

PUBLIC INTEREST ADVOCACY CENTRE



# PIAC ANNUAL REPORT

2013-2014

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working for a  
fair &  
just &  
democratic society

empowering  
citizens &  
consumers &  
communities

Generous support from individuals, foundations, law firms and others is vital for PIAC's ongoing success. Your contribution helps PIAC address emerging public interest issues and achieve practical outcomes that protect individual dignity and the basic rights of vulnerable people.

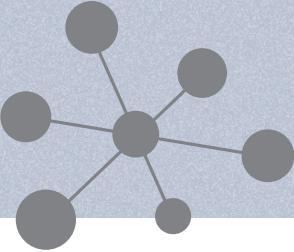
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# ABOUT PIAC

**The Public Interest Advocacy Centre** Centre (PIAC) is an independent, non-profit organisation, committed to social justice and addressing disadvantage. We help people by providing legal assistance, policy advice and training.

PIAC works with people who have least access to economic, social and legal resources and opportunities.

PIAC understands how the law can bear harshly on people who are experiencing homelessness, people with a disability, Aboriginal and Torres Straight Islander people, people who have suffered discrimination, and those who struggle to access essential services.

Our role is to use the law to achieve practical outcomes that protect individual dignity and the basic rights of vulnerable people. Providing legal assistance free of charge is a key way in which we promote equal access to justice.

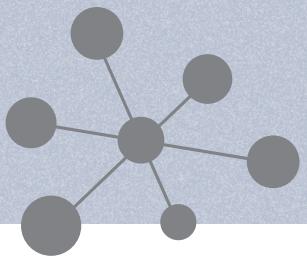
PIAC also draws on our specialised knowledge of particular client communities, gained through practical legal work, to recognise trends or patterns that indicate systemic issues, and works with government, business, the community sector and other partners to achieve lasting change.

Since our establishment in 1982, PIAC has grown from a staff of four to a staff of 26 as well as secondees, professional placements, and interns who all make an essential contribution.



*PIAC is committed to social justice for all in the community.  
We acknowledge the traditional owners and custodians of  
the land on which we work as the first people of this country.  
We acknowledge with deep sorrow the past injustices,  
mistreatment, and the failure to understand, respect and  
value the cultural beliefs of Australian Aboriginal and  
Torres Strait Islander peoples.*

# FROM THE CHAIR



**I**t is a great pleasure to be able to report on another year of significant achievements by PIAC.

Such achievements would not have been possible without the hard work of the staff, the commitment of the Board and the generous support of funders, donors and volunteers. Individual and collective contributions are acknowledged in greater detail in this report.

PIAC is perhaps best known for its public interest litigation. This year has again been one of enormous success for PIAC's clients and many others who benefit from the test cases we run.

PIAC's largest case is a class action brought on behalf of young people who claim to have been unlawfully detained by the police because of a longstanding fault in the police IT system. This matter, now in its fourth year and run in conjunction with Maurice Blackburn, seems closer to finality with a number of important interlocutory judgments in favour of our clients. We are working to ensure that the systemic problems that have allowed this injustice to occur are remedied.

Another significant case was PIAC's representation of the family of a women who died tragically of a drug overdose in prison. PIAC has been working with the NSW Government to implement some of the proposed reforms arising from this inquest so as to achieve a more effective harm-minimisation approach to the problem of illicit drugs in prisons.

PIAC had some important achievements in its policy work. PIAC's Energy + Water Consumer Advocacy Program engages in the often technical and complex regulatory processes that set prices for the essential services of energy and water. PIAC's patient advocacy bore fruit with downward pressure on consumer prices for electricity this year.



PIAC's largest project, the Homeless Persons' Legal Service, provides free legal advice and assistance for people experiencing homelessness. Drawing on our extensive casework experience, and our work with homeless people through initiatives like StreetCare, PIAC made a vital contribution this year to addressing the link between mental illness and homelessness.

In March, the United Nations Human Rights Council voted to establish a formal international investigation into alleged war crimes committed in the Sri Lankan civil war. PIAC's own work in this area, through its International Crimes Evidence Project, was instrumental in providing key evidence to the international community in relation to these issues.

PIAC's education and training program is crucial in helping making the legal system more accessible to ordinary people. In addition, PIAC continued to expand its work with law students through the Practising in the Public Interest Course and the Social Justice Summer Clinical Course, taught for Sydney Law School students.

PIAC managed to continue its successful work in each of the abovementioned areas, and others, despite the difficult financial circumstances faced by many non government organisations dependent on external funding which has diminished over recent years.

Despite cuts in funding from some sources PIAC is well placed to continue its important work into the future.

PROFESSOR PETER CASHMAN  
CHAIR

# CEO REPORT

We at PIAC see the tragic compounding of disadvantage when justice remains out of reach. With 'access to justice' attracting the renewed attention of government, policy makers and other key stakeholders, reform in this area is afoot.

Whatever the new access to justice policy settings, PIAC has embarked on an ambitious year ahead.

A growing proportion of PIAC's public interest litigation is focused on ensuring that police and coercive powers are exercised fairly, reasonably and lawfully. This coming year, we will have important cases involving:

- young people who have been wrongly detained or are victims of inappropriate force;
- inadequate mental health treatment for persons in custody; and
- discrimination against people with a perceived or actual mental illness.

In the coming year, we are also expanding PIAC's largest project, the Homeless Persons' Legal Service. With support from the Australian Government, as well as our law firm and community sector partners, we will expand our free legal clinics for homeless people outside of inner Sydney.

Our legal work is integrally linked to our policy and training activities. By representing vulnerable communities, PIAC develops a clearer sense of systemic problems and their solutions. Our policy and training work are crucial to addressing these problems in an enduring way.

Working successfully in difficult areas of law and policy, as my PIAC colleagues do, requires people who are creative, persistent, sometimes maniacally cheerful and smart. I feel very fortunate that PIAC is jam-packed with such people.

PIAC is also very lucky to have a highly-skilled board of directors, who give their time generously to help drive the organisation's strategic direction, governance and



fundraising. This year, we farewelled three much-loved board members.

Britta Bruce served for eight years on the Board, bringing a wealth of commercial and strategic experience. Alison Peters served for almost six years, at a time when she was also

CEO of the Council of Social Service of NSW. Alison's community sector experience, and especially in taking a leading role in re-negotiating PIAC's enterprise agreement, was invaluable. Professor Merrilyn Walton served for 12 years, contributing to all aspects of PIAC's work and particularly in her area of expertise, public health.

We are pleased to welcome three new PIAC Board members: Katie Kiss, Julian Leeser and Matthew Quinn. [You can read more about their backgrounds later in this report.]

PIAC is also very grateful to the many firms, organisations and individuals whose generous support makes our social justice work possible. For 14 years, Thomson Reuters has published PIAC's biannual Bulletin in a pro-bono capacity and more recently it has published our annual report.

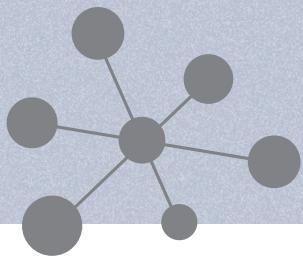
I'm delighted that Thomson Reuters now participates in our 'workplace giving' program. Under this program, employees who make a regular donation to PIAC will have their contribution matched by their employer. This is great news for PIAC, and will assist us to provide legal assistance to even more vulnerable and disadvantaged people.

A handwritten signature in black ink that reads "Edward Santow". The signature is fluid and cursive, with "Edward" on top and "Santow" below it, both starting with a capital letter.

EDWARD SANTOW  
CHIEF EXECUTIVE OFFICER

# CORE STRATEGIES

Public interest litigation, policy development and law reform, education and training



## PUBLIC INTEREST LITIGATION

PIAC employs three central strategies to promote human rights and social justice: public interest litigation; policy development and law reform; and, education and training.

Litigation has proved a powerful way for PIAC to protect the basic rights of disadvantaged people - at a broader, systemic level. However, we strive to use litigation only when other, less adversarial approaches are not viable, or are unlikely to be successful on their own.

PIAC uses public interest litigation especially to combat discrimination, unlawful detention and other violations of human rights.

PIAC has conducted 103 public interest matters during the past year. These matters covered issues including:

- false imprisonment
- assault, battery and misfeasance in public office
- discrimination
- freedom of information
- coronial inquests
- mental health detention.

PIAC has also provided more than 1500 legal advice services this year through the Homeless Persons' Legal Service (HPLS), our largest project.

In February this year, PIAC opened a new HPLS clinic at the Mission Australia Centre in Surry Hills. The new

clinic adds to the ten HPLS clinics already run by PIAC, which are managed with the pro bono assistance of over 400 commercial lawyers at welfare agencies across Sydney.

At these clinics, lawyers assist clients with a range of legal problems including tenancy, credit and debt, social security, victims compensation and fines.

In 2014, PIAC secured one-off funding from the Australian Government to support the expansion of HPLS outside the inner-Sydney area.

This additional funding will facilitate the establishment of new clinics in areas of particular need, including areas west and north of the Sydney central business district.

PIAC employs an HPLS Solicitor Advocate. He provides specialist legal representation for people experiencing homelessness who are charged with minor criminal offences.

The Solicitor Advocate assists with overcoming some of the barriers homeless people face accessing legal services. These barriers include a lack of knowledge of how to navigate the legal system; the need for longer appointment times to obtain instructions; and the need for greater capacity to address multiple and complex inter-related legal and non-legal problems.

This year HPLS and the Solicitor Advocate provided 1671 advice and assistance services (including criminal case work and clinic visits).



StreetCare and HPLS staff clockwise from top left: Damo, Dave, Roslyn Cook, Lou Schetzer, Melissa, Mary, AJ, Daryl, Ken and Renee.

# CORE STRATEGIES

## POLICY DEVELOPMENT AND LAW REFORM

Improving access to justice is not just about ensuring that all sectors of society can equally obtain legal information, services, advice and representation. It also involves using the practical experience gained through our legal work to identify where justice is being denied systemically and to propose reform.

Much of PIAC's policy work responds to government inquiries or parliamentary committees conducting community consultation. Because of our specialised knowledge of particular client communities, PIAC is well positioned to identify trends or patterns in legal problems that indicate a systemic issue. Problems could be substantive, such as the disproportionate negative impact of a particular area of law on an identified client community, or procedural, such as particular difficulties the client community has in accessing or interacting with

legal services or the legal process.

In 2013-2014, PIAC's policy work spanned a broad range of its activities. For instance, PIAC consulted with consumers and industry about energy and water issues, researched the experiences of people leaving detention and worked closely with our homeless advisory group, StreetCare, to understand better the links between mental illness and homelessness.

PIAC made 41 submissions to government inquiries and regulatory bodies during the year. These included submissions relating to:

- energy pricing, regulation and affordability
- human rights law reform
- access to justice
- privacy
- racial vilification.



## EDUCATION AND TRAINING

PIAC provides education and training for not-for-profit organisations and individuals to improve advocacy on public interest issues.

Participants learn to take a rights-based approach to their advocacy and gain a working understanding of the law, the justice system, and alternative dispute resolution.

PIAC trained 692 participants throughout the year. Courses included:

- Advocacy strategies
- Advocacy skills
- Tenancy law for non-lawyers
- Advanced media skills
- Energy & water: helping clients stay connected
- Advanced negotiation skills
- Law for non-lawyers.

PIAC also delivers training for law students through the Practising in the Public Interest (PIPI) program.

PIPI is a partnership between PIAC, Justice Connect and participating legal practices and invites the participation of universities interested in providing their students with an elective in this area.

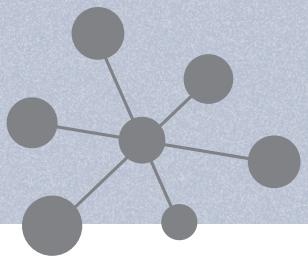
The program introduces later-year law students to advocacy in the public interest and exposes them to organisations that are directly involved in public interest and pro bono initiatives.

Universities that have recently participated in PIPI include Macquarie University, University of Western Sydney and University of Wollongong. PIPI has now been accredited as part of the law degree in most of the participating universities.

PIAC also presented its third Social Justice Clinical Course, in partnership with the University of Sydney law school. The four-day course was followed by a 12-day placement with PIAC, which gave the students a hands-on experience of public interest legal practice.

# SOCIAL JUSTICE

Addressing systemic injustice and unmet need  
among people who are homeless or are in detention



## HOMELESSNESS

Homelessness continues to be a growing problem. Between February 2013 and February 2014, the City of Sydney's biannual homeless street count reported a 26% rise in the number of people sleeping rough, highlighting the urgent need for better access to social and affordable housing.

People experiencing homelessness have a high prevalence of legal problems that can have considerable impact on their everyday lives, including adverse consequences for health, financial and social circumstances. Our work on homelessness is designed to respond to this.

### Homeless Persons' Legal Service

PIAC's largest project is the Homeless Persons' Legal Service. HPLS is a collaborative venture that brings together community sector organisations, such as the St Vincent de Paul Society and Wesley Mission, with Legal Aid

From left: HPLS staff Louis Schetzer, Roslyn Cook and Sarah Mitchell.



NSW and ten commercial law firms.

PIAC trains and supervises over 400 commercial lawyers who provide pro bono legal advice and assistance to people experiencing homelessness at eleven free legal clinics hosted by welfare agencies across Sydney.

In February 2014, the then NSW Attorney General, the Hon. Greg Smith SC MP, launched a new clinic at the Mission Australia Centre (MAC) in Surry Hills. The clinic, which PIAC runs in partnership with Maddocks Law Firm and Mission Australia, builds on the services already offered at the MAC and helps to address the increased demand for services resulting from the rising number of homeless people in the inner city.

Since 2004, HPLS has provided almost 9,500 client services to people who are homeless or at risk of homelessness. Last year alone, the clinics had more than 1500 visits from clients who received pro bono legal advice estimated to be worth more than \$1.95 million. HPLS has assisted clients with a range of legal problems, including tenancy, credit and debt, social security, victim's compensation and family law.

### HPLS Solicitor Advocate

Since January 2008, PIAC has employed a Solicitor Advocate, Jeremy Rea, with specialist criminal law skills and considerable experience representing people who are homeless, people who have a mental illness and those with drug and/or alcohol addiction.

Since the position was established, the HPLS Solicitor Advocate has provided legal representation for 472 clients in 689 matters.

The Solicitor Advocate focuses on homeless clients

## HELPING WILLIAM TO KEEP HIS HOUSE

William (not his real name) is a 56 year-old Aboriginal man with a long history of alcohol abuse. He started drinking when he was just 13 years old.

He has served numerous periods in prison for a range of minor matters and, as a result of his alcoholism, had committed a number of drink driving offences.

William had not offended for five years and had managed to stay off alcohol for some time but after a recent relapse, he was charged for drink driving and driving while disqualified.

Given his history, it was clear that William was facing a term of imprisonment. This would have dire consequences as he would lose his housing if he was sent to prison. In addition, the underlying problem of his

alcoholism would have remained unaddressed, leaving him susceptible to further offending.

PIAC's Solicitor Advocate argued that imprisonment was not the best option for William and that above all else he needed an opportunity to deal with his alcoholism.

On sentence, the Court took the view that given William's history and the effect of alcohol on the Aboriginal community and on offending, leniency should be considered. He received two terms of imprisonment but was allowed to serve these sentences by way of home detention. This meant William could keep his house and he had the opportunity to receive treatment for his alcoholism.



Jeremy Rea, HPLS Solicitor Advocate.

who cannot effectively access Legal Aid or the duty solicitor at court. One of the great strengths of the Solicitor Advocate role is the ability to facilitate integrated responses for people who face interrelated legal and non-legal problems.

## StreetCare

Since its establishment by PIAC in 2009, StreetCare has enabled HPLS to obtain direct input from people with experience of homelessness. PIAC provides intensive support to members of StreetCare so that they can participate in high-level government and decision-making processes relating to homelessness.

The result is that StreetCare provides valuable advice to government agencies on policies relating to homelessness and housing, as well as assistance on how best to consult with the homeless community.

In 2013-14, StreetCare members continued to be actively involved in high-level policy advisory committees with the NSW Government. Two members of StreetCare sit on the NSW Premier's Advisory Council on homelessness, which considered the issues of mental illness and homelessness, the relationship between exiting prisons and institutions and homelessness, and how the care and protection system often serves as a pathway into homelessness. In February 2014, long-time StreetCare member, Ken Hamilton, was appointed as the new consumer representative on the Premier's Council.

In addition, two StreetCare members, Dale King and Mary Sullivan, represented consumer interests on the NSW Government's Panel of Experts, charged with considering the shape of reforms to specialist homelessness services in NSW. Their active role in this process ensured that views of homeless consumers were central in developing the reforms.

This year, StreetCare farewelled longstanding member Veronica Penna. Veronica has made an outstanding

contribution to StreetCare and HPLS since her involvement began in 2010. She became a consumer representative of the Premier's Advisory Council, when it was first established in 2010, and brought her wisdom, experience and insight to that forum. Her involvement in several StreetCare projects over the course of that involvement has been vital in the work of HPLS and PIAC. We thank her for her involvement and wish her well in her future endeavours.

During the course of the year, StreetCare welcomed three new members, Renae Spice, Damien Sakey and Daryl Smith. All three have enthusiastically participated in PIAC training courses and are actively contributing to StreetCare projects.

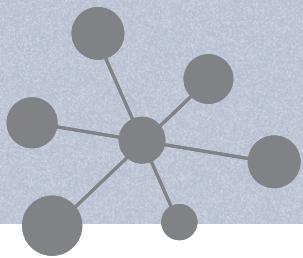
## Mental illness and housing

In 2013, HPLS and StreetCare commenced a series of projects looking at the difficulties experienced by homeless people living with mental illness in applying for and sustaining accommodation. These projects also consider the over-representation in the criminal justice system of people who are homeless and live with mental illness.

The project involves a careful study of HPLS casework as well as direct consultations with homeless people and those in unstable accommodation living with mental illness.

Following from this work, HPLS produced three separate reports each looking at the way homelessness and mental illness interrelate:

- *Sentencing contradictions - Difficulties faced by people living with mental illness in contact with the criminal justice system*, looks at the interrelationship between mental illness, homelessness and criminal offending, and considers alternative strategies in responding to the needs of homeless people with mental illness who disproportionately have contact with the criminal justice system.
- *Skating on thin ice - Difficulties faced by people living with mental illness accessing and maintaining Social Housing*, looks at the close relationship between homelessness and mental illness, and considers alternative strategies to respond to the needs of homeless people with mental illness who are reliant on social housing for their accommodation needs.
- *Somewhere over the rainbow - The opinions and experiences of people living with mental illness in getting housing*, reports the experiences and comments of consumers in consultations facilitated by members of StreetCare, and thirty people with a history of mental illness who had recently experienced a period of homelessness.



## Drugs in prison: inquest into the death of Tracy-Lee Brannigan

In a matter that highlighted the widespread problem of illicit drug use in prison, PIAC represented the family of Tracy-Lee Brannigan at an inquest into her death in custody.

Ms Brannigan died in Dillwynia Correctional Centre in February 2013, during an almost 17-hour, unsupervised lock-in period in a 'high needs' cell for people with known drug-use problems.

The NSW Coroner's Court found that the 'availability of illicit substances in correctional facilities is an endemic problem'. The Court also found that Ms Brannigan's serious drug addiction was well known to staff at the correctional centre - she had overdosed in custody at least three times prior to her fatal overdose.

Deputy State Coroner MacMahon recommended that 'random searches of cells at, or shortly after, the afternoon lockdown' be considered, especially for 'cells occupied by inmates that are known, or reasonably suspected, to be users of illicit substances whilst in custody.'

If implemented by the NSW Government, this recommendation will help to ensure that others do not suffer the same fate as Ms Brannigan.

## Mental health in prisons

PIAC is investigating claims relating to the alleged inadequate provision of mental health treatment to persons in custody.

In early 2013, PIAC filed proceedings on behalf of a young man living with chronic schizophrenia who was injured during a delusional episode whilst in custody. The claim alleges that despite medical staff being aware of his condition and of his being medicated prior to entering custody, he did not receive the requisite medication in the three weeks leading up to the incident.

The claim is against Corrective Services, Justice Health (the medical provider in NSW correctional centres) and the GEO Group, the private contractor that operates Parklea Correctional Centre.

## Children in detention

In 2011, PIAC and Maurice Blackburn launched a class action against the State of NSW in relation to children being arrested and held, sometimes overnight, on the basis of incorrect or out-of-date bail information on the police computer database known as COPS.

A 'separate question' hearing on 2 September 2013 considered issues that are at the heart of the class

members' claims. They related to those class members who were not on bail at all at the time they were arrested. The Supreme Court decided that NSW Police have no excuse for arresting these young people.

In March 2014, the State of NSW was denied leave to appeal the September 2013 judgment.

These decisions pave the way for the lead applicant to argue that the COPS database was known by senior NSW police to be inaccurate and unreliable, and that this knowledge should be attributed to the police officers who arrested the young people.

The class action is now expected to consider the extent of awareness within NSW Police of the COPS database's unreliability, and whether police could ever have had 'reasonable grounds' to arrest young people on the basis of information within COPS.

## Police misconduct

In late 2013, PIAC was retained by Einpwy Amom, who was tasered by NSW Police while handcuffed and lying on the ground after falling down the stairs at Blacktown railway station. He was 17 years old. CCTV and mobile phone camera footage shows that six police restrained him at the time. The matter was the subject of widespread media attention, including a report on ABC TV's 7:30 program.

PIAC will represent Mr Amom in civil proceedings against the NSW Police.

In addition, PIAC filed a statement of claim in August 2013 in the District Court, alleging assault by police officers against a young man with mental illness in police custody. The matter settled on a confidential basis.

## Suspect Target Management Program

Over the past year, PIAC has continued to examine the use of Suspect Target Management Plans (STMPs) by NSW Police. The STMP is a policy aimed at reducing crime by targeting repeat offenders. Police stations select high risk offenders in their area, place them on the STMP and subject them to high levels of monitoring, including in many cases, searches and home visits.

PIAC has taken up the case of a young man, Sami Sarraf, who was a target on the STMP for a number of years. We have filed a claim in the Supreme Court of NSW alleging that from 1 March 2011 to 26 September 2013, Mr Sarraf was stopped and searched by the police unlawfully on 59 occasions, directed unlawfully by the police to move along on 7 occasions and that police entered onto his property unlawfully on 87 occasions. Mr Sarraf claims false imprisonment, assault and battery.

# ACCOUNTABLE GOVERNMENT

Promoting accountable and transparent government

## International Crimes Evidence Project

The International Crimes Evidence Project (ICEP) was established to conduct objective, independent investigations into serious alleged violations of international law in the Asia-Pacific region. The current focus of our ICEP work is investigating alleged war crimes and crimes against humanity committed in the final phase of the Sri Lankan civil war in 2008-2009.

In Sri Lanka, and internationally, there has been no criminal accountability for the alleged crimes that occurred during this most bloody and horrific period of the Sri Lankan civil war, which ended in May 2009. Civil society organisations like PIAC have an important role to play in collecting evidence, helping key decision makers to gain an accurate picture of what took place, and in maintaining the momentum towards accountability, and reconciliation.

In March 2013, the UN Human Rights Council (HRC) passed a resolution requiring the Sri Lankan Government to report back to the HRC on its alleged violations of international law by March 2014.

In February 2014, ICEP released *Island of impunity? Investigation into international crimes in the final stages of the Sri Lankan civil war*. The report presents an evidentiary platform for an international investigation into war crimes and crimes against humanity committed by both sides of the conflict. It builds on credible findings about indiscriminate artillery bombardment of civilian areas, the use of human shields, refusal to allow civilians to leave the conflict area, the denial of humanitarian assistance to those most affected by the hostilities, and specific incidents of extrajudicial killing, torture, sexual violence and enforced disappearance and the use of child soldiers.

A Committee of Experts, comprising some of the



Right: PIAC's CEO, Edward Santow, at a briefing at the United Nations, Geneva.

world's leading experts on international criminal law and war crimes investigations, guided the development of PIAC's ICEP report. The report combines detailed, impartial, legal analysis and expert forensic and military analysis with new information and eye-witness accounts.

PIAC sent a delegation to Geneva for the 25th session of the Human Rights Council in March 2014, to brief key decision makers on *Island of impunity?*. PIAC staff met with numerous state and civil society delegations. PIAC also co-hosted a side event with Human Rights Watch, Amnesty International, and Child Soldiers International, and made an oral statement to the HRC about the ICEP report and its findings.

Following the passing of Resolution A/HRC/25/L.1/Rev.1, the UN High Commissioner for Human Rights will conduct 'a comprehensive investigation into alleged serious violations and abuses of human rights and related crimes' in the war. The investigation will run from April 2014 - March 2015.

PIAC is currently continuing its investigation into alleged international crimes committed in the final stage of the conflict and will provide a submission to the UN investigation based on the evidentiary material it collects.

## FREEDOM OF INFORMATION

PIAC has continued working to promote transparency in key areas of public importance with respect to the Australian military.

In May 2013, using FOI laws, PIAC obtained more previously classified and confidential documents relating to Australia's involvement in the conflict in Afghanistan. The new documents reveal allegations of mistreatment of detainees captured or 'apprehended' by Australian

forces in Afghanistan between 2010 and 2012. The documents were heavily redacted as a result of the federal government claiming a range of Freedom of Information Act 1992 (Cth) exemptions over the material.

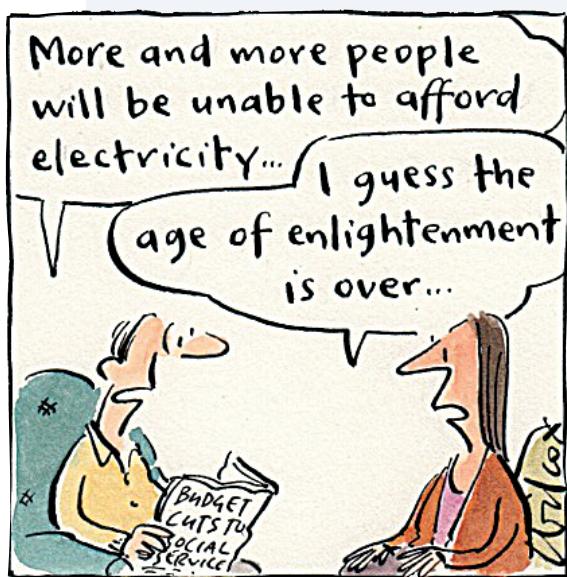
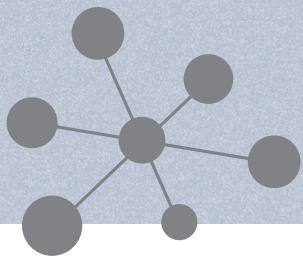
This year, PIAC has sought review of a number of these FOI decisions with the Office of the Australian Information Commissioner (OAIC). Unfortunately, due to the significant backlog of requests with the OAIC,

many of our applications have not been determined, and the OAIC will be ceasing to operate in December 2014. PIAC will then need to consider whether to proceed to the Administrative Appeals Tribunal.

Being transparent about detainee complaints and investigations is crucial to maintaining public confidence in the Australian military - both here and in overseas deployments such as Afghanistan.

# CONSUMER RIGHTS

Exposing and redressing unjust practices and deficient laws,  
especially in energy & water



## AFFORDABILITY

PIAC engages with governments and regulators – particularly through pricing regulation processes and in relation to sustainability programs – so as to improve the affordability of the essential services of energy and water.

We promote the role of appropriate concessions and rebates to protect low-income and other vulnerable households against being forced, through rising energy bills, into financial hardship and ultimately disconnection. Over the past year, PIAC has presented important current consumer information about energy and water price concessions via our website and the media.

PIAC has also made a range of submissions to reviews and inquiries on energy and water issues. These have included a response to the NSW Independent Pricing and Regulatory Tribunal's (IPART) retail gas price determination, the Australian Government's Energy White Paper process and the review of the Renewable Energy Target.

Cartoon courtesy of Cathy Wilcox

## Gas

In the last year, PIAC has significantly increased its focus on the gas market. The development of natural gas export facilities in Queensland is already transforming the Australian market. IPART increased regulated retail prices by 14-19% from 1 July 2014, with projections of further significant increases.

A highlight was PIAC's Gas Master Class for Consumer Advocates. Participants from community welfare organisations learned about key aspects of the gas market, including the looming changes and how these will impact on consumers. The workshop equipped consumer representatives to advocate for residential consumers, especially in seeking solutions to potential gas shortages.

## Electricity network prices

Electricity network costs (the so-called 'pole and wires') make up around 50% of consumers' electricity bills. The Australian Energy Regulator (AER) sets the amount that networks can charge every five years.

During the past year, PIAC participated in the AER's 'place holder' determination for 2014/15. The purpose of this determination, which covers one year of the AER's five-year decision, is to allow the network businesses to prepare their proposals in line with new AER guidelines. The four NSW electricity networks will then submit prices for the following four years. The guidelines aim to reduce the likelihood of over-investment in electricity networks, which was responsible for the majority of the increase in electricity prices over recent years.

In its submission to the AER's place-holder

determination, PIAC argued that networks had proposed a needlessly high borrowing cost. The AER agreed, granting the networks lower borrowing costs than had been requested.

While not going as far in some areas as PIAC had advocated, the AER nonetheless set network prices to decline by 7.2% (in nominal terms) compared to network proposals for a 1.5% decline. PIAC is hopeful that the AER will adopt a similar approach (or go further) in setting prices for five years, when the decision is handed down in April 2015.

## Advocating for renewable energy

On 16 June 2014, IPART released its final report on solar feed-in tariffs (the rate paid for electricity fed back into the grid from a renewable electricity generation source such as a rooftop solar panel system). The report sets out what IPART considers reasonable payments to NSW residential consumers who feed solar-generated electricity into the grid.

The final report included two positive changes that responded to advocacy from PIAC. The first was in relation to the National Electricity Market fees, which are avoided by retailers when consumers produce their own electricity. This decision will result in an additional payment of 0.1c/kWh to consumers.

PIAC also called for better monitoring and assessment of voluntary feed-in tariffs. In response, IPART proposes to include voluntary feed-in tariffs in the scope of its 'market monitor' role under price deregulation.

Overall, however, the IPART report is disappointing

# CONSUMER RIGHTS



From left: Dr Gabrielle Kuiper and Oliver Derum from the Energy + Water Consumer Advocacy Program.

for most consumers. IPART rejected PIAC's call for the development of a best practice method for setting Feed-in Tariffs (FiTs) in NSW and a mandatory minimum FiT of 8c/kWh in the interim (which would be consistent with what is required for households with solar in most other states).

PIAC also made a submission to the independent review of the Renewable Energy Target (RET) scheme.

The RET scheme is designed to ensure that at least 20

per cent of Australia's electricity comes from renewable sources by 2020. It aims to transform our electricity generation mix to cleaner sources (such as solar and wind) and to support growth and employment in the renewable energy sector.

PIAC's view is that the RET is in the long-term interests of consumers and that there is currently no need for changes to the RET, especially so soon after the Climate Change Authority's comprehensive review in 2012.

PIAC's submission outlines research that shows a net financial benefit of the RET for all consumers, because of the way renewable energy decreases wholesale electricity prices.

## Electricity price deregulation

In April 2014, the NSW Government announced that retail electricity price regulation would be removed from 1 July 2014. This means that the two standard retailers will no longer offer retail electricity contracts at a price set by IPART.

Price regulation will be removed over a two-year period, with all customers who were on regulated contracts guaranteed a 1.5% price decrease in 2014/15. PIAC has worked closely with the NSW Government to try and make the transition as beneficial as possible for consumers, and is continuing to help the NSW Government to develop a public education campaign to help consumers find the best offer for them in the deregulated market.

## MAKING WATER MORE AFFORDABLE IN THE ARID FAR-WEST

IPART currently sets the water prices for the Broken Hill region. Late in 2013, PIAC travelled to Broken Hill to attend the public hearing for IPART's review of prices by the local water authority, Essential Water.

Broken Hill is the most arid city in NSW, with an average annual rainfall less than 20% of that in Sydney. The soil in the region is also naturally high in heavy metals, meaning residents need to grow ground-cover plants to suppress dust, hose down driveways and wash windows regularly. These factors also make water a big issue for Broken Hill residents, who were out

in force for the hearing at the Civic Centre.

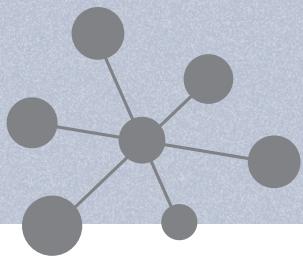
PIAC argued that the residents of Broken Hill should not have to pay a high price for this essential water use. PIAC suggested that a previous subsidy from the NSW Government should be reinstated to avoid any major water price increases. PIAC also recommended that rebates for pensioners should be increased and the cost of introducing an emergency payment assistance scheme be examined by Essential Water. IPART decided to increase prices by around 6% above inflation over four years.



Photo: Flickr/Diganta Talukdar.

# EQUALITY

## Combating discrimination and advancing Indigenous justice



### Making television and online services more accessible

For people who are blind or vision impaired, a television audio description (AD) can be the best way to understand what is happening on screen. The description provides a verbal commentary that complements the soundtrack of a television show.

AD is currently available in many other countries, including New Zealand, and if it were available for a reasonable amount of television programming in Australia it would allow hundreds of thousands of people with vision impairment to have independent and meaningful access to television.

PIAC acted for Blind Citizens Australia in their representative complaint on behalf of 30 people who are blind or vision impaired against the ABC.

The complaint alleges that by not providing an audio description service to consumers who are blind or vision impaired, the ABC has failed to comply with the Disability Discrimination Act 1992 (Cth).

PIAC acted for BCA in the conciliation of their complaint in the Australian Human Rights Commission (AHRC). At the time of writing, the conciliation continues.

As more and more services become available online, the accessibility of online services is becoming increasingly important. PIAC acts for a client in two matters relating to the accessibility of the Coles and Woolworths online shopping sites.

Our client is blind and uses screen reader software to access each of these websites. PIAC seeks to facilitate equal access to online shopping for blind and vision impaired consumers and to see companies like Coles and Woolworths adopt a standard that accords with best practice for an accessible website. The matters continue in the AHRC.

### Mental illness and insurance

PIAC has provided legal representation to a number of people who, because of their history of actual or perceived mental illness, have found it more difficult than others to obtain many forms of insurance. PIAC became aware of this issue through discussions with the Mental Health Council of Australia and beyondblue.

PIAC received reports that insurers were offering cover that is more expensive, or denying cover altogether, despite there being no diagnosis of a mental illness from a mental health professional. For example, a person may be denied cover for all forms of mental illness, just because they have seen a work counsellor for a short period.

In other cases, some insurers appear to be



From left: Senior Solicitor Michelle Cohen and Gisele Mesnage.

overestimating risks involved in insuring people who can demonstrate a high level of functioning despite their mental illness.

PIAC has provided advice to over 40 individuals who have been referred to us in the area of mental health and insurance. We have successfully settled two matters and a number of others are in the conciliation process.

### INDIGENOUS JUSTICE PROGRAM

#### Policing and detention

The Indigenous Justice Program's (IJP) current focus is on strategic litigation in relation to police powers, with the aim of reducing the over-representation of Aboriginal and Torres Straight Islander people in detention. The IJP is now well known and well regarded for its advice and casework in relation to police accountability, not just in Sydney but throughout NSW.



From left: Jay Underwood, Lois Underwood, Esther Ralph, Vivian Bligh.

The IJP has successfully settled several false imprisonment matters this year, relating to the unlawful arrest of young people for breach of bail conditions that are not current. In all of these cases, NSW police have undertaken extensive monitoring of young people who are at liberty on bail, by conducting bail curfew compliance checks.

This monitoring is of particular concern because the police record-keeping system for bail conditions has been found to be unreliable. PIAC, together with Maurice Blackburn, is conducting a class action on behalf of young people who have been unlawfully arrested as a result of problems with the NSW police computer system.

Bail curfew compliance checks are especially problematic for PIAC's young Aboriginal clients living in a household with a number of other relatives who have no criminal record and who should be entitled to live free from police interference.

In one case, police repeatedly visited the home of a young Aboriginal client in an attempt to enforce bail conditions that were out of date. PIAC filed a claim in the District Court alleging that he was effectively falsely imprisoned every night for a month, in addition to other allegations. The matter settled in the young man's favour in late June.

The IJP has recently filed a claim of false imprisonment, assault, battery and malicious arrest, detention and prosecution against the NSW Police on behalf of a young Aboriginal man in relation to seven separate false arrests and imprisonments and seven unlawful searches on his person. Police repeatedly arrested and detained our client for breach of bail conditions that were not current. They also arrested him for breach of bail

when we allege there was no breach.

These cases, and others involving young Aboriginal people who have been wrongfully arrested, seek redress for loss of the fundamental human right of liberty for some of the most vulnerable and disadvantaged people in the community. As well as enforcing young Aboriginal clients' legal rights, this litigation seeks to achieve systemic reform of both the administrative and operational approach to bail in NSW.

## Funeral services

PIAC is working collaboratively with Legal Aid NSW, the Australian Securities Investment Commission, Fair Trading and the Australian Consumer and Competition Commission to address the systemic problems faced by Aboriginal communities in accessing fair and professional funeral services. The working group is developing information to provide to communities about funeral packaging and funeral insurance so as to strengthen their knowledge and understanding of consumer rights in this area.

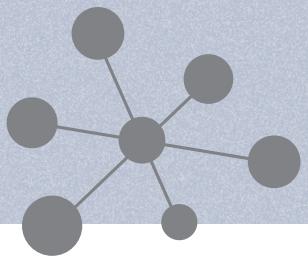
In June, the IJP took up the case of Vivian Bligh, a Kingaroy woman who was significantly overcharged for the funerals of her two brothers in 2010 and 2012. Ms Bligh's brothers were both members of the Moree Community.

Ms Bligh came to PIAC after years of frustrating negotiations with the funeral company about a range of issues relating to the way they had dealt with her brothers' funerals.

NCAT found that the funeral service provider had breached its contract and overcharged Ms Bligh. It was ordered to refund the overpayment and the costs of the erection of her brothers' gravestones. The matter received coverage in local Moree media and Koori media.

# FUNDRAISING

Thank you to all who have donated or provided support in 2013 -2014



Shauna Jarrett.



From left: Annmarie Lumsden, Alan Kirkland, Polly Pickles, Alexis Goodstone.



Phillip Cornwell.

## FUNDRAISING

PIAC operates with the generous support of a number of organisations and individuals; however, now more than ever, we are in need of community support if we are to continue to work for a fair, just and democratic society.

From 1 July 2013 to 30 June 2014, philanthropic income generated through donations, philanthropic grants, events and direct mail appeals raised \$183,117. This is an increase of 8.9% on last year.

On 7 May, PIAC Chair, Professor Peter Cashman, hosted an event at his home for PIAC supporters to learn more

about our work. With over 80 guests in attendance, the reception offered the opportunity for PIAC guests to be updated about PIAC's programs by its Board and staff.

In a new initiative, PIAC held boardroom lunches to engage with organisations and individuals who may wish to support PIAC and to raise awareness of PIAC's legal and policy work. PIAC CEO, Edward Santow, spoke at both lunches.

The lunches have been very successful in building connections, strengthening relationships and encouraging investment in PIAC.

## WALKING THE TALK: BENTHAM IMF AND PIAC

Australia's largest litigation funder, Bentham IMF Limited (Bentham IMF), has supported PIAC since 2011 through sponsorship, and by providing costs indemnities in high-profile discrimination cases.

Where it provides such an indemnity, Bentham IMF is removing a significant barrier to a person being able to enforce their rights. Executive Director of Bentham IMF, John Walker (below), recently spoke with PIAC about civil justice, pro bono work and why Bentham supports PIAC.

'When you have identified that there is discrimination and the relevant organisations are not acknowledging the norm that should be enforced, PIAC becomes one of very few that will take that organisation to task,' explained

John Walker.

'That's why we are proud to assist applicants by promising to pay the respondent's costs in the unfortunate case that they lose and are ordered to pay.'

Bentham IMF has provided adverse costs indemnities in several major discrimination cases.

These include Julia



Haraksin's case against Murrays Australia Ltd, a landmark case enforcing the rights of wheelchair users to use buses. The second was Graeme Innes' case against Sydney Trains, which has improved the use of audible next-stop announcements on trains for the benefit of people like Mr Innes, who is blind.

While the partnership between Bentham IMF and PIAC clearly has been very successful in facilitating public interest litigation, John Walker has also noticed some benefits for Bentham IMF itself.

'Bentham IMF is a change agent in the sense that we created the litigation funding market in Australia. We deal with a broad range of stakeholders, including regulators, courts, lawyers, journalists, and capital markets. People need to learn to trust you, so living what you are saying is important.'

'PIAC specialises in working for social justice, which is different from our work - so if IMF can provide some resources for PIAC to do its job better, then we feel like we've been able to give back to the community too,' added John Walker.

For more information about supporting PIAC, visit [www.piac.asn.au](http://www.piac.asn.au).

# PIAC BOARD

<b>Dr Peter Cashman</b>	Chair, Professor, Faculty of Law, University of Sydney
<b>Ralph Pliner</b>	Company director
<b>Britta Bruce</b>	Management Consultant (resigned 14 November 2013)
<b>Rebecca Gilsenan</b>	Principal, Maurice Blackburn
<b>Coralie Kenny</b>	Principal Legal Counsel, Suncorp Life
<b>Alan Kirkland</b>	Chief Executive Officer, Choice
<b>Annmarie Lumsden</b>	Executive Director (Strategic Policy, Planning and Management), Legal Aid NSW
<b>Alison Peters</b>	CEO, Council of Social Services of NSW (resigned 14 November 2013)
<b>The Hon Kevin Rozzoli AM</b>	Member of the New South Wales Legislative Assembly 1973 - 2003 (Speaker 1988 - 1995)
<b>Dr Merrilyn Walton</b>	Associate Professor, Faculty of Medicine, University of Sydney (resigned 14 November 2013)
<b>David Weisbrot AM</b>	Emeritus Professor of Law and Honorary Professorial Fellow in Medicine at the University of Sydney

## NEW BOARD MEMBERS 2014



**Katie Kiss** is a Kaanju Aboriginal woman from Cape York Australia; and a descendant of the Wiri people of the Bowen region of North Queensland. Katie is currently employed as Senior Manager, NSW, in PwC's Indigenous Consulting Team.

Katie spent eight years in senior roles at the Australian Human Rights Commission and most recently held the position of Director of Strategic Projects at the National Congress of Australia's First Peoples. Katie has also actively participated at the international level including at the United Nations.



**Matthew Quinn** is a non-executive director of CSR Limited and Urban Growth NSW. He was managing director of Stockland until January 2013. Matthew has extensive background in commercial, retail, industrial and residential property investment and development. He was National President of the Property Council of Australia from March 2003 to March 2005. He is a founding member of the Australian Business and Community Network Foundation.

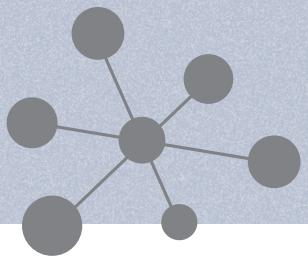


**Julian Leeser** has been Director Government, Policy and Strategy at the Australian Catholic University since 2012. He was previously Executive Director of the Menzies Research Centre and has worked as an advisor to a number of Coalition Ministers.

Since 2009, Julian has been the conference convener of the Samuel Griffith Society. Julian also serves on the board or in an advisory capacity to a number of community organisations, including the Hornsby-Kuring-Gai Hospital, Playwriting Australia, the Executive Council of the Australian Jewry and the Chinese Australian Forum.

# THANK YOU

We acknowledge and thank all PIAC clients for their willingness to take legal action in the public interest



We would also like to thank the many individuals and organisations - clients, students, barristers, private firms and companies, community organisations and government employees, departments and agencies - that work with PIAC to achieve social justice. We are very grateful for your support.

## Major supporters

Allens  
AMP Foundation  
Bentham IMF Ltd  
Consumer Advocacy Panel  
Henry Davis York  
King & Wood Mallesons  
Maurice Blackburn Lawyers  
Minter Ellison  
Notre Dame Sydney Law Society  
Oak Foundation  
Open Society Foundations  
Riverbush Pty Ltd  
Roth Charitable Foundation  
StreetSmart Australia  
Thomson Reuters  
University of Sydney  
William Roberts Lawyers

## EWCAP

Amelia Christie, Combined Pensioners & Superannuants Association of NSW  
Rhiannon Cook, Council of Social Service of NSW (NCOSS)  
Ann-Mason Furmage  
Lurlene Glen and Judith Daley, Retirement Village Residents' Association  
Gary Martin, Affiliated Residential Park Residents Association (ARPRA)  
Leo Patterson Ross, Tenants NSW  
Lukas Rajnoch, St Vincent de Paul Society, NSW  
Ruth Robinson, Physical Disability Council NSW (PDCN)  
Helen Scott, Ethnic Communities Council NSW  
Kianna Spicer and Melanie Walters, Salvation Army

## Training

Grant Arbuthnot, Patrycja Arvidssen, Sarah Drury, Gemma McKinnon, Leo Patterson-Ross and Tenants' Union of NSW  
Mathew Baker, State Debt Recovery Office  
Matt Dimech, Children's Legal Service, Legal Aid NSW  
Steve Frost, Horizons Legal Centre  
Mary Gibson, NSW Trustee and Guardian  
Mary Gleeson, Early Intervention Unit, Legal Aid NSW  
Carolyn Grenville, Cancer Council of NSW  
Liz Hing, Northern Suburbs Cancer Action Network  
Carolyn Jones, Mari Vagg and Julia Mansour, Women's Legal Services NSW  
Jane Kenny, Law and Justice Foundation  
Anna Lyons, Katrina Ironside and Sarah Dale, Justice Connect

Margot Morris, Intellectual Disability Rights Service, NSW

Dominic O'Grady, Australian Human Rights Commission

Don Palmer, Glass Box

Jessica Rafal, Katie Wrigley and Danny Shaw, Welfare Rights Centre

Nari Sahukar, Environmental Defenders Office

Jane Sanders, Shopfront Youth Legal Centre

Heather Sare, Bar Association

Rachel Simpson, NSW Legislative Assembly

The Hon. Carmel Tebbutt MP, Member for Marrickville

Merrin Thompson, Teresa McMichael, Vanessa Viaggio, NSW Legislative Council

Sue Waldon and Kaye James, Legal Information Access Centre

Mia Zahra, Law Access

## Indigenous Justice Program

Phillip Cornwell and Nicky Friedman, Allens  
Felicity Graham, Kylie Beasley, Danielle McGrath, Sheri Misaghi, William Bon, Sasha Da Silva, Heather Jacky, and John Styles, Aboriginal Legal Service  
Felicity Huntington and Noni Ross, NSW Anti-Discrimination Board  
Jessica Naimo, Cathy Binnington, Australian Securities and Investments Commission  
Jemima McCaughan, Legal Aid NSW  
Good Service Mob  
Helen Parker, Parramatta Children's Court Registry  
Reconciliation Australia

# THANK YOU



Damien Sakey (left) and Kate Clark experiencing what it's like to be in the hot seat at the recent Advanced Media Skills workshop run by PIAC.

## International Crimes Evidence Project

### Committee of Experts, and advisers

John Ralston (chair)  
Colonel (retired) Ian Ahearn  
Helen Brady  
Paola Gaeta  
Tom Gal  
Kirsten Keith  
Dr Sandra Krähenmann  
Chris Mitchell  
Professor William Schabas  
Colonel (retired) Desmond Travers  
Gordon Weiss

### ICEP law firm partners

Ashurst  
Blum & Grob (Switzerland)  
Henry Davis York  
Herbert Smith Freehills  
Hicksons  
King & Wood Mallesons  
Weil, Gotshal & Manges LLP (USA)

### HPLS host agencies and community partners

Edward Eagar Lodge  
Matthew Talbot Hostel  
Mission Australia Centre, Surry Hills  
Newtown Mission  
Newtown Neighbourhood Centre  
Norman Andrews House  
Oznam Learning Centre

Parramatta Mission

Salvation Army Streetlevel Mission

The Station

Vincentian House

Wayside Chapel

Women and Girls' Emergency Centre

### HPLS law firm partners

Allens

Baker & McKenzie

Corrs Chambers Westgarth

Gilbert + Tobin

Henry Davis York

HWL Ebsworth

Legal Aid NSW

Maddocks

Minter Ellison

Norton Rose Fulbright

Thomson Geer (formerly Thomsions  
Lawyers)

### StreetCare members

Ken Hamilton

Adrian 'AJ' Jansson

Dave Jeffrey

Dale King

Veronica Penna

Damien Sakey

Kevin Simpson

Daryl Smith

Renae Spice

Mary Sullivan

Tony Tuhoro

### Barristers who provided advice and representation

Larissa Andelman

Paul Batley

Steven Boland

Natasha Case

Dean-Lloyd Del Monte

Kate Eastman SC

Henry El-Hage

Tania Evers

Rachel Francois

Geoffrey Gemmell

Louise Goodchild

Robert Goot AM SC

Patrick Griffin

Anne Healey

David Hume

Aj Karim

Nicholas Kelly

Margo Kingston

Michael Lee SC

Angus Macauley

Tom Molomby SC

Kylie Nomchong SC

Fleur Ramsay

Eugene Romaniuk SC

Brenda Tronson

### Project partners

beyondblue

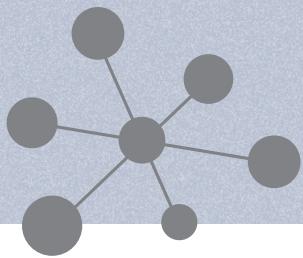
City of Sydney Homelessness Unit

Mental Health Council of Australia

City of Parramatta

Community Restorative Centre

# STAFF



## Staff

### Sarah Bassiuoni

Senior Solicitor, Indigenous Justice Program

### Michelle Cohen

Senior Solicitor

### Roslyn Cook

Senior Solicitor, HPLS (commenced 7 April 2014)

### Oliver Derum

Senior Policy Officer, EWCAP

### Tobias Freeman

Legal Officer, ICEP

### Danielia Gavshon

Senior Policy Officer

### Alexis Goodstone

Principal Solicitor

### Carolyn Hodge

Senior Policy Officer, EWCAP (resigned 26 February 2014)

### Jane King

Manager, Finance & Administration

### Gabrielle Kuiper

Senior Policy Officer, EWCAP (commenced 7 April 2014)

### Jane Leibowitz

Senior Solicitor

### Lena Lowe

Administrator, Training & Publications

### Sarah Ludowici

Senior Training Officer

### Sarah Mitchell

Administrator, HPLS

### Deirdre Moor

Manager, Policy & Programs

### Alison Muir

Development Manager (commenced 4 January 2014)

### Camilla Pandolfini

Senior Solicitor

### Scott Parker

Administrator, Systems and Technology

### Gemma Pearce

Senior Media and Communications Officer

### Melissa Pinzuti

Legal Secretary

### Jeremy Rea

Solicitor Advocate, HPLS

### Jessica Roth

Senior Policy Officer

### Edward Santow

CEO

### Louis Schetzer

Senior Policy Officer, HPLS

### Samantha Sowerwine

Senior Solicitor, HPLS (resigned 21 February 2014)

### Sally Spence

Receptionist

### Elwyn Ward

Finance Officer

## Practical Legal Training Placements

Hannah Belnick (20 February 2013 to 26 July 2013)

Jakob Friedman (28 October 2013 to 5 February 2014)

Joshua Kangisser (7 May 2014 to 31 May 2014)

Julian Laurens (26 February 2014 to 20 March 2014)

Jennifer Lee (31 July 2013 to 19 December 2013)

Greemn Lim (26 February 2014 to 21 July 2014)

Kerry Palmer (16 July 2013 to 22 November 2013)

Lonie Pizarro (7 May 2014 to 8 August 2014)

Verity Smith (25 June 2013 to 10 October 2013)

Ryan Steed (10 March 2013 to 7 June 2013)

Jessica Stirling (18 February 2013 to 13 Sepember 2013)

Carolyn Toh (28 February 2014 to 21 May 2014)

Errin Walker (25 November 2013 to 29 April 2014)

Szu-Han Wang (28 October 2013 to 4 March 2014)

## Secondees

Denise Attard, Australian Government Solicitor

Louise Beange, King & Wood Mallesons

Stephen Etkind, Minter Ellison

Sarah Evans, Minter Ellison

Emilee Fairlie, Minter Ellison

Ben May, Australian Government Solicitor

Jillian Mitford-Burgess, Henry Davis York

Chelsea Tabart, King & Wood Mallesons

Brianna Terry, Henry Davis York

Dominic Woolrych, Minter Ellison

# PUBLICATIONS

PIAC published papers, journals, newsletters and submissions to government and regulatory bodies.

PIAC papers, journals, newsletters and submissions to government and regulatory bodies are available on the PIAC website.  
Visit [www.piac.asn.au/publications](http://www.piac.asn.au/publications).

## Social justice

*Beyond the prison gates: the experiences of people recently released from prison into homelessness and housing crisis*, July 2013.

*Oversight of police critical incidents*  
Submission to the Ten Year Review of the Police Oversight System in NSW, October 2013.

*Skating on thin ice - difficulties faced by people living with mental illness accessing and maintaining social housing*, October 2013.

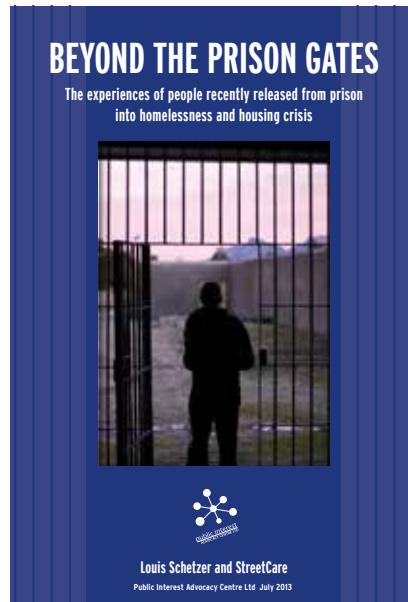
*Sentencing contradictions - difficulties faced by people living with mental illness in contact with the criminal justice system*, October 2013.

Submission to the NSW Law Reform Commission - Parole Question Papers 1-3, October 2013.

*Equal before the law*: submission in response to the Productivity Commission Issues Paper, November 2013.

Submission to the NSW Law Reform Commission - *Encouraging appropriate early guilty pleas: models for discussion*, December 2013.

NSW Law Reform Commission - Parole Question Papers 4-5, December 2013.



Inquiry into social, public and affordable housing  
Submission to the NSW Select Committee on Social, Public and Affordable Housing, January 2014.

*Targeting criminality*. Submission in response to the Ombudsman's Issues Paper: Review of the use of the consorting provisions by the New South Wales Police Force, February 2014.

*Still no way home* - submission to the Senate Standing Committee on Economics inquiry into Affordable housing, March 2014.

*Equal access*: submission in response to the Productivity Commission Draft Report Access to Justice Arrangements, May 2014.

## Accountable government

*Serious invasions of privacy in the digital era*: submission to the Australian Law Reform Commission, November 2013.

*Island of impunity? Investigation into international crimes in the final stages of the Sri Lankan civil war*, February 2014.

*Serious invasions of privacy in the digital era*: submission in response to the Australian Law Reform Commission Discussion paper, May 2014.

## Consumer rights

National Electricity Amendment (Annual Pricing Arrangements) Rule 2013. Submission to the Australian Energy Market Commission (AEMC), July 2013.

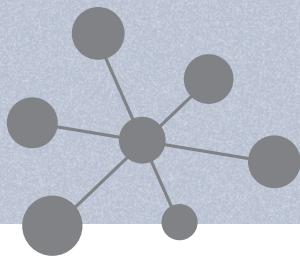
*Where to and how?* Submission to the AEMC's Draft Report: Review of competition in retail electricity and Natural gas markets in NSW, July 2013.

NEM financial market resilience: first interim report. Submission to the AEMC's first interim report on National Energy Market (NEM) financial market resilience, July 2013.

Statutes Amendment (National Electricity and Gas Laws - Limited Merits Review) Bill 2013. Submission to the Standing Council on Energy and Resources, July 2013.

Draft Consumer Engagement Guideline for Network Service Providers. Submission to the Australian Energy Regulator (AER), August 2013.

# PUBLICATIONS



Draft Australian Energy Regulator Stakeholder Engagement Framework. Submission to the AER, August 2013.

**A friendly goodbye:** Submission to IPART's Issues Paper. Early termination fees - Regulating the fees charged to small electricity customers in NSW, September 2013.

**Challenges and opportunities:** Submission to IPART's issues paper: Review of prices for Essential Energy's water, sewerage and other services in Broken Hill, October 2013.

**Better equity:** submission to the AER's Equity beta issues paper, October 2013.

**Looking forwards, not counting backwards:** submission to IPART's Draft Report, Early termination fees - Regulating the fees charged to small electricity customers in NSW, November 2013.

**Reflecting prices and preferences:** Submission to the AEMC's Consultation Paper National Electricity Amendment (Distribution Network Pricing Arrangements) Rule 2014, December 2013.

Energy savings scheme rule change consultation 2013. Submission to the NSW Government, November 2013.

BASIX Target Review. Submission to the NSW Government, January 2014.

**Putting consumers first:** submission to the Australian Government's Issues Paper for the development of an Energy White Paper February 2014.



**The Renewable Energy Target (RET):** in the long-term interests of consumers, May 2014.

**Restraint in the face of uncertainty** - submission to IPART's draft report: Changes in regulated retail gas prices from 1 July 2014, May 2014.

**Solar feed-in tariffs in NSW: a fair price needed for prosumers.** Submission to IPART, May 2014.

Expanding competition in metering and related services rule change, June 2014.

Customer access to information about their energy consumption, June 2014.

## Equality

**Equality before the law for people with disability.** Submission in response to Australian Law Reform Commission Issues Paper: Equality, Capacity and Disability in Commonwealth Laws, January 2014.

**Protecting people from racism and ensuring freedom of speech.** Submission in relation to Exposure Draft of Freedom of Speech (Repeal of s18C) Bill 2014, April 2014.

## Newsletters

**PIAC Bulletin** [Edition 37] Spring 2013.

**PIAC Bulletin** [Edition 38] Autumn 2014.

# FINANCIAL STATEMENTS

Public Interest Advocacy Centre Ltd

ABN 77 002 773 524

## DISCUSSION AND ANALYSIS OF THE SUMMARY FINANCIAL STATEMENTS

### FOR THE YEAR ENDED 30 JUNE 2014

#### Information on Public Interest Advocacy Centre Limited Summary Financial Report

The summary financial report is an extract from the full financial report for the year ended 30 June 2014.

The financial statements and disclosures in the summary financial report have been derived from the 2014 financial report of Public Interest Advocacy Centre Limited. The summary financial report cannot be expected to provide as detailed an understanding of the financial performance, financial position and financing and investing activities of Public Interest Advocacy Centre Limited as the full financial report. A copy of the full financial report and auditor's report will be provided, free of charge, upon request.

The discussion and analysis is provided to assist members in understanding the summary financial report. The discussions and analysis is based on Public Interest Advocacy Centre Limited's financial statements and the information contained in the summary financial report has been derived from the full 2014 Financial Report of Public Interest Advocacy Centre Limited.

#### Statement of Comprehensive Income

The company's total revenue decreased by \$106,434 or approximately 3.7% to be \$2,737,609 for the year. The decrease in revenue is mainly due to a decrease in grants and other contributions.

The company's total expenditure for the year decreased by \$63,710 or approximately 2.5%. The decrease in expenditure is largely attributable to project and casework changes.

For the year ended 30 June 2014, the company recorded an overall operating surplus of \$209,943 as compared to an operating surplus in the prior year of \$252,667.

#### Statement of Financial Position

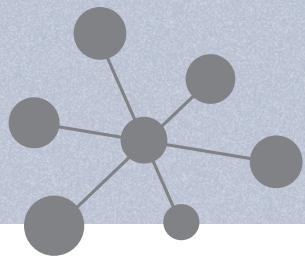
As a result of the operating surplus, the overall net asset position of the company has increased by 22.6% to \$1,138,736. The company continues to hold high levels of cash reserves and maintains appropriate levels of working capital as at year end. Trade debtors increased by \$259,975 and unexpended grants and other income in advance increased by \$345,755 as compared to last year. Provisions for Employee Benefits increased by \$17,459. There are no other notable movements or issues relating to the company's financial position.

#### Statement of Cash Flows

The company has generated a cash inflow from operating activities being \$422,907 compared to a cash inflow of \$323,846 from the prior year. Minor purchases of additional plant and equipment were also noted during the year.

# FINANCIAL STATEMENTS

Public Interest Advocacy Centre Ltd  
ABN 77 002 773 524



## INDEPENDENT AUDITOR'S REPORT

### TO THE MEMBERS OF PUBLIC INTEREST ADVOCACY CENTRE

The accompanying summary financial report which comprises the statement of financial position as at 30 June 2014, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended and related notes and directors declaration, are derived from the audited financial report of the Public Interest Advocacy Centre Limited for the year ended 30 June 2014. We expressed an unmodified audit opinion on that financial report in our report dated 9 October 2014.

The summary financial report does not contain all the disclosures required by the Australian Accounting Standards Reduced Disclosure Requirements, Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board and the *Australian Charities and Not-for-profits Commission Act 2012*. Reading the summary financial report, therefore is not a substitute for reading the audited financial report of the Public Interest Advocacy Centre Limited.

#### **Directors' Responsibility for the Summary Financial Report**

The directors are responsible for the preparation and presentation of the summary financial report in accordance with the basis of preparation as described in note 1 to the summary financial statements. This responsibility includes establishing and maintaining internal controls relevant to the preparation of the concise financial report, selecting and applying the appropriate accounting policies, and making accounting estimates that are reasonable in the circumstances.

#### **Auditor's Responsibility**

Our responsibility is to express an opinion on the summary financial report based on our procedures, which were conducted in accordance with Auditing Standard ASA 810 Engagements to Report on Summary Financial Statements.

#### **Auditor's Opinion**

In our opinion, the summary financial report derived from the audited financial report of the Public Interest Advocacy Centre Limited for the year ended 30 June 2014 is consistent, in all material respects, with (or a fair summary of) that audited financial report, in accordance with the basis of preparation as described in note 1 to the summary financial statements.

Mark Godlewski  
Partner  
PITCHER PARTNERS  
Sydney, NSW

9 October 2014

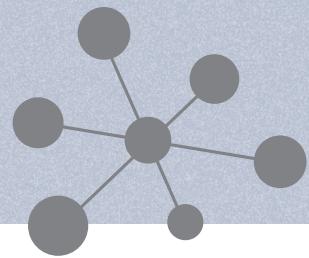
# FINANCIAL STATEMENTS

## STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2014

	Note	2014	2013
		\$	\$
<b>REVENUE</b>	2	2,737,609	2,844,043
<b>LESS: EXPENSES</b>			
Depreciation and amortisation expense		(26,304)	(30,537)
Employee benefits expense		(1,919,544)	(1,884,115)
Rent		(216,870)	(209,534)
Project and casework expenses		(238,937)	(323,846)
Other operating expenses		(126,011)	(143,344)
		(2,527,666)	(2,591,376)
<b>SURPLUS</b>		209,943	252,667
Other comprehensive income		-	-
<b>TOTAL COMPREHENSIVE INCOME</b>		209,943	252,667

# FINANCIAL STATEMENTS

Public Interest Advocacy Centre Ltd  
ABN 77 002 773 524



## STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2014

	2014	2013
	\$	\$
<strong>CURRENT ASSETS</strong>		
Cash and cash equivalents	1,743,859	1,340,633
Receivables	343,246	83,271
Other assets	6,863	6,239
<strong>TOTAL CURRENT ASSETS</strong>	<strong>2,093,968</strong>	<strong>1,430,143</strong>
<strong>NON CURRENT ASSETS</strong>		
Other financial assets	57,090	57,090
Property, plant and equipment	49,761	55,586
<strong>TOTAL NON CURRENT ASSETS</strong>	<strong>106,851</strong>	<strong>112,276</strong>
<strong>TOTAL ASSETS</strong>	<strong>2,200,819</strong>	<strong>1,542,819</strong>
<strong>CURRENT LIABILITIES</strong>		
Payables	974,577	543,978
Provisions	78,903	64,250
<strong>TOTAL CURRENT LIABILITIES</strong>	<strong>1,053,480</strong>	<strong>608,228</strong>
<strong>NON CURRENT LIABILITIES</strong>		
Provisions	8,603	5,797
<strong>TOTAL NON CURRENT LIABILITIES</strong>	<strong>8,603</strong>	<strong>5,797</strong>
<strong>TOTAL LIABILITIES</strong>	<strong>1,062,083</strong>	<strong>614,025</strong>
<strong>NET ASSETS</strong>	<strong>1,138,736</strong>	<strong>928,793</strong>
<strong>EQUITY</strong>		
Reserves	248,100	163,430
Retained surplus	890,636	765,363
<strong>TOTAL EQUITY</strong>	<strong>1,138,736</strong>	<strong>928,793</strong>

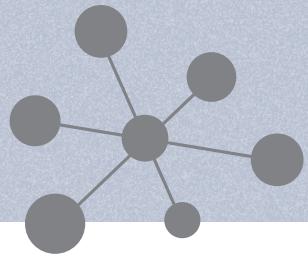
# FINANCIAL STATEMENTS

## STATEMENT OF CHANGES IN EQUITY FOR THE YEAR ENDED 30 JUNE 2014

	<b>Reserves</b>	<b>Retained surplus</b>	<b>Total equity</b>
	\$	\$	\$
<b>BALANCE AS AT 1 JULY 2012</b>	159,371	516,755	676,126
Surplus for the year	-	252,667	252,667
<b>TOTAL COMPREHENSIVE INCOME FOR THE YEAR-</b>		<b>252,667</b>	<b>252,667</b>
Transfers	4,059	(4,059)	-
<b>BALANCE AS AT 30 JUNE 2013</b>	<b>163,430</b>	<b>765,363</b>	<b>928,793</b>
<b>BALANCE AS AT 1 JULY 2013</b>	<b>163,430</b>	<b>765,363</b>	<b>928,793</b>
Surplus for the year	-	209,943	209,943
<b>TOTAL COMPREHENSIVE INCOME FOR THE YEAR</b>	<b>-</b>	<b>209,943</b>	<b>209,943</b>
Transfers	84,670	(84,670)	-
<b>BALANCE AS AT 30 JUNE 2014</b>	<b>248,100</b>	<b>890,636</b>	<b>1,138,736</b>

# FINANCIAL STATEMENTS

Public Interest Advocacy Centre Ltd  
ABN 77 002 773 524



## STATEMENT OF CASH FLOWS FOR THE YEAR ENDED 30 JUNE 2014

	2014	2013
	\$	\$
<strong>CASH FLOW FROM OPERATING ACTIVITIES</strong>		
Receipts from government, customers and donations	3,193,533	3,128,615
Payments to suppliers and employees	(2,810,468)	(2,851,240)
Interest received	39,842	46,472
<strong>NET CASH PROVIDED BY / (USED IN) OPERATING ACTIVITIES</strong>	<strong>422,907</strong>	<strong>323,846</strong>
<strong>CASH FLOW FROM INVESTING ACTIVITIES</strong>		
Proceeds from sale of property, plant and equipment	799	-
Payment for property, plant and equipment	(20,480)	(15,012)
<strong>NET CASH PROVIDED BY / (USED IN) INVESTING ACTIVITIES</strong>	<strong>(19,691)</strong>	<strong>(15,012)</strong>
<strong>CASH FLOW FROM FINANCING ACTIVITIES</strong>		
Proceeds from security deposit	-	-
<strong>NET CASH PROVIDED BY FINANCING ACTIVITIES</strong>	<strong>-</strong>	<strong>-</strong>
<strong>RECONCILIATION OF CASH</strong>		
Cash at beginning of the financial year	1,340,633	1,031,798
Net increase / (decrease) in cash held	403,226	308,835
<strong>CASH AT END OF FINANCIAL YEAR</strong>	<strong>1,743,859</strong>	<strong>1,340,633</strong>

# FINANCIAL STATEMENTS

## NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014

	2014	2013
	\$	\$

### NOTE 1: BASIS OF PREPARATION OF THE SUMMARY FINANCIAL REPORT

The summary financial report is an extract of the full financial report for the year ended 30 June 2013.

The financial statements, specific disclosures and other information included in the summary financial report are derived from, and are consistent with, the full financial report of the Public Interest Advocacy Centre Limited. The summary financial report cannot be expected to provide as detailed an understanding of the financial performance, financial position and financing and investing activities of the Public Interest Advocacy Centre Limited as the full financial report. A copy of the full financial report and auditor's report will be sent, free of charge, upon request.

The presentation currency used in the concise financial report is Australian dollars.

### NOTE 2: REVENUE

#### OPERATING ACTIVITIES

Grants and other contributions	2,145,897	2,313,760
Casework	247,893	203,221
Training workshops, seminars and conferences	109,654	108,751
Sale of publications	1,525	1,285
Interest income	40,403	42,020
Other	192,237	175,006
	<hr/> <b>2,737,609</b>	<hr/> <b>2,844,043</b>

#### OTHER INCOME

Gain on sales of assets	-	
	<hr/> <b>2,737,609</b>	<hr/> <b>2,844,043</b>

### NOTE 3: REVENUE FROM CHARITABLE AND FUNDRAISING ACTIVITIES

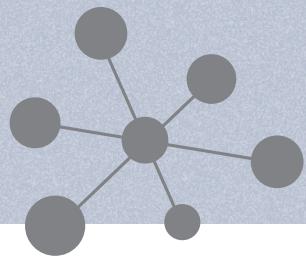
During the year, the company conducted two mail appeals and general fundraising and the following information is provided to meet the reporting requirements of the *Charitable Fundraising Act 1991* (NSW).

Details of gross income and expenditure of fundraising activities:

Gross income from fundraising	183,116	168,150
Total cost of fundraising	58,021	400
<b>SURPLUS FROM FUNDRAISING ACTIVITIES</b>	<b>125,095</b>	<b>167,750</b>
<b>TOTAL CHARITABLE PURPOSE EXPENDITURE</b>	<b>125,095</b>	<b>167,750</b>
<b>NET SURPLUS FUNDS FROM FUNDRAISING APPEALS</b>	<b>-</b>	<b>-</b>

# FINANCIAL STATEMENTS

Public Interest Advocacy Centre Ltd  
ABN 77 002 773 524



## NOTES TO FINANCIAL STATEMENTS FOR THE YEAR ENDED 30 JUNE 2014

	2014	2013
	\$	\$

### NOTE 4: RELATED PARTY TRANSACTIONS

Transactions between related parties are on normal commercial terms and conditions no more favourable than those available to other persons unless otherwise stated.

### NOTE 5: CAPITAL AND LEASING COMMITMENTS

(a) Operating lease commitments

Non cancellable operating leases contracted for but not capitalised in the financial statements:

#### Payable

- not later than one year	222,236	216,746
- later than one year and not later than five years	441,163	635,185
	<hr/> 663,549	<hr/> 851,931

The property lease commitment is a non cancellable operating lease contracted for but not capitalised in the financial statements with a five-year term.

### NOTE 6: EVENTS SUBSEQUENT TO REPORTING DATE

There has been no matter or circumstance, which has arisen since 30 June 2014 that has significantly affected or may significantly affect:

- the operations, in financial years subsequent to 30 June 2014, of the company, or
- the results of those operations, or
- the state of affairs, in financial years subsequent to 30 June 2014, of the company.

### DIRECTORS' DECLARATION

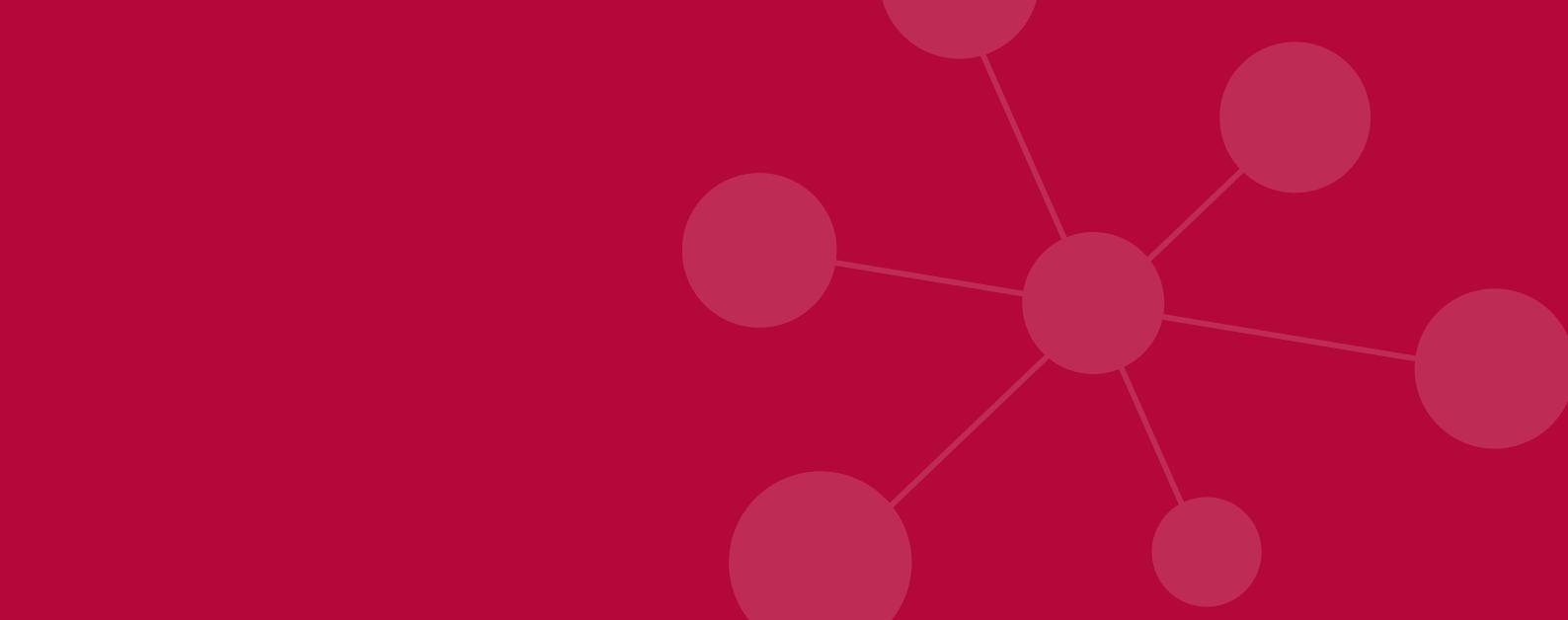
The directors of the company declare that the summary financial statements and notes for the financial year ended 30 June 2014, as set out on pages 23 - 28:

- is an extract from the full financial report for the year ended 30 June 2014 and has been derived from and is consistent with the full financial report of Public Interest Advocacy Centre Limited.

This declaration is made in accordance with a resolution of the Board of Directors.

Peter Cashman  
Director

Dated this ninth day of October 2014



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**public interest**  
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