrayal of Aboriginal children in NSW'.

The Sydney Morning Herald and National Indigenous Times reported our concerns, which we shared widely on social media. An open letter to the Premier opposing the change, signed by nearly 70 lawyers, academics and advocacy groups including the JEC, was covered in the Australian.

But the Government refused to listen.

Just months later, laws giving NSW Police extraordinary and unprecedented powers to stop and search people in public places without good reason were introduced.



The measures were said to be a response to horrific knife attacks at Bondi Junction. But an independent review of similar powers in Queensland had found no evidence they deterred knife carrying. It also found police officers relied on stereotypes and cultural assumptions when choosing who to target.

We joined with the ALS to push back. Our comments calling for an alternative, evidence-based approach to community safety were reported in the Guardian, National Indigenous Times, Australasian Lawyer and City Hub.

We continue to play a critical role in ensuring scrutiny of these new measures and accountability for their impact.



NSW Indigenous groups warn of danger posed by harsh bail laws for children

iovanni Torre - March 12, 2024



NSW Premier Chris Minma Image, Blanca de Materi (AAP)

Indigenous advocacy groups including the Aboriginal Legal Service of NSW/ACT warn that the New South Wales government's planned changes to bail laws for children will fail to reduce crime and end in disaster for youth engagement in regional communities.

* Disability Rights

Because people with disability should be able to thrive.

'It has been really empowering and important for us to have support from the Justice and Equity Centre as we have navigated the ongoing NDIS reforms. The rapid analyses of the NDIS Bill were critical to our submission to the Senate Committee Inquiry and our appearance at the Senate Committee hearing. The expert advice from the JEC lawyers gave us the confidence to engage with and analyse the technicalities of the Bill and how they might impact our community.'

 Sophie Cusworth, Acting Chief Executive Officer, Women With Disabilities Australia (WWDA)

We gratefully acknowledge the Paul Ramsay Foundation in partnership with an anonymous donor for supporting A Fairer NDIS.

Making air travel more accessible

We challenge practices denying people with disability independence and dignity when travelling by air, to make systems safer and more accessible: from booking a ticket to disembarking the plane.

We represented former Disability Discrimination Commissioner Graeme Innes and disability advocate Akii Ngo in separate disability discrimination complaints at the Australian Human Rights Commission.

Graeme felt he was not treated fairly while passing through security at Adelaide Airport with his assistance dog. Airport security is regulated by the Department of Home Affairs, which refused to take part in discussions to improve nation-wide standards. But Graeme's complaint against the Airport was resolved with a commitment to improve processes to better include passengers with a disability.

'People with disability know how challenging air travel can be, and that the experience needs to be more inclusive. I'm glad Adelaide Airport has listened to my concerns, and pleased we have agreed on common-sense solutions.'

- Graeme Innes

CONEWS

Adelaide Airport settles dispute with former disability discrimination commissioner over 'upsetting' security incident

By Richard Davies and Gladys Serupp Posted Tue 23 Jan 2024 at 6:27am



Jetstar apologised to Akii after they fell from a Jetstar wheelchair being pushed by a staff member. Akii had told Jetstar they needed to remain in their customised electric wheelchair for as long as possible while moving through Sydney and Adelaide Airports. But Jetstar required Akii to be in a manual aisle chair, from check-in until baggage claim.

'I've been forced to use aisle chairs, which I can't operate myself. This means being pushed through the airport, including to the toilet, by a complete stranger, feeling rushed, awkward, uncomfortable and left with no dignity and respect. When flights are delayed, I've been left sitting in uncomfortable, pressure-sore inducing aisle chairs for hours on end.'

– Akii Ngo

MONEWS

Jetstar apologises to wheelchair user who fell at Adelaide Airport while being pushed by a staff member



Experiences like Graeme's and Akii's inform our push for comprehensive and enforceable accessibility standards for aviation – co-designed with the disability community – to hold airports and airlines to account.

A right to safe, independent travel

MINEWS

Qantas taken to Federal Court after refusing to let assistance dog on flight

By the Specialist Reporting Team's Colina Edmonds Posted Wed 20 Dec 2023 at 6:26am



Our client Rachael Fullerton relies on her assistance dog Strike for safety and independence.

Rachael receives NDIS funding for Strike's training and maintenance. He has passed a Public Access Test, is registered as an assistance animal and is authorised to travel with Rachael on public transport, and on flights with Virgin Australia and Rex Airlines. But Qantas did not allow Strike to travel on its flights with Rachael.

Australian disability discrimination laws are clear: a business cannot refuse service to a person with disability because they are accompanied by an assistance animal.

We filed a test case asking the Federal Court to find Qantas discriminated against Rachael and order Qantas to change its policy on assistance animals, so Rachael and others like her can travel on Qantas flights.

Widespread coverage across the ABC, 7 News, Nine News, the Guardian and AAP helped to highlight this issue.

"

'Airlines and airports provide an essential service – and make big profits doing so. It's only fair there are minimum standards to ensure the service they offer is accessible, dignified and safe for everyone.'

- Sheetal Balakrishnan, Senior Solicitor



IIIISINEWS

Woman takes Qantas to Federal Court because her assistance dog is banned from flying

By Mark Saunokoneko - Senier Journalist | 6 flam Dec 21, 202



Because of her disability, Rachael Fullerton always travels with her assistance dog Strike, but the pair are barred from flying with national carrier Qantas.

A win for online accessibility

Following persistent advocacy by the disability community, major Australian ticketing company Ticketek launched a more accessible ticket booking platform.

While most people can book event tickets online in a matter of seconds, bookings for accessible seating have usually been taken over the phone or by email. This adds delay and inconvenience and, for many people with disability, means they ultimately miss out on attending concerts and events. We provided our legal and strategic expertise to the Physical Disability Council of NSW, one of the advocacy groups leading the push for equal access to online tickets. In November 2023, Ticketek launched a new platform allowing online booking of accessible seating tickets.

Fighting the NDIS age cap at the UN

The NDIS provides essential supports to Australians with permanent and significant disability. But Dr Peter Freckleton was denied access because he was older than 65 when the scheme was introduced.

Peter has a lifelong disability after contracting polio at age six. Both his legs are paralysed, and he relies on mobility aids and other disability supports.

People with disability who were over 65 when the NDIS was introduced and people who acquire disability after turning 65 receive some limited funding through the aged care system. But that funding is capped and often does not meet the cost of necessary disability supports.

We are representing Peter in a UN complaint under the Convention on the Rights of Persons with Disabilities, arguing the NDIS age cap breaches Peter's fundamental right to protection from discrimination. We want to see fairer outcomes for older people with disability, who are equally entitled to the support they need to live with dignity. 'I feel obliged to take it as far as I can on behalf of a number of people who are being really cruelly and unfairly treated.'

- Dr Peter Freckleton

MINEWS

Age discrimination complaints on NDIS age cap taken to the United Nations



Peter Freskleton was paralysed by polio at age-six and has lived with disability ever since. (ABC News: Patrick Stone)

Making the NDIS fairer

In the past year the Australian Government has proposed the most significant changes to the National Disability Insurance Scheme (NDIS) since it started over a decade ago.

Informed by peak disability rights organisations, our legal and policy expertise has played a major role in making the NDIS fairer: by influencing reforms, ensuring changes are widely understood and making decision-makers accountable.

Our project 'A fairer NDIS' empowers the disability community with specialist advice and resources that support systemic advocacy. We build the sector's capacity to engage with systemic issues through the NDIS Systemic Advocacy Working Group, bringing together national peak organisations representing people with disability to advocate effectively on community-led reform.

In December 2023, we produced an Explainer to help the disability community assess recommendations from the Independent Review of the NDIS. It was viewed nearly 1,000 times. In early 2024 we released *NDIS Insights: 2023-24*, the third in an annual series explaining significant NDIS developments. We gave an overview of significant court and Tribunal decisions shaping NDIS law and analysed how NDIS appeals could be impacted by the new Administrative Review Tribunal. It was shared widely amongst advocates, viewed more than 1,400 times and described as 'a valuable and thoughtful resource'. The Government's 'Getting the NDIS Back on Track' Bill, released in March 2024, proposed a major overhaul to NDIS legislation, impacting how NDIS participants will be funded for disability supports. Our Explainer on the Bill was viewed more than 2,600 times. Our solicitors were in high demand to speak at briefings run by disability advocacy organisations, and we shared insights through media and social media.

We supported the disability community, particularly through the NDIS Systemic Advocacy Working Group, to develop positions on key areas for amendment. Our partners in the disability sector reported that our rapid legal analysis was essential to their ability to engage with the reforms.

Our work was highly influential. We were invited to brief Members of Parliament, including the NDIS Minister, and engaged with departmental and ministerial staff drafting the Bill. The Government made several significant amendments in response to our recommendations.

When the Bill was sent for a second Senate inquiry, our next Explainer supported the disability community to evaluate amendments that had been passed and further amendments proposed.

'The NDIS has transformed the lives of many Australians with disability, providing security, independence and dignity. We are proud to work with determined and tenacious disability advocates to ensure the NDIS lives up to its promise of providing choice and control to the people who rely on it.'

- Mitchell Skipsey, Senior Solicitor



Securing safe homes for people with disability

We make the NDIS fairer by challenging decisions that expose systemic issues. Our work demonstrates where National Disability Insurance Agency (NDIA) policies or practices are denying people funding for reasonable and necessary supports.

Ensuring access to Specialist Disability Accommodation for people entitled to it has been a focus of our work. As well as representing individual clients, we partnered with the Summer Foundation to give people the resources they need to make successful applications for funding or to challenge unfair decisions. Our recent series of fact sheets have been accessed by more than 4,700 people.



HOUSING TO END HOMELESSNESS

Helen* is 51. She receives NDIS funding for her disabilities, which include level 3 autism and complex PTSD. These disabilities cause extreme sensory sensitivities. As a result, Helen cannot live in most homes. As an adult, she has moved more than 20 times, sometimes living in her car.

When she applied for funding for Specialist Disability Accommodation she was refused – even though she was living in a tent in her mother's backyard at the time.

We represented Helen and successfully overturned the refusal at the Administrative Appeals Tribunal. Helen now has NDIS funding to live in a safe and suitable home.

The Tribunal's decision included several significant findings about the importance of appropriate disability housing, which we expect to be influential on future funding decisions.



SPACE TO REBUILD

Michael* is quadriplegic as a result of a serious workplace accident. He receives funding from the NDIS for the therapies and daily supports he needs, but when he asked for Specialist Disability Accommodation funding, the NDIA would only fund him to live in a shared home with two other people.

If Michael lived in a share house he would not be able to parent his young son, freely spend time with his family, pursue his plans for work and study, or even store his therapy equipment.

We represented Michael to successfully challenge the NDIA's funding decision at the Administrative Appeals Tribunal. We secured Michael funding to live alone with the space he needs to rebuild his life.



*-Homelessness

Because everyone should have a safe and secure home.

Rebecca, Jacob and Anna, members of StreetCare, our advisory group of advocates with lived experience of homelessness

> 'I thought I'd just let you know I've finally gotten a property with Housing and just want to say thank you so much and I appreciate you taking time out to help me when you did. I really thought I was going nowhere for a long time at the refuge and it just means a lot to me.'

- Jamie*, Homeless Persons' Legal Service client

Homeless Persons' Legal Service

As the housing crisis pushes more people into homelessness and housing stress, our Homeless Persons' Legal Service (HPLS) protects the rights of people most impacted and tackles systemic barriers preventing people from having a safe, secure and healthy home.

In the 2023-24 financial year, we assisted more than 460 people experiencing or at risk of homelessness with legal assistance, representation or referral. We helped people fight unfair evictions, access priority waiting lists for public housing and confront legal challenges that cause homelessness, including unfair fines and debts, domestic and family violence issues and discrimination that impacts housing or employment.

The work of our small in-house team was supported by a network of 370 pro bono lawyers from eight partner firms, providing legal support by telephone and at face-to-face legal clinics at partner services. Pro bono support particularly enables us to vigorously defend clients at the NSW Administrative Decisions Tribunal: to prevent people from being evicted or to challenge debts preventing access to social housing.

Many of the people we helped required specialised support due to complex needs, including concerns relating to mental health and substance misuse. HPLS works actively to reach clients who face challenges accessing mainstream legal services, and to provide trauma-informed training to the lawyers who may be their last avenue for support.

- ✤ 463 people helped
- 18% were Aboriginal or Torres Strait Islander
- ✤ 62% had a disability
- ✤ 47% were already homeless
- ✤ 32% lived in public or social housing

HOW WE HELP

Housing

We negotiated with social housing landlords and took claims to the Tribunal to prevent vulnerable clients being evicted and becoming homeless.

Criminal law issues

We supported people facing criminal charges, with a focus on assisting clients with complex mental health issues and diverting them from custody into therapeutic programs that deal with the causes of their offending.

We acknowledge the generous support for the Homeless Persons' Legal Service, including StreetCare, from the NSW and Commonwealth Governments' Community Legal Services Program, the NSW Department of Communities and Justice, the Public Purpose Fund NSW, Maddocks, MinterEllison, Hall & Wilcox, Corrs Chambers Westgarth, Moray & Agnew Lawyers, Carroll & O'Dea Lawyers, Macquarie, Ray Wilson and Plenary Group, and The Honourable Justice David Hammerschlag. We also thank the Judith Neilson Foundation, The Fred P Archer Charitable Trust, The Palmdale Trust, The Myee Codrington Foundation for Homeless Women, George Pitt Wood Trust (NSW), Estate of the late Margaret Augusta Farrell, and The Helen Elizabeth Pagan Trust for providing valuable funding for our HPLS Women's Service.

Financial issues

We helped people facing financial hardship by resolving issues relating to fines, credit and debt.

We cleared **\$56,954** in fines and **\$35,392 in debt** for our clients.

Policing and government

We helped people make complaints against police and other government agencies, or make requests relating to Freedom of Information, immigration, the NDIS and guardianship.

Compensation payments

We supported people to access government compensation payments after being a victim of a violent crime.

We secured **\$31,500 in victims' recognition payments** for our clients.

*

AVOIDING HOMELESSNESS

Travis* was denied bail in the Local Court and was being held on remand awaiting trial for deception-related offences. We represented Travis to challenge the bail decision in the Supreme Court, on the grounds he would have to give up his social housing tenancy or try to resist an eviction if he was held any longer. Travis has considerable mental health issues which were unlikely to be addressed while he was on remand and would have been exacerbated by homelessness on release. He was also struggling to progress his application to the National Redress Scheme for abuse he experienced in youth detention. We successfully obtained bail and Travis was able to return to his property, and now has support to progress his application for redress.

Improving responses to mental health crisis

After four people with mental health concerns were shot and killed by NSW Police within four months in mid-2023, we joined with health and legal experts to demand a new approach.

We called for mental health professionals to be first responders to people in mental health crisis, not police. In an open letter to the NSW Police Minister, covered in the Sydney Morning Herald, we urged investment in the necessary health services.

We informed a NSW Parliamentary Inquiry into mental health care in NSW. Based on our HPLS case work, we recommended that a health-led approach be complemented by improved training for police, who regularly deal with people with mental health concerns, intellectual disability and addiction in their day-to-day work.

In June 2024, we co-hosted a forum at NSW Parliament to discuss responses to mental health emergencies. Our panel of health and legal experts, mothers of people who have been killed by police and the NSW Minister for Mental Health unanimously agreed the current system is not working. We welcomed the Minister's commitment to produce a framework for an alternative model by the end of 2024 and have offered to share our expertise as a new approach is developed.

StreetCare: lived experience guiding responses to homelessness

Since 2009, our StreetCare program has empowered people with lived experience of homelessness to be advocates for law and policy reform that improves lives.

We support StreetCare members to emphasise the human cost of homelessness, demand a safe home as a human right, and reduce stigma for people experiencing homelessness or living in social housing. Members drive change by influencing decision-makers, identifying solutions and raising issues in the media and public forums.

This year has been a busy one for StreetCare, as the dual cost-of-living and housing crises have accentuated the urgent need for solutions to tackle homelessness.

GIVING A VOICE TO EXPERIENCES OF HOMELESSNESS

StreetCare advised the NSW Department of Planning, Housing and Infrastructure during the redevelopment of the Macquarie St East Precinct in the CBD, an area regularly used as a place to shelter and sleep. StreetCare's input ensured the needs of people sleeping rough were properly considered.

After a Guardian investigation highlighted government failure to record the 40-year lifeexpectancy gap for people who have been homeless, StreetCare urged action. In a letter to the NSW Minister for Homelessness and on 2SER, StreetCare highlighted how tracking and reporting on the deaths of people who have experienced homelessness is vital to addressing the shocking premature deaths. The Minister committed to improving data collection and acknowledged the importance of including lived experience voices in development of government policies.

REDUCING STIGMA AND OVER-POLICING

StreetCare achieved a win when the City of Sydney proposed to reduce the number of alcohol-free zones across the city. StreetCare and HPLS were leading voices in the City's consultation, explaining how these zones disproportionately impact and criminalise people already facing disadvantage.

'Police already have powers to deal with alcohol-related behaviour problems and haven't made a convincing case for why they need additional powers in alcoholfree zones. Prohibiting alcohol in public spaces leads to more interactions between police and people who already feel unfairly targeted, which can quickly escalate.'

- Charmaine Jones, StreetCare Project Officer

BRIDGING THE DIGITAL DIVIDE

StreetCare members advised NSW Telco on improving access to technology for low socioeconomic communities and people experiencing homelessness. Digital exclusion makes it hard for people to contact family and friends, intensifying social exclusion. It also makes accessing essential supports and emergency services difficult, and limits employment opportunities.

The consultation delivered ideas for improving access, which NSW Telco will further test with StreetCare.

Specialist advocates advising on housing and mental health

Recognising the effectiveness of StreetCare's lived experience advocacy, NSW Health and the Department of Communities and Justice (DCJ) approached us to develop a Lived Experience Advisory Committee for the Housing and Mental Health Agreement (HMHA).

One year in, the Committee is working alongside departmental staff to ensure people with mental health conditions can access safe housing and the supports they need to sustain it.

The Committee is a voice for people with experience of both mental illness and the social housing and homelessness systems. Heard by decision-makers and service providers, it is leading and influencing systemic change.

ADVOCATING FOR TRAUMA-INFORMED PRACTICE

Committee members reviewed new traumainformed training for frontline NSW housing staff. Their feedback ensured the training is client-centred and addresses the practical skills needed by staff.

Videos and quotes of Committee members will be incorporated into the training – to foster a better understanding of what housing clients may be going through and what support they need.

In their words: 'staff need to know that clients are exhausted and at the "last resort" once they walk in' and 'safety should be about creating "kinder spaces"'.

CHANGING THE SYSTEM WITH LIVED EXPERIENCE

Alan ran his own business as a financial advisor until a family breakdown sent him into a downward spiral. Alcohol, drugs and gambling exacerbated his mental health problems. He lost jobs, housing and connections. Alan feels fortunate he found support to get his life back on track and now shares his experiences as a member of the HMHA Lived Experience Advisory Committee to improve the system for others.



'The voice of lived experience can be there as a tick-a-box. But because we work with the Justice and Equity Centre, it carries more weight. People listen.'

'We are supported to take part in consultations and think about what we are going to say, which is important. We've had the opportunity to present to the statewide steering committee and we've had opportunities to give feedback to DCJ. I feel that they're taking notice of us a lot more.'

'There is a mutuality around some of our lived experience but we all have different backgrounds. You need that diversity because the more opinions and experiences we can throw out there, the better opportunities there are for us to say well, four or five people have said this before, so maybe it's a systematic change that we need to be looking at.'

Supporting women facing homelessness

Our specialist Women's Service supports women experiencing or at risk of homelessness. Many of our clients have experienced family or domestic violence, or face disadvantage due to poverty, mental health concerns or past abuse.

The service gives women specialist, traumainformed legal support, connection to a range of support services across Sydney and access to an experienced Community Caseworker.

We hold clinics at women-only spaces with a women-only team of lawyers, to provide legal services in settings where a diverse group of women can feel safe.

In the 2023-24 financial year, we helped 193 women with legal issues and additional supports. Around one third of these women were facing or at risk of domestic or family violence when they came to us for help.

Our support helped:

- more than 40 women with housing issues, including clearing unfair rent arrears, getting access to priority housing lists and providing advice on ending a tenancy with a violent partner;
- nearly 30 women with financial issues, including challenging unfair debts and getting access to victims of crime compensation payments;
- **nearly 40 women with criminal issues,** including several circumstances where women were convicted of a crime as a result of their experiences of domestic or family violence.

INTEGRATING LEGAL SUPPORT AND COMMUNITY CASEWORK

Since launching our Women's Service in 2022, we have shown how supplementing legal support for clients with ongoing casework support produces better, longer-term outcomes. Our Community Caseworker Christina Kasavetis is an advocate for our clients in times of crisis.



'These women have a lot on their plate,' says Christina. 'They are struggling to find a safe place to live, or doing everything they can to stay in their housing. They often have kids, abusive ex-partners, mental health issues or other problems to deal with too.'

'Government housing is a big, complex bureaucracy. The women I work with say it's overwhelming and traumatic to deal with – and without my help they would probably give up.'

'I like that I can wake up in the morning and know I can make a difference. Sometimes just by making a call or a referral. Our clients are amazing, resilient women and they are so thankful to have a service like ours looking out for them.' Our HPLS Women's Service team: Rachael Barwick, Senior Solicitor; Zelie Appel, Secondee Lawyer; Christina Kasavetis, Community Caseworker; Ebony Seymour, Paralegal; and Kira Levin, HPLS Principal Solicitor.

SECURING A SAFE HOME

Clara* was living in public housing when she was attacked in a home invasion by one of her neighbours. She came to us the next day and said this was not the first attack by neighbours and that she felt targeted and scared in her current home.

Our lawyers supported Clara to apply for a victim of crime recognition payment. Within two months, she received the payment and additional financial assistance for her immediate needs. Our caseworker advocated to Homes NSW on Clara's behalf, asking for safe, temporary accommodation, so Clara could recover from the attack. With our intervention, that temporary accommodation was extended several times until Clara could move to a more permanent home where she would not be afraid of her neighbours. The housing she was initially offered was unsuitable and did not meet her needs, but with the persistent support of our caseworker, Clara is now settled in a safe and stable home.

*** Energy and water justice**

Because everyone should have access to affordable, sustainable and reliable energy and water.

istock/Daisy-Daisy

'The JEC and ACOSS have been working together to reduce energy hardship and ensure people experiencing disadvantage benefit from the clean energy transition. The Energy and Water Justice team at the JEC have been generous with their time, resources and expertise on key issues including energy retail tariff reform and improving energy hardship frameworks, which is helping create systemic change.'

- Edwina MacDonald, Acting CEO, Australian Council of Social Service

We gratefully acknowledge the NSW Department of Climate Change, Energy, the Environment and Water, for funding our Energy and Water Consumers' Advocacy Program; the Australian Council of Social Services and Boundless Earth for supporting the Efficient Electric Homes Collaboration; and an anonymous donor for funding the JEC's Sustainable and Fair Energy Transition (SAFE) project.

Highlighting the growing risk of energy disconnection

Increased energy costs are intensifying inflation and unaffordability. Many households are struggling to pay for essential services, including electricity, gas and water.

In June 2024, we released new research revealing just how widely that pain is being felt.

Powerless: Debt and disconnection is our fifth in a series of reports investigating the relationships between disadvantage, payment difficulties, debt and disconnection. It compiles qualitative and quantitative research, including a survey of more than 1,000 people in NSW who had experienced, been notified of, or were seriously worried about disconnection.

ABC News reported on key findings, including the greater proportion of working families, people with mid-range incomes and households with mortgages now facing debt and disconnection because of unaffordable energy bills.

But low-income households continue to be most affected. People are risking their health and wellbeing, and making unreasonable sacrifices, but are getting deeper into debt. Insights from the report have informed a review of payment difficulty protections by the Australian Energy Regulator and the design of a NSW Government debt relief trial. The findings are also shaping reviews of NSW energy rebates and supports, and work with sector colleagues to improve equity of support to households through energy efficiency and electrification.



'There's an assumption that people who get disconnected can afford to pay their bills but choose not to. Or that the threat of disconnection will push someone to "get the help they need". In reality, people are not paying because they can't. And the current disconnection framework just makes it harder and more expensive for them to get their debt under control.'

- Thea Bray, Senior Policy Officer



A just transition to net-zero carbon

We are already seeing the effects of a warming planet: from floods and storms to fires and record-breaking heatwaves. People experiencing disadvantage feel those impacts most harshly and are also most burdened by the costs of responding.

We need urgent action if we are to avoid the worst impacts of climate change, starting with a rapid elimination of emissions from the energy system. But a just transition must also put people and communities first.

Our work is helping to accelerate the transition away from fossil fuels while ensuring it is done fairly, so no one is left behind.

SECURING INVESTMENT FOR NSW SOCIAL HOUSING UPGRADES

In January 2024, the NSW and Commonwealth Governments announced a \$175 million package for energy efficiency upgrades to NSW social housing properties. Under the scheme, 24,000 homes will receive upgrades designed to improve energy affordability and liveability.

This announcement reflects recommendations we developed alongside key community stakeholders that prioritise improving the least efficient housing, focusing on long-lasting upgrades, and maximising coordination with existing programs. We are working with government staff to develop the detail of the Upgrades for Social Housing program, to ensure it fully implements our recommendations and to identify opportunities for expansion.

SHAPING THE NSW CONSUMER **ENERGY STRATEGY**

We played a leading role in securing a NSW Government commitment to develop a Consumer Energy Strategy as a key plank of the transition to net zero, and have influenced its development.

The strategy will provide a roadmap for ensuring homes in NSW become more energy efficient and that all households benefit from the energy system transformation.

We have used our position and relationships to ensure the strategy is comprehensive, with a strong focus on improving equity. We expect a public release by the end of 2024.

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NSW flicks switch on energy saving tech strategy

Sam McKeith 16 September 2024 2-min read Households and small businesses in NSW could save more than \$1000 a year

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on power bills under a plan to boost the uptake of solar, batteries and energy efficiency upgrades.

Premier Chris Minns has unveiled a \$290 million Consumer Energy Strategy outlining 50 steps to help consumers upgrade to energy saving tech, amid the cost-of-living crisis.

"Through the strategy, we are making it easier for households and small businesses to access the cost saving benefits of solar panels, batteries and heat pumps, while they reduce their emissions," Mr Minns said on Monday.

"Having more energy saving technologies in homes and small businesses is the best way to help households and small businesses reduce energy bills, reduce emissions and improve electricity grid reliability."

SUSTAINABLE AND FAIR ENERGY TRANSITION

Our Sustainable and Fair Energy Transition project (SAFE) works for a just transition, through legal and regulatory interventions that contribute to rapid decarbonisation of the energy system, while promoting the interests of households.

Our work has ensured emissions reduction is not just referenced in national energy objectives but is embedded in all energy regulations and decisions, including through amendments to energy rules and regulations.

We have influenced national energy planning with recommendations to advance more efficient decarbonisation options and share the costs of expanding and maintaining the network more fairly between households and businesses. We have argued successfully for planning to have a greater focus on reducing demand, which is the quickest and most efficient means of reducing emissions.

The regulator must now consider emissions more robustly before approving energy company proposals for network spending (ultimately paid for by consumers). And we have improved a proposed mechanism for governments to keep coal power generators operating to maintain reliability, increasing transparency and shrinking its scope, and minimising impact on the climate and cost to consumers.

BUILDING SUPPORT FOR ELECTRIFICATION AND EFFICIENCY

Improving home energy performance benefits households and the climate. Renters and lowincome households gain most from electrification and improved efficiency but have less ability to do it themselves. In partnership with the Australian Council of Social Service (ACOSS), we lead advocacy with more than 65 organisations in the Efficient Electric Homes Collaboration. This facilitates joint work, boosting support for and investment in electrification and efficiency, and has a focus on improving energy equity and household health and wellbeing.

Through this work, we supported an ACOSS project highlighting the benefits of home energy upgrades for low-income households and showing how governments must intervene with regulation and direct investment.

The Guardian Newspaper of the year

Landlords should reveal homes' energy efficiency to help Australia's renters cut power bills, advocates say

Acoss report says \$2bn federal fund and coordinated policies would reduce costs, protect against heat-related illness and reduce emissions



We have also helped build capacity for community voices to advocate effectively, including the Sydney Community Forum and the First Nations Clean Energy Network. These groups now contribute independently and collaboratively to energy consultations, supporting the interests of culturally and linguistically diverse (CALD) and First Nations households.

A voice for the community in energy regulation

SETTING A FAIRER DEFAULT MARKET OFFER

The default market offer (DMO) set by the Australian Energy Regulator has been a benchmark price for electricity across most of Australia since 2019.

We have been staunch opponents of a DMO that has included unfair costs and a 'competition allowance', setting the price higher than the profitable cost of providing energy. Over several years, we have advocated to government and the regulator for a fairer approach.

In the most recent process to set the price, we argued the interests of households had to be put ahead of extra profits for retailers. The Commonwealth and NSW Energy Ministers were persuaded to also support this position in their own submissions to the regulator.

We welcomed the regulator's decision in May to finally drop the competition allowance, a crucial first step towards making default pricing protections fairer. But we put the regulator on notice that more needs to be done, in comments to The Daily Telegraph and through ongoing advocacy.

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new Prinewaters would be great, but it's certainly not an immediate help. By the time we get to the future it may be too late for some other basinesses," Mi Soglimbene said.

REFORMING ENERGY RETAIL

People are being let down by the energy retail system. They are told to shop around: to try to navigate complex and unfair pricing practices, and retailer behaviours, that stack the odds against them. Our work shows already disadvantaged households are hardest hit, consistently paying more.

We have led advocacy to the Australian Energy Regulator, Australian Competition and Consumer Commission and NSW and Commonwealth Governments, highlighting the evidence and demanding reform. We shaped recommendations presented to a meeting of Australian energy ministers. In the media, we have highlighted the urgent need for fairer rules.

'The justification for this huge range of variation in the prices of many energy products is questionable, when they are all essentially selling the same electricity.'

 Douglas McCloskey, Energy and Water Program Director, speaking to CHOICE





MAKING EMERGENCY SUPPORT MORE EFFECTIVE

The NSW Government Energy Accounts Payment Assistance (EAPA) scheme provides payment assistance to households in crisis. While it is a debt-relief lifeline to those who receive it, it is not available to everyone who needs it and does not provide longer-term support.

Through persistent work with the NSW Government, we have shaped a review of the scheme to focus it on improving accessibility and effectiveness. Our EAPA advocacy also contributed to a NSW Government commitment to a \$10 million 'debt relief' trial aimed at households with larger, long-term needs. Our 'Powerless' research is informing our work assisting with the trial design.

PROTECTING ACCESS TO ENERGY FOR LIFE SUPPORT

Households relying on medical equipment that needs energy can apply for the life support register, protecting their access to energy.

Energy industry proposals to reform the register were in danger of removing protections for many people, leaving them exposed to disconnection for nonpayment of bills.

We used our influence to pause the process, discuss concerns with community groups, and develop practical recommendations that retained important protections for many households.

Our efforts prevented a retrograde rule change and will lead to new protections for people with critical needs, to continue protecting those who rely on the register and ensure future changes are shaped by lived experience.



Action for Reconciliation

Our Reconciliation Action Plan (RAP) commits us to practical action to promote reconciliation and the rights of First Nations people. It guides us to provide a culturally safe environment for First Nations staff, partners and clients, and opportunities to strengthen our understanding of the central place that Aboriginal and Torres Strait Islander people have in our nation's history and future.



Aboriginal Social Justice Graduate Program

Stephanie Everson joined us through the Aboriginal Social Justice Graduate Program, spending a year at the Shopfront Legal Centre before coming to work with us at the JEC.

During her time in the program, Stephanie developed her skills as a lawyer, drafting legal documents, appearing in court and assisting solicitors with clients.

'I've observed the JEC's work is really people-centred. The work undertaken by both the litigation and HPLS teams is focused on achieving justice for those that are impacted by policy issues,' Stephanie said.

One case demonstrates the JEC's approach, Stephanie says: 'I helped a client with a severe cognitive impairment, who was experiencing disadvantage. I assisted Senior Solicitors to have the matter dealt with under the Mental Health Act.'

'We got the young man the help he needed to break the cycle of offending.'

Stephanie sees this people-focused philosophy in the JEC's work for Reconciliation and First Nations Justice.

'From the work of Towards Truth, to how First Nations employees are engaged and encouraged to share ideas around the Reconciliation Action Plan, I have seen how the JEC is a culturally safe space.'

Supporting the call for a Voice

We have been a supporter of the Uluru Statement from the Heart and its call for 'Voice, Treaty, Truth' since 2017 and our RAP affirms that commitment.

In 2023, we were proud to support the call for a First Nations Voice in the Australian Constitution. We organised and participated in seminars for law firms, businesses and community groups to explain the Voice proposal, reaching hundreds of people.

We particularly acknowledge the courage and leadership of our First Nations colleagues who played a vital role in the JEC's response.





'Despite the result of last year's referendum, the membership of the RAP Committee continues to celebrate First Nations achievements and highlight the resilience of First Nations people and their allies in the ongoing fight for justice. We are particularly proud of achieving cultural load payments and increasing First Nations employment through our RAP, two areas we seek to lead our sector in.'

- Emma Bastable, Solicitor and RAP Committee Chair

RAP highlights

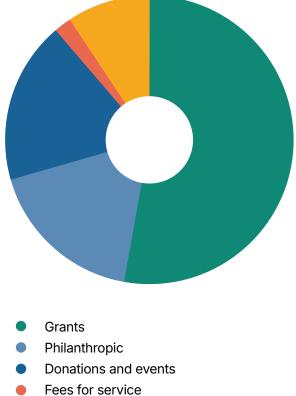
- Increasing the number of First Nations people working at the JEC. Across this financial year, we were proud to have 14 First Nations people working with us, out of a total of approximately 60 staff.
- Updating our First Nations Employment Strategy, to recognise the cultural load taken on by First Nations employees and include an annual review of First Nations employment within the JEC.
- Broadening understanding of contemporary First Nations experiences with a screening of 'Off Country' for National Reconciliation Week. The documentary follows the lives of seven Indigenous students over a year at Geelong Grammar School, grappling with family tragedy, mental health and identity issues.
- Celebrating First Nations culture at the Sydney Writers' Festival. Staff joined sessions to hear from acclaimed and emerging writers such as Melissa Lukashenko, Tony Birch, Jazz Money and Mykaela Saunders.
- Promoting cultural exchange, deepening understanding and igniting conversation through Reconciliation Book Club events.

FINANCIAL PERFORMANCE

FUNDING SOURCES:

Grants \$3,292,323	52%
Includes grants from the Commonwealth and NSW Governments and the NSW Public Purpose Fund	
Philanthropic \$1,219,844	19%
Income from philanthropic trusts and foundations	
Donations and events \$1,244,740	20%
Income from donations, fundraising appe	als
and events	
	2%
and events	
and events Fee for service \$146,990	
and events Fee for service \$146,990 Income from legal casework	2% 7% Dation

INCOME 2024



Other Income

The JEC's full financial statements are available on request and at the Australian Charities Register on the Australian Charities and Not-for-Profits Commission website: www.acnc.gov.au.

The JEC remains in a strong and stable financial position, enabling us to sustain our core work and proactively address emerging challenges.

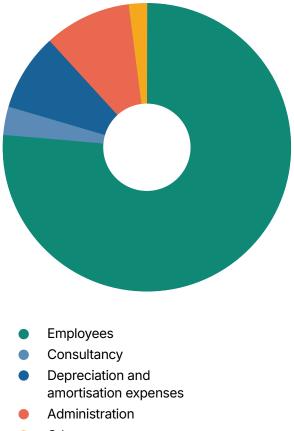
Following last year's modest surplus, we recorded a deficit of \$305,972 for the 2023-24 financial year. This purposeful decision allowed us to increase our investment in programs and enhance our capacity to secure sustainable future funding. As at 30 June 2024, we maintained healthy net assets of \$2,933,748. Our total income of \$6,367,874 reflects the generous support of a diverse range of partners and donors, underscoring the strength of our collaborative efforts.

We continue to benefit from the generous in-kind support from our pro bono partners, who contribute through staff secondments, volunteer engagement, and the donation of resources and facilities.

PROGRAM COSTS:

Employees \$5,248,814	79%
Includes staff salaries and related costs	
Consultancy \$189,156	3%
Includes the cost of experts assisting with program delivery	l
Depreciation and amortisation expense \$522,321	8%
Includes occupancy costs	
Administration \$572,603	8%
Operating expenses associated with administration including finance, IT, office costs and telecommunications	
Other \$140,952	2%
Miscellaneous costs	
Total \$6,673	8.846

EXPENSES 2024



Other

BOARD



CHAIR

Sera Mirzabegian SC is a senior barrister who practises in commercial litigation, regulatory investigations and litigation, class actions and human rights. Sera has acted for major Australian and international companies in a variety of industries (including financial services, property, infrastructure, pharmaceutical, media and technology) and independent commissions such as the Australian Human Rights Commission and the Australian Securities and Investments Commission. She regularly acts for human rights and environmental organisations as well as marginalised and disadvantaged individuals and communities on a pro bono basis. Sera is currently the Co-Chair of the NSW Bar's Diversity and Equality Committee and has previously served as a Councillor of the NSW Bar Association.



Andrea Durbach is Emeritus Professor of Law at UNSW where she was Director of the Australian Human Rights Centre (now Institute). She practised in South Africa as a political trial lawyer representing victims and opponents of apartheid laws before moving to Sydney in 1989, working initially in private practice and joining the Centre (as PIAC) in 1991, becoming Executive Director in 1997. Andrea has held senior positions in the human rights field, including as Deputy Australian Sex Discrimination Commissioner. A Foundation Fellow of the Australian Academy of Law, in 2013 she was awarded the Australian Human Rights Commission Human Rights Law Award for her promotion and advancement of human rights in Australia.



Brooke Massender is a partner and Global Head of Pro Bono at Herbert Smith Freehills, where she leads the direction of pro bono services across a network of 26 offices. She has extensive experience in social impact, using advocacy for systemic change, and bringing together cross-sector stakeholders to achieve tangible outcomes for disadvantaged communities. Brooke is an experienced solicitor with particular expertise in access to justice and working with Aboriginal and Torres Strait Islander clients. She provides strategic and legal advice for several non-profits, including as a board member of Justice Connect and the PILnet Pro Bono Leadership Council.



Jade Tyrrell is a Senior Associate in Johnson Winter Slattery's Dispute Resolution and Employment Team. She has experience acting in complex and large-scale commercial litigation, employmentrelated disputes, and defamation proceedings. In addition to her commercial work, Jade has a strong interest in supporting pro bono projects and assists with matters referred through Johnson Winter Slattery's pro bono program. Jade is a Councillor of the Law Society of New South Wales and sits on various Law Society committees.



John Temple-Cole is a Partner at advisory firm KordaMentha. He is a Forensic Accounting Specialist designated by Chartered Accountants Australia & New Zealand. For over 25 years, John has led complex disputes and financial and accounting investigations. He has provided expert evidence in a range of Australian Courts, the High Court of Singapore and in international arbitration proceedings. His engagements have required him to investigate or provide expert opinions on issues including fraud, false accounting, failed investments, tax avoidance and breaches of contract. John attained a Bachelor's degree in Management Sciences, with Honours, from Loughborough University (UK).



John Walker is recognised as a leader in the emerging global litigation funding market. He is the Managing Director of Investor Claim Partner Pty Ltd and ICP Capital Pty Ltd. John came to litigation funding more than twenty years ago after working in accounting and economics and practicing as a commercial litigator in Sydney.



Kate Morgan is a leading Sydney barrister who appears throughout numerous jurisdictions (civil and criminal) with a focus on regulatory matters. Her practice includes regulatory investigations and litigation, corporate and commercial litigation, class actions and general appellate matters. Before being called to the Bar, Kate practised as an attorney in New York State, and as a solicitor at Mallesons Stephen Jacques and the Commonwealth Director of Public Prosecutions.



Kirsten Gray is a Muruwari/Yuwaalaraay woman, mother and lawyer. She began her career representing parents in child protection matters and has since worked extensively in Indigenous policy and human rights. Kirsten has served several Aboriginal and Torres Strait Islander Social Justice Commissioners at the Australian Human Rights Commission and has contributed to national and international Indigenous rights advocacy. She was a senior policy officer on the Royal Commission into the Detention and Protection of Children in the Northern Territory and supported the Queensland Treaty Working Group in developing the Path to Treaty report. She also led First Nations Policy and Engagement at the Disability Royal Commission.



Maha Krayem Abdo OAM is a passionate advocate for social justice and uses the common language of faith to clarify in the community how Islam regards justice and equality. She serves as the CEO of Muslim Women Australia (MWA), a representative body for Muslim women working to enrich humanity, advocating for equality and the rights of all women, through authentic leadership based on Islamic principles. She is also a member of the SBS Australia Community Advisory Committee. Maha holds a Bachelor of Social Work, a Masters in Social Science, and a Graduate Diploma in Family Dispute Resolution. In 2022 Maha received an Honorary Fellowship from Western Sydney University.



Penny Gerstle is Chair of our Community Engagement committee. Penny has spent 30 years working to improve the lives of asylum seekers, refugees and people with disability. She is Co-Chair of the Human Rights Watch Australia Committee and a director of the Australia Foundation in Support of Human Rights Watch, the Hand Up Foundation and Palmera Projects. She was Director Marketing and Fundraising for Participate Australia, Chair of the Aminata Maternal Foundation, and a disability policy officer with the Australian Human Rights Commission. Penny has advocated for asylum seekers including as a volunteer registered migration agent at the Refugee Advice and Casework Service.



Sally Karandrews is a not-for-profit, community, and disability sector leader with more than 15 years' experience in policy development, program design and delivery, community engagement, and advocacy. A vision impaired leader herself, Sally is passionate about access and inclusion, and regularly writes or presents on the topics of disability leadership, accessible education and employment, as well as disability, sex, and gender. Sally was the Chief Executive Officer for Blind Citizens Australia until September 2023. She is now a student and Peer Assisted Study Session Leader at University of New England.

STAFF

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The Honourable Justice David Hammerschlag

THANK YOU

The passion for social justice shared by our corporate, pro bono and community partners and by the trusts and foundations that support us is vital to our success. So is the generous support of the many individuals who donate through our appeals and campaigns, including those supporters who wish to remain anonymous.

Substantial funding for the Justice and Equity Centre's work is provided by the Public Purpose Fund NSW; Department of Climate Change, Energy, the Environment and Water; NSW Department of Communities and Justice; and the Community Legal Centres Program funded jointly by the NSW and Commonwealth Governments.

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We are very grateful to Yvonne Weldon AM for sharing her heartfelt Welcome to Country, special guest speakers Raimond Gaita and Andrea Durbach AM, host Dan Bourchier, and to our staff, board and committee members, family and friends for their generous contributions to our silent auction.

JEC ENGAGEMENT COMMITTEE

Penny Gerstle (Chair) Catherine Brooks Therese Cochrane Ivan Li Jane Marquard Phillipa Sawyer Jade Tyrrell Jess Tyrrell John Walker









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THANK YOU

The Justice and Equity Centre is driven by partnerships and a commitment to strengthening the community. The passion for social justice shared by our supporters is vital to the JEC's success and we gratefully acknowledge their generous support.

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At the Justice and Equity Centre we challenge injustice in the knowledge that we can, against the odds, make change.



Donate to deliver justice and equity

With your help, we can support more people to confront injustice and make positive, transformative change.

We make lasting change that improves lives. Our work is strategic and collaborative. It is focused, practical and highly skilled. It is also ambitious. Donations make it possible for us to do the work that changes laws, and policies and practices that are unlawful or unfair.

Every donation helps change the lives of people and communities who are marginalised and disadvantaged.

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CONTACT	Hilary Blackman, Relationships Manager P 02 8898 6523 E hblackman@jec.org.au	

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'Not everything that is faced can be changed; but nothing can be changed until it is faced.'

- James Baldwin, 'As Much Truth as One Can Bear'

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