



RAILS

Refugee and Immigration
Legal Service

2019–2020 ANNUAL REPORT

Refugee and Immigration Legal Service

Welcome

RAILS is the only community legal centre in Queensland that specialises in providing free immigration legal assistance and community legal education to migrants, refugees and asylum seekers. Now, and under its initial name of South Brisbane Community Legal Service, RAILS has been operating for almost 40 years.

We believe that access to justice is a basic right of all people. Appropriate legal assistance and representation, and understanding of the law, are essential for everyone to ensure that justice is not denied to them. In the field of immigration law, these can make the difference between living in safety and being free from danger or harm. We strive to provide migrants, refugees and asylum seekers in Queensland with opportunity to ensure their rights, regardless of disadvantage.

RAILS is part of Community Legal Centres Australia and obtains core funding from State and Commonwealth governments.



RAILS

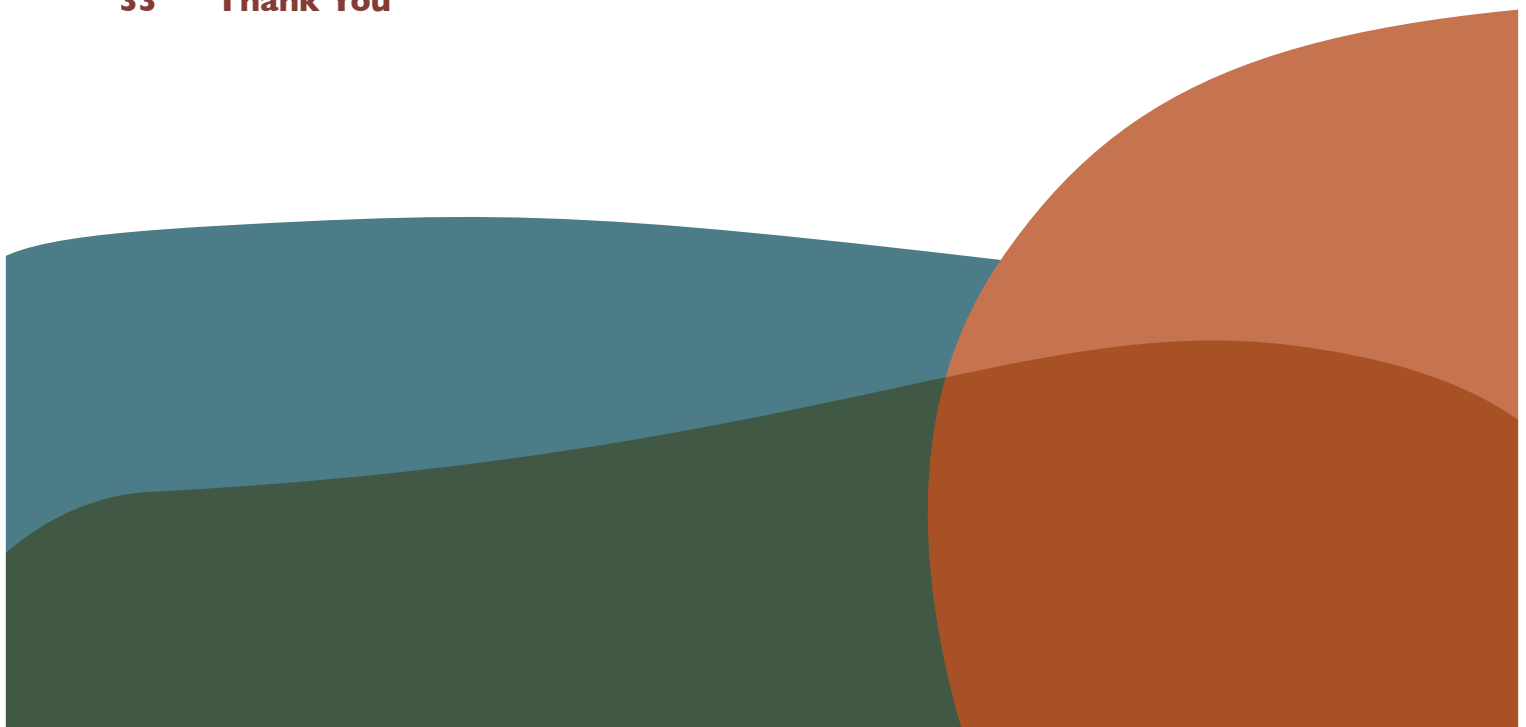
Refugee and Immigration
Legal Service

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.

Graphic design by Maylen Walker
Liveworm Studio | Griffith University

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President's Report

It has been an extraordinary year for RAILS, and although we are not the only organisation that has negotiated the incredibly complex environment of 2020, I believe RAILS has had more than its fair share of issues to manage. It is a tribute to whole team that this has been done so effectively and that our clients, who have faced even more difficulties than usual, have continued to receive high quality advice and service from RAILS.

RAILS' focus is always upon our clients, who continue to be amongst the most disadvantaged people in Queensland. The COVID19 pandemic has created a situation which has worsened the environment for refugees and immigrants even further, and RAILS has been required to adapt quickly to continue to support clients who are under even more stress than usual.

In the midst of this rapidly changing environment, RAILS has not only continued to provide this support, but has also welcomed a new Executive Director, managed a transition from office based to home based working and have provided more than 5,000 services to more than 3,000 clients.

RAILS' Impact

One of RAILS' strengths is the ability to use relatively limited funding into an impact that would be expected of a much larger organisation. This is the power of the CLC model, which creates a way for our staff and volunteer legal and other professionals to combine and focus their efforts on providing access to justice to communities that would otherwise go unrepresented.

On behalf of the Management Committee of RAILS, our thanks go to the law firms, barristers, legal educators, migration agents, legal students who commit their time and considerable expertise to supporting RAILS' clients and allowing our reach to go far beyond what our funding might otherwise allow. In particular I'd like to thank the University of Queensland, Griffith University and King and Wood Malesons for their continued support.

Funding and sustainability

The RAILS Management Committee is grateful for support from all funders, particularly the Commonwealth Department of Home Affairs (Immigration and Citizenship Services Group), Legal Aid Queensland and the Queensland Department of Justice and Attorney-General.

RAILS continues to develop our ability to create new sources of funding, in particular to support programs that are not funded through our core support. We are seeking to build a sustainable base for the critical Unrepresented Asylum Seeker Program (UAS). I'd like to recognise the ongoing support of the Queensland Presentation Sisters for this program and thank them on behalf of our clients for their generous support.

We are about to run our first public fundraising appeal to provide support for the UAS program, and this is a significant step forward for RAILS as we look to build a stronger and more sustainable organisation.

The RAILS team

It is difficult to overstate the contribution that the RAILS staff team has made this year. The team has not only managed the disruption caused by the pandemic while continuing to provide the highest quality service, but also has welcomed Ms. Malathi Kanagasabapathy as our new Executive Director in April 2020. Mal inherited a strong organisation in large part due to the work of Mr. Greg Mackay, our previous Executive Director, our thanks to Greg for his work in the previous three years. Thanks to Mal for her work this year despite not being able to personally meet most of the staff team for many weeks. The whole staff team must be recognised for their ability to continue their work in such a difficult and challenging environment and to continue to provide a highly professional and effective service for RAILS's clients.

My thanks to the Management Committee for their commitment and expertise this year. In particular I'd like to recognise the contributions of outgoing members of the Committee, Mr. Tony Woodyatt and Prof. Peter Billings, each of whom has brought great care and skill to their work with RAILS over their years involved with the service.

OUR VISION

Fair and humane
justice system
for the most
vulnerable

OUR MISSION

Empower the most
vulnerable refugees,
asylum seekers and
migrants through
legal assistance,
education and
advocacy

OUR VALUES

Social Justice
Expertise
Client-centred
Ethical Practice
Inclusive

Malathi Kanagasabapathy

Executive Director's Report



As the new Executive Director for RAILS, my role began at the cusp of a global Pandemic, in early April 2020. Though a tumultuous start to the role, it has been a significantly rewarding process and as a Team we are proud of what RAILS has achieved in the last year

This financial year saw the team working towards the tender to secure RAILS' core funding, from the Department of Justice and Attorney General. RAILS was successful in securing funding from 2020 to 2025, which has provided RAILS with the continued security required to further improve its service delivery model and strengthen its vision.

VISION:

Fair and humane justice system for the most vulnerable

The global pandemic highlighted the areas in our service delivery model that needed attention. The swift response from the team allowed RAILS to move from a face to face and paper-based service delivery to a hybrid model where digitalisation has been and will continue to be in the forefront of our client interface. While the government restrictions eased, RAILS continued to take precautions where possible to ensure staff are safe and can continue to work from their home base offices

72.5 % of our clients are financially disadvantaged
*new representation services in FY19-20

18.3 % of our clients have no income
*measured across all services in FY19-20

The pandemic also pushed to the forefront the limitations and barriers for our clients, who faced dire outcomes in some cases. We worked with a total of 3,472 clients over the last financial year. Language barriers, lack of access to virtual platforms, cultural norms that made it difficult for some to understand the changes faced, fear of the unknown and the changes on the legal system in response to the pandemic, meant our response had to be flexible and as a team we had to be able to adapt to ensure we were able to continue providing a service. The Community Legal Sector are going through significant change and collectively we hope to reach the other side. In improving the structure to our team, we have introduced a few new roles. We now have an Operations Manager (Cristina Prieto Salvador) and two Senior Supervising Solicitors (Susan Hogarth and Noel Reeves), who started in their roles in July 2020.

Financially, we have been very fortunate to continue to have strong supporters and pro bono partners who continue to donate to RAILS. We continue to submit applications where possible to secure extra funds to supplement the ever-growing need and demand RAILS faces. RAILS is committed to growing its fundraising initiative and we now have a strategy. We launched our first Christmas Appeal in November 2020.

We envisage RAILS will continue to grow through these changes and this would not have been possible without the support and commitment from our Management Committee who are volunteers in their role and passionate about our vision. I would like to acknowledge the work of Paul Tavatgis, Peter Billings and Tony Woodyatt, who are stepping down from the Management Committee after their long commitment to their roles for the past years. I continued to be inspired by the ongoing commitment of our Principal Solicitor, Caseworkers, Education Officer, Paralegals, volunteers, students and especially our Administrative team who turn up with enthusiasm to support achieve the unachievable.

A special thank you to Greg Mackay, outgoing Director who committed his time at RAILS over the last three years.

2019 - 2020 Snapshot



24

Staff members



Hosted
1 Practical
Legal Training
student and
1 Law Firm
Secondee



Worked across 8 outreach locations



Represented
560 clients



Gave 13 CPD sessions



Provided 3023 legal
advice appointments



Provided
694 referrals



Provided information
on 990 occasions

Kylie McGrath

Principal Solicitor's Report



This year RAILS has continued to fight tirelessly for the most disempowered asylum seekers, refugees and migrants in Queensland. We have had huge wins, tragic losses, and faced challenges that we hope to never see again.

Throughout Queensland, there are men, women and children who have found safety because of the work of RAILS this year. There are women and children who have been able to leave violent homes. They have done so knowing that they can continue with their applications to live permanently in Australia even though they are no longer in the relationship that brought them here. There are inspiring political activists, members of religious minorities and others who can now live in safety in Australia, having established a real prospect they would face grave harm in their country of origin. Asylum seekers who arrived in Australia by boat have found temporary reprieve from fears of being imminently returned to their home countries. Parents, children, partners and orphans have left precarious situations in refugee camps throughout the world to be reunited with their family members here.

Alongside this daily work, we have found new ways to achieve outcomes for our clients this year. Our caseworker, Tim Madigan, was able to identify a matter that merited the attention of the High Court. After identifying the matter, he continued to play a significant role in crafting the legal argument that led to the recognition of the special status of Aboriginal and Torres Strait Islanders in our legal system. It is hoped that this may protect some from immigration detention and deportation. Tim also worked hard to secure Australian citizenship for a former Papua New Guinean national made stateless by administrative error of the Australian government.

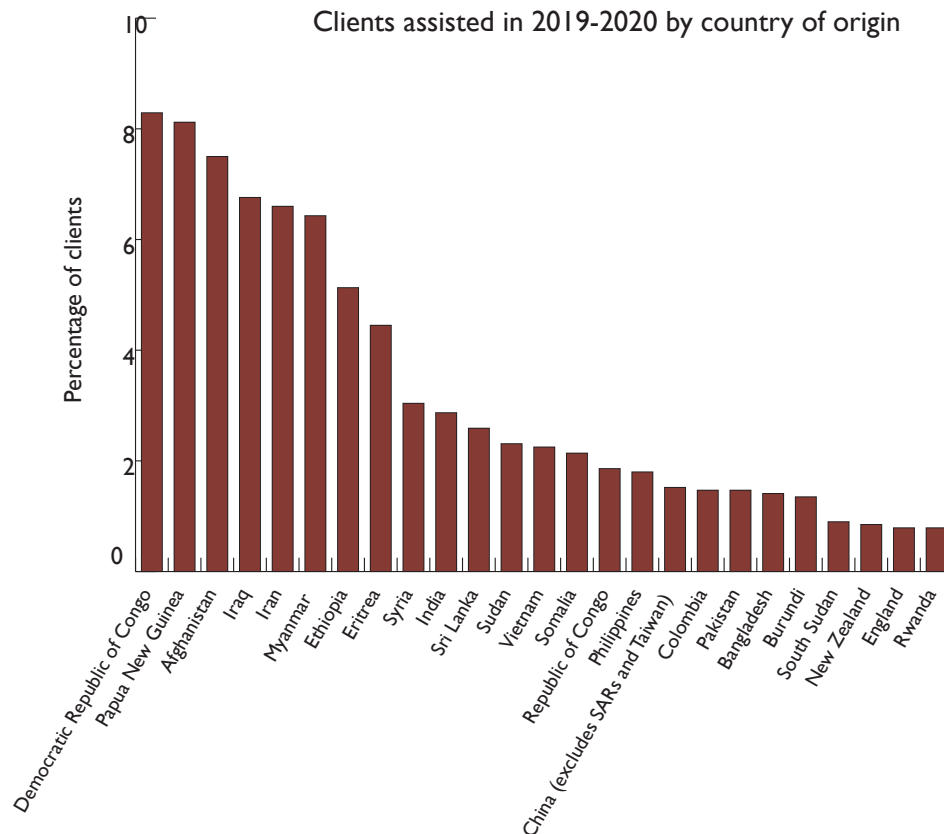
Bunu Gautam fought for a woman who fled a violent relationship and was living in a women's refuge in a regional area. By the time that she was referred to RAILS, her visa had been refused and she had been unlawful for many months. Bunu fought successfully to have the government vacate the initial refusal, reinstate the client's temporary visa and subsequently grant a permanent visa.

Unfortunately, it has not all been wins. Sadly this year, we have had a number of clients who have felt unable to continue in their fight for safety. Their deaths are a tragedy for the clients, their families and communities and sit heavily on all of us at RAILS.

We have also seen the disproportionate impact of COVID-19 on our clients. We have seen more family violence, even greater barriers to leaving violent homes, and more clients being unable to rely on the family violence provisions which would otherwise allow them to leave their relationships without an impact on their visa status. We have seen more clients facing unemployment, homelessness and destitution. We have seen clients struggle to meet inflexible requirements by decision makers and being disadvantaged by the move to telephone and video interviews and hearings. Refugees hoping to be bring family from overseas face an indefinite suspension of this program by the Australian government.

I would like to sincerely thank every member of the RAILS' casework team for their commitment, perseverance, resilience, creativity, empathy, intellect and flexibility in a year which has hit our clients hard and asked much from us as staff. I would also like to thank our volunteers and pro bono partners for their crucial contribution to this work. Despite the formidable challenges that lie before us, I am confident that we can and will continue to fight for, and secure, safety for our clients and their loved ones.

Country Information



From July 2019 - June 2020

RAILS represented

560 clients

and provided

3023 legal advice

appointments

to clients from

106 countries

Cristina Prieto Salvador



National Partnership Agreement

RAILS is largely funded through the National Partnership Agreement (NPA) to deliver on Legal Assistance Services. The Australian Government seeks to support a national legal assistance sector through NPA and funds community legal centres and legal aid commissions throughout Australia.

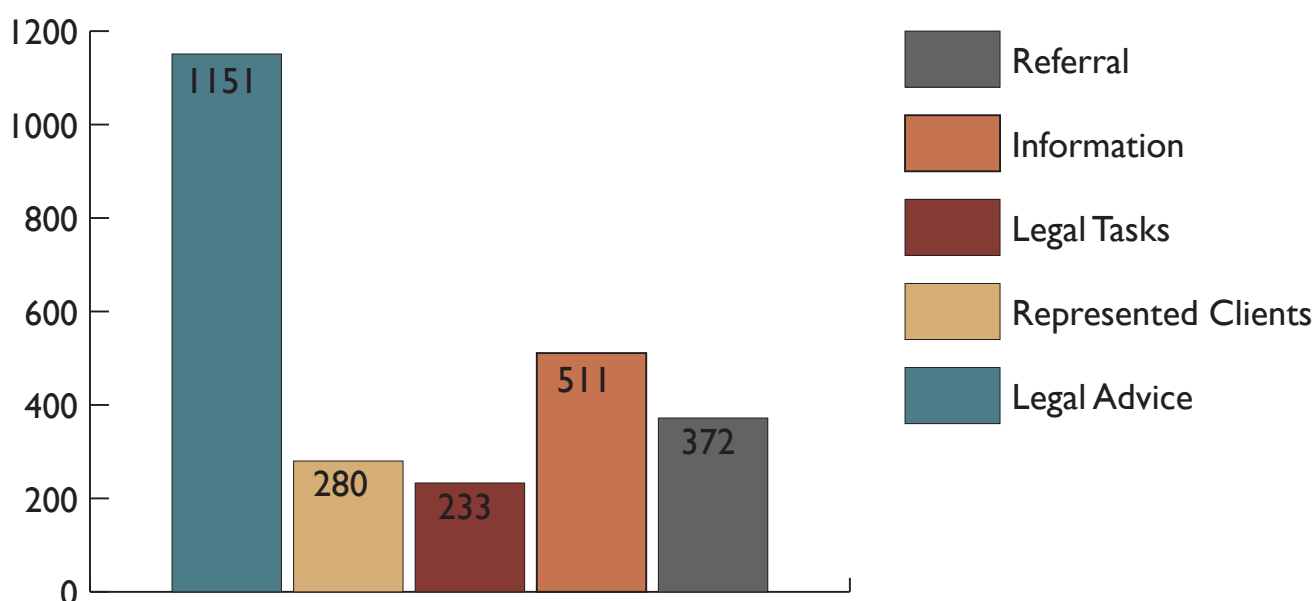
RAILS, through NPA, provides free immigration advice, ongoing legal assistance, referrals and legal information to our clients. As part of our agreement, RAILS also provides resources as a response to Government requests for input on matters of law reform and develops community legal education activities.

RAILS provides advice and represents clients who are applying for protection and/or family visas who have experienced family violence. We continue to assist in requests for the Minister or Assistant Minister to personally intervene in matters of public interest, where people have no other legal option (including allowing clients with Australian citizen children) to remain onshore.

We represent people in appeals to the Administrative Appeals Tribunal (AAT) and at judicial review in the courts. NPA representation is conditional on both the financial means of clients and the merits of their matter. Our casework guidelines are consistent with NPA priority client groups, which include migrants who have experienced family violence, those from culturally and linguistically diverse backgrounds, people seeking asylum in Australia, people with disabilities, children and young people and those at risk of homelessness.

30th of June 2020 saw the end of our NPA agreement and a tender process to secure further funding began in December 2019. RAILS team worked on the application to secure five years of funding through the National Legal Partnership Agreement 2020-2025. RAILS was successful in securing funds for our Core (Generalist Migration) and two additional services, Cancellations and Temporary Protection Visa (TPV) clinics for maritime arrivals. A collective effort by specific members of the team (Kylie McGrath, Susan Hogarth and Rob Lachowicz) saw RAILS receive a positive outcome.

Client services (NPA) July 2019 - June 2020



Tim Madigan

Refugee Family Reunion



People who flee their country to seek asylum often leave their families behind. Routes to safety are long, dangerous and expensive. They hope that they will be able to reunite with their loved ones once they are living in safety. However, the wait can be for years.

Family separation has grave consequences for refugees trying to start their lives in a new country. Without their families, refugees lack emotional support and a sense of community. Many come from countries suffering ongoing conflict, so they know that their wives, husbands and children are exposed daily to poverty and violence. This has a severe impact on refugees' health and ability to adapt.

RAILS' Refugee Family Reunion (RFR) program is funded by the Commonwealth Government. Through RFR, we assist people holding refugee class visas who are living in Queensland and wish to sponsor family members overseas to join them in Australia. Our RFR team, is formed by Noel Reeves, Tim Madigan and Grace Prince.

As part of the RFR program, RAILS conducts outreach clinics throughout Queensland, at the settlement services that support refugees after their arrival in the country. In the past financial year, we expanded our RFR outreach program by establishing new relationships with CatholicCare, in Toowoomba; and with Inala Community House, in Inala. We are able to provide our services at these regional locations through the valuable support of the relevant settlement services.

Through the year, RAILS held RFR clinics at:

- **Woolloongabba:** in the offices of Multicultural Australia, every week
- **Logan:** in the offices of Access Community Services, every week
- **Goodna:** in the offices of Access Community Services, every fortnight
- **Inala:** at the offices of Inala Community House, every week
- **Toowoomba:** in the offices of Multicultural Australia and CatholicCare, every month

- **Townsville:** in the offices of the Townsville Multicultural Support Group, every two months
- **Cairns:** in the offices of Centacare, every two months.

Outreach clinics are particularly important for those clients who live in regional areas, such as Townsville, Cairns or Toowoomba. Visa options for their family members are complex. Furthermore, their place of residence often means that the visa applications they sponsor can be prioritised by the Department of Home Affairs. Without our clinics, they would have no other opportunity to receive free, face-to-face legal advice, and access to justice.

Who are our clients? Our clients are refugees living in Queensland who wish to sponsor their family to come to Australia. They come from very diverse nationalities, including the Democratic Republic of Congo, South Sudan, Eritrea, Afghanistan, Iraq, Syria and Myanmar.

These countries have the highest rates of displaced people on Earth and have continued to experience various forms of upheaval in 2019/20. Many of our RFR clients belong to persecuted minorities in each country. Another large part of the RFR client group are women (and often their children) who hold subclass 204 visas. A 204 (woman at risk) visa is usually granted to women referred to the Australian government by the UNHCR and who do not have the protection of a male relative and as such are in danger of victimisation or abuse. Many of the single female clients at the Townsville RFR clinic are Congolese and Somali women who have migrated to Australia from refugee camps in Kenya, Burundi and Tanzania.

Refugee Family Reunion	
Legal advice	880
Legal tasks	228
Clients represented	194

Continued

Refugee Family Reunion

What do we do?

There are two ways refugees can bring relatives to Australia:

1. Humanitarian resettlement program: this program is free and can be applied for by anyone. However, there is a fixed number of people who can be approved each year.

2. Family visa program: this option is expensive and limited to certain types of relatives. However, it has a higher degree of success and more appeal avenues.

Most clients apply for the humanitarian program, as they cannot afford other visa options. However, some clients also apply for the family visa program to sponsor the same relative and increase their hopes of success. Two applications can run at the same time and will not impact each other's development.

As most of our clients are new arrivals in their first couple of years in Australia, they elect to try the humanitarian program as they are not able to afford the more expensive visa options. As the name suggests, the program is for re-unifying families and only applies to clients sponsoring family members from whom they have been separated during their refugee journey. It does not apply to new relationships formed after arrival in Australia.

The work of our RFR team varies depending on the individual needs and circumstances of the client.

All refugees living in Queensland can receive free comprehensive legal RFR advice. In the individual advice sessions, which can take place in person or by telephone, we explain the different visa options and give them the application form and a useful checklist to ensure that all steps are met.

In some cases, after initial advice, we work with the client through the whole visa application process. To make a successful humanitarian visa application detailed forms need to be completed for both the client who is sponsoring, and their relative overseas. 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. Irrespective of whether our clients pursue the humanitarian or family visa option, Grace, Noel and Tim assist them to prepare written statements, relevant evidence, and detailed legal submissions with every application to ensure that their chances of success are maximised. Sadly, we cannot do this for everyone, as our funds are limited. We can only provide ongoing casework to people who meet our casework guidelines.

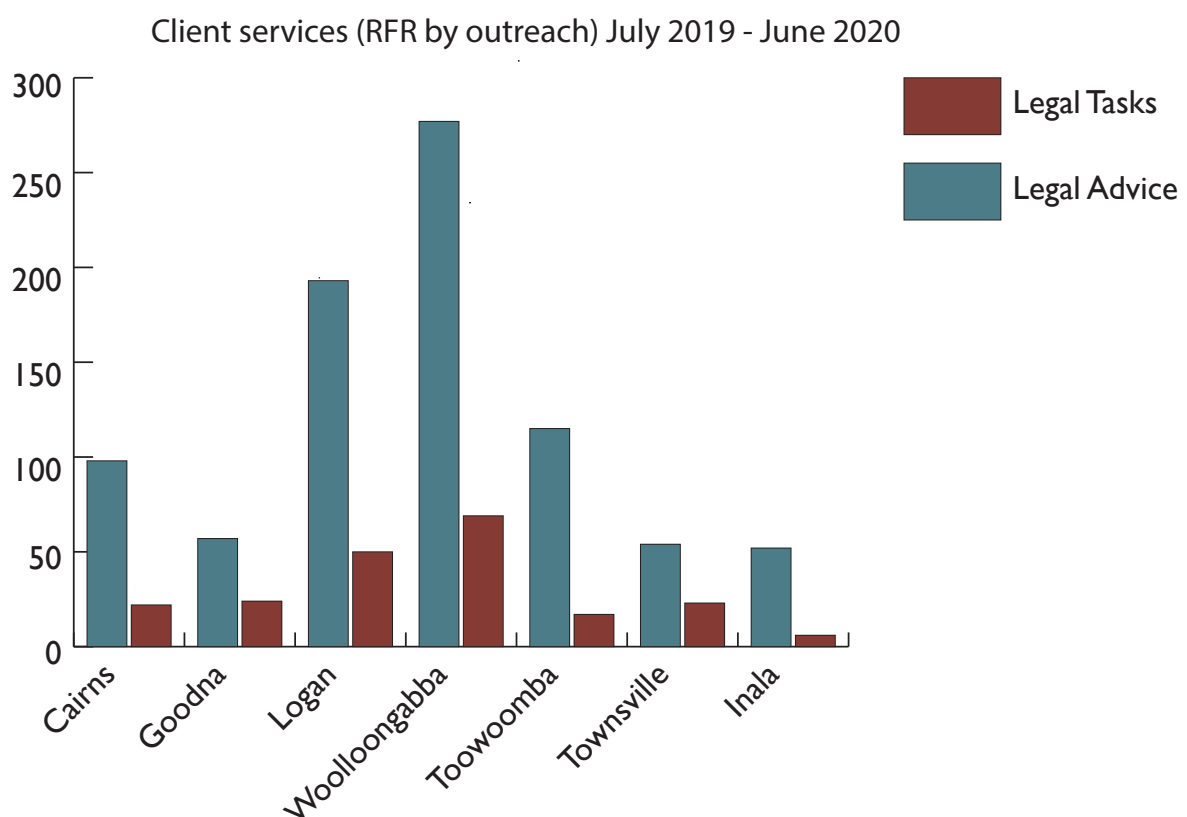
Continued

Refugee Family Reunion

The story of a daughter from the Democratic Republic of Congo

One of our clients this year wanted to sponsor her 23-year-old daughter for an Australian visa. Our client arrived in Australia from Kenya and had not seen her daughter since 2007. To prove that her daughter was eligible for the refugee visa as an immediate family member, she needed to prove that the daughter was still dependent even though she was over eighteen: she needed to prove that she was, wholly or substantially reliant on her mother for financial, psychological or physical support. The Department initially rejected that daughter's application finding that she was not an immediate family member and as such ineligible for the type of visa that we had applied for. RAILS assisted the client re-apply for the visa including an even more detailed statement addressing why, despite her age, the daughter remained reliant upon her mother for financial, psychological and physical support. The Department accepted this second application and the family were reunited after more than 13 years apart.

* Some details have been changed to protect client confidentiality.



Rachael Molnar

Permanent Protection



Millions of people worldwide flee their country because they fear for their safety. They leave their families, friends, and homes behind in the hope that they will be able to rebuild their lives free from danger.

In Australia, people who seek asylum and arrive in the country with a valid visa can apply for permanent protection. There are two ways they can be given protection in Australia:

1. Be recognised as refugees: a refugee is a person who fears returning to their home country because they are afraid of being seriously harmed or persecuted there. The reason for the harm must be at least one of the following: race, nationality, religion, political opinion, or membership of a particular social group (for example, homosexual people in Afghanistan or HIV positive people in Papua New Guinea).
2. Be recognised as someone who needs complementary protection: a person needs complementary protection if there is a real risk that they will suffer significant harm (like torture or forced marriage, for example) if they return to their home country.

The process to be given protection is long. Applicants have to recount the traumatic experiences that they have lived, and do so in an interview with the Department of Home Affairs. The Australian migration system is complex and subject to frequent reform. Navigating it poses a great challenge, especially for people who face cultural and linguistic barriers.

What work do we do?

We give free legal advice to people who live in Queensland and want to apply for protection. We give advice face-to-face in our Brisbane office or by telephone. In the individual advice session, we explain to people seeking asylum the criteria to be given protection and the steps in the application process.

Sometimes, after giving advice, we can offer further assistance. Sadly, because our resources are limited, we can only give further assistance to people who meet our casework guidelines. We help them fill out a protection visa application (the form is 33 pages long!) and draft a statutory declaration. We also provide legal submissions and attend the client's interview with the Department of Home Affairs.

We help many people based in regional Queensland. In these cases, caseworkers do most of their work over the telephone. They sometimes meet the client for the first time at their protection visa interview.

If the Department refuses a visa application, the decision can be reviewed by the Administrative Appeals Tribunal. We offer advice, assistance and representation to people who want to appeal a refusal.

Who are our clients?

Our clients face many barriers and are in situations of disadvantage and vulnerability. Some are homeless, have children to look after, have limited English language skills or live regionally. Many of them have experienced trauma in their home countries and have mental health issues. They sometimes find it hard to remember exact details and dates and they struggle to tell their story.

We work closely with psychologists, psychiatrists, and support workers to better assist our clients. We also use interpreters to make sure that clients can tell their story and understand the visa application process.

Continued

Permanent Protection

Homosexual man from Papua New Guinea finally living in safety

PNG continues to be a dangerous country for anyone who is homosexual or living with HIV. Bruce is just one of the many PNG men who need protection abroad because the authorities in his country do not protect him from violence.

Bruce grew up in a rural area of PNG. He knew he was interested in boys from a young age and experienced a lot of violence and abuse in PNG growing up and continuing into adulthood. He was also diagnosed as HIV positive and was fearful of the stigma and abuse that could come from this diagnosis. Bruce is still suffering the physical and psychological consequences of the abuse he experienced. Bruce fears for his life if he had to return to PNG. We assisted him with his protection visa application. Due to his trauma and regional residence, assisting him was challenging for our caseworkers. However, he has now been granted a permanent visa and can stay in safety in Australia

** Some details have been changed to protect client confidentiality.*

Where do RAILS permanent protection visa clients come from?

Between July 2019 and June 2020 RAILS assisted clients seeking permanent protection from 54 countries. The map below shows the countries where most of our protection visa clients originate from.



Bunu Gautum

Family and Domestic Violence



The number of people experiencing family violence has risen as an effect of the Coronavirus global pandemic. This has been acknowledged by various reports, media outlets and the government. The QLD State Health Minister Steven Miles stated that 'coronavirus isolation prompts rise in domestic violence trauma cases in hospital emergency departments'. (ABC News 6 May 2020: Chris Gillette) A research report published by Women's Safety NSW found that 'migrant and refugee women who are experiencing domestic and family violence are at higher risk than they have ever been before'.

RAILS works with survivors of family violence from refugee and migrant backgrounds. We have learnt from support agencies that there are increasing numbers of women experiencing family violence and that they are finding it harder to leave their shared home due to the COVID 19 crisis. Women feel COVID 19 restrictions are an additional barrier to leaving and are unable to seek refuge. Refuges are also not able to accommodate all people in need due to social distancing restrictions. This has exacerbated existing problems surrounding safety, the ability to access legal advice, assistance regarding domestic and family violence and immigration options.

The pandemic and movement restrictions also pose challenges from the perspective of meeting some partner visa grant conditions. A subclass 309/100 visa is a type of temporary partner visa that allows the spouse of an Australian permanent resident or citizen to stay in Australia temporarily while their permanent partner visa is being processed. However, they have to leave Australia before they are granted permanent residency or otherwise, they will not be granted the visa they applied for. Some of our clients were holders of this visa type who needed assistance after experiences of family violence. They were visiting their partners in Australia but travel restrictions prevented them from leaving the country and being granted permanent residency. This directly increases the amount of visa insecurity amongst those visa applicants, particularly amongst women who are potentially fleeing family violence and considering permanent separation for their safety.

People who apply for an onshore partner visa normally need to stay with their partner and sponsor to be granted permanent residency. However, if they experience domestic violence, they do not need to stay in their relationship. They can leave the abusive relationship and still be granted permanent residency in Australia. People who have applied for a partner visa can also be granted permanent residency after leaving their relationship if they had a child with their sponsor or if their sponsoring partner died.

Many women who are experiencing domestic violence at the hands of their sponsors do not know that they can leave the relationship. Sometimes, their partners have applied for the visa online, and women do not understand or have control over the visa application process. In these cases, they also do not receive communications from the Department. This lack of control is often compounded by an inability to speak functional English. This leaves many women disadvantaged and exposed to harm.

656

clients have experienced, or are at risk of experiencing, family violence

37% have children

44% are homeless or at risk of homelessness

16% have children and are homeless or at risk of homelessness

Family and Domestic Violence

How do we help?

We provide legal assistance to women who have applied for a partner visa and experienced family violence at the hands of their sponsors. We also provide assistance to people who have children with their sponsors and have left the relationship.

Our work in this field is funded by the National Partnership Agreement (NPA) on Legal Assistance Services 2017-20 and by Legal Aid Queensland.

What do we do?

When a person who lives in Queensland contacts us or is referred to us by a women's refuge or support agency, we give them legal advice about their visa options.

After giving legal advice, we may be able to continue to assist women in the application process. We work with them to prove that their relationship was genuine before it finished. We also help them prove that they suffered family violence. In many occasions, women have to re-visit their trauma to provide very detailed descriptions of the violence they experienced. They also need to provide reports from professionals in the sector (like psychologists and doctors) who attest to their personal situation. We work closely with those experts to assist in gathering evidence. We are grateful for the support from expert agencies and professionals who work with us to support women through the application process. In the past year, we saw a growing tendency of the Department not accepting that the client was a victim of family violence. In those cases, they are referred to Independent Experts' assessment of their claims. This means that they have to describe and re-live the violence and trauma they have been through once again. Providing legal representation by making sure of the duty of care towards the clients' mental health in such situations puts further pressure on caseworkers working for victims of family violence.

Despite all these challenges, if a matter meets our casework guidelines, RAILS also assists clients at the Administrative Appeals Tribunal, when their application for permanent residency is refused by the Department. In some occasions we also provide representation on judicial review matters.

DHA referring increasing number of clients for an Independent Expert assessment (IE):

It happens often that to fully be able to assist clients who have experienced family violence, RAILS caseworkers have to perform extensive amounts of work. Anita's case is an example of caseworkers having to cross the boundaries of the general estimated workload.

The Department of Home Affairs (DHA) accepted the genuineness of the relationship between the Anita and her sponsor. The Department also needs to accept that there was family violence in the relationship. Anita was referred to an independent expert for assessment, as the Department did not immediately accept her claims.

During the client's interview with the expert, it became apparent that DHA had received information against the client's claims of family violence from the sponsor. We understood that some of that information had been fabricated by the sponsor against the client. We felt that we were walking at the edge of a knife.

Luckily, previous research done to assist the client paid-off, as we had evidence that showed that the information provided by the sponsor was not reflective of the circumstances. If we had not had this evidence, it would have been impossible to convince the expert that the information provided by the client about the incident was true.

** Some details have been changed to protect client confidentiality.*

Temporary Protection



People seeking asylum in Australia who arrived by boat and without a valid visa between 13 August 2012 and 1 January 2014 face an incredible challenge to access justice.

This group of up to 30,000 people Australia-wide (about 2,700 in Queensland) is defined by how and when they arrived in the country. They can only access temporary forms of protection. If they are accepted as refugees, they can stay in Australia for three years (with a Temporary Protection Visa) or for five years (with a Safe Haven Enterprise Visa). After that short period, they have to apply for protection again. If the application is unsuccessful, they risk having to return to the country they fear. This leaves many people in a situation of extreme vulnerability and uncertainty.

TPV and SHEV applicants are extremely marginalised. Many of them do not speak English and come from very different cultures. The group includes families with young children, single parents, women who have experienced family violence and illiterate people. Many of them, including children, have been diagnosed with mental illness arising from their past experiences. In Australia, they are just hoping to live in peace. To achieve this, they need legal assistance. However, many of them cannot afford to pay private migration agents and their need for legal support is unfunded.

What do we do about this?

We assist this group of people through our Unrepresented Asylum Seeker (UAS) project. As part of the UAS project, we give free legal advice and representation. We do this face-to-face at our Brisbane office or by telephone. To assist as many people as possible, we continued operating our legal clinics out of Indooroopilly Uniting Church and RAILS office.

The UAS project last year was coordinated by RAILS solicitor Imke McCall and Principal Solicitor Kylie McGrath, up until Neha Vaidyanathan returned to the role from leave in early February. Solicitors Valentina Jung and Rachael Molnar and paralegals Phoebe Nind, Clare Carter and Chi Nguyen were also part of the team in the last year.

The UAS project is funded by donations and by our own savings.

Our work in the last year

The Temporary Protection Visas expire three years after they are granted. This means that this year, many people have had to re-apply for protection. We gave them legal advice, explaining to them what their options were. We also drafted statements in which they explained their fears and experiences. In many cases, we were able to provide continuing assistance and represent them at their visa interview. We also wrote legal submissions to support their case.

We assisted people who had obtained a refusal decision from the Department. The review application in front of the Immigration Assessment Authority (IAA) is almost their last chance to be able to remain in safety.

If the IAA's decision is negative, some can apply for review at the Federal Circuit Court (FCC). However, chances of success at the FCC are low. We asked barristers for pro-bono opinions on matters refused by the IAA. Where barristers thought that the case could be successful, we worked together with them as instructing solicitors.

The Department has recently commenced sending correspondence to some Legacy Caseload clients, notifying them that their initial TPV or SHEV application is invalid, and inviting them to make new applications within 7 days. Assistance with these urgent re-applications has been provided by the UAS team during their casework hours.

Outreach and legal Clinics

Clinics facilitate people's access to essential legal services. Through them, we can reach people in locations other than our office and at times other than our usual opening hours. It also allows us to benefit from the work of volunteer lawyers who work with us.

TPV/SHEV clinic at Indooroopilly Uniting Church

We started the Indooroopilly Uniting Church clinic in July 2017, in partnership with Indooroopilly Uniting Church. It has continued to take place over the past year, every Thursday between 2 pm and 5 pm. People can attend

Continued

Temporary Protection

the clinic on a drop-in basis. We have serviced the clinic remotely at times during the COVID-19 pandemic as a health precaution for staff and clients.

At the clinic, one of our solicitors gives crucial immigration legal advice to TPV and SHEV visa holders and applicants. When needed, we also refer them to services for everyday living assistance.

A large majority of clients who come to the clinic require advice on judicial review processes. Such assistance has been crucial for this large group of asylum seekers, who have limited to no other legal assistance at this stage. We have given them legal advice and coordinated pro bono legal assistance by engaging with pro bono barristers and LawRight and undertaking merits assessment for clients who require representation at the Federal Circuit Court.

In the past year, RAILS solicitors Imke McCall, Valentina Jung and Rachael Molnar were the solicitors at the clinic. Emma Fell has also provided invaluable support at the clinic as Legal Support Coordinator.

TPV/SHEV re-application clinics at our West End office

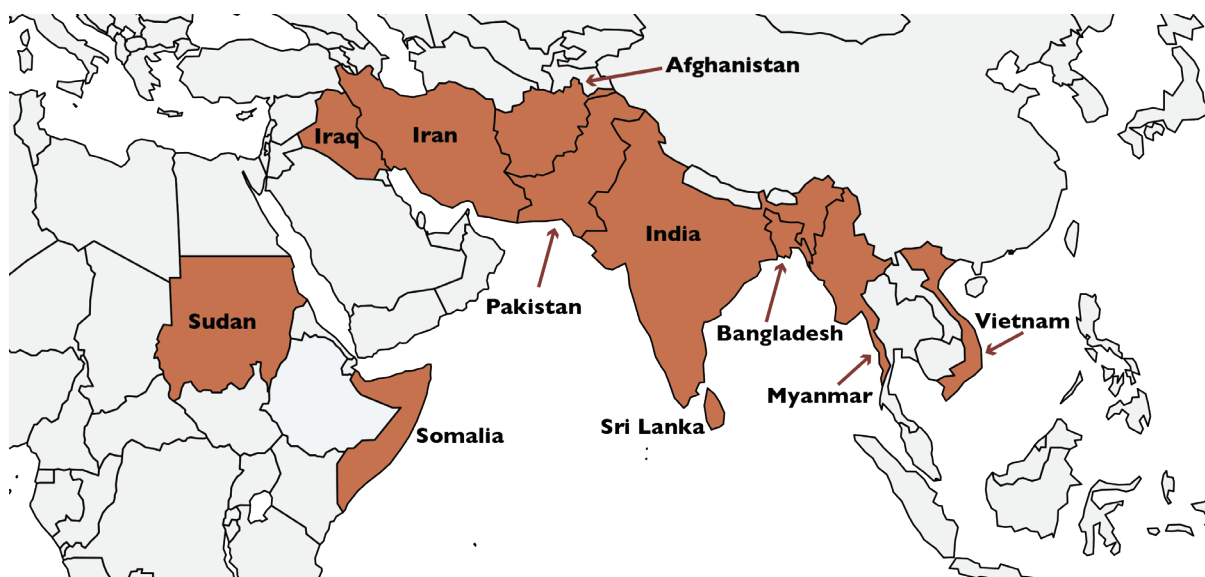
The TPV/SHEV re-application continued through the past financial year in our office in West End. In their appointment, re-applicants see a volunteer lawyer who helps them complete the application and prepare their statement of claims. Valentina Jung supervised the volunteers in the past year.

In the second half of the year, volunteers have worked with clients of the clinic by telephone, as a precautionary measure in light of COVID-19.

These clinics are made possible through the assistance of volunteer lawyers from several corporate law firms. Before the start of the clinic, we provided training sessions so they were able to support people in this very vulnerable group. Big thanks to Allens, Norton Rose Fullbright, Herbert Smith Freehills, King & Wood Mallesons, and the individual lawyers who attend the clinics.

Where do RAILS temporary protection visa clients come from?

Between July 2019 and June 2020 RAILS assisted clients seeking temporary protection from 11 countries. The map below shows the countries where our temporary protection visa clients originate from.



Temporary Protection

Asylum Seeker and Refugee Assistance Program

The Asylum Seeker and Refugee Assistance (ASRA) program was established in mid-2019 and will run the funding that RAILS received will run until mid- 2021. This program is funded by the Queensland Department of Local Government, Racing and Multicultural Affairs.

The ASRA program supports people who hold or have applied for a Temporary Protection Visa or a Safe Haven Enterprise Visa. Six community organisations, coordinated by Asylum Circle, deliver services to this very vulnerable group. Services include mental health support, emergency assistance with food and other services, housing support, employment advice and health advocacy. The organisations involved are Australian Red Cross, Multicultural Australia, QPASTT, Mercy Community Services, World Wellness Group and RAILS.

All organisations offer their services at a shared space. People in need of support are able to see the different agencies without having to travel to different locations. The three core hubs are at Indooroopilly Uniting Church, Romero Centre at Dutton Park and Access in Logan. During the year, this expanded to include the Australian Red Cross office at Milton. Regional hubs were also established at Rockhampton and Gatton.

A full-time Legal Support Coordinator provides a single point of contact for people accessing the hubs in need of legal support. Emma Fell commenced as Legal Support Coordinator last year and has worked flexibly during the COVID-19 restrictions to continue to meet the needs of this vulnerable client group by phone and email. Emma has also worked cooperatively with staff of other organisations to ensure that the range of needs of this client group are met.

Reza's wait for safety

Reza fled Iran in 2013, fearing persecution from the authorities due to his conversion from Islam to Christianity. In 2016, Reza was granted a Temporary Protection Visa. However, as this visa only lasts for three years, Reza needed to reapply for another visa in 2019. RAILS assisted Reza to follow up with the Department to make sure he could obtain a copy of relevant documents to assist in preparing his new visa application. RAILS staff and UAS clinic volunteers were then able to assist Reza to prepare and lodge an application for a subsequent Safe Haven Enterprise Visa (SHEV). Reza now must wait for his claims to be reassessed before he finds out if he will be granted another visa. He has already been required to relive his experiences of persecution in order to lodge his subsequent application, and may also be required to attend another interview with the Department. Even though he has already been found to be a refugee, Reza may not be granted another visa if it is determined that he no longer requires protection.

Temporary Protection Visas

Legal advice	368
Legal tasks	113
Clients represented	40

Susan Hogarth



Community Support Program

People who suffer substantial discrimination that amounts to gross violation of human rights in their country of origin can be granted a visa to move to Australia under the Special Humanitarian Program (SHP). The SHP includes different visa types with different criteria. Most of the visas on the program are free, and refugees and humanitarian visa holders who live in Australia can sponsor their displaced family members to come to Australia under this program. However, when the person being sponsored is not an immediate family member, the visa application is usually refused. This means that people who want to sponsor their parents or siblings, for example, are not usually successful.

What is the Community Support Program?

The Community Support Program (CSP) falls under the Special Humanitarian Program. CSP enables individuals and organisations to sponsor someone in humanitarian need so that they can move to Australia with a humanitarian visa. People who apply for it need to have an offer of employment to work in Australia and speak good English. They also need to be sponsored by a community organisation (known as 'Australian Proposing Organisation'), which will assist them upon arrival. Finally, an Australian permanent resident or citizen needs to offer to provide support upon their arrival, including financial. As opposed to other visas in the SHP, the cost of this visa is very high. However, CSP allows families to sponsor non-immediate family members overseas. In many cases, this is the only opportunity that many refugees have to re-unite with their family and to assist them to move from places of displacement and danger.

What work do we do?

We provide legal services to the Australian Proposing Organisations (APO). In the last year, we have assisted Illawarra Multicultural Services (IMS), in New South Wales, and Multicultural Australia, in Queensland. We give them advice about the prospects of success of the applications. If deemed successful, we also draft statements of claims, write legal submissions and help the Australian sponsor in gathering relevant evidence.

In this year, we gave 64 CSP advices and provided statements of claims and legal submissions for 42 CSP cases. Most of the people we assisted were Afghan families residing in Pakistan. The CSP program at RAILS is coordinated by RAILS solicitor Susan Hogarth, who also provided advice and assistance for most cases.

How will Covid-19 impact our CSP clients?

As Australian borders are currently closed, the granting of humanitarian visas has been significantly impacted and many applicants are waiting overseas for interviews and visa grants. Even if a person has been granted a visa, they are not allowed to enter Australia at this time. It is unknown how long this situation will continue.

Community Legal Education



Our legal education practice aims to be responsive to need, engaging and effective, and is developed collaboratively with communities and practitioners. Our programs are designed around best practice education principles endorsed by the community legal education sector.

Continuing Professional Development Program

Our monthly CPD program ensures RAILS staff, volunteers and the wider profession remain updated on the latest law and practice and maintain professional standards and registration. Our monthly workshops covered judicial review, offshore humanitarian visas, Safe Haven Enterprise Visa pathways, protection visas, partner visas, citizenship, family violence, business management, ethics and working with vulnerable clients. Following COVID-19 we adapted the program to delivery by webinar which has made the education more accessible to a broader range of practitioners, including from regional areas and interstate.

We thank private practitioners and RAILS staff members who assisted in presenting the sessions.

Worker Training

We delivered training to pro-bono legal volunteers, TAFE teachers, settlement agency staff and volunteers, family violence workers, multicultural services and community legal centre workers. The sessions included refugee law, family violence, humanitarian visas, citizenship, and democracy.

We partnered with Community Legal Centres Australia and Legal Aid Queensland to deliver workshops at the national CLC conference

Community Education

We delivered legal education to community leaders, new arrivals, asylum seekers, protection visa holders, TAFE students and community groups covering refugee law, citizenship, visa cancellation, family law, family violence, peace-building, employment and managing community associations.

With key partners Multicultural Australia and South Community Hub we presented online family violence prevention community messages and did extensive work with community leaders developing peace building education which is continuing into 2021. This was funded partly by a Legal Aid CLE Collaboration grant.

School Legal Education

We continued our innovative youth legal education using music, drama, dance, and language activities to teach about the legal system, democracy, consumer law, human rights, safe families, healthy relationships, police and courts. The pandemic prompted us to expand and develop the program for online use and place it on our website. The material was revamped to add modules on identity, making decisions, resilience and peace building and has been shaped around the national schools' civics curriculum.

We worked with the highly multicultural Yeronga State School and Milpera, a transition English language transition school for new mainly humanitarian arrivals. We started a Legal Education Clinic with QUT Law School where law students work with us in schools. We also delivered some online Zoom classes into Yeronga. The youth education was funded largely by a DHA Fostering Integration Grant.

Resources

We produced a video on 'Applying for Citizenship' in collaboration with Refugee Council of Australia and another on 'Applying for a further TPV/SHEV' in the Rohingya language. We developed a 'Managing Conflict' Toolkit and worked with community leaders to make video messages of support during the COVID-19 lockdowns. We also produced two fact sheets on COVID-19 issues for protection visa applicants and updated the Immigration law chapter of the Queensland Law Handbook published through Caxton Legal Service. Our 'Men Managing Change' family violence prevention videos developed last year were used by several agencies.

Our legal education resources are distributed through staff, agencies and community groups, and more broadly through our website.

Networks

Our education program continues to work closely with community and government stakeholders, which strengthens our connection, knowledge and reach. We worked extensively with Multicultural Australia, South Community Hub and the Dispute Resolution Branch of the Department of Justice and Attorney General around family violence prevention and peace building.

Legal Education in Numbers

Education resources
2 Videos
2 Factsheets
1 Toolkit
1 Chapter in
Queensland Law
Handbook



Continuing professional
development
13 sessions
to 326 participants



General legal
education
18 sessions
to 126 individuals



Worker's training
25 sessions to
717 professionals

Our work with Queensland Schools



Yeronga State School
35 sessions to 57 students

Milpera State School
17 sessions to 28 students



Grace Prince

Free Legal Advice



RAILS started a Free Evening Advice Service (EAS) in 1980. For almost 40 years, clients have been queuing up in front of RAILS' office on Monday and Wednesday afternoons, patiently waiting for their face to face legal appointment. Our front office would be full, standing room only and sometimes the overflow would be outside the door. Over the years, our committed volunteer EAS advisors and coordinators have come directly from their day jobs to give advice in a broad variety of immigration matters.

For the biggest part of the past financial year, RAILS EAS continued operating. The sessions on Monday and Wednesday evenings were held at the RAILS' West End office and on Wednesday evenings at ACCESS in Logan. Clients were advised face to face on their immigration matters. The types of issues that were dealt with in EAS include answering to requests from the Department of Home Affairs, carer visas, family reunion, partner visas, citizenship or student visas.

However, in March 2020 EAS was suspended due to the pandemic, as new systems and processes had to be planned for and implemented to meet the COVID-19 guidelines. RAILS staff worked tirelessly behind the scenes during the lockdown. At the end of the financial year, EAS sessions were still on hold. At the time of writing this report, and since 12 August, EAS has resumed and is taking place in a semi-remote basis. We hope to provide face-to-face advices in the near future.

We thank all the volunteers who made EAS possible on the past financial year for their continued support and for their willingness to work with us to provide a COVID-19 safe service.

Free Legal Advice (EAS)	
Legal advice (West End)	236
Legal advice (Logan)	84
Legal tasks (West End)	21
Legal Tasks (Logan)	5
Volunteer advisors	28
Volunteer Coordinators	10

What else has been happening?

Responding to Covid-19

COVID19 has put all of us through amazing challenges. All of us, as individuals and as members of RAILS' team, were faced with the need of giving an effective response to the quickly changing scenarios unfolding around us from March 2020. RAILS response was focused on continuing to provide services in an uninterrupted manner to our core client group, while protecting their health and that of our staff members.

In March 2020, RAILS reception office closed and RAILS started to receive enquiries and assist clients over the telephone and email only. The list below provides an overview of how RAILS pivoted in the midst of a pandemic and adapted its service delivery model:

- RAILS staff members started working from home from 23 March 2020. Only administration staff Smitha Mallya and Rin Shimada and admin volunteers Ruby Chiswell, Rachel Li and Lauren Bellamy continued to come into the office.
- One of our caseworkers took on the provision of the advice to clients whose visa circumstances had been affected by COVID19.
- RAILS outreach services in greater Brisbane and remote locations stopped being delivered in person and started to take place over the telephone.
- Evening Advice Sessions were put on hold while being re-designed. EAS sessions resumed in the current financial year operating in a semi remote model, with volunteer migration agents and staff members attending the office while clients are advised over the telephone.
- RAILS student clinics were put on hold over the few weeks that it took to re-design them; to ensure that students could do their placements remotely while having a valuable learning experience.
- The day legal volunteer program, that provides considerable support to caseworkers, had to be put on hold while remote volunteering processes were designed and implemented.

- TPV re-application clinics, staffed by volunteer solicitors, were put on hold for a short period of time and re-designed to take place in a fully remote manner.

The passion and perseverance of RAILS staff members was key to navigating the difficulties faced in the final months of the financial year. It would be hard to list the individual efforts that our staff members and volunteers have made during the months of the pandemic to ensure that our clients continue to receive the legal assistance they so desperately need.

Digitalisation

Up until 23 March 2020, RAILS used to heavily rely on paper-based administrative processes. Having most staff members working remotely created the urgent need to digitalise RAILS intake and service processing workflows. Clare Carter, Projects Paralegal, and Kylie McGrath, Principal Solicitor, undertook the challenge of designing and implementing a digital process that complied with all requirements of a legal practice and reflected the specialities of RAILS various programs. Praise must be given to both of them for their struggle and success in such challenging circumstances.

Such a considerable organisational change was also well-supported by the administration and the caseworkers team, who continued to adapt to different versions as the digital workflow was refined. RAILS is now well placed to continue the journey of digitalisation over the current financial year.

Fundraising

Through the financial year, RAILS has been working with consultants from Flatearth Direct to develop a fundraising strategy that will lead efforts in increasing our fundraising activities over the coming months.

University Student Clinics

Through the year, RAILS hosts students from Bond University, Griffith University and University of Queensland who undertake legal placements with us as part of their law studies. Students are supervised directly by a caseworker. During their placement, they provide valuable assistance to RAILS casework team: they do legal research, assist with administrative tasks and complete application forms and statements with clients, among other tasks.

Towards the end of the financial year, when RAILS closed its physical office and universities started moving their teaching online due to COVID-19, we had to put the student clinics on hold for two weeks to allow us to develop a remote clinic model. Praise must be given to RAILS Lawyer and Pro Bono Coordinator, Stacey Parker, and the rest of the caseworker team, who worked to ensure that students still had a valuable learning experience while protecting the health of our students and our clients' confidentiality. Students conduct de-identified country and legal research which directly contributed to our casework.

We are thankful to Bond University, Griffith University and University of Queensland for their partnership and to the students, for their resilience, flexibility and continued motivation and hard work during a very tough year!

In 2019-20, 19 UQ students, 10 Griffith University students and 2 Bond University students completed their legal placement at RAILS.

Reflection from Jane Hall, a clinic student from the University of Queensland

Being a clinic student at RAILS is a special experience. I had my eyes opened to a new area of law. I worked with incredible colleagues from diverse backgrounds. Most importantly, I felt that I made a worthwhile contribution to an important social justice institution.

In our first week, we prepared and presented seminars to each other on migration and refugee law to develop our understanding of this area of law. For students like me who arrived at RAILS with no prior experience in the field, this was an invaluable learning tool.

We were given the opportunity to interact directly with clients from an early stage in our placement. This included being involved with client interviews, assisting clients to complete visa applications and making contact with clients to provide updates on their files. Much of this work required the services of an interpreter. Initially this was challenging for us as clinic students. However, we quickly developed the necessary skills to ensure that we communicated clearly and empathetically with our clients, even when we were both speaking different languages.

Our work also involved drafting legal submissions and conducting legal research. Research tasks varied from background briefings on clients' countries of origin, to testing novel arguments for appellate work. It was all interesting work, made even more so by the fact that we could see the impact it could have on clients' lives.

As part of our clinic experience, we were invited to participate in the cultural competency training organised as part of RAILS' Cultural Safety Action Plan working group. This training was an important reminder that we, as lawyers, should be interacting with clients in a culturally safe manner.

I am confident that I speak for all of the clinic students when I say that the placement at RAILS was incredibly valuable. I am inspired by the work done at RAILS and I have grown personally and professionally as a result my placement there.

RAILS Volunteer Stories

Over the past year, 177 people have volunteered with us. We could not have done the work we did without their dedication and commitment. Thank you! Below are some of their testimonials.

Abby

Day Legal Volunteer

When I did my PLT with the College of Law, I was asked to answer a question to the effect that which social group I would like to serve with the knowledge I had learned at law school. I want to serve vulnerable people particularly vulnerable women and children so RAILS was an ideal place to complete my PLT work experience.

During the 75 days' work experience at RAILS, I realized that what I did actually made a difference and I was energized by the realization. I was admitted as a lawyer in late 2019 and I decided to continue to work as a volunteer lawyer at RAILS while studying a law honours.

Many of RAILS clients are from diverse cultural backgrounds and you can learn so much about them and from them. One of many things I like being a volunteer at RAILS is that I have the opportunities to have intimate knowledge about people's stories and lives while being supported by my supervisor and other colleagues. else's life.

Belinda Tang

Pro Bono volunteer

When I first started volunteering with RAILS as a student, I was immediately drawn to the clients - their stories, their experiences and how, by some stroke of fate, I was born here in Australia and not from a country affected by war or conflict. Even as a young law student, it was clear to me that RAILS' advocacy gave a voice to the most vulnerable and that collectively, the organisation was truly changing lives and giving people the chance to start again safely and securely in Australia.

Now as a volunteer lawyer and firm co-ordinator for the RAILS family violence program, I feel privileged to be able to help women to tell their stories and to be part of that final stepping stone where clients feel like they are no longer bound to sponsors and can finally call Australia home. The resilience and bravery of our clients are inspiring, and the best part of being a volunteer lawyer is knowing that you've made an impact (no matter how small or large) in the bettering of someone else's life.

Thomas Choo

Day Legal Volunteer

I have volunteered at RAILS for over two years, originally as an Evening Advice Session Coordinator and since October 2019 as a day volunteer. RAILS' practice is in an area I care deeply about, and I hoped that my involvement would be an opportunity to apply the skills I had learned in my degree in a way that would help vulnerable people. RAILS has offered a far greater opportunity to do this than I could have ever imagined.

I continue to be struck by the shared drive and passion that staff and volunteers at RAILS all share for the wellbeing of our vulnerable clients. All are welcoming and generous, and strive to make volunteers feel involved and valued. The work volunteers do is demanding, but also incredibly rewarding -- and far more substantial than what many of my peers working in private practice get to do. We are able to meaningfully assist caseworkers and share in their successes. I've vastly improved my writing and editing skills, and learnt how to sensitively and empathetically deal with vulnerable clients from diverse backgrounds.

I am extremely appreciative of RAILS giving me the opportunity to pursue my passion in this area, and rekindling my interest in my legal studies by showing me how the law can work to help and empower vulnerable people.

Treasurer's Report

This has been my first year as Treasurer of RAILS and what a very challenging year it has been, not only for RAILS but also the world! We have all learnt to be adaptable and resilient and found new ways of working. RAILS has been able to continue to assist refugees and migrants even with these challenges. We have met budgeted milestones in the majority of our service areas and continued to provide quality legal services.

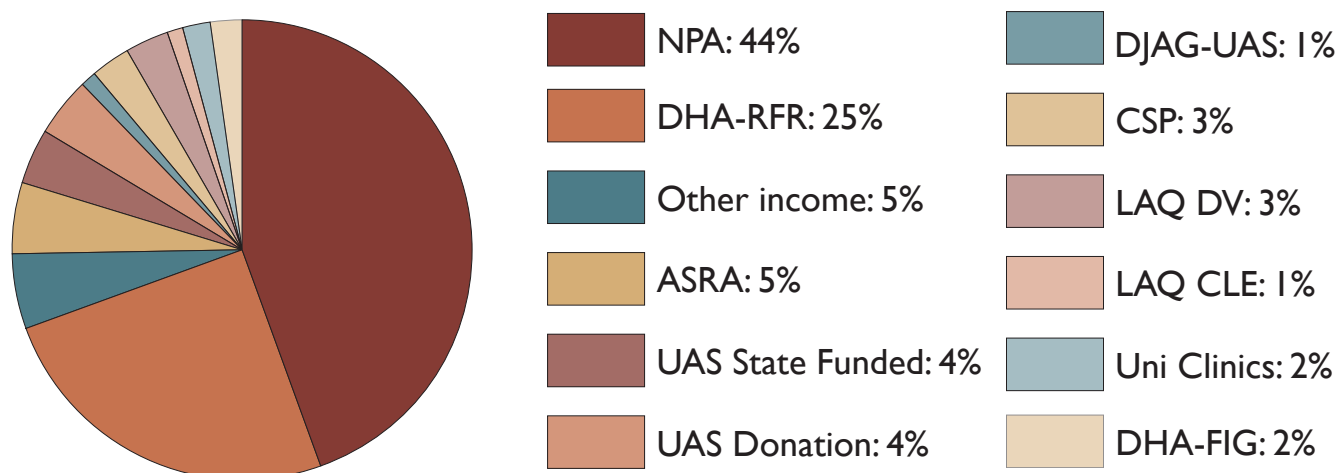
The Financial Statements for the year ended 30 June 2020 report a deficit of \$35,168. There have been additional costs this financial year due to the impacts of COVID-19, which has contributed to this deficit. The Management Committee of RAILS has also continued their commitment to support the Unrepresented Asylum Seeker program without Government funding as there is a demand for this assistance.

Despite this deficit, RAILS is in a sound financial position to face any future funding challenges and continues to have a very strong current ratio of 3.4, which gives an indication of RAILS ability to pay debts as they fall due. RAILS has a very strong cash position, which will assist the organisation to meet the budgeted expectations.

We need to acknowledge the generous donations of individuals and organisations which greatly assist RAILS in delivering their services. We have commenced a number of initiatives to further support the financial viability of RAILS in our mission to assist migrants and refugees, including a fundraising program as well as seeking further grant funding opportunities.

I would like to take this opportunity to thank RAILS' previous Executive Director Greg Mackay and the current Executive Director Malathi Kanagasabapathy for their hard work and dedication. I would also like to acknowledge the Finance Officer, Mei Wang, for her work and commitment to assisting with preparing the monthly Financial Reports which enable the Management Committee in their decision making and to discharge their financial responsibilities.

Funding Sources 2019-2020



Acknowledgement of our funders

National Partnership Agreement Funding – combined State and Commonwealth funding

The National Partnership Agreement sets out guiding principles to achieve the shared goal of a national, integrated system of legal assistance that is focused on improving access to justice and maximising service delivery within available resources. RAILS works within this framework in delivery on agreed targets.

Settlement Engagement and Transition Support – Department of Home Affairs

Client Services is to equip humanitarian entrants and other vulnerable migrants in their first five years in Australia with the knowledge and skills to identify, understand and take action to address their identified settlement needs. RAILS is integral in ensuring clients have sufficient information and knowledge pertaining to their current visa status.

2018-19 Contingency Funding - Queensland Department of Justice and Attorney General (DJAG)

TPV Expiry Clinics were funded by Contingency funds from DJAG in the past financial year. Through the clinics, RAILS provides point in time assistance to refugees whose visas are expiring to make a new protection visa application in a timely manner.

Fostering Integration Grant – Department of Home Affairs

This program aimed to bring about change through music and innovation with young people who need to understand and have trust in the law. The program is unique in that it teaches civics skills in a youth-friendly, highly engaging way using rapping, music, drama and play. This gives a higher chance that the messages will be effective and have a broad and powerful reach.

Legal Aid Queensland

The provision of funding by LAQ to RAILS represents an innovative and economical way for LAQ to be able to provide its clients with ongoing support with immigration assistance linked to their experience of domestic violence..

University of Queensland, Griffith University and Bond University

RAILS supports the learning process of University students via Student Clinics that are planned and delivered each semester. We work with UQ (UQ Pro Bono Centre), Griffith University and Bond University to host legal clinics for law students. This gives students experience in working in a legal service and in-practice skills, undertaking migration law related tasks, as well as learning about professional responsibilities.

ASRA funded Program

Asylum Seeker and Refugee Assistance (ASRA) program, auspiced by CommuniFY, was established to improve sector collaboration and services for people seeking asylum in Queensland who can only access temporary forms of protection. ASRA aims to enhance pathways for ongoing coordinated support, facilitate joint projects and assist with funding options in collaboration with other stakeholders. The collaboration includes: CommuniFY, Australian Red Cross, Queensland Program of Assistance to Survivors of Torture and Trauma, Multicultural Australia, Indooroopilly Uniting Church, Mercy Community Services - Romero Multicultural Hub and World Wellness Group.

Management Committee Profiles

Paul Tavatgis

President

Paul has extensive experience at senior management levels within the not-for-profit sector, including self regulatory bodies, charities and fundraising agencies and has supported the fundraising sector in developing effective self-regulation and compliance mechanisms.

He is the Director of Whipbird Consulting and works with many charities in support of their fundraising and compliance goals.

He has been a member of our Management Committee at various times since 1997 and became President of the Management Committee in November 2018, having previously held positions as Secretary, Treasurer, and Chairperson.

Kerryn Prentice

Treasurer

Kerryn is currently a Senior Financial Accountant at CPL - Choice, Passion, Life. She is a qualified accountant with more than 25 years of experience in government, private and not-for-profit organisations. Her career has covered all aspects of finance and administration and she has worked for a number of not-for-profits, including UnitingCare Queensland, Variety - the Children's Charity and TransitCare. Kerry has previously served as a Board Member and Chair of the Finance, Risk and Audit Committee at YWCA Queensland.

Kerryn has a Bachelor of Business (Accounting) degree from QUT, is a member of CPA Australia and has completed a Certificate in Governance for Not-for-profits with the Governance Institute of Australia.

Nitra Kidson

Secretary

Nitra is a barrister in private practice and specialises in public law, particularly administrative law and native title. Nitra first joined RAILS, then known as the South Brisbane Immigration and Community Legal Service as a solicitor/caseworker in 1995. Nitra advocated on behalf of clients and represented the organisation on the Board of the Refugee Council and at many other forums.

Management Committee Profiles

Peter Billings

Member

Peter is an Associate Professor at the TC Beirne School of Law, the University of Queensland, and a Fellow of the Higher Education Academy. He is a legal scholar with teaching and research interests in Administrative Law, Immigration and Refugee Law, Social Welfare Law and Human Rights, and he is a passionate advocate for refugees' rights.

He has been published widely in leading law journals in Australia, UK, USA and in several edited collections. His academic work influences and informs other academics, legal practitioners, legislators, policy-makers and media.

Matt Black

Member

Matt is a barrister in private practice. He advises and appears for a range of private and government clients in both state and federal jurisdictions. During his time at the Bar, Matt has also undertaken appointments as Official Visitor and Inspector under the Corrective Services Act 2006 (Qld) and teaching administrative law as a casual lecturer with the College of Law in Brisbane.

Before coming to the Bar, Matt was an in-house lawyer at Centrelink. He has previously performed legal or research roles for the Land and Resources Tribunal, the Administrative Appeals Tribunal, and the Australian Institute of Criminology.

He has been a member of our Management Committee since November 2018.

Tony Woodyatt

Member

Tony has been director of the Queensland Public Interest Law Clearing House Incorporated (now called LawRight). He has been involved in legal and public policy work since 1976. Among other roles, he has worked as the manager for Crime Prevention Queensland, and has been Director of Caxton Legal Centre, Director of Research for the Parliamentary Criminal Justice Committee and solicitor and coordinator of Prisoner's Legal Service.

He has also held term appointments as Executive Director of the Queensland Police Service Review, General Counsel for The Queensland Department of Natural Resources and Mines, Project Officer, Office of Fair Trading and periods in private practice in Brisbane and as a locum solicitor in rural North Queensland.

He has been a member of our Management Committee since February 2019

Hiwa Zandi

Member

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

He has been a member of our Management Committee since 2016.

Staff Members 2019 - 2020

Malathi Kanagasabapathy – Executive Director from April 2020

Greg Mackay – Executive Director until April 2020

Kylie McGrath – Principal Solicitor

Robert Lachowicz – Education Officer

Mei Wang – Finance Officer

Bunu Gautam – Solicitor

Grace Prince – Migration Agent

Imke McCall – Solicitor

Jee-Yeun (Valentina) Jung – Solicitor

Neha Vaidyanathan – UAS Project Coordinator and Solicitor

Noel Reeves – Solicitor until July 2020, Senior Supervising Solicitor from July 2020

Rachael Molnar – Solicitor

Stacey Parker – Lawyer and Pro Bono Coordinator and Solicitor

Susan Hogarth – Solicitor until July 2020, Senior Supervising Solicitor from July 2020

Tim Madigan – Solicitor

Smitha Mallya – Administration and Finance Officer, left RAILS in September 2020

Chi Nguyen – UAS Paralegal from March 2020, left RAILS in September 2020

Clare Carter – Administration Support until August 2019, Paralegal from August 2019

Cristina Prieto Salvador – Policy and Projects Officer until July 2020, Operations Manager from July 2020

Phoebe Nind - UAS Paralegal until December 2019, NPA-RFR Paralegal from June 2020

Rin Shimada – Administration Support until September, Senior Intake Officer from September 2020

New Additions to the Team

Bernie Carrick – UAS Coordinator

Rachel Li – Support Intake Officer

Ruby Chiswell – Receptionist

Lauren Bellamy – Receptionist

Casual Staff Members

Nellie Boyce-Clarke – Administration Support

Sophie Hill – Administration Support



Thank You

Our committed and resilient team of pro bono law firms and barristers, volunteer lawyers and migration agents, day and evening volunteers and clinic and PLT students mobilised in uncertain and challenging circumstances to continue supporting our vulnerable clients throughout the initial lockdown period in 2020. In particular, we thank King and Wood Mallesons for providing us with a pro bono secondee practice assistant to enable our Unrepresented Asylum Seeker program to tackle the unique challenges of 2020!

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

- Allens and Terry Fisher of Fisher Dore Lawyers for providing pro bono representation for judicial review proceedings
- MinterEllison for providing pro bono assistance to clients who have experienced family violence and refugees seeking to reunify their families
- Matt Black, Catherine Chiang, Julian Gormly, Arron Hartnett, Gail Hartridge, Emma Hoiberg, Stephen Keim SC, Steven Jones, Alexander Psaltis, Gavin Rebetzke, Anand Shah, Kate Slack, Mark Steele and Maxwell Walker of counsel for providing pro bono opinions and acting as pro bono counsel for clients with judicial review proceedings
- Angus Francis and Anthony Stolar for providing pro bono advice to clients considering judicial review proceedings and other pro bono assistance to our clients
- Tom Drakopoulos for providing pro bono representation to an immediate relative of a client who had experienced family violence with a matter at the Administrative Appeals Tribunal
- Marg Le Sueur for assisting a client who had experienced family violence
- Bruce Wells for assisting our clients on a pro bono basis
- Corrs Chambers Westgarth for providing us with pro bono privacy advice

EVENING ADVICE SERVICE VOLUNTEER ADVISORS

RAILS began as a volunteer evening advice service around 40 years ago. Many volunteer solicitors and migration agents continue to give up their time and expertise to volunteer at our free general migration law Evening Advice Sessions held on Mondays and Wednesdays. While we had to suspend the service towards the end of the financial year due to the pandemic, we used the time to introduce significant service improvements and are looking forward to strengthening this foundational service to meet the need for access to justice in the migration space. We thank the following:

EAS advisors:

- Anna Gunning Stevenson
- Antony Stolar
- Boon Lim
- Bruce Wells
- Cynthia Marchant
- Darryl Sean McNeill
- Elvira Conner
- Emily Darling
- Emma Drynan
- Emma Robinson
- Hendrik de Korte
- Jessi Galbraith
- Kieran O'Brien
- Magdalena Dzeinis
- Marg Le Seur
- Prathap Lakshmanan
- Richard Timpson
- Rofia Mavaddat
- Roya Majd
- Sastha Sanjaya A
- Shane Crawford
- Virendra Shekhawat
- William Markwell
- Narendra Sharma
- Yuen Yee LAI
- Jane Taljaard
- Avelyn Chen
- Ellen Roberts

Our Volunteers



28 EAS Advisors
10 EAS Coordinators
660 hours



60 Corporate volunteers
285 hours



23 University
Clinic Students
Over 3,000 hours



50 Day Volunteers
Over 2,000 hours



1 PLT Student

EVENING ADVICE SESSIONS COORDINATORS

- Annie Taylor
- George Carrington
- Harry Monogenis
- Joe Williamson
- Marisol Garcia Tobon
- Matilda Lambooy
- Nellie Clarke-Boyce
- Ruby Chiswell
- Sophie Hill
- Thomas Choo

UAS STATEMENT CLINIC FIRMS AND VOLUNTEERS

Our Unrepresented Asylum Seeker program has been running evening Statement Clinics for unrepresented people seeking asylum since 2014. The support for this service has been inspiring in this extremely complex and challenging area of migration law, policy and practice. While we had to suspend our in-person service due to the pandemic, we had the service back up and running on a remote-basis within a month or so of the suspension – a great testament to the hard work, resilience and flexibility of our UAS staff and volunteers! Although there has been lower demand for Statement Clinic assistance this year, we anticipate the demand for this volunteer service will ramp up as more unrepresented people seeking asylum are required to reapply for protection in Queensland in the coming year.

We thank our UAS partner law firms, Allens, Herbert Smith Freehills, King & Wood Mallesons and Norton Rose Fulbright for providing pro bono assistance to unrepresented people seeking asylum.

We also thank the following individual volunteer lawyers:

- Alexandra Jule
- Amanda Bosworth
- Asif Khan
- Brett Solomon
- Corin Morcom
- Daniel Bradford
- David Thorpe
- Dusan Stevic
- Ellen Roberts
- Ethan Hyde
- Gemma Livingston
- Genevieve Lester
- Hamish McHardy
- Harriette Watson
- Harriette Watson
- Inez Botta-Stanwell
- Jessica Lambert
- Jessica Rusten
- Joshua Gunn
- Kathleen Dare
- Kirra Uren
- Kylie Elliott
- Leo Rees-Murphy
- Loretta Stellino
- Lucinda Everson
- Marie Sheehy
- Meg Hogan
- Megan Stewart
- Muirgen O'Seighin
- Nastassia Tognini
- Paris Hamrey
- Philippa Robinson
- Rachel Choi
- Rachel Spain
- Rebekah Oldfield
- Sarah Berkman
- Sarah Griffin
- Soeun Hong
- Stephanie Tang
- Tai Laves
- Tammy Tang
- Tessa Boardman
- Timothy Leschke
- Tristan Hall

Day legal and administration volunteers, PLT students and legal clinic students provide much needed support to our staff. We thank the following:

DAY LEGAL AND ADMINISTRATION VOLUNTEERS

- Abinaya Ketheeswaran
- Abby
- Alex Nielsen
- Annie Taylor
- Austen Whitewood
- Bailey Reinke
- Bonnie Lawler
- Brigid Kelly
- Caitlin Archbold
- Chi Nguyen
- Clare Carter
- Cristina Prieto Salvador
- Darcy Powell
- Emily Price
- Emily Rainbird
- Farishta Mansoori
- Fiona Geard
- Francisca Mayer
- Glennis Gill
- Hannah Burstow
- Imogen McInerney
- India Paul
- Isaac Ford
- Jesse To
- Jessica Li
- Jonathan Trembath
- Kate Dowse
- Lauren Bellamy
- Lisa Kerr
- Liz Caswell
- Marisol García Tobón
- Maryam Mohamed Zuhair
- Meka Larsen
- Michaela Sherry
- Millie Volck
- Mu Shwe

Thank You

- Nellie Clark Boyce
- Noemi Gonzalez Salas
- Paola A Spadaro
- Patricia Pador
- Rachel Donges
- Rachel Xin Li
- Rebekah Stuart
- Ruby Chiswell
- Sophie Hill
- Sophie McKersey
- Suzanne Conradie
- Taylor Whitewood
- Thomas Choo
- Yousun (Stephanie) Jung

PLT STUDENTS

- Libby Masters

LEGAL CLINIC STUDENTS

UQ

2019 Semester 2

- Bailey Reinke
- Emily Price
- Fiona Geard
- Jane Hall
- Jessica Wray
- Lachlan Moreland
- Rebekah Stuart
- 2020 Semester 1
- Alexandra Richards
- Bronte Lynch
- Charlotte Garvey
- Connor Bennett
- Elizabeth Aisi
- Greta Sweeney
- Hamish Mulcahy
- Julia van Haeringen
- Kimberly Thompson
- Millicent Murphy
- Nicholas Buckley
- Thien-Tam Nguyen

Griffith

2019 Semester 2

- Alex Nielsen
- Annie Taylor
- Brigid Kelly
- Lila Samysheva
- 2020 Semester 1
- Brittany Bowen
- Latif Murtazawee
- Lisa Neubert
- Ryan Clarke
- Tal Szumer Menashe
- Tara Byrne

Bond

Summer Semester 2019-20

- Yousun (Stephanie) Jung
- Katelyn van Bruggen

Our pro bono programs enable us to assist far more clients than through staff alone, showing that we can make our limited resources stretch a long way!

We also thank ...

University of Queensland, Bond University and Griffith University for partnering with us to deliver student clinics

UQ Pro Bono Centre and QUT Law Student Legal Education Clinics for assisting with the delivery of legal education to refugee and culturally and linguistically diverse communities

Our CPD program guest speakers:

Philip Duncan
Angus Francis
Peter Lee
Victoria Lenton
Stafford Shepherd (QLS)
Jane Taljaard

Our long-standing community partners:

- Access Community Services Ltd
- Asylum Circle
- Australian Red Cross
- BRASS Network
- CatholicCare
- Centacare FNQ
- Communitify
- Community Leaders Gathering
- Community Legal Centres Queensland
- Community Legal Centres Australia
- Ethnic Communities Council Queensland
- Immigrant Women's Support Service
- Inala Community House
- Indooroopilly Uniting Church
- LawRight
- Legal Aid Queensland
- Multicultural Australia
- QPASTT - The Queensland Program of Assistance to Survivors of Torture and Trauma
- Queensland University of Technology
- Salvos Legal
- South's Community Hub
- Townsville Multicultural Support Group
- Women's Legal Service Qld
- World Wellness Group



Staff attending RAILS strategic planning day in 2020



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RAILS

Refugee and Immigration
Legal Service

**Empower the
most vulnerable
refugees, asylum
seekers and
migrants through
legal assistance,
education and
advocacy.**

WE ARE OPEN

RAILS provides services all throughout Queensland.

During COVID19 restrictions RAILS reception office is closed but we continue to provide our services.

**Call or email RAILS
Monday to Friday 9 am - 5 pm**

(07) 3846 9300

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