

Refugee and Immigration Legal Service Inc

Annual Report

2016-2017



Contents

Refugee & Immigration Legal Service Inc.

Who we are

The Refugee and Immigration Legal Service (RAILS) is the only specialist provider of free legal advice to migrants and refugees in Queensland. RAILS is a leading non-profit community legal centre specialising in Australian immigration and refugee law and community legal education. It began as the South Brisbane Legal Service in 1980 and is the second oldest community legal centre in Queensland.

RAILS is part of the National Association of Community Legal Centres and obtains core funding from State and Commonwealth governments under the National Partnerships Agreement - see page 9 for a complete list of funding.

RAILS is a service based on the belief that access to appropriate legal assistance and equity in legal representation is a basic right of all people from disadvantaged backgrounds. We strive for access to justice especially for migrants, refugees and people from marginalised sections of society.

We acknowledge the traditional owners of country throughout Australia, particularly the Turrbal and Jaggera peoples on whose land RAILS is situated, and their continuing connection to land, waterways and community. We pay our respects to them and their cultures and to Elders past, present, and emerging.



RAILS
REFUGEE & IMMIGRATION
LEGAL SERVICE INC

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Report from the Chair

by Robin Lonergan

I am very pleased to have been able to continue serving as Chair of the RAILS Committee of Management for another year.

Our work throughout 2016-2017

Over the past year RAILS has seen a high demand for its services. RAILS continued to provide advice and represent vulnerable clients who have experienced extreme hardship. RAILS undertakes work in a number of areas including refugee status resolution, refugee family reunification, and domestic and family violence.

This year, our staff provided over 2,695 legal advices on a range of refugee and immigration issues. Our staff also worked on over 795 matters, representing people at their initial Department of Immigration interviews and at their appeals to the Administrative Appeals Tribunal (AAT) – Migration Division.

Sources of our funding including donations

Over the past year, funding for our vital services has remained uncertain. This uncertainty adds challenges for RAILS in planning for the future. However, we have maintained a stable and productive work place, focused on our key work of legal service delivery. I would like to thank the State and Commonwealth Governments, the Department of Social Security, the Department of Immigration and Border Protection, and Legal Aid Queensland for the funding support we have received from them. I would also like to thank our other community and individual donors who have generously supported RAILS this year, particularly the Presentation Sisters, Communitify and Asylum Circle, and Brisbane Refugee and Asylum Seeker Support Network (BRASS) for conducting public fundraising campaigns for our Unrepresented Asylum Seeker

project.

Despite the uncertainty regarding our funding, we have been able to continue many of our programs, such as our Evening Advice Sessions and our outreach services in Logan, Toowoomba, Townsville, and Cairns.

I am particularly proud of the Unrepresented Asylum Seeker statement clinics that RAILS has developed and coordinated this year and grateful to our partner firms and individual volunteer lawyers for the pro bono assistance they have provided to these clinics.



SNAPSHOT OF OUR YEAR

ASSISTED
2283
CLIENTS

RECEIVED
REFERRALS FOR
739
CLIENTS

PROVIDED
2695
ADVICES

WORKED
795
CASES

RAILS trained 50 volunteer lawyers to staff these evening clinics and our volunteer lawyers have done an outstanding job - they delivered over 840 hours of pro bono legal assistance to unrepresented asylum seekers.

We are thankful for the support we have received from our partner firms, Minter Ellison, Allens, King & Wood Mallesons, Maurice Blackburn, Norton

Report from the Chair

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Rose Fulbright, and Gadens, as well as other individual volunteer lawyers and we look forward to deepening these relationships and building new relationships within the profession. Further, I would like to thank the tireless work of the barristers who have advocated for our clients on a pro bono basis, the volunteer EAS lawyers and migration agents, day volunteer students and our CPD guest speakers.

Staff

RAILS has continued to produce work and provide services to a high standard. This reflects the dedication and professionalism of our staff. Over the past year we have welcomed some new staff and said goodbye to others. In particular I would like to thank Darryl McNeil, Christopher McGrath and Kylie Elliot for all their hard work at RAILS. We are pleased that Jee-Yeun (Valentina) Jung has been admitted and is working with us as a caseworker.

I would like to thank Greg Mackay, the Director of our service for his hard work this year and for utilising his wealth of experience in the not-for-profit social justice sector to implement new policies and improvements at RAILS.

I thank my fellow committee members for their enthusiasm and dedication. In particular I would like to thank Jo Rinaudo for her insights and assistance on the committee as Jo has decided not to re-nominate due to work commitments.

Highlighted outcomes for the year

During the year, RAILS staff worked passionately on a variety of matters. RAILS was happy to produce many successful outcomes for its clients. In particular, I would like to highlight one of our success stories which involved an appeal to the AAT.

A single mother from Nepal who had experienced family violence and was living in regional Queensland had initially lodged her Protection Visa application with her husband and had relied on her husband's protection claims. The woman's application was initially refused by the Department of Immigration.

RAILS received the case a few weeks before it was listed for hearing at the AAT. The woman's relationship with her husband had broken down because of family violence. RAILS worked intensively with the client to write a new statement about her claims for protection based on her membership of a particular social group, women in Nepal suffering family violence. RAILS also drafted detailed written submissions to the AAT.

Providing adequate and proper representation to the client from regional Queensland, with very limited time to prepare before an AAT hearing, was very challenging. However, with the client's cooperation and patience and RAILS' hard work, we were able to secure a successful outcome for our client and her young daughter. This is just one of the many success stories we had this year!

Vision Mission Values Goals

OUR VISION

Making justice accessible to a diverse community

OUR MISSION

Provide a holistic and sustainable legal service for vulnerable asylum seekers, refugees, and migrants through legal assistance, education, and advocacy.

OUR VALUES

Access to justice

Client-centred

Ethical practice

Diversity

Independence

OUR GOALS

Provide a community based legal service that meets the needs of asylum seekers, refugees, and migrants.

Improve the capacity of the community to promote and deliver greater access to justice for asylum seekers, refugees, and migrants.

Promote a humanitarian approach in the formulation and administration of law, policy and procedures as they affect asylum seekers, refugees, and migrants.

Provide an innovative, quality and cost effective legal service.

Management Committee Profiles

Robin Lonergan (BA, LLB, LLM)

Chair

Robin is Special Counsel, Corporate Advisory, with Mills Oakley, and has more than 30 years' experience advising on all aspects of contract and corporate law. He was elected as the Chair of the committee in November 2014.

Robin has a long association with RAILS, having commenced as a volunteer at RAILS, then South Brisbane Immigration and Community Legal Service, in the 1980s. He had been a member of the Management Committee for more than 10 years before resigning in 2000, and then re-joining the Committee in 2013.

Robin is also on the Management Committee of several other not for profit organisations, including the Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT). Robin was selected for inclusion in the 2016 and 2017 editions of Best Lawyers Australia for Commercial Law and Corporate Law.

Belinda Taylor

Treasurer

Belinda joined the Management Committee at the AGM in 2014 and was appointed as Treasurer in November 2014. Belinda currently works as an Assurance Manager for Hanrick Curran Audit.

Belinda has over 25 years experience in Business Services and Auditing and has held senior roles in a several large multinational companies in Sydney and Brisbane.

Belinda has a Bachelor of Science from Sydney University, an Associate Diploma in Business Accounting, and is a member of the National Institute of Accountants.

Kathleen Dare (BA, LLB, LLM)

Secretary

Kathleen was admitted to practice as a solicitor in 1990 and has worked in private practice, the Tenants Union, RAILS, and Queensland Advocacy Inc.

She is a past member of the Guardianship and Administration Tribunal and Mental Health Review Tribunal and has taught in the Justice Studies School within the Queensland University of Technology Law Faculty and at the College of Law.

Kathleen's first involvement with RAILS was as a volunteer solicitor in 1992 and later she was employed with RAILS as a solicitor and Acting Director. Kathleen is a past President of the Committee and was elected as Secretary in 2014. Kathleen currently runs her own legal practice.

Peter Billings (LLB (Hons), PhD)

Member

Peter is an Associate Professor at the TC Beirne School of Law, the University of Queensland, and is a Fellow of the Centre for Public, International and Comparative Law. His research interests are in the areas of public law, administrative law, immigration and refugee law, social welfare law, and the law relating to Indigenous Australians.

He has been published widely in leading law journals in Australia, UK, USA, and in several edited collections. His academic work has been cited in both the High Court of Australia and the Supreme Court of Queensland.

Peter teaches at both undergraduate and postgraduate levels in Administrative Law, Immigration and Refugee Law, and Advocacy.

Management Committee Profiles

Continued from previous page

Russell Hinchy (B Com, LLB (Hons), LLM)

Member

Russell is a lecturer at the TC Beirne School of Law at the University of Queensland, and currently teaches in the areas of foundations of law and torts. Prior to being admitted to practise as a barrister in 1993, Russell worked in various areas of public sector research, finance and law within the Queensland Government.

Since 1994, Russell has taught in a variety of areas including foundations of law, contract, torts, trade practices and company law.

Russell has previously held a Bar Association of Queensland Practising Certificate and is currently a Practitioner of the Supreme Court of Queensland.

Jo Rinaudo

Member

Jo commenced work with the Queensland public sector in 1992 after completing a Bachelor of Social Work from the University of Queensland. Jo had worked in direct service delivery at Women's Infolink, Legal Aid Queensland and in the Office of the Director of Public Prosecutions and has led various policy and program teams in a number of different public sector agencies.

Over the past few years Jo has undertaken major projects for the Public Service Commission, Department of Communities, Child Safety and Disability Services and Department of Justice and Attorney-General. Jo has participated in management committees for the community sector, including the Women's Legal Service, Zig Zag Young Women's Service and the Immigrant Women's Support Service.

Nitra Kidson

Member

Nitra is a barrister in private practice and specialises in public law, particularly administrative law and native title.

Nitra first joined the South Brisbane Immigration and Community Legal Service, now known as RAILS, as a solicitor/caseworker in 1995.

Nitra advocated on behalf of clients and also represented the organisation on the Board of the Refugee Council of Australia and at many other forums.

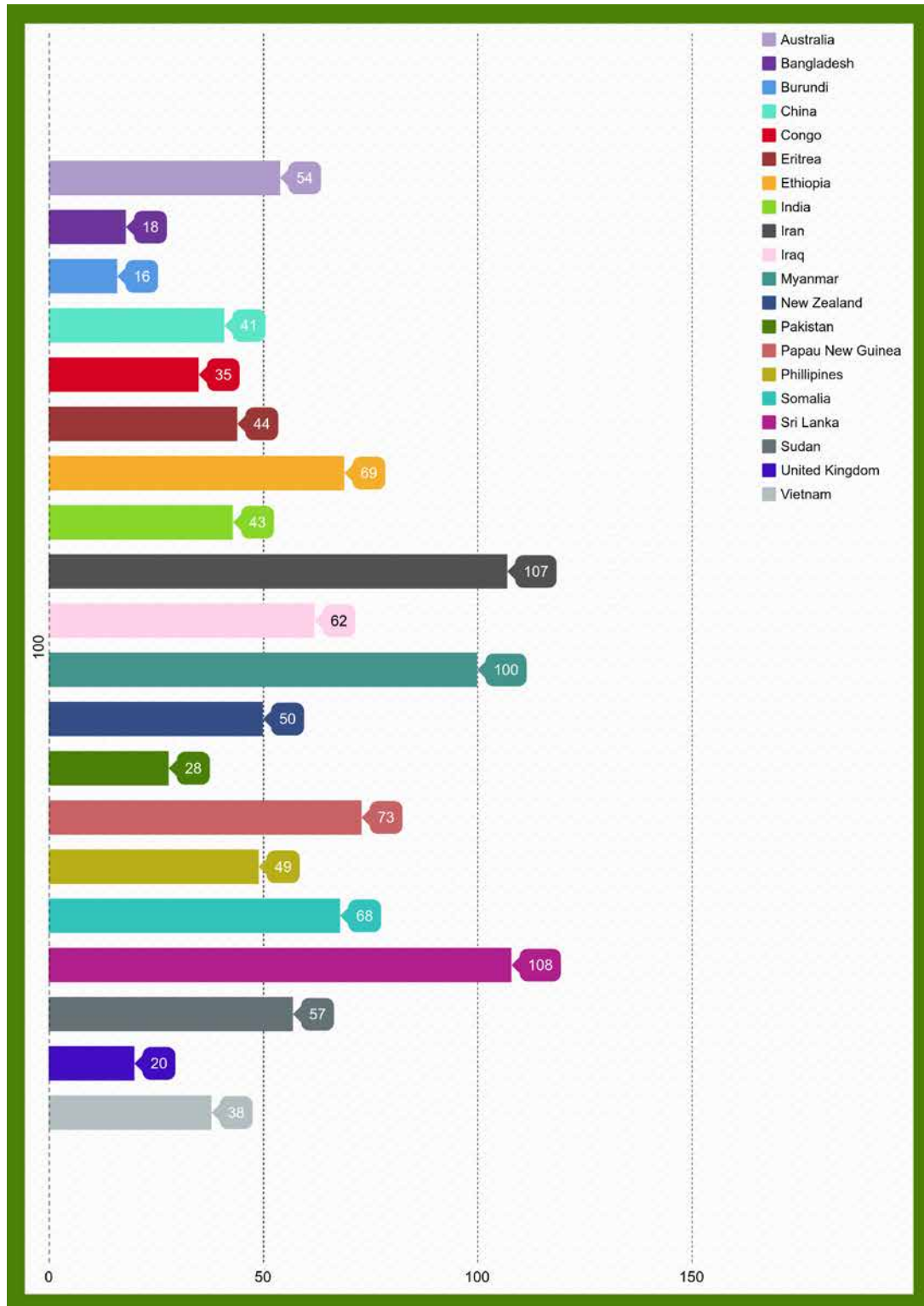
Hiwa Zandi (BA, LLB)

Member

Hiwa is a practising lawyer specialising in commercial litigation and migration matters. Hiwa has previously worked for the International Organization for Migration in a consultancy position to coordinate the asylum seeker Voluntary Return Program in Manus Island and Nauru.

Hiwa's association with RAILS goes back more than 10 years, when he initially worked as a voluntary legal clerk between 2004 and 2006.

Clients' countries of origin



Acknowledgements

RAILS is highly appreciative of the funding we receive for the work we do

National Partnerships Agreement Funding - combined State & Commonwealth funding forming the financial core of Community Legal Centres.

Through this funding from the National Partnership Agreement RAILS is able to provide generalist immigration advice, and legal representation to the DIBP, the Administrative Appeals Tribunal (AAT), and the commonwealth courts. Our clients have often experienced family violence, are at risk of homelessness, and fear returning to their country of origin.

Commonwealth Department of Social Security - Settlement Grants Program - Refugee Family Reunion

Through funding from the Department of Social Services, our Refugee Family Reunion (RFR) program assists recently arrived migrants to be reunited with close family members who remain overseas.

Commonwealth Department of Immigration and Border Protection - IAAAS - legal services funding to assist people who have arrived in Australia with a visa to apply for protection.

The DIBP-funded Immigration Advice and Application Assistance Scheme (IAAAS) allows RAILS to assist people who have arrived in Australia with a visa to apply for protection. The scope of the scheme has been reduced over time, and it no longer funds representation for merits or judicial review of DIBP decisions.

Legal Aid Queensland

Legal assistance to applicants for permanent residency whose application has been affected by their experience of domestic violence

Commonwealth Department of Immigration and Border Protection - funds under PAIS (Primary Assistance & Information Scheme) to assist highly vulnerable asylum seekers make application for protection.

RAILS receives this funding to assist particularly vulnerable asylum seekers to prepare applications for protection visas. This client group has been identified by the DIBP as being practically incapable of engaging with the visa application process without assistance.

Unrepresented Asylum Seeker Program - many individuals as well as organisations undertaking fund-raising efforts to that individuals without government funded legal support can be assisted in applying for protection.

In 2016/2017, RAILS continued to provide application assistance through our unrepresented asylum seekers (UAS) program. In collaboration with our sister services throughout Australia, the UAS assists the 32,000 'legacy caseload' of asylum seekers who travelled to Australia by boat. The UAS has been operating for more than three years, entirely funded by community donations and RAILS.

Treasurer's Report

by Belinda Taylor

RAILS has achieved another financial success for the 2017 financial year despite continued funding uncertainty. It has met budgeted milestones in the majority of its service areas and continues to provide quality legal services.

RAILS has produced a healthy surplus of \$93,579 for 2017, increasing net assets by \$133K and improving the cash position. This increase in net assets has placed the organisation in a sound financial position to face any future funding challenges for the 2018 financial year. The organisation now has a very strong current ratio of 2.3 which gives an indication of how well RAILS is placed to pay debts as they fall due.

Much of the financial soundness is due to the generous donations of individuals and organisations.

Such donations have come from concerns to get legal services made available to those people arriving by boat for whom the Commonwealth Government does not assist. In effect, we are now able to use our reserves throughout the coming year for the Unrepresented Asylum Seeker program. This has resulted in an

expanded response to that client group.

Praise must be given to the accounting staff (Mai and Camille) who have produced both accurate and timely end of month reporting, which has greatly assisted the Management Committee in decision making.

RAILS will go into the 2018 financial year with a very strong cash position which will assist the organisation to meet the budgeted expectations for 2018.

Greg Mackay has worked tirelessly to secure State and Federal grant funding over the next few years and should be commended for his efforts. It goes without saying that securing financial stability assists RAILS to grow and expand the quality legal and educational services we have on offer.

The following illustrations show two things. The first shows the sources of our funds by proportion; The second shows where we spend our income.

Both make clear that the core of our funding is the NPA Commonwealth-State funding for community legal centres followed by the Refugee Family Reunion program.

Treasurer's Report

Continued from previous page

Income Sources



■ NPA (State-C'th) (41.10%) ■ RFR (Dept Soc Sec) (28.30%)
■ IAAAS (Dept Immigration) (9.60%) ■ PAIS (Dept Immigration) (8.10%) ■ LAQ DV (2.90%)
■ UNI clinics (1.90%) ■ Donations & Bequests (6.50%) ■ Other (1.60%)

Expenditure



■ NPA (42.45%) ■ RFR (29.28%) ■ DIBP (7.65%) ■ PAIS (5.63%) ■ RAILS (6.74%)
■ UAS (3.82%) ■ LAQ DV (3.02%) ■ UNI clinics (1.41%)

Director's Report

by Greg Mackay

I would like to acknowledge and remind us all of the integral role we play in the lives of many people. Most of our clients who have experienced displacement from their countries, communities, and families; they are often traumatised and resource poor. Our work is urgent or at least time sensitive; it ensures people are better able to find a pathway to legal assistance and protection. Our role in this regard has never been more critical.

Over the past year, RAILS has continued to provide specialised immigration legal and community services to people who are experiencing disadvantage and disconnection. This is a much needed service to many asylum seekers, refugees, and migrants at times of uncertainty and rapid changes in the legal, policy, and funding landscape. Our delivery of services has not only been to a high standard but has been done in culturally and individually appropriate ways. As we aim to support our vibrant and diverse community each year this annual report highlights the very important services and programs that RAILS provides.

Tumultuous Year

In very late December of 2016 we were advised by the Department of Immigration and Border Protection that a new tender for our IAAAS program would be decided by April 2017. Various qualifiers meant that RAILS was not in a position to apply and so we faced the loss of a significant program. However, the department has twice extended the program and it is now continuing until the end of June 2018.

Our PAIS program (DIBP's Primary Application Information Service) which is aimed at assisting particularly vulnerable asylum seekers to prepare applications for protection visas has been extremely hectic. Given the particular needs for assistance that all members of this client group have, along with the pressing timelines set by the Department, this work has been (and continues to be) quite demanding.

Fortunately the migration agents working in the program have worked unrelentingly to meet the schedule of applications and interviews.

The Unrepresented Asylum Seeker program (UAS) has, for over 3 years, been assisting people make their statements of claims to accompany applications for Protection Visas. During the final part of the year as the deadline for applications was drawing near, RAILS was able to make preparations for an expansion of the program in the coming year. This will mean that we are able to assist asylum seekers throughout all of the phases of their application to final decisions.

Community Relationships

RAILS recognises and appreciates the value of collegial relationships with various organisations. To this extent, we continue to have close relationships with a host of organisations including Red Cross, Access Community Services, MDA, QPASTT, Immigrant Womens Support Service, LawRight, Caxton Legal Centre, Centacare, Townsville Multicultural Support Group, Indooroopilly Uniting Church, Commnify, and many others.

Staff Changes

This year saw several changes in staffing. In October 2016 Raquel Aldunate resigned from the Director's role after seven years to take up a position in Wollongong. Early in the year our UAS paralegal, Kylie Elliott, left for a Cadetship in the State Government. In May, another long-serving person, Darryl McNeil, left the organisation but still returns from time to time as a volunteer at our Evening Advice Sessions. Then at 30 June, Christopher McGrath who had been coordinating the UAS program, also left the organisation. Imke McCall also left early in the year to work in private law firm and at a similar time Jee-Yeun Jung was admitted and is now working in the PAIS program.

Director's Report

Continued from previous page

Thanks to staff and volunteers

You will see within this report that thanks to staff and volunteers are extended not just by me but by the Chair, Mr Robin Lonergan, and the Principal Solicitor, Mr Bruce Wells. This reflects our appreciation of the significant efforts made by many paid and unpaid people to the work of RAILS.

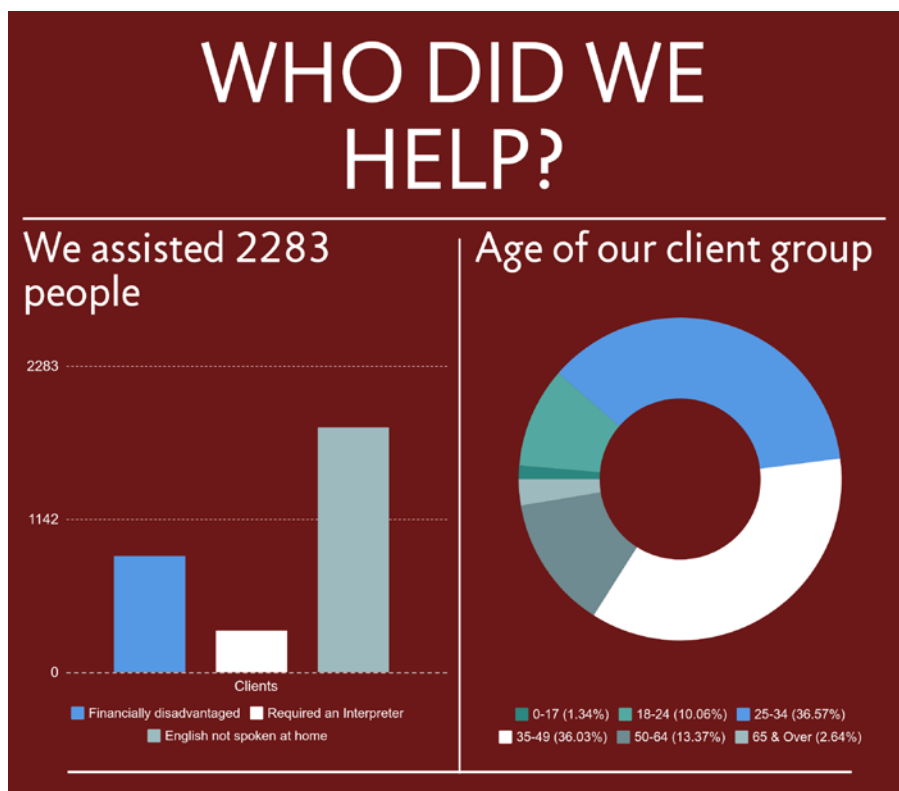
RAILS is truly fortunate to have a committee of management comprised of people with knowledge of the field and related areas and with strong commitment to the organisation and its purpose. The committee serves to protect and promote RAILS' purpose and direction.

Our staffing is comprised of solicitors and migration agents, and administrative staff, all of whom work knowing that the quality of their efforts bear either directly or indirectly on how clients experience their lives here in Australia. I am appreciative that we have highly competent people in these roles and, furthermore, past staff members seem to want to return to RAILS! Overall, staff members have maintained very high standards and this in the face of challenging departmental changes and rulings, hearing the disturbing stories of clients' experiences, and facing often demanding timelines.

The demand for high quality legal services continues, in many areas, to exceed what we are able to provide. However, this demand is reduced due to the generous level of volunteer support coming from solicitors, migration agents, and law students. Please read the 'Thank You' column on pp. 31-33 where Stacey Parker summarises the fantastic pro bono support provided to

RAILS throughout the year.

In addition to pro bono legal assistance we are also privileged to have received significant financial support from individual community members, and from Presentation Sisters, the University of Queensland's Justice and The Law group (JATL), and Communify's Asylum Circle. Without such assistance, many people would have been unable to make their applications for Protection Visas or to resolve their legal issues. We are most appreciative to you for your ongoing support of RAILS and the people we assist.



Having joined RAILS in October 2016 and as a newcomer to the sector, I have enjoyed developing my understanding of the work. I am pleased to say that this long and well established organisation is strongly focused on delivering excellent legal services. Furthermore, the notion of social justice truly underpins the work. RAILS organisational quality derives from ensuring service offerings are targeted, relevant, and potent.

Principal Solicitor's Report

by Bruce Wells

I am very pleased to report that in 2016-2017 RAILS continued to deliver quality and culturally appropriate services to our clients throughout Queensland. None of our achievements would have been possible without the hard work and dedication of our employed staff, and our professional and non-professional volunteers. I sincerely thank them all for their work.

This has been a year of growing volumes of work, and expansion of our service provision. Through collaboration and innovation, RAILS has met considerable challenges, and positioned itself well, for the years ahead.

RAILS clients are amongst the most vulnerable in the Queensland community. They are typically migrants from culturally and linguistically diverse backgrounds, who have experienced family violence or are seeking asylum in Australia.

Our clients often have chronic physical, psychological or cognitive impairments, and are commonly at risk of homelessness. Providing appropriate and effective legal services to our clients requires caseworkers to be exceptionally dedicated, skilful, empathetic, and resilient. I sincerely thank our team for demonstrating those attributes throughout the year, and I am proud that we have retained and expanded our professional staff in the period.

The quality and scope of services that RAILS can provide to the Queensland community is determined

in large part by the volunteer support that we receive from other lawyers, migration agents, and law students. This year RAILS received more than twelve thousand of hours of pro bono support – the equivalent of over ten full time staff. We have also received significant financial support from the Queensland community. That support has helped to reduce the very significant social consequences which can result from people being unable to resolve their legal issues. I thank the Queensland community for its ongoing support of RAILS and the people who we assist.

RFR

Through funding from the Department of Social Services, our Refugee Family Reunion (RFR) program assists recently arrived migrants to be reunited with close family members who remain overseas. Our clients have typically experienced trauma both in their home country, and in the course of being recognised as refugees and resettled. Research has shown that their prospects of successfully settling in Australia are greatly improved if they are reunited with close family members. Advocacy for these clients extends beyond Australia to the various offshore diplomatic posts which process these applications. I thank our caseworkers Grace Prince, Noel Reeves, Tim Madigan (and Imke McCall for a period) for very capably assisting this client group.

IAAAS

The Department of Immigration and Border Protection-funded Immigration Advice and Application

Principal Solicitor's Report

Continued from previous page

Assistance Scheme (IAAAS) allows RAILS to assist people who have arrived in Australia with a visa to apply for protection. The scope of the scheme has been reduced over time, and it no longer funds representation for merits or judicial review of DIBP decisions. In 2016-2017 RAILS assisted 59 clients to apply for permanent protection in Australia. Despite earlier announcements that it would be re-designed, we thank the DIBP for continuing with the IAAAS scheme in its current form until at least 30 June 2018. This funding provides essential advice and support to asylum seekers as they navigate a very complex legal landscape.

NPA

Funding from the National Partnership Agreement allows RAILS to provide generalist immigration advice, and legal representation to the DIBP, the Administrative Appeals Tribunal (AAT), and the commonwealth courts. Our clients have often experienced family violence, are at risk of homelessness, and fear returning to their country

of origin. I thank our caseworkers Taya Hunt, Kylie McGrath, and Bunu Gautam who have provided excellent advice and advocacy in these matters. I also thank our community partners – particularly the Immigrant Women's Support Service (IWSS) and the

many other family violence services which work closely with us.



Principal Solicitor's Report

Continued from previous page

PAIS

RAILS receives funding through DIBP's Primary Application Information Service (PAIS) to assist particularly vulnerable asylum seekers to prepare applications for protection visas. This client group has been identified by the DIBP as being practically incapable of engaging with the visa application process without assistance. Representing these clients is extremely resource intensive, and professionally and emotionally challenging. I thank Susan Hogarth and Valentina Jung for their extraordinary energy and compassion in helping these clients to communicate to the DIBP their reasons for seeking asylum.

UAS

In 2016/2017, RAILS continued to provide application assistance through our unrepresented asylum seekers (UAS) program. In collaboration with our sister services throughout Australia, the UAS assists the 32,000 'legacy caseload' of asylum seekers who travelled to Australia by boat.

The delivery of legal services is overwhelmingly provided by pro bono volunteers. The Minister for Immigration announced an arbitrary deadline of 1 October 2017 for all visa applications to be lodged. Our UAS program was not overwhelmed because

most asylum seekers in Queensland had already received assistance. I thank our UAS co-ordinator Chris McGrath and paralegal Nardine Abdou for facilitating this very successful community response to a compelling legal need. I also thank Asylum Circle, Romero Centre, the Brisbane Refugee and Asylum Seeker Support (BRASS) Network, and our very many other community partners for their ongoing support.

Looking forward

In April 2017 the Attorney-General, George Brandis, announced that the commonwealth government would restore NPA funding of community legal centres to previously held levels. In conjunction with the continuation of the IAAAS scheme through 2017/2018, this has allowed RAILS to recruit and retain knowledgeable and experienced staff, and have continuity in our service delivery. Maintaining community confidence in the scope of services available from RAILS is essential for us to remain an effective community legal centre.

As Principal Solicitor, I remain committed to RAILS adhering to the very highest standards of legal assistance, as well as effective engagement and representation for our various networks and community stakeholders.

Refugee Family Reunion

by Noel Reeves

Program overview

Refugee Family Reunion (RFR) is a Commonwealth-government funded program. Through it we assist people who are refugees now living in Australia who wish to bring their displaced family members to Australia. The RFR work is done by four RAILS workers all of whom are solicitors or migration agents. We know that just having services delivered from our West End office is limiting for people living further afield. For that reason we provide the assistance at various locations throughout Queensland, including, Brisbane, Logan, Ipswich, Toowoomba, Rockhampton, Townsville and Cairns.

Who are our clients?

In the past year there have been some changes, not related to policy or the process of sponsoring family members, but to the clients themselves. Recent arrivals always include set numbers from ongoing conflict zones in Africa and Central Asia, but this year we saw not only a large number of Syrian and Iraqi applicants, but minorities from those countries. A significant proportion of the RFR clients in Toowoomba, for example, are Yazidi Iraqis, a non-Arab ethnic group members who were heavily targeted as a persecuted minority.

Also prominent in the RFR client type are women who hold subclass 204 visas. A 204 (woman at risk) visa is given to women, from any country, who do not have a husband/male relative to protect them and are at high risk of abuse or exploitation. Many

of the female clients at the Toowoomba RFR clinic are Hazara women from Afghanistan. Clients in the RFR program come from a wide variety of nations including Congo, Sudan, Afghanistan and Myanmar.

What do we do?

The work done by RAILS for RFR clients varies depending on their circumstances. In essence, we are restricted to providing hands on assistance only with applications that have a reasonable degree of success. Any RFR client can get advice about the process for sponsoring family, but not all clients will be able to have a RAILS caseworker help them prepare an application from start to finish.

There are two ways clients can bring relatives to Australia. The first is through the humanitarian program which is free and through which anyone can apply. The other is the family visa program which is expensive and is limited to certain types of relatives. Most clients go with the humanitarian program as they are not able to afford the more expensive visa options.

Humanitarian visa applications require forms to be completed for both the client who is sponsoring, and their relative overseas, and the preparation and translation of certain documents (ID/birth/marriage certificates etcetera). Most importantly though, a Statutory Declaration is necessary as this is where applicants can explain their circumstances and describe how important it is to them to be reunited with their family member.

The Department of Immigration and Border

REFUGEE FAMILY REUNION

cont from previous page

Protection has discretion as to which visas to process and which ones to reject. RAILS caseworkers provide detailed legal submissions with each application to better persuade the Department to accept our client's application.

The story of a woman from Eritrea

This story of a woman from Eritrea who wanted to sponsor her daughter, demonstrates the RFR work.

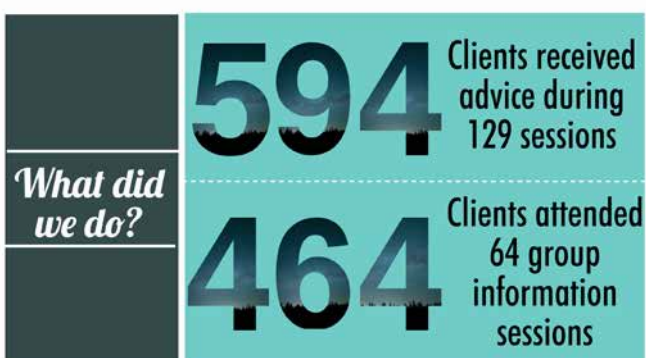
This client had not previously declared her daughter's existence in her application for her own visa. This had the potential to cause many problems as the Department can make adverse findings against people who have provided false or insufficient information during the visa process.

We were able to advocate for her through making our submission and accompanying it with a detailed Statutory Declaration from the client. We explained that she had not declared the child because her then partner, who was not the father of the child, was abusive and told her she was not allowed to mention this child from her previous relationship.

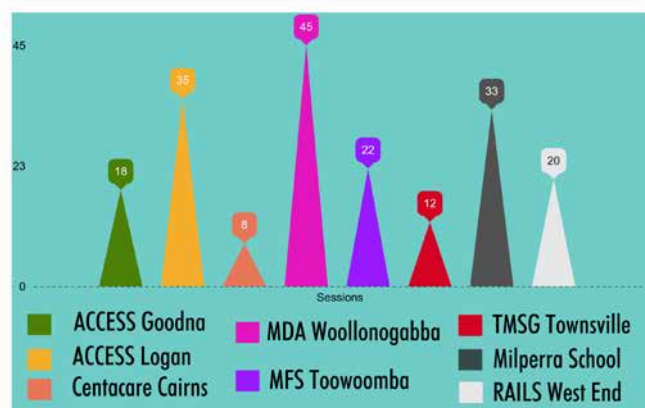
The Department accepted these circumstances and that child was granted the visa and is now living in Australia with her mother.

Refugee Family Reunion

Who have we helped?



Where have we helped?



(Immigration Advice and Application Assistance Scheme)

Program overview

In 2016-2017, RAILS continued to receive funding from the Department of Immigration and Border Protection (DIBP) under the Immigration Advice and Application Assistance (IAAAS) programme to provide legal advice and assistance to people who arrived in Australia on a valid visa, were immigration cleared, and are seeking protection.

During 2016-2017, RAILS provided assistance and representation to a total of 59 applicants at primary level. We also represented a number of clients with their applications for review at the Administrative Appeals Tribunal Migrant and Refugee Division.

What we do and how we do it

At intake, RAILS provides information and detailed advice regarding what the DIBP or the Administrative Appeals Tribunal (AAT) needs to be convinced of before an applicant can be successful. If the applicant satisfies RAILS that they have reasonable prospects of success and satisfies the financial hardship requirements, RAILS will provide the client with ongoing assistance and representation. Assistance includes lodging a client's application and providing the DIBP with supporting documents including a statutory declaration and legal submissions.

The statutory declaration is the applicant's story regarding what happened to them in their home country and sets out the reasons why they cannot return. The legal submissions argue why the applicant should be granted the Protection Visa and highlight relevant supporting country information, legislation, and case law.

RAILS goes on the record for the applicant, communicating with the DIBP on the client's behalf regarding matters such as the issuing of bridging visas, matters relating to the processing of the application and logistics related to the DIBP interviews and attending other DIBP appointments.

RAILS caseworkers accompany applicants to the DIBP interviews and provide oral submissions on the applicant's behalf. RAILS then provides further supporting documents to the Immigration Department if required, such as supplementary statutory declarations and submissions.

Who are our clients?

Our clients come from many countries around the world including Papua New Guinea, Somalia, Malaysia, Sierra Leone, Iraq, Iran, Libya, Cameroon, China, Pakistan, Ethiopia and Sudan. Most do not speak English and many have limited formal education.

IAAAS (Immigration Advice & Application Assistance Scheme)

Continued from previous page

Many clients experience mental health issues resultant from the persecution of which they have been victim.

The traumas experienced by clients make it difficult for many to clearly articulate their fears.

It is difficult for them to recount their experiences in chronological order and in detail. RAILS caseworkers have the skills and experience necessary to work with vulnerable clients to assist them to provide the Immigration Department with information relevant to their claims.

RAILS also works closely with government departments, the police, settlement agencies, family violence crisis centres and refuges to ensure that clients are supported through the visa application process, a process that can be lengthy, uncertain and stressful for clients who are already vulnerable.

RAILS' specialised services continue to result in high success rates for our clients.

WHAT DID WE DO FOR OUR
IAAAS CLIENTS THIS YEAR?

59 Clients

708 hours **drafting statements**

3953 pages **written for applications**

PAIS (Primary Application Information Service)

by Susan Hogarth

The Primary Application Information Scheme

(PAIS) is a government funded service that assists a limited number of asylum seekers who arrived by boat to apply for a temporary protection visa. The Refugee Advice and Casework Service (RACS) in Sydney has subcontracted clients living in Queensland to RAILS. The main countries of origin for our client group are Sri Lanka, Iran, Myanmar, Somalia, Sudan, Vietnam and Iraq.

What we do?

We have had 140 individuals and families referred to RAILS through the PAIS program.

All clients referred to RAILS for PAIS assistance received advice about the temporary protection visa options and processes. There are two types of temporary protection visas available to asylum seekers who arrived by boat prior to the introduction of offshore regional processing on Manus Island and Nauru. The temporary protection visa (TPV) and the Safe Haven Enterprise Visa (SHEV). Our assistance included explaining the difference between the two temporary protection visas and advising clients on which one was more suitable in their particular circumstances.

By June 30, 2017, all referred applicants had to have lodged their applications, including written statement of claims. An essential part of the application process is providing evidence of identity. We assisted our clients in organizing translations of any identity documents to meet this requirement.

July 1 2016 to June 30 2017

- We received 76 referrals for PAIS assistance. This included 46 individuals and 30 families.

- We lodged 96 TPV/SHEV applications.
- We wrote 116 statement of claims.
- We attended 12 interviews.

No more asylum seekers will be offered PAIS so RAILS will not receive any more referrals for PAIS assistance. We are now in the interview phase of the process. Between July 2017 and November 2017 we have attended 45 interviews.

Notification of decisions vary from 2 weeks post interview to 9 months post interview. The outcome of the decisions for our clients are profound. For those clients who are found to be owed protection they are able to continue living in Australia. However, for those clients who are refused, there are limited options available to them. Most clients who are refused will have their decision reviewed by the Immigration Assistance Authority (IAA). Unfortunately the PAIS funding does not include continuing representation at this review stage. For further assistance and advice our clients are then referred to the UAS (Unrepresented Asylum Seeker) program at RAILS. After their decision is reviewed at the IAA, applicants are expected to leave Australia. Some clients will seek judicial review of their IAA decision.

For those asylum seekers who are found to be refugees they will be granted either a TPV or SHEV. Many of our clients from Myanmar have been found to be refugees and have been granted either a TPV or SHEV. Although these clients are very thankful for being allowed to stay in Australia many of them have family members who have had to recently flee Myanmar to Bangladesh for their safety. As family reunion is not available to temporary protection visa holders they are unable to assist their family members.

UAS (Unrepresented Asylum Seekers)

by Neha Vaidyanathan

What is the Unrepresented Asylum Seeker Project?

The Unrepresented Asylum Seeker (UAS) project commenced in March 2014. Until 1 October 2017, the project provided assistance to people who arrived in Australia by boat without a valid visa. The project helped these people to write their statements ready for lodging as part of their application for a Protection Visa.

The project was formed in response to a decision by the Commonwealth government to stop funding legal support for this particular group of people. It is funded by community donations and RAILS' own savings.

The project aims to meet the demand for basic legal support to over 2,400 asylum seekers in the Queensland community.

What has the Unrepresented Asylum Seeker Project done?

The UAS project prepared statements of claims for 182 people in the 2016-17 financial year. These statements were prepared with the assistance of volunteer lawyers who generously volunteered their time and energy after work. The majority of clients we assisted originated from Iran, Iraq, Afghanistan, Sri Lanka and Vietnam. The statement taking clinics were diligently organised each week by the UAS paralegal, Kylie Elliot, and later by Nardine Abdou, who commenced in this role in January 2017. The clinics and the pro bono migration agents were supervised by Chris McGrath, the UAS Caseworker until he finished on 30 June 2017.

In May 2017, the Minister for Immigration announced that all asylum seekers who arrived by boat between 13 August 2012 and 31 December 2013 had to lodge an application for a Temporary

Protection Visa or Safe Haven Enterprise Visa before 1 October 2017. If asylum seekers did not lodge an application they were to be permanently barred from applying for any visa and cut off from any income support. This cut-off date posed significant challenges for refugee and immigration legal centres Australia wide.

Fortunately, in Queensland, the number of people yet to lodge an application by the time the bar was implemented on 1 October was low (approximately 30). No doubt, this was largely due to the concerted efforts of RAILS, our volunteer lawyers, and community services such as Red Cross, Access Community Services, MDA, Indooroopilly Uniting Church, and SalvosLegal, working together to ensure that applications were lodged before the deadline.

In June 2017, RAILS announced a significant expansion of the UAS project to meet the needs of unrepresented asylum seekers at all stages of visa processing.

What is the Unrepresented Asylum Seeker Project doing in the next financial year?

From 1 July, 2017, the UAS Project aims to:

- assist visa applicants to respond to requests for further information from the Immigration Department
- provide support to visa applicants at their protection visa interviews with the Immigration Department
- provide advice to visa applicants at various stages throughout the processing of their visa. For example, before and after interviews, after any Immigration Department decisions, after any Independent Assessment Authority decisions, and at judicial reviews

UAS (Unrepresented Asylum Seekers)

continued from previous page

- advise applicants about the outcome of the process
- continue to assist and mentor volunteer community organisations who provide administrative and welfare support
- coordinate with other legal service providers.

Our Team

We thank Christopher McGrath for coordinating the UAS project at RAILS until June 2017.

In July 2017, Neha Vaidyanathan, UAS Coordinating Caseworker and Imke McCall, Caseworker, joined Nardine Abdou, Paralegal. We are pleased to have this team of people to assist people through the next stages of their application.

A Tamil woman from Sri Lanka

We were able to help a vulnerable woman by preparing a statement setting out her protection claims about sexual assault against her that had happened in Sri Lanka. She had been unable to provide her own claims at the time the protection applications for her and her family were lodged.

This client felt shame and stigma about the sexual assault against her and did not want her family to find out, so we asked the Department of Immigration to keep her statement of claims confidential from her family. This was important assistance to a

traumatised person who had no one else to turn to for help to submit her protection claims to the Department of Immigration.

With our advice and assistance, she was able to submit her own claims to the Department before the Department made their decision. Because of our advice and assistance, this client was also better able to understand the visa application process.

A man with significant mental health issues wanting to apply for protection

We also helped another asylum seeker, a man from Myanmar, to lodge his protection application before the 1 October deadline. Due to his severe mental health issues, as well as his confusion about the many changes by the government to the policies and laws that applied to asylum seekers over the recent years, this person was initially unwilling to lodge an application, even though he had a strong fear of returning to his home country. If he did not lodge by 1 October, he would be at serious risk of being removed from Australia once this deadline passed.

Fortunately, with the advice and assistance from UAS lawyers, this man was able to submit his protection application before the deadline, which meant he did not miss out on the chance to have his protection claims assessed.

University Student Clinics

by Rachael Molnar, a personal perspective

RAILS runs clinics each semester with students from the University of Queensland and Griffith University. The Universities select the students, who participate as part of a subject for their law degree.

For each semester this year, RAILS caseworkers supervised eighteen students, twelve from the University of Queensland and six from Griffith University. The students worked in pairs or individually

my understanding of the procedures and practices at RAILS continued to develop.

Each week, my supervisor, Kylie, gave me a range of diverse tasks to work on. As my competency in completing tasks improved, Kylie continued to increase my level of responsibility and ensured the work remained challenging. I enjoyed the steep learning curve and each day I felt accomplished in a

different area, ranging from time management skills to interviewing clients. I was also able to experience many different areas of the work at RAILS, including protection visa applications, citizenship applications and family violence casework.

During my clinic, I had the opportunity to sit in on an initial client interview. I found this to be a great learning experience. It enabled me to gain insight into some useful interview techniques, such as using diagrams to explain complicated or confusing areas of law and/or

the impacts of actions. I learnt how to explain areas of the law to the client and gather information to build the client's case. I also had the opportunity to follow particular client's cases, often starting from the initial appointment. I really appreciated this opportunity as it allowed me to understand how all the aspects and processes of submitting an application fit together and build on one another. It also allowed me to develop a deep understanding of the client's background and story.

I really appreciate all the hard work and time all the lawyers and staff at RAILS put in, in order to explain processes, answer all number of questions, help with administrative tasks, and foster a friendly and supportive environment. They made volunteering at

OUR

Student Volunteer Contributions

Over 35 students
Over 1477 days
Over 11,229 hours



to provide general case support for their supervising caseworker. The tasks the students undertook included completing application forms with clients, drafting legal correspondence, and country or legal research.

The experiences I had at RAILS during my student clinic were thought provoking, challenging and immensely enjoyable. I found it both inspiring and motivating to have an opportunity to put the legal knowledge and research skills I had developed at University to use in a meaningful way. I also enjoyed the diverse nature of the work at RAILS, and the fact each case/client brought about the opportunity to learn about different facets of the world, from governmental systems to cultural practices. As the weeks progressed at RAILS I felt increasingly confident when completing every day tasks, such as phoning clients, and I feel

Community Legal Education

by Robert Lachowicz

What is Community Legal Education and why do we do it?

Community Legal Education (CLE) is the provision of information and education to members of the community, on an individual or group basis, concerning the law and legal processes, and the place of these in the structure of society. Intrinsic to all work of Community Legal Centres and Legal Aid Commissions is the assumption that access to justice is not equal across society yet it should be. The vision of CLE is to increase equality of access to justice, social and legal, to all members of society.

RAILS legal education practice aims to be responsive to need, designed collaboratively, engaged and evaluated. Our programs are designed around education principles endorsed by the National Association of Community Legal Centres.

What we did

In 2016-17 RAILS presented 62 education sessions to 1204 people. This included 42 general legal education sessions to 677 participants, 12 sessions to 327 community workers and 8 Continuing Professional Development (CPD) seminars to 200 lawyer/migration agent participants. We produced a series of targeted Fact Sheets for our client groups which are also broadly available through our website.

We also gave 33 sessions to 546 participants on Refugee Family Reunion under the Settlement Grants Program.

Community Education

We continued to hold fortnightly sessions about the legal system and family law for new arrival refugees as part of their 'Life Skills' program at the Multicultural Development Association (MDA). In collaboration with the Justice Department's Dispute Resolution Centre we also held a conflict resolution workshop for 30 refugee community leaders.

After consultations with workers on clients' legal

needs, we held a series of 'Logan Law' workshops at ACCESS Services. The workshops covered work rights, domestic violence, family law, and family reunion. We also presented a 'Rap and Role Play' workshop about family violence to 30 youth leaders from Yeronga and Sunnybank schools at a half day workshop on family violence organized by The Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT).

Our Continuing Professional Development Program

Our CPD program aims to ensure staff and volunteers are updated on the latest developments, maintain professional standards, and gain CPD points for professional registration. The workshops are all accredited through the Office of the Migration Agents Registration Authority. We covered the following topics:

- Visa cancellations;
- Migration Law and Employment;
- Family Violence and Migration;
- Business Management;
- Ethics and Professional Practice;
- Dealing with Offshore Posts; and
- Onshore Refugees.

We are grateful for the support of the experienced private practitioners who assisted us with our CPD program.

'Learning Law and Language' Program at Milpera School

The 'Learning Law and Language' program continued at Milpera State School, working with 12 to 15 students each term. Through music, rapping, role plays and language activities, students learnt about the legal system, democracy, consumer rights, and laws around driving, police, courts, family, dating, and discrimination.

Community Legal Education cont.

cont from previous page

What training programs have we delivered?

RAILS delivers training to other practitioners. We gave a state-wide Webinar on 'Migration Law for Community Legal Centres' through CLC Queensland. We also presented on 'Migration Law, Culture and Family Violence' to Family Violence workers at a conference organized by Women's Legal Service

A large team of pro-bono lawyers were trained in statement taking and working with asylum seekers for the Unrepresented Asylum Seeker program. In addition, we trained volunteers for the vulnerable asylum seeker program (PAIS) on persuasive written submissions.

Each university semester we also delivered orientation workshops to our Legal Clinic law students from Griffith and UQ about professional responsibilities, practice skills, and migration law.

What resources have we developed?

RAILS produced a series of five Fact sheets on issues such as visa types, application processes and Department of Immigration interviews in four languages, Arabic, Farsi, Tamil, and Dari, on applying for protection. We also developed brochures on proposed Citizenship law changes and delays in Citizenship applications. Further, we updated the 'Interpreters and the Law' chapter of the Queensland Lawyers Practice Manual, assisted by UQ Pro Bono Centre students.

These resources are distributed through staff and agencies, and are available through our website.

Who have we been consulting with?

We continued to consult closely with community agencies, organisations and leaders, and attend the LAQ QLAF (Legal Aid Forum) meetings where CLC education workers share CLE project information and strategies.



NPA (National Partnerships Agreement)

by Bruce Wells

RAILS receives funding through the National Partnership Agreement (NPA) on Legal Assistance Services 2017-20, where Australian Government funding to states and territories is distributed to legal aid commissions and community legal centres.

We were very pleased that in April 2017, the Commonwealth Attorney-General George Brandis announced that the government would not proceed with proposed cuts to the NPA. The current funding agreement will now continue until 30 June 2020.

NPA funding allows RAILS to assist clients with immigration advice, ongoing assistance, and representation. It also provides some resources to respond to government requests for input on matters of law reform.

RAILS thanks its many volunteer solicitors and migration agents who give up their time and expertise through our Evening Advice Sessions (EAS) held each Monday and Wednesday. Although the supervision and co-ordination of these sessions is significant, this community support enables RAILS to assist far more clients than through employed advisors alone. This year we were able to advise more than 2300 individual clients.

Demand for representation services to DIBP, the AAT, or the commonwealth courts continues to exceed RAILS capacity to assist. This year RAILS provided full representation for more than 250 matters, and provided substantial assistance to more than 200 other clients. Representation services funded through the NPA include primary visa applications where clients have experienced family violence, merits review applications to the AAT, judicial review in the courts, and requests for the Minister or Assistant Minister to personally intervene and allow

clients with Australian citizen children to remain onshore.

Representation is dependent on both the financial means of clients and the merits of their matter. Our casework guidelines are consistent with NPA priority client groups, including: migrants who have experienced family violence; those from culturally and linguistically diverse backgrounds; people seeking asylum in Australia; people with disability; children and young people; and those at risk of homelessness.

One person's case:

Ms M was an applicant for a permanent partner visa. Her relationship with her sponsoring partner had broken down due to family violence. The police had obtained a Domestic Violence Protection Order (DVPO) against the sponsor. There was a 6 month old Australian citizen child of the relationship.

Ms M's visa application had been refused on the basis that she had not responded to a DIBP request for information. This was an error by DIBP – Ms M's previous migration agent had responded to the DIBP request, but that response had not been acknowledged.

While waiting many months for the AAT to review her matter, Ms M had not been eligible for any government financial assistance. As a consequence she and her baby had been living in a women's shelter and remained at risk of homelessness.

Ms M first approached RAILS on 24 April 2017 about an AAT hearing scheduled for 9 May 2017. RAILS represented Ms M, preparing the evidence in support of her application and attending the AAT hearing with her. The AAT overturned the original DIBP decision and remitted the matter for DIBP to finalise the visa grant.

EAS (Evening Advice Sessions)

by Rachael Molnar

Our Evening Advice Sessions are offered at our office in West End. This year, we expanded the scope of our sessions such that we are now offering weekly advice sessions at Logan in the Access Community Services Hub.

Volunteer Advisors assist clients with a range of generalist immigration issues, offering 30 minutes of one-on-one advice free of charge. Where clients wish to go beyond initial advice, they are referred to our day staff who manage clients' cases through to conclusion.

This year we have continued to offer our Evening Advice Sessions every Monday and Wednesday from 6-8 pm in West End, and 6-8 pm on Wednesdays in Logan. Our clients call our office from 10 am each Monday to schedule appointments. For each session we are generally able to offer 8 appointments.

Through these Evening Advice Sessions we offered advice to people in regard to a wide range of issues such as:

- how they could sponsor their family members to relocate to Australia
- whether they could apply for a protection visa and how this can be done
- how to understand and check an immigration form before submitting
- how to identify the conditions and/

or requirements of their student or business visa

- what they might do if they are experiencing domestic violence but they are reliant on their partner to stay in Australia
- whether they are eligible for citizenship
- how they might respond to notices of intention to cancel visas or citizenship

To provide advice in relation to these issues we utilised a great team of knowledgeable advisors. Our volunteer migration agents come from various law firms, migration agencies, and universities.

Volunteers progress from observing established advisors, then being supervised themselves, to ultimately providing advice independently. RAILS staff are available each evening and check all advices for accuracy and completeness.

Also assisting on the night of an Evening Advice Session are EAS Coordinators. These are often student volunteers who help out with the filing and administrative aspects of the night.

Our Evening Advice Sessions are often our first point of contact before deciding whether we might represent clients, and are an efficient and easy way of providing the community with free immigration advice.

Law Reform

by Bruce Wells

RAILS has regularly engaged with the Commonwealth Parliament this year, as it considered dozens of Bills proposing amendments to Australia's migration and citizenship laws. We have also been busy providing feedback to politicians and public servants on how existing laws and policies impact on our clients and communities.

RAILS has been a regular participant at Protection Processing Reference Group meetings with the DIBP, where the community sector and UNHCR inform government decision-making about processing of the protection claims of 32,000 asylum seekers who arrived in Australia by boat (the Legacy Caseload). Through collective advocacy alongside our sister organisations nationally, we have highlighted systemic unfairness in that system. We continue to advocate for improvements to ensure that the decisions of the Australian government are robust, and that its processes accord with international Refugee Status Determination principles.

We were invited to provide evidence to a Senate inquiry into proposed changes to Australia's citizenship laws. RAILS mirrored the concerns of many in the community that the changes are very likely to permanently deny citizenship to migrants from refugee or non-English speaking backgrounds. We are also concerned that the changes would result in further concentration of non-reviewable, discretionary power in the Minister. The Bill contains 30 proposed amendments, many of which have not been publicly debated. It has passed the House of Representatives, and remains to be debated in the Senate. We continue to make our concerns known through the Refugee Council of Australia and other sector advocacy bodies.

The assessment of character in assessing visa and citizenship applications has been an area of increasing public debate. While government discussion has been on cancellation and refusal because of 'serious criminality'

(under section 501), the powers to cancel and refuse applications are much broader. RAILS has assisted clients who have had negative outcomes because of repeated minor traffic offences, or perceived failure to adhere to Australia's administrative law – that is, for not complying with the requirements of our immigration system. This has been relied on as evidence that the applicant is of poor character. The consequence for those persons can be denial of Australian citizenship, or separation from family and community if their visa is cancelled. RAILS has participated in several media interviews, and hosted seminars for the profession on this issue. Caseworker Kylie McGrath appeared on a panel at the Banco Court alongside Julian Burnside QC and Associate Professor Peter Billings, as part of the ABC Justice in Focus series.

RAILS has collaborated with many community and peak sector bodies to develop and promote a variety of law reform and policy initiatives: with the Australia Human Rights Commission in reviewing the impact of Australia's processing of the Legacy Caseload of asylum seekers who arrived by boat; with the Multicultural Development Association (MDA) and Access Community Services to respond to a government discussion paper on simplifying Australia's visa system; we thank the University of Queensland Pro Bono Centre (UQPBC) for helping RAILS with research into delays in citizenship processing for people from refugee producing countries, which will contribute to advocacy being done by the Refugee Council of Australia; RAILS reviewed submissions by the National Association of Community Legal Centres (NACLC) and Kingsford Legal Centre as part of Australia's review under the International Covenant on Economic, Social and Cultural Rights (ICESCR); and RAILS continues to engage with the Kaldor Centre for Human Rights at the UNSW, the Human Rights Law Centre, and the Refugee Council of Australia, in identifying and progressing other opportunities for law reform.

Staff Members 2016 - 2017

Greg Mackay – Director from Oct 2016

Raquel Aldunate – Director until Oct 2016

Bruce Wells – Principal Solicitor

Robert Lachowicz – Education Officer

Karina Fonseca – Administration and Finance Officer

Mei Wang – Finance Officer

Jeannette Aldunate – Administration & Reception

George Carrington – Administration & Reception (4 months)

Georgia Sullivan – Administration & Reception (4 months)

Bunu Gautam – Caseworker in generalist immigration, IAAAS, & Family/Domestic Violence

Taya Hunt – Caseworker in generalist immigration, IAAAS, & Family/Domestic Violence

Kylie McGrath – Caseworker in generalist immigration, IAAAS, & Family/Domestic Violence

Darryl McNeil – Caseworker in generalist immigration, IAAAS, & Family/Domestic Violence

Susan Hogarth – PAIS Coordinator

Jee-Yeun (Valentina) Jung – PAIS Caseworker

Rachael Molnar – PAIS Paralegal

Christopher McGrath – UAS Project Coordinator

Kylie Elliott – UAS Paralegal until January 2017

Nardine Abdou – UAS Paralegal from January 2017

Tim Madigan – RFR Caseworker

Grace Prince – RFR Caseworker

Noel Reeves – RFR Caseworker

Imke McCall – RFR Caseworker until February 2017

Thank You

by Stacey Parker

RAILS estimates that in the 2016-17 year, the legal profession and volunteer students donated over 12,000 hours to its various programs, including assisting people experiencing domestic violence and people in the unrepresented asylum seeker group.

RAILS is grateful for the hard work and dedication of its pro bono firm partners and volunteer barristers, lawyers, migration agents and students including:

- Matt Black, Mark Steele, Nitra Kidson, and Matthew Brady of counsel for providing pro bono advocacy services to clients with complex judicial review proceedings
- Minter Ellison for providing pro bono casework assistance to clients who have experienced domestic violence and for their continued commitment to assisting our refugee family reunion program

Our Unrepresented Asylum Seeker Statement Clinic volunteers

We trained lawyers to volunteer at our UAS Statement Clinic. They completed 182 statements over 336 appointments and in 103 evening sessions, with an

estimated 840 hours of pro bono legal assistance delivered to the client group - a huge effort!

The UAS project was largely made possible by community partners, Communitify (Asylum Circle) who conducted a public fundraising campaign for this vital work, and the generosity of the Presentation Sisters.

From our partner firms

- Allens
- King & Wood Mallesons
- Maurice Blackburn
- Norton Rose Fulbright
- Gadens

A regular UAS Statement Clinic volunteer lawyer from one of our partner firms assisted a vulnerable female client who had experienced severe trauma in country of origin to put together a comprehensive statement to support her visa application.

The client had initially told her story to a male volunteer lawyer. However, the female volunteer lawyer suspected that the client may not have told the previous volunteer lawyer all of her story. After working intensively with the client over a few further sessions, the client was able to disclose her full story to the volunteer lawyer, which included

ongoing, violent sexual assaults in her country of origin. Without the sensitivity and intuition of the volunteer lawyer, this client would have left out a vital part of her story in her statement to support her visa application!

Individual volunteer lawyers

Louis Eum
Sophia Emberson-Bain
Georgia Williams
Joanna Abraham
Duncan Marckwald
Jessica Dale
Russell Hinchy
Kate Chipperfield
Kathleen Dare
Lucy Farmer
Kaylah Amiga
Sarah O'Keefe
Danny Thambar
Ross Landsberg
Yasmin Zeinab
Doug Sparkes
Grace Brunton-Makeham
Marg Le Sueur
Jessica Lambert
Madeline Codey
Hong-Gyi Han (Jamie)
Megan Stewart
Alistair Tindall
Adam Harvey

Thank You *cont from previous page*

Ellen Bevan
Ruth Kennedy

Our Evening Advice Volunteers

Our EAS volunteers conducted almost 100 Evening Advice Sessions at our office in West End and at Access Community Services in Logan, with an estimated 600+ hours of pro bono migration advice delivered this financial year!

Andrea Diaz
Antony Stolar
Boon Lim
Cynthia Marchant
Emily Darling
Emma Drynan
Emma Robinson
Farhad Hashemi
Felicity Rounsefell
Janet Taljaard
Kieran O'Brien
Kikuyo Usami
Narendra Sharma
Neha Vaidyanathan
Noel Reeves
Pei Lim
Prathap Lakshmanam
Rajesh Gopal
Roya Majd
Sastha Sanjaya Ariyasinghe
Virendra Shekhawat

WHAT HAVE OUR VOLUNTEERS DONE?

Evening Advice Sessions

100

evening advice sessions

600

hours of pro bono migration advice

Unrepresented Asylum Seeker Statement Clinic



182

statements written



103

Over evening sessions



840

hours of pro bono legal assistance

Total Volunteer Help

Volunteer
Lawyers &
Students

12,782
Hours of
Work

Equivalent to
10.7 Full-Time
Workers



Thank You *cont from previous page*

William Markwell

Yuen Yee-Lai

Boris Yip

Our day student volunteer

Rachael Molnar

Melanie Kirupairajun

Rene Curtis

Carla Eid

Nirupama Sivakumar

Hereadae Fenton-Smith

Heba Bou Orm

Nazret Merhazion

Peta Harrington

Georgia Carrington

Angelene Counter

Georgia Sullivan

Georgia Haydon

Zoe Brereton

Clare Scrine

Neraj (Naj) Saluwadana

Ellen Howard

Genevieve Luong

Sean Minehan

Ramisa Raya

Leane Zhang

Pierre Tarche

Aidan McCarthy

Emma Lewis

Nardine Abdou

Salma Sharifi

Muirgen O'Seighin

Samantha Byrne

Everard Kevan Ng

Annabelle Von Frankenberg

Renae Barrett

Paloma Cole

Maria Donaghy

Jayne Ellis

We also thank:

- University of Queensland and Griffith University for partnering with us to deliver our student clinics.
- UQ Pro Bono Centre for assisting with the delivery of legal education to refugee and culturally and linguistically diverse communities
- The Manning St Project (a UQ Pro Bono Centre and Caxton Street Legal Centre project) for assisting with research projects to support RAILS casework

Our CPD program volunteer guest speakers:

Steven Jones of counsel

Alexandra Ottens from Holding Redlich

Ross Landsberg from Minter Ellison

Janet Taljaard

Stafford Shepherd from the QLS Ethics Centre

Jennifer Samuta from Samuta McComber Lawyers

Finally, RAILS also thanks our long-standing community partners:

Immigrant Women's Support Service

Access Community Services Limited

Multicultural Development Australia (MDA Ltd)

The Queensland Program of Assistance to Survivors of Torture and Trauma (QPASTT).

REFUGEE AND IMMIGRATION LEGAL SERVICE INC. (RAILS)

Providing a holistic and sustainable legal service for vulnerable asylum seekers, refugees, and migrants through legal assistance, and education and advocacy.

HOURS OF OPERATION

Our offices are at

Level 1, 170 boundary St, West End, 4101

General phone number: 07 3846 9300

We are open:

Monday to Friday 9 am - 5 pm

Monday and Wednesday 6-8 pm for Evening Advice Sessions - call 3345 6789 Mondays
10 am to 12 pm and 2 pm to 4 pm to make an appointment

Monday and Thursday 2-4 pm - Telephone Advice to Regional Queensland

Friday 9 am - 5 pm - General Family Law Advice Clinics

RAILS also sees people at several locations within the greater Brisbane area (Woolloongabba, Indooroopilly, Logan, Goodna) and in Toowoomba, Townsville, and Cairns

Our Vision

is to make justice accessible to a diverse community