

Annual Report 2022

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*We acknowledge the lands on which we work and live, including the lands of the Wurundjeri, Bunurong, Gadigal, Larrakia, Ngunnawal, Darug and Wadawurrung people. We pay our respect to Elders of those lands, both past and present. We recognise that this land always was and always will be Aboriginal and Torres Strait Islander land because sovereignty has never been ceded. We acknowledge the role of the legal system in establishing, entrenching, and continuing the oppression and injustice experienced by First Nations peoples and that we have a responsibility to work in solidarity with Aboriginal and Torres Strait Islander people to undo this.*

*WARNING: This document may contain images or names of people who have passed away.*

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# Fearless action for a fairer future



Image credit:  
Marcus Cobllyn / Greenpeace

## A message from our Chair

Australia is at a unique point in its history where real change is possible. From shaping a more humane migration system, to addressing undue corporate influence over our politicians, to securing reforms to prevent modern slavery – there are new opportunities to achieve progress and make Australia a fairer place.

We know 2022 has been another challenging year. The ongoing pandemic impacted our lives in a myriad of ways and has deepened existing inequality. The climate crisis is escalating and poses an undeniable challenge to human rights. The inquest into the death in custody of Warlpiri and Luritja teenager Kumanjayi Walker drew into sharp focus the appalling racism and systemic oppression Aboriginal and Torres Strait Islander people continue to face every day. So much work needs to be done to reckon with the ongoing impacts of colonisation.

This is why I'm proud to be serving in my new role as Chair with the Human Rights Law Centre. This year, our work has helped achieve real change for people and communities, including:

- supporting communities in Bougainville to hold Rio Tinto accountable for the environmental and human rights impacts of their former Panguna mine;
- reuniting refugee families torn apart by Australia's cruel migration system;
- breaking down barriers to abortion across Australia;
- helping end the unjust prosecution of whistleblower Bernard Collaery and launching a dedicated whistleblower support project; and
- fighting for fair access to the age pension for Aboriginal and Torres Strait Islander people until the gap in life expectancy is closed.

This work can only be done in deep partnership. We work alongside impacted people and communities, Aboriginal and Torres Strait Islander organisations, civil society partners, grassroots activists, pro bono lawyers, donors, and philanthropists to achieve critical progress.

Just as Australia has seen change this year, so has the Human Rights Law Centre. In June, after nearly a decade leading the Centre as Executive Director, Hugh de Kretser finished to take up the role of Chief Executive Officer at the Yoorrook Justice Commission. In November, we were excited to announce that Caitlin Reiger was appointed as the Centre's third Chief Executive Officer. Caitlin brings with her a wealth of experience.

We'd also like to thank our former Chair, Robynne Quiggin, who has stepped away from the Board this year due to increased commitments at the University of Technology Sydney. Thanks are also due to former Board member Sue Woodward AM, who has been appointed as the new Commissioner of the Australian Charities and Not-for-Profits Commission.

Sadly, in October 2022, our incredible colleague and Board member, Fiona Smith AM, passed away. Fiona dedicated her life and career to addressing inequality and fighting for systemic change. Not only was she a gifted lawyer, director and advocate, she also inspired and mentored so many others in the human rights community. Our condolences go to Fiona's partner, Diane Shannon, family and friends. In the words of my fellow Board member and Deputy Chair, Tim Goodwin:

"Fiona's career was truly remarkable. I learnt so much from her during my time with her as a Trustee of the Reichstein Foundation and a fellow Board member of the Human Rights Law Centre. I learnt about the importance of integrity – of self, of vision and of governance. We will all miss her very much but know that to honour her memory, we must continue her legacy."

As ever, we are grateful to be working with all our supporters and partners to build Australia's more just future. Together, we will push for critical progress on the most pressing challenges of our time.



Ben Kiely,  
Chair of the Board

## A new era at the Human Rights Law Centre

After almost a decade serving in the role of Executive Director, Hugh de Kretser left the Human Rights Law Centre in June. Hugh took up the role of Chief Executive Officer at the Yoorrook Justice Commission, the historic truth and justice process for First Peoples in Victoria.

Hugh oversaw enormous change at the Centre, which grew four-fold during his tenure. Under his leadership, the organisation helped to secure safe access zones around abortion clinics across the country, played a key role securing marriage equality, repeatedly defeated undemocratic anti-protest and anti-advocacy laws, stopped harm against children in prison, secured reforms to stop deaths in custody, helped thousands of refugees to have a future in freedom and safety and launched the campaign for an Australian Charter of Human Rights. We are so grateful for his strategic vision, wisdom and compassionate leadership.

In November we were joined by Caitlin Reiger. Most recently Caitlin served as Director of Strategic Policy and Research at the Yoorrook Justice Commission, after supporting the First Peoples' Assembly of Victoria in the design of the Commission and its mandate. Caitlin is a transitional justice and human rights specialist who has worked closely with civil society and victims' groups, governments, UN agencies, judiciaries and the legal profession.

*"The Human Rights Law Centre has the well-earned reputation of being one of Australia's leading human rights organisations. The Centre's work upholds strong, principled human rights to ensure people are treated fairly. I've dedicated my career to those same values.*

*In times like these, human rights have never been more essential. They steer us toward a better future where every person is treated with dignity and respect. A future where children are not targeted for the colour of their skin. A future where the needs of people and the planet are at the heart of government decisions, and where we all have the power to defend our rights if they are breached.*

*Human rights provide a framework to understand how today's challenges cannot be delinked from past injustices, as we can see in the foundations and impacts of the climate crisis in exploitation and historic and ongoing racism. Understanding this helps us fight for better laws and policies to end the cycle for a safer world for generations to come.*



*Human rights help us defend hard won gains like rights to reproductive freedom and marriage equality when extremists try to wind back the clock on progress. Human rights help us fight for a more just society where everyone has access to good housing and healthcare, regardless of their postcode or their bank balance.*

*Under my leadership, the Human Rights Law Centre will continue advocating for systemic change to address inequality and make sure communities have the power to address injustice."*

– Caitlin Reiger, CEO, Human Rights Law Centre

# Who we are & how we work

## Our Vision

An Australia where everyone is free to lead a decent, dignified life; where our laws, policies and institutions promote fairness and equality; and where people and communities have the power to address inequality and injustice and ensure that governments always act in the public interest.

## Our Mission

The Human Rights Law Centre uses strategic legal action, policy solutions and advocacy to support people and communities to eliminate inequality and injustice and build a fairer, more compassionate Australia.

## Where we work

We are a national organisation committed to building a fair and compassionate Australia. We work on human rights issues in Australia and that relate to the actions of Australian governments and corporations overseas.

## Our tools

### Legal action

We take strategic legal action to secure redress for people and communities in need, to ensure accountability, to establish precedents that protect human rights and to prompt law and policy change.

### Policy solutions

We conduct analysis, consultation and research to develop policy solutions to change laws and policies to advance human rights.

### Advocacy

We advocate with decision makers, in the media and through UN accountability mechanisms, to secure law and policy reforms to advance human rights and to defeat policy proposals that would undermine human rights.



Josephine Langbien  
Senior Lawyer

## How We Work

In undertaking our work, we help people and communities understand their rights and take action to defend those rights and the rights of others. We work alongside people and communities affected by human rights violations and place their voices and interests at the heart of our work. We recognise that our goals can only be achieved by working collaboratively. That's why strong, respectful partnerships are central to all of our work.

We partner with other not-for-profit organisations to advance shared goals and achieve collective impact. We partner with Aboriginal and Torres Strait Islander peoples and organisations, working alongside them to address systemic injustices facing communities, guided by partnership principles which support self-determination. We partner with law firms and barristers whose professional commitment to human rights, access to justice and the rule of law brings significant expert pro bono resources to support our work.

We build communities of action on the issues we work on. We connect people and communities whose human rights are at risk with our staff, donors, philanthropic funders, not-for-profit and pro bono partners and with other people and communities who are committed to defending rights.

The Human Rights Law Centre is deeply committed to the realisation of Aboriginal and Torres Strait Islander peoples' human rights in Australia, as a vital component of our broader mission to protect and promote human rights in Australia. We are committed to conducting our work in a way that supports reconciliation and the full realisation of the right to self-determination for Aboriginal and Torres Strait Islander peoples. We are committed to the development of respectful and empowering partnerships and working in solidarity with Aboriginal and Torres Strait Islander peoples. We are also committed to being a culturally responsive and respectful organisation, and to developing a culturally safe work environment. The development of a Reconciliation Action Plan provides a framework for progressing these goals.

## Our Reconciliation Action Plan

## Our Equity, Diversity and Inclusion Policy

In 2021, we continued to learn and grow as an organisation and have committed to ongoing Aboriginal and Torres Strait Islander cultural awareness training for all staff. We value the guidance of the Aboriginal and Torres Strait Islander organisations that we work with and have sought to support their work through shared advocacy efforts, litigation, media, campaigns, and community events on issues impacting the rights of Aboriginal and Torres Strait Islander peoples. We are committed to increasing First Nations representation in the legal sector and we are proud to participate in the Waiwa Mudena program. Designed with and for First Nations law students, Waiwa Mudena is a program run by King & Wood Mallesons. The Human Rights Law Centre continued our involvement in the program and welcomed two interns this year.

The Human Rights Law Centre is committed to promoting all forms of diversity, including race, religion, gender, sexual orientation, socio-economic background, disability and age. Promoting diversity is central to our work. It is not only the right thing to do, it helps us to attract, and retain, the staff we need to effectively do our work supporting people and communities to eliminate inequality and injustice. The Human Rights Law Centre's Equity, Diversity and Inclusion Policy outlines the diversity, equity and inclusion principles that guide our practices. We are committed to monitoring

## Our Equitable Briefing Policy

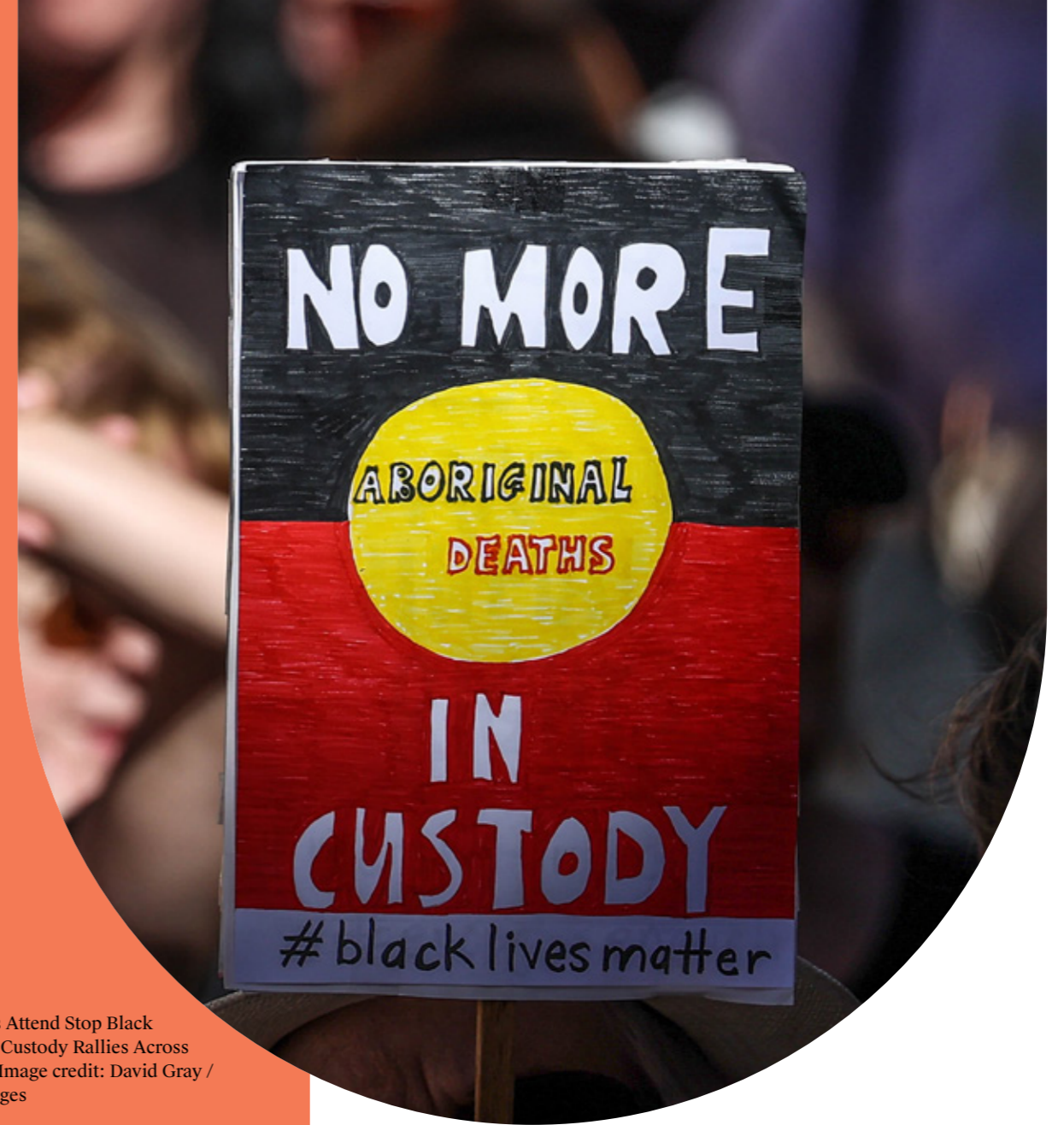
The legal profession does not currently reflect the community that it serves, and as a human rights organisation we have a responsibility to help address this. Working with counsel who have a diversity of perspectives, experiences and backgrounds is good for our clients and good for the profession.

The Human Rights Law Centre has adopted an equitable briefing policy which has been developed in consultation with a range of stakeholders across the profession, which aims to guide and improve our briefing practices. We have set targets to offer more briefs to barristers who are Aboriginal or Torres Strait Islander, people of colour or who have a disability and barristers who are women or gender diverse. Additionally, the policy sets out a range of other initiatives to ensure the Centre is contributing to fostering greater diversity within the legal profession. You can view the policy on our website [hrlc.org.au/what-we-do](http://hrlc.org.au/what-we-do)

# Aboriginal & Torres Strait Islander Peoples' Rights

## Our Vision

A fair legal system that is free from racial injustice and that upholds the principles of dignity, equality, and Aboriginal and Torres Strait Islander peoples' right to self-determination.



Protesters Attend Stop Black Deaths In Custody Rallies Across Australia Image credit: David Gray / Getty Images

## How we Work

Aboriginal and Torres Strait Islander people know the solutions to the injustices their communities face – injustices borne of colonisation, ongoing racism and generations of oppressive laws and policies. We strive to work in ways that respect Aboriginal and Torres Strait Islander peoples' right to self-determination and support the movement to end systemic racism in the legal system. We work in solidarity with Aboriginal community-controlled organisations, peak bodies and the Change the Record coalition. Our partnership principles and Reconciliation Action Plan guide how we support Aboriginal and Torres Strait Islander peoples' right to self-determination. We recognise that meaningful solidarity requires ongoing learning and change.

1

**Ending Aboriginal deaths in custody**

We work alongside Aboriginal legal services to end Aboriginal deaths in custody.

2

**Ensuring Aboriginal and Torres Strait Islander children are diverted away from the legal system**

We advocate for a fair and compassionate youth legal system that ensures Aboriginal and Torres Strait Islander children are not locked up and instead, can reach their full potential, supported by their families and in the community.

3

**Removing racial injustice from the criminal legal system**

We work to end the mass-imprisonment of Aboriginal and Torres Strait Islander people and challenge the lack of police accountability.

4

**Pushing for economic justice through a fair social security system**

We work to end the federal government's oppressive targeting of Aboriginal and Torres Strait Islander people through the social security system and to advocate for a fair social safety net so that all people can live a dignified life.

# Our Impact

## Ending Aboriginal deaths in custody

Since the 1991 Royal Commission into Aboriginal Deaths in Custody, over 500 Aboriginal people have died in police or prison custody. No police officer has ever been held criminally responsible. Many of the Royal Commission's recommendations are still not implemented. In partnership with Aboriginal legal organisations, the Human Rights Law Centre is working to compel governments across Australia to address this human rights crisis.

and Luritja teenager Kumanjayi Walker. Kumanjayi Walker was killed after being shot three times at close range by police officer Zachary Rolfe in November 2019, in circumstances where all medical services had been withdrawn from the Yuendumu Community.

The coronial inquest into his death began in September 2022 and is ongoing. The Human Rights Law Centre is assisting NAAJA to highlight systemic injustices experienced by Aboriginal people in the Northern Territory, including systemic racism in policing. Together, we are calling for: an end to discriminatory policing and excessive use of force by police; independent and more robust police accountability mechanisms; community-led alternatives to police; and community-controlled health services.

### Justice for Kumanjayi Walker

In 2022, the Human Rights Law Centre began supporting the North Australian Aboriginal Justice Agency (NAAJA) in their intervention in the coronial inquest into the police-shooting death of Warlpiri

Members of the legal team assisting NAAJA in their intervention in the coronial inquest into the death of Kumanjayi Walker (Julian Murphy, Nick Espie, Phillip Boulton SC) wearing pink in recognition of Yorta Yorta woman Tanya Day's birthday



“The Northern Territory Government can end racial injustice today by addressing the systemic racism we see every day and that is woven into the fabric of institutions like the police and the delivery of health services.

“Kumanjayi Walker should be alive today with his family and his community. The families and community have shown tremendous strength and dignity throughout this ordeal – and continue to do so. They must be listened to, and governments must act on community calls for change. Aboriginal communities and organisations have always had the answers - now it is time for action.”

– Nick Espie, Legal Director

### Supporting the family of Tanya Day and repeal of public drunkenness laws

The Human Rights Law Centre continued to support the work of the family of Yorta Yorta woman Aunty Tanya Day, who died in police custody in Victoria in 2017. Aunty Tanya was arrested for being drunk in a public place after falling asleep on a train and died after hitting her head in a police cell. The Coroner found that the checks conducted on Aunty Tanya while she was in the police cell were inadequate and that police had failed to take proper care for her health and welfare.

The decriminalisation of public intoxication was first recommended by the Royal Commission into Aboriginal Deaths in Custody over 30 years ago. Following extensive advocacy by the Day family, the Andrews government committed to decriminalisation in August 2019 at the outset of the coronial inquest into Aunty Tanya's death.

This year, the Andrews government disappointingly delayed these long overdue reforms and the rollout of a state-wide public health response by 12 months to November 2023. We continue to work with the Day family to ensure the Victorian government upholds this commitment to deliver a best practice, Aboriginal-led public health response without further delay.

### Advocating for police accountability

The status quo of police investigating themselves and dodging accountability for their actions must end. During 2022, we continued advocating for police accountability in Victoria. We worked alongside the Victorian Aboriginal Legal Service, Police Accountability Project and other partners to inform the Victorian government's review into the state's police accountability system. Together, we continue to call for the introduction of independent oversight of complaints of police misconduct in the form of a best practice Police Ombudsman.



● “Public drunkenness laws have always been dangerous and discriminatory, and that’s why the Royal Commission into Aboriginal Deaths in Custody recommended that they be repealed three decades ago. As our mum’s case shows, police cells are unsafe places. No person should ever be locked up just for being drunk in public.”

— The family of Tanya Day

### Removing racial injustice from the criminal legal system

Funnelling more people into prisons does not make our communities safer, it compounds inequality and disadvantage. Yet for years, Australian governments have continued to expand prisons across the country, spending billions of dollars on a system that isn’t working, under the guise of appearing “tough on crime”.

In a prison system underpinned by dispossession and colonisation, Aboriginal and Torres Strait Islander people are most deeply impacted. Government inaction, systemic racism, discriminatory policing and economic inequality have led to Aboriginal and Torres Strait Islander people being the most incarcerated people in the world. The Royal Commission into Aboriginal Deaths in Custody found that mass imprisonment is a key factor of Aboriginal and Torres Strait Islander people dying in custody. To address this injustice, we work alongside partners to end discriminatory laws and policies, and promote evidence-based ways to cut imprisonment rates and improve community safety.

### Challenging unjust bail laws

Between 2016 and 2019, the Victorian government made knee-jerk changes to Victoria’s bail laws largely in response to a violent act committed by one man. These changes have driven up the number of people in prison, with women experiencing poverty and Aboriginal and Torres Strait Islander women impacted most.

● “Victoria has some of Australia’s most dangerous and discriminatory bail laws that needlessly remove people from their families and funnel them into prisons to be warehoused on remand. Victoria’s bail laws result in people being denied the presumption of innocence, not because they pose a risk to the community, but because the government has failed to resource services and supports.”

— Monique Hurley, Managing Lawyer

More women are being denied bail, not because they pose a risk to the community, but because they themselves are at risk – of family violence, homelessness, economic disadvantage and mental illness. As a result, now over half the women in Victorian prisons are unsentenced.

For years, Aboriginal and Torres Strait Islander, human rights, legal and advocacy groups have been calling on the Andrews government to fix the state’s bail laws, which are some of the most dangerous and discriminatory in the country. In 2022, a parliamentary committee conducted a review into Victoria’s criminal legal system. The Human Rights Law Centre gave evidence to the inquiry calling for a suite of changes to end discrimination and injustice in Victoria’s criminal legal system. After hearing our evidence, the Committee’s final report made 100 recommendations for change, including that the Andrews government review the operation of the state’s bail laws. This recommendation does not go far enough and prior to the November state election, we advocated for the Victorian government to fix the state’s bail laws.

Victoria’s unjust bail laws form part of a national trend towards regressive bail laws across the country that are driving up the number of unsentenced people in prison. This is particularly the case in the Northern Territory and Queensland where we opposed amendments to youth justice laws that have resulted in the number of children driven into prisons skyrocketing.





“Children belong in schools, in playgrounds, with their families and in their communities. Children that end up interacting with the criminal legal system are often children that need therapeutic support and assistance, not to be dragged through a system which only exacerbates underlying issues. The medical and legal evidence is clear, and we will not stop until every state and territory in Australia has raised the age of criminal responsibility to at least 14.”

The Raise The Age team delivering the Victorian petition to Fiona Patten MP

## Removing racial injustice from the criminal legal system

### Stopping children from being pipelined into prisons

Children do not belong behind bars. Yet across Australia, children as young as ten can be charged by police and locked up in prison. Australia’s very low age of criminal responsibility is at odds with expert advice on childhood development, and is completely out of step with most other countries. Over the past year, close to 450 children aged ten to 13 were locked up and thousands more hauled through the criminal legal system. Due to the ongoing impacts of colonisation, inequality and systemic racism in our laws and policies, Aboriginal and Torres Strait Islander children account for 61 per cent of these children.

In 2022, we continued our work on the #RaisetheAge campaign which seeks to raise the age of criminal responsibility in all Australian jurisdictions from 10 to at least 14 years old.

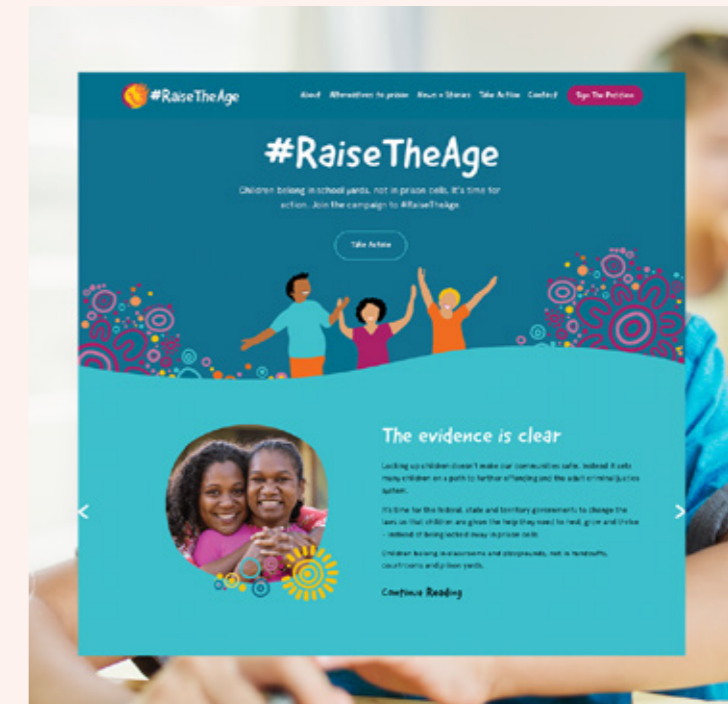
Launched in 2020, the campaign now has the support of over 115 organisations from every state and territory. The Human Rights Law Centre continues to coordinate both the Steering Committee and the broader alliance of organisations.

In 2022, we achieved some important progress through sustained public and direct advocacy. This included presenting a petition signed by over 200,000 people calling on governments across the country to raise the age to the Minister for Indigenous Australians, the Honourable Linda Burney MP, and federal Attorney General the Honourable Mark Dreyfus KC, MP.

In Victoria, we joined a coalition of Aboriginal and Torres Strait Islander, legal, human rights and youth justice organizations to reiterate calls for the Victorian government to raise the age of criminal responsibility with the backing of 65,799 Victorian residents who have

signed the petition. Fiona Patten MP, who chaired a bipartisan Legal and Social Issues Committee that oversaw a recent Inquiry into Victoria’s Criminal Justice System, met with the coalition to accept the petition. We also conducted digital campaigning to increase public support for the reform and led the redevelopment of the #RaiseTheAge website and resources.

As a result of this work, the ACT and Northern Territory governments committed to raising the age of criminal responsibility and Tasmania committed to raising the minimum age of detention. Unfortunately, the Northern Territory government has only committed to raising the age to 12, leaving 12 and 13-year-old children languishing in prisons, police cells and courtrooms. We will continue to advocate for the age to be raised to at least 14 years old across the country, in line with international human rights standards.



[Join the campaign](#)



● “It’s only fair for the pension age to be lowered. But this isn’t just about money. Things will never get better unless we acknowledge something is wrong. Truth and accountability are important. This case is about telling the truth, and asking the Government to work together with us, to give our people the same chance in life as everyone else.”

– Wakka Wakka man, Uncle Dennis

## Pushing for economic justice through a fair social security system

Racist social security laws and programs target and disproportionately impact Aboriginal and Torres Strait Islander people across Australia, particularly in remote areas. We work alongside Aboriginal-led organisations to challenge these injustices and advocate for a fair social safety net.

### Ending discriminatory compulsory income management

Everyone should have the dignity to decide where to spend their income and how to support themselves and their families. Yet the federal government subjects thousands of people receiving social support payments to compulsory income management. Programs like the Cashless Debit Card and the Basics Card restrict people’s freedom and autonomy by limiting access to cash and dictating how and where a proportion of payments can be spent.

Not only are these programs demeaning, they are also discriminatory and specifically designed to target Aboriginal communities. Compulsory income management was introduced in the Northern Territory as a feature of the Howard government’s racist Intervention in 2007. Income control can also further entrench financial disadvantage. Successive reviews of income management trials in Australia have failed to establish any conclusive evidence that it works to reduce social harms or poverty.

For years, the Human Rights Law Centre has supported the calls of Aboriginal and Torres Strait Islander organisations to scrap racist income management programs. In September 2022, we achieved significant progress when the Albanese government passed legislation to end the ineffective Cashless Debit Card trial.

The repeal of the Cashless Debit Card, however, will benefit fewer than half of all people who are currently under income management. We warned that the legislation change will not help people in the Northern Territory and other locations, who will still be subject to another form of compulsory income management for at least another 18 months while further consultations are conducted.

### Challenging unfair access to the age pension for Aboriginal people

Every person should have the right to age and retire with dignity, but because of the gap in life expectancy, Aboriginal and Torres Strait Islander people are being denied equal access to fundamental support in later life. Because of the ongoing impacts of colonisation and systemic racism, and the failure of governments to meet Closing the Gap targets, Aboriginal men have a life expectancy 8.6 years lower than non-Indigenous men, while for women the gap is 7.8 years. Too many Aboriginal and Torres Strait Islander people are working through poor health until they reach pension age, or falling into poverty when they are no longer able to work. Too many Aboriginal and Torres Strait Islander people pass away before having a chance to enjoy retirement.

In 2021, working with proud Wakka Wakka man Uncle Dennis and the Victorian Aboriginal Legal Service, we brought landmark legal proceedings in the Federal Court seeking fair and equal access to the age pension for Aboriginal and Torres Strait Islander people. The legal challenge, which is brought under the *Racial Discrimination Act*, progressed throughout 2022 and will likely be heard by the Full Federal Court in early 2023.

Wakka Wakka man  
Uncle Dennis  
Image credit: Royal  
Botanic Gardens

# Dignity for People in Prison

## Our Vision

An Australia where governments are working towards closing, rather than opening, prisons; where all people behind bars are treated with dignity; and where governments and private operators are held accountable for human rights abuse in prisons.



## How we Work

We recognise the close connection between growing imprisonment rates, racial injustice and the risk of people being subjected to human rights abuses behind bars. While our primary focus is always on reducing the number of people being pipelined into prisons we also work in partnership with Aboriginal organisations, community legal centres and other partners to call for an end to harmful prison practices for those people currently trapped in the criminal legal system, and for greater oversight and transparency of human rights abuses committed in places of detention.

# Focus of our Work

1

## Ending cruel and degrading practices in prisons

Abuse thrives behind prison walls and we advocate to end particularly cruel and degrading practices, including routine strip searching and the use of spit hoods and restraint chairs.

2

## Ensuring oversight and transparency

We call for greater oversight and transparency to prevent abuse behind prison walls. This includes advocating for the effective implementation of the United Nations' anti-torture treaties, including the protocol which requires independent inspections and monitoring of places of detention to be implemented across Australia.



# Our Impact

## Ending routine strip searching in prisons

Strip searching is a degrading practice that is often carried out routinely in Australian prisons, despite the availability of non-invasive alternatives such as body scanning technology. Routine strip searching can be distressing and dehumanising for any person, but can be especially traumatising for women and children in prisons who are overwhelmingly victim/survivors of family violence and abuse. To put an end to routine strip searching, the Human Rights Law Centre conducts research and carries out freedom of information

searches across the country to expose the frequency with which children and women are being routinely strip searched and to advocate for change.

In June 2022, after prolonged advocacy alongside the Tasmanian Aboriginal Legal Service, we successfully convinced the Tasmanian government to end routine strip searching of children in Tasmanian youth prisons. We will continue to build momentum for law reform across the country to end the use of this degrading, harmful and unnecessary practice.



“Being subjected to routine strip searching robs people of their dignity and can be dehumanising and degrading for any person. There is no excuse for governments across Australia to continue to routinely strip searching people in prison when there are far more effective and less intrusive ways of checking for contraband, like using x-ray scanners similar to those used at airports.”

– Nick Espie, Legal Director

## Ending the use of spit hoods and restraint chairs

Using spit hoods and restraint chairs is not only cruel and distressing, it can lead to injury and death. In 2021, after a sustained campaign mounted by sibling Latoya Rule, the South Australian government became the first state to ban the use of spit hoods in law, five years after the death of Wiradjuri, Kokatha and Wirangu man Wayne Fella Morrison.

This is despite a 2017 Royal Commission recommending their use be banned. Together with Aboriginal partner organisations, we immediately wrote to the Northern Territory government to demand an end to the use of these barbaric practices. This resulted in the NT Police Minister directing police to use alternative methods.

Throughout 2022, we continued to advocate for all Australian states and territories to ban the use of spit hoods and restraint chairs in law. In February, an investigation by the NT News revealed that spit hoods and restraint chairs were still being used in police stations in the Northern Territory.

This year, the Queensland Government announced that spit hoods have been operationally banned from all of its watch-houses. While this is an important reform, we worked alongside partners to urge the Palaszczuk government to extend the ban across all settings, not just watch-houses.



● “Australia is in the midst of a mass imprisonment crisis, where human rights abuses are allowed to thrive in the darkness. Right now, people are being subjected to solitary confinement, women are being routinely stripped of their dignity and children as young as 10 are locked up in prison and police cells. The world is watching, and the Albanese government needs to step up to the plate and end human rights abuse behind bars.”

– Monique Hurley, Managing Lawyer

## Advocating for the implementation of the UN’s anti-torture treaties

No one should be subjected to abuse in prisons and places of detention. Yet cruel and degrading treatment is all too common in prisons and police cells across Australia.

The UN’s anti-torture treaty, the Convention Against Torture and the Optional Protocol to the Convention Against Torture (OPCAT), are designed to end the mistreatment of people behind bars. Together, they outlaw all forms of torture and other cruel, inhuman or degrading treatment or punishment, and require Australian governments to establish independent and effective inspection and monitoring systems to prevent mistreatment in all places of detention.

The federal government ratified OPCAT in December 2017. After lengthy delays, it is due to be implemented in January 2023. We provided feedback on draft laws seeking to implement the protocol across the country. Despite the fast approaching deadline, alarmingly little progress has been made towards establishing the monitoring systems it requires, particularly in Victoria and NSW.

In October 2022, the UN Subcommittee on the Prevention of Torture visited Australia to inspect places of detention. To inform these investigations, the Human Rights Law Centre provided joint submissions with Change The Record and the National Aboriginal and Torres Strait Islander Legal Service. The submissions highlighted Australia’s failure to meet international human

rights standards and make a number of recommendations to end human rights abuses behind bars. Together, we used this moment to shine the international spotlight on the human rights abuses permitted in prisons across the country, and called on the federal government to show leadership where successive previous governments have failed.

Shockingly, the NSW and Queensland governments blocked the UN Subcommittee from visiting places of detention in their states. As a result, the Committee took the drastic measure of suspending their visit to Australia. We joined with partners to condemn this flagrant breach of Australia’s obligations. Together, we used media advocacy to call for all Australian governments to fully implement OPCAT as a matter of urgency.

# Rights of Refugees & People Seeking Asylum

## Our Vision

Australia's cruel deterrence regime is replaced with a fair and humane response to people who are forced to leave their homes, which focuses on safe passage and treats people seeking safety with dignity, compassion and respect.



The children of our clients  
Abdullah and Fatima  
Image credit: ABC

## How we Work

We use a strategic combination of legal action, policy solutions and advocacy to address the harm being caused by the Australian Government's refugee policies and to change those policies. We work in close partnership with the communities we represent and with other organisations working in the refugee rights and services sector.

## Focus of our Work

1

### Bringing families back together

Families belong together. Yet the Australian Government is deliberately separating thousands of refugees and people seeking asylum in Australia from their families overseas. Working closely in consultation with people directly impacted, we are addressing this injustice using a combination of strategic legal action, public campaigning, advocacy, and policy reform work.

2

### Safety for people subjected to offshore detention

Australia's inhumane offshore detention regime has destroyed thousands of lives and caused unthinkable suffering. Nearly 200 people remain abandoned in Nauru and Papua New Guinea. We continue to fight to end this harmful policy and we will not stop until every single person can rebuild their lives in freedom and safety.

3

### Ensuring accountability for harm

Ending offshore detention is only the first step towards repairing the years of harm caused by this cruel policy. We use legal action and advocacy to ensure there is accountability for the damage done, and to develop public recognition that it must never happen again.

4

### Evolving Australia's approach to immigration

Over the last 20 years, Australia's approach to immigration has become increasingly punitive and has led to countless human rights abuses. We are working with partners to devise strategies to shift Australia's immigration policies to an approach that treats people with dignity, compassion and respect.

## Our Impact

### Reuniting families

Our migration system should aim to reunite people with their loved ones, not deliberately keep them apart. But through punitive and discriminatory policies, exorbitant costs to families, limited places and unreasonable delays, successive governments have deliberately kept thousands of families apart. For refugee families in particular, family separation is used as a tool to punish and deter people from seeking safety in Australia. For several years the Human Rights Law Centre has been fighting these cruel tactics in the courts, on the international stage and through public advocacy calling for an end to the intentional separation of families.

### Challenging family reunion delays in court

Endless delays in Australia's intentionally cruel family migration system are keeping thousands of people separated from

their loved ones for years on end. This was the terrible reality for our clients Abdullah and Fatima. Abdullah, who has permanent refugee protection in Australia, applied to be reunited with his wife Fatima and their children back in 2017. Fatima and the children had been living as refugees in Pakistan after a missile attack destroyed their home in Afghanistan, tragically killing one child and seriously injuring another.

For almost five years, the Australian government refused to process Abdullah and Fatima's family visa application, so the Human Rights Law Centre supported the family to challenge the delay in court. Just weeks before the court hearing, the government conceded the case and granted the family's visas. Fatima and the children have now been reunited with Abdullah in Australia and have begun rebuilding their lives together in safety.

Abdullah, Fatima and family  
Image credit: ABC



“I waited so many years to be with my family. Being reunited with them is a relief. I wish that the Australian Government could have processed the visas faster. There are lots of other people just like us - if the government can act faster on their visas, that would mean a whole new world for those families.”

— Abdullah



● “Our migration system should aim to reunite people with their loved ones, rather than deliberately keeping them apart. But this Committee’s findings reaffirm what we’ve always known, that through punitive and discriminatory policies, exorbitant costs and unreasonable delays, the Australian Government is intentionally keeping thousands of families apart.”

— Josephine Langbien, Senior Lawyer

Fatima and Abdullah chose to share their story publicly, so the Australian community can continue to learn about the government’s intentional separation of refugees from their families. We helped them share their story across national television, radio and print news.

This outcome shows how legal action and public advocacy are powerful tools to tackle injustice. But Fatima and Abdullah’s family are just one of thousands of families who have been waiting for years to be reunited while their visa applications have stalled. And more than a year after the Taliban seized power in Afghanistan, thousands of Australians remain separated from loved ones in Afghanistan, where the humanitarian situation is increasingly dire. We continue to call on the Federal Government to take urgent action to address visa processing delays and reunite families who have been cruelly separated for years.

#### Bringing the fight for families to Parliament

In 2021, we worked with Members of Parliament to set the terms of an in-depth Senate inquiry into Australia’s punitive family migration program. As part of this inquiry, we supported Rohullah, a father separated from his wife and baby daughter, to write directly to the committee about his experience. We also provided evidence about the harmful laws, policies and practices that are keeping

families apart. In March, the Committee handed down its report, which agreed that the family migration system requires an urgent overhaul to ensure families and partners are reunited with efficiency and transparency. The Committee made a bipartisan recommendation that the Department of Home Affairs urgently develop a long-term strategy to improve its handling of family visa applications. The report, which cited our submission extensively, referred to “deeply concerning” evidence about people’s experience of navigating the family migration system, and acknowledged that “more must be done” to ensure the family migration system is equitable.

Following this recommendation, the Australian National Audit Office commenced a performance audit to assess the effectiveness of the Department of Home Affairs’ handling of family visa applications. The Human Rights Law Centre made submissions to the inquiry setting out numerous recommendations for change.

After the federal election in May, we wrote to the new government directly to raise the reforms needed to reunite families. Our work to highlight the cruelty of family separation paid off when the new Minister for Immigration, Citizenship and Multicultural Affairs publicly acknowledged the issues plaguing the family migration system and committed to addressing the visa backlog.

## Ensuring safety for people subjected to offshore detention

People seeking safety in Australia should be treated with dignity and respect, not banished to a detention camp in another country. July 2022 marked nine years of Australia’s policy of offshore detention, under which thousands of people who came to Australia for protection have been subjected to cruelty and harm.

The Human Rights Law Centre continued to call for an end to this shameful policy. Nearly 200 people remain in Nauru and Papua New Guinea, where they have endured nine years of mistreatment, isolation, deplorable living conditions and medical neglect. In 2021 the Federal Government ended Australia’s offshore detention agreement with Papua New Guinea, but reaffirmed its commitment to Nauru. The Morrison Government abandoned the people who remained in Papua New Guinea after the end of the formal agreement and sought to wash its hands of responsibility for their safety and futures.

In 2022, we advocated for the federal government to provide permanent and safe resettlement to every person who has suffered, including those still in Papua New Guinea. In March 2022, the Morrison Government announced that it had finally accepted New Zealand’s offer to resettle refugees who remain barred from a permanent future in Australia. The deal will allow up to 450 people to resettle in New Zealand over the next three years – both people still held in Nauru and people brought to Australia from offshore detention. The New Zealand Government has separately agreed to work with the UN High Commissioner for Refugees to offer

resettlement to people remaining in Papua New Guinea. While this pathway to safety is welcome, it will not provide a solution for everyone. Hundreds of people will remain without a resettlement pathway, and for others, leaving Australia is not an option due to family and community ties or ill health.

Following sustained advocacy as part of the #TimeForAHome Campaign, another element of cruelty came to an end in March and April 2022, with the release of more than 50 men who were arbitrarily detained by the Morrison Government. For these refugees, years of crushing detention and neglect on Manus Island and Nauru were followed by two and a half years of imprisonment in Australia, often in cramped hotels used as makeshift detention centres. For the first time since they arrived in Australia in 2013, they have now been living with a degree of dignity, free from fences and guards.

However, people brought to Australia from offshore detention still live with the ongoing threat of being sent back offshore. Against this backdrop, this year we continued to lead legal action to prevent the Government from returning people to offshore detention. Our 200 High Court cases for more than 500 people remain in place.

People subjected to offshore detention have waited nine years for safety. Working with key sector partners, we continue to campaign for a safe and permanent home for everyone impacted by offshore detention.

● “Almost a decade on, the Australian government continues to punish people for seeking safety here. Families have been ripped apart. People have died. Hundreds of men, women and children have lost years of their lives and still don’t have any permanent home. The Albanese government must end this dark chapter in our history by closing offshore detention once and for all and allow every person the chance to rebuild their lives in safety.”

— Scott Cosgriff, Senior Lawyer



## Ensuring accountability for harm

The Australian Government must answer for the years of human rights violations inflicted on people seeking safety. Through court action and international advocacy, we work to seek justice for the people who have suffered under Australia's detention policies and their families.

### Holding the government accountable in court

In 2022, we continued to coordinate a major pro bono effort involving 13 law firms to run more than 30 Federal Court cases against the federal government. These cases are on behalf of children, women and men who suffered serious injuries because of the government's neglect and mistreatment in offshore detention.

Initially, these cases secured urgent transfers of people to Australia for medical treatment. Now they offer the possibility of compensation for our clients and a finding that the government is legally responsible for the harm they suffered.

● “People are spending longer in immigration detention than ever before – sometimes ten years, because Australia has abdicated all responsibility. These are the direct human consequences of mandatory immigration detention – the government can lock people up forever without consequences. The Albanese government must confront this sorry legacy.”

— Sanmati Verma, Managing Lawyer

If these cases are successful, they will secure compensation for people harmed, create an important legal precedent, and help prevent anyone from suffering the same treatment again.

### Advocacy to the United Nations

In 2022 the United Nations Committee Against Torture investigated Australia's human rights track record in places of detention. Together with our partners, the Refugee Council of Australia and UNSW Sydney's Andrew & Renata Kaldor Centre for International Refugee Law, we made detailed submissions to the Committee highlighting Australia's mistreatment of people seeking safety both offshore in Nauru and Papua New Guinea, and in immigration detention in Australia. We directly briefed the Committee on the neglect and abuse that has occurred offshore, the practice of mandatory detention and harsh visa cancellation laws that are resulting in prolonged, indefinite detention, and the policies and practices that are separating refugees from their families as a form of punishment and deterrence.

● “The bill would allow more people to be ripped away from their families, locked up in detention centres and deported to a country that is not their home, even when they have lived in Australia for decades.”

— Scott Cosgriff, Senior Lawyer

### Fighting the expansion of detention and deportation powers

In March 2022, we witnessed a renewed attempt by the Morrison Government to pass damaging and unnecessary laws that would give the Immigration Minister unreasonable power to cancel visas and deport people living in Australia. To prevent this injustice, we coordinated targeted advocacy from experts and community organisations. We also joined with the Asylum Seeker Resource Centre to brief lawmakers in Parliament House on the damaging impact of the proposed changes. Thanks to this work, the bill lapsed upon the dissolution of Parliament, along with the bill to ban mobile phones in detention centres.

### Developing a broader, positive vision for Australia's approach to immigration

The pandemic put in stark relief the inequitable treatment of people living and working on temporary visas in Australia, with thousands of people unfairly denied critical support due to a visa status that fails to reflect their membership of the community. In 2021 we worked with families affected by COVID-related travel restrictions and advocated against policies that left visa-holders cut off from their Australian families and thousands of refugees with Australian visas stranded overseas.

After the dramatic impact of COVID-19 and a change in federal government, there is a clear need to rebuild Australia's immigration system and a window of opportunity to shape a new, positive vision for how migrants and refugees are treated. We know that the community supports change. At the start of 2022, we partnered with the Migrant Workers Centre to undertake and release research showing that almost 80 per cent of Australians support a pathway to permanent residency for people who have lived and worked in Australia for several years.

The new federal government was elected with a commitment to give permanent status to refugees in limbo on temporary protection visas. We continue to work with partner organisations on opportunities for advocacy and legal action to hold the government to account on this commitment, and to secure stability and certainty for other long-term residents in precarious migration situations.



# Charters of Human Rights



Emeritus Professor Gillian Triggs, former President of the Australian Human Rights Commission and Teela Reid, lawyer and Wiradjuri/Wailwan woman at a Charter of Human Rights event.

## Our Vision

An Australia where everyone, no matter who they are or where they are, understands their rights, has them properly protected in our laws and has the power to take action to ensure they are upheld.

## How we Work

The Human Rights Law Centre steers the national campaign to create an Australian Charter of Rights & Freedoms to ensure human rights are properly protected in law at the national level. We work with communities, a coalition of 77 civil society organisations covering diverse areas and constituencies, and legal and human rights experts to build support and momentum for a national Charter. Our campaign harnesses the expertise, reach and voice of community partners; brings communities together with a positive vision for a Charter; drives legal policy research and development; uses the media for positive social change; and builds political support for a Charter.

## Focus of our Work

1

### Growing support for a national Charter

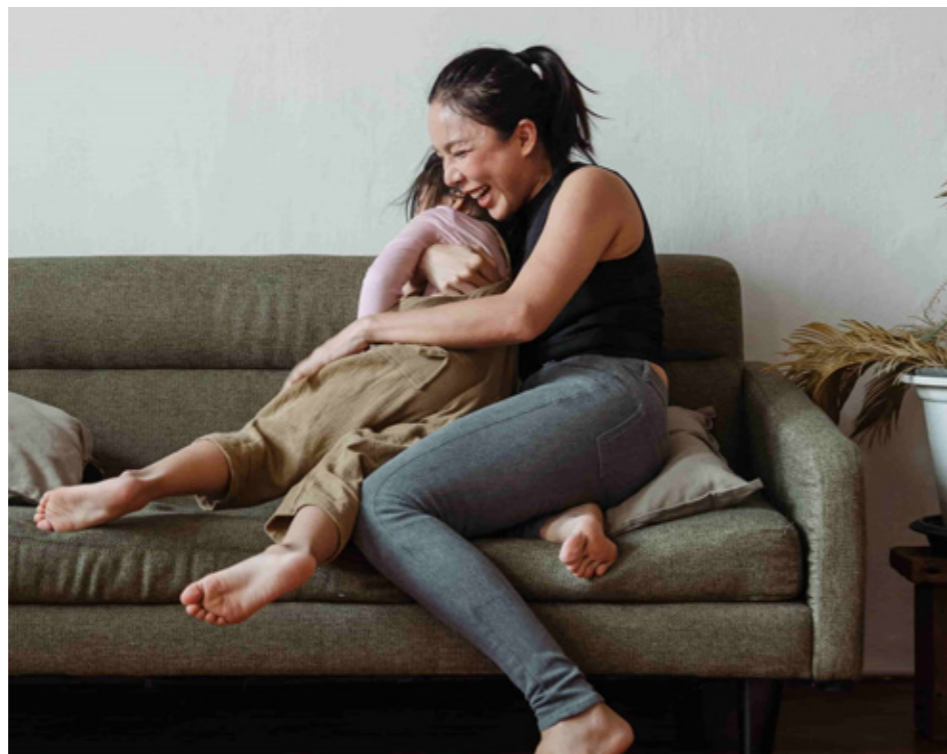
We increase public understanding of human rights and grow support for protecting our rights in law. We develop and use campaigning and communications tools and advocacy to achieve this goal.

2

### Supporting local campaigns for state and territory Charters

We support local efforts to strengthen existing Charters in Victoria, Queensland and the ACT and to secure Charters in states and territories that don't yet have them.

Image credit: istock



## Our Impact

### Calling for the introduction of a right to a healthy environment in the *ACT Human Rights Act*

At a time when climate change, pollution and biodiversity loss are threatening the health and livelihoods of many communities, there is a pressing need to find new ways to protect the precious ecosystems on which human life depends. Rights to health, water, food and a decent standard of living cannot be realised if we continue to destroy our environment. Enshrining the right to a healthy environment in law is one way we can hold governments to account for the benefit of future generations.

The movement for enshrining this right in law is growing. Over 155 countries globally recognise the right to a healthy environment through national and regional laws. Australia is not one of them. However, in 2022, the ACT Government launched a review on whether the right to a healthy environment should be included in the *ACT Human Rights Act*. The Human Rights Law Centre provided detailed advice in a submission that calls on the ACT Government to lead the nation and recognise the right to a healthy environment in the Human Rights Act.

The oppression of Aboriginal and Torres Strait Islander peoples' rights, knowledges and practices by governments since colonisation is a driver of the current climate and environmental crisis in Australia, which in turn acutely threatens rights to Country, culture and wellbeing. Our submission therefore urged the ACT Government to ensure that the voices of Aboriginal and Torres Strait Islander people in the ACT are prioritised in defining the right to a healthy environment.

In October 2022, we secured a win, with the ACT Government announcing in-principle support for the recommendations. They will commence work in 2023 to amend the Human Rights Act to allow complaints to be made to the Human Rights Commission.

“Amending the ACT’s Human Rights Act to include the right to a healthy environment will not only help safeguard the environment for future generations, it will set the standard across Australia.”

— Adrienne Walters,  
Associate Legal Director



Will Ingram (left) with Melanie Schleiger from Victorian Legal Aid who was Will's advocate in the case.  
Image credit: Sam Biddle

## Developing new resources to grow support for charters of rights

Human rights laws in Victoria, the ACT and Queensland are making concrete improvements to people's lives, particularly by preventing homelessness and promoting health. Yet despite the success of these laws in three jurisdictions, Australia is the only western democracy without a national Charter of Human Rights or similar law.

In June 2022, the Human Rights Law Centre released a new report: *Charters of human rights make our lives better*. The report tells the success stories of the ACT's Human Rights Act 2004, Victoria's Charter of Human Rights and Responsibilities Act 2006 and Queensland's Human Rights Act 2019. The report analysed 101 cases that show how these laws have empowered people and their advocates when rights were threatened or breached. It highlighted cases that challenged laws which criminalised people sleeping in their cars and ensured a man with a disability was allowed to open his own mail.

It included dozens of cases from the Covid-19 pandemic showing how human rights laws play an important role in protecting peoples' rights during a public health crisis.

In late 2022, we launched the 101 case studies interactive microsite, a website designed as an education resource for people, communities and civil society organisations advocating for charters in other states and territories. The site features videos of some of the cases featured in the report to help build public understanding of the value of charters.

## Will's story

*In 2011, Will purchased travel insurance for an overseas study trip planned for the following year. In early 2012, he was diagnosed with a depressive illness. Based on medical advice, he cancelled his trip and lodged an insurance claim for cancellation costs. The insurer denied his claim on the basis that a clause in the policy excluded claims caused by a mental illness.*

*The Victorian Civil and Administrative Tribunal considered Will's claim. They found that the insurer had discriminated against him on the basis of a disability. This decision was based on an interpretation of the right to equality in Victoria's Human Rights Charter.*

## Strengthening the ACT Human Rights Act

In 2004, the Australian Capital Territory became the first Australian jurisdiction to establish a Human Rights Act to legally protect many of the critical human rights we need to live a decent, dignified life. At present, however, people have to take legal action in the complex and expensive Supreme Court, which is out of reach for most people.

In 2022, the Human Rights Law Centre called on the Australian Capital Territory to remove these needless barriers from the Act to make it easier for people to uphold their human rights. We provided a submission to an inquiry reviewing remedies available under the Act.

The submission, *No Rights without Remedy*, called for an accessible remedies process in which complaints can be made directly to the ACT Human Rights Commission, and if unresolved, escalated to the ACT Civil and Administrative Tribunal. This would be in addition to the existing process available in the ACT Supreme Court.

In October 2022, we secured a win, with the ACT Government announcing in-principle support for the recommendations. They will commence work in 2023 to amend the Human Rights Act to allow complaints to be made to the Human Rights Commission.

● “Rights must have remedies. People need a simple and easy way to protect their rights. Reforming the Human Rights Act in this way will help to ensure that equality and fairness are at the heart of the ACT Government's decisions. A new and improved Human Rights Act can once again position the ACT as a leader in protecting human rights.”

— Daney Faddoul, Campaign Manager



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— Daney Faddoul, Campaign Manager

Werribee Secondary College students, Eyosias and Arun, joint winners of the Charter of Human Rights school competition for 2022  
Image credit: Damjan Janevski

## Using digital events to build support for a national Charter of Human Rights

In 2022, we continued to increase support for a national Charter of Human Rights through digital events. We used these events to build community understanding of how a Charter of Human Rights could make a tangible impact to peoples’ lives. This year, we convened two major online forums, on education and health, with expert speakers to shine a light on some of the big human rights issues that could be improved through establishing a charter.

People living in remote and rural areas, First Nations communities and children from migrant backgrounds often lack equitable access to education. The global pandemic exacerbated this further. In February 2022, we co-hosted a digital event with the UTS Centre for Social Justice & Inclusion that looked at how a national Charter of Human Rights could help ensure better access to quality education for all.

Every person in Australia should be able to access quality healthcare, regardless of their postcode or their bank balance. *Who is missing out on the right to health?* was held in September 2022 jointly with the Centre for Law & Social Justice at the University of Newcastle.

This online forum featured a panel of experts discussing the gaps that currently exist in Australia’s healthcare system, especially for migrant communities and people with a disability, and how a national Human Rights Charter could help build a fairer health system for all.

## Building youth support for a Charter of Rights

In 2022, our Charter of Human Rights school competition ran for a second year. The competition, run by the Human Rights Law Centre and supported by the Lord Mayor’s Charitable Foundation, aims to find the best introduction to an Australian Charter of Human Rights. The competition engages high school students to write a short piece on why a Charter of Human Rights would make Australia a better place.

The entries were reviewed by an expert panel of judges: Craig Foster, human rights advocate and former Socceroo; Professor Robynne Quiggin, member of the Wiradjuri nation, UTS Associate Dean, former Australian Human Rights Deputy Commissioner and Chair of the Human Rights Law Centre; Hugh de Kretser, Executive Director of the Human Rights Law Centre. Werribee Secondary College students, Arun and Eyosias, were announced as the joint winners for 2022.

You can read their entries at [charterofrights.org.au](https://charterofrights.org.au).

# Business & Human Rights



A worker picks strawberries during harvest. Image credit: bear\_productions/Shutterstock.com

## Our Vision

There is no business in abuse. Australian companies respect human rights wherever they operate and are held accountable if they fail to do so.

## How we Work

We work side by side with impacted communities, civil society partners, unions, and academics to hold Australian businesses to account for human rights violations. We work with partners to reform laws and policies that allow Australian companies to put profit ahead of people and the planet.





● “Communities urgently need access to clean water for drinking and bathing. They need solutions to stop the vast mounds of tailings waste eroding into the rivers and flooding their villages, farms and fishing areas. They need their children to be able to walk to school without having to wade through treacherous areas of quicksand created by the mine waste. This is what remediation means in real terms for the people living with these impacts.”

— Keren Adams, Legal Director

Keren Adams inspecting a copper stained riverbed in Bougainville

## Focus of our Work

1

### Strengthening regulatory mechanisms to hold companies to account

We work with partners and decision makers to improve Australia’s mechanisms for ensuring businesses comply with international human rights standards, wherever they operate.

2

### Improving pathways to justice

We support communities and individuals harmed by Australian corporate activities overseas to obtain justice and remedy by assisting them to take legal action in Australia.

3

### Ending modern slavery in the supply chains of Australian businesses

We advocate for legal reforms to prevent Australian companies from profiting from forced labour in their supply chains and ensure they uphold workers’ rights.

## Working with communities in Bougainville to hold Rio Tinto to account for environmental devastation

For 45 years, the Panguna copper and gold mine on Bougainville was majority-owned by Rio Tinto. In 2016, Rio divested from the mine, leaving behind more than a billion tonnes of mine waste. People living near and downstream from the mine are suffering from polluted water, flooding and land destruction, food shortages, and illness.

Our Business and Human Rights team exists to hold Australian companies to account for their actions here and overseas, and to work with communities to pursue justice. In 2020, our team worked with communities on Bougainville to lodge a human rights complaint against the mining giant for the environmental destruction the Panguna mine left behind. The complaint called on Rio Tinto to take responsibility for this legacy and to commit to funding an environmental assessment and clean-up.

In 2021, we secured our first win when Rio committed to fund an independent environmental and human rights impact assessment of the mine. That impact assessment started in 2022.

In the meantime, we are continuing to work with local communities to document and highlight the risks they face. In September, our team returned to Bougainville to meet with clan leaders and chiefs, the Autonomous Bougainville Government and Rio Tinto, the first time the company had returned to the island in more than 30 years. Community leaders stressed the urgency of the risks they are living with, showing us areas where disintegrating chemical storage tanks left by the mine are threatening their food supplies and pollution from the mine continues pouring into local rivers.

An independent report released in September by a global environment firm in preparation for the impact assessment underscores these concerns, warning of major risks to local people posed by unstable mine infrastructure and flooding. Rio Tinto would have just walked away had it not been for local community leaders fighting for justice. We will continue to work alongside them to compel the company to fund the solutions that are so urgently needed.

## Our Impact

● “It is so important that Clan leaders and landowners are now able to talk directly to Rio Tinto representatives and hear that Rio Tinto is committed to a proper impact assessment. Everyday our families have to navigate the pollution from the mine. Every day we worry about collapsing levees, about rivers full of mine waste flooding and about whether the water we drink and wash with is making us sick. It is critical that the investigation is done without delay and that Rio Tinto supports the implementation of solutions to the huge problems we face.”

— Traditional landowner Theonila Roka Matbob, who is also the member of parliament for the area where the mine is located



## Seeking justice for the Berati family

Reza Berati was imprisoned in the Manus Island detention centre after fleeing Iran and seeking safety in Australia. In 2014, he was brutally beaten to death by G4S security guards and local contractors during a violent rampage that also left 77 other asylum seekers injured. His family have been pursuing justice ever since.

In September 2022, demonstrating an appalling double standard, the Australian Government and G4S paid millions of dollars in compensation to 15 security guards who claimed physical and mental distress from just witnessing the violence. The settlement came just days into the case.

Despite a Senate inquiry finding that the Australian Government failed in its duty to care for Reza Berati and should provide compensation to the Berati family, eight years later, they have still not received any compensation or acknowledgment of their loss.

The Human Rights Law Centre and Maurice Blackburn are representing the Berati family in legal action to hold the Australian Government and G4S to account. The case continued to progress throughout 2022, and has been set down for trial in May 2023.

● “Our family is heartbroken. We won’t recover from our loss. I do not want the human rights of my child to be ignored by the world. I want the international community to protect the rights of my son. I want justice for my son. I don’t want his death to be insignificant.”

— Reza Berati’s father, Torab Berati







### Hassan's story

*Hassan works in a large factory in Malaysia, producing rubber gloves that are imported into Australia. He is one of Malaysia's many migrant workers who rely on income from the factory to send back to their family.*

*"They said this would be an easy, safe job and that I will be working in an air-conditioned room. I agreed to pay 20,000 Malaysian ringgit (AUD\$6,417) to the recruiter for this work. But once I started working in Malaysia, I was earning just 1,000 ringgit (AUD\$320) a month.*

*It is a very risky and very hard job. Sometimes the chemicals burn me. Sometimes I fear that if I am not careful around the machine, I could lose a finger or a hand. We all must work 12-hour shifts, but we regularly work 13 or 14-hour days because of the pressures on targets and fulfilling customer orders. The local staff make us foreign workers do all the hard jobs and they treat us very badly. During the day we get two breaks of 30 minutes each. This is not enough time to use the bathroom and go to the canteen because the lines are so long."*

— Hassan, worker in a glove factory in Malaysia

## Strengthening Australia's laws to prevent modern slavery

From Malaysian workers forced to work around the clock to make PPE for the COVID crisis, to migrant workers trapped in shocking conditions on Australian farms, many companies continued to turn a blind eye to exploitation and abuse in their supply chains this year.

*The Modern Slavery Act 2018 (Cth)* introduced by the Morrison government was meant to drive a 'race to the top' by Australian business to address these practices, but research we conducted in 2021 revealed that most companies have barely left the starting blocks. In February 2022, the Human Rights Law Centre released a joint report, *Paper Promises? Evaluating the early impact of the Act.*

The report examined the statements of 102 companies from four sectors with known risks of modern slavery: garments from China, rubber gloves from Malaysia, seafood from Thailand and fresh produce from Australia. The *Modern Slavery Act* requires companies to submit statements assessing their performance in addressing modern slavery in their operations.

Our research found that an alarming number of companies failed to identify obvious risks of forced labour in their supply chains or take necessary action to address them. More than three quarters of companies failed to comply with the legal reporting requirements; just over half failed to identify clear modern slavery risks in their supply chains; and less than a third appeared to be taking effective action to address these risks.

Australia should be a global leader in addressing modern slavery, but instead our weak laws allow companies to turn a blind eye to abuse. The *Modern Slavery Act* needs to be strengthened. The law should require companies to carry out due diligence to ensure their supply chains are clean, with appropriate penalties for companies that do the wrong thing and pathways for exploited workers to access justice.

This year, the Government launched a review of the *Modern Slavery Act* to look at how the legislation could be improved. We co-ordinated civil society conducted advocacy around the Review and made submissions recommending critical reforms, including: requiring companies to carry out due diligence on their supply chains; banning imports made with forced labour; and improving oversight, enforcement, and access to justice for people impacted.

● "No company should profit from modern slavery. This review of the Act is a crucial opportunity to strengthen our laws and make Australia a global leader when it comes to combatting modern slavery. It can never be acceptable for the clothes we wear, the goods we buy or the food we eat to be made at the expense of other people's freedom."

— Freya Dinshaw, Senior Lawyer

# Democratic Freedoms



## Our Vision

An Australian democracy in which civil society is strong and vibrant; public debate is informed, fair and diverse; government is open and accountable; and the wellbeing of people and the planet are at the heart of every government decision.

## How we Work

We convene diverse and expert coalitions to design the policy solutions needed to strengthen our democracy. We build collaborative campaigns to win positive reforms and prevent regress. We take strategic legal action to uphold democratic freedoms and ensure government accountability.



# Focus of our Work

1

## Supporting and empowering Australia's whistleblowers

People who blow the whistle on wrongdoing are crucial to our democracy. But right now, whistleblowers in Australia are actively discouraged from speaking out. To address this, we are working to establish Australia's first dedicated whistleblowing legal project and to secure stronger legal protections for people who speak out in the public interest.

2

## Advancing voting rights

In Australia, most people take the right to vote as a given. But for many people, in particular Aboriginal and Torres Strait Islander people living on homelands and people with disability, voting requires surpassing so many barriers it is practically impossible to do. This is a result of decades of neglect and underinvestment by successive federal governments, and urgently needs to change.

3

## Strengthening charity advocacy

Whether running a homeless shelter, ending family violence or protecting the environment, charities and community groups have enormous expertise to contribute to public debates. We work with the charities sector to resist attacks on our ability to advocate and to promote positive reform.

4

## Ensuring integrity in Australia's political system

Our politicians should serve the people they represent and work for the common good. We advocate for the key political integrity reforms needed to restore balance in our democracy and stop powerful industries from securing political outcomes that put their interests ahead of everyone else's.

5

## Defending protest rights

Our ability to come together and protest is crucial to achieving positive social change. Yet in recent years we have seen a worrying proliferation of anti-protest laws which often expressly target or disproportionately impact environmental defenders and people advocating for action on climate change. We use legal action and advocacy to fight back against undemocratic anti-protest laws and excessive police responses.

6

## Fighting the dangerous spread of disinformation

Disinformation is polarising our society, spreading hate against many communities and undermining our elections. The rapid spread of disinformation via digital platforms is a global trend which Australia needs to tackle now, to protect, communities, our civil society and our democracy.

# Our Impact

## Defending whistleblowers

Whistleblowers make Australia a better place. From war crimes in Afghanistan to misogyny in Parliament House, so much has been revealed thanks to the courage of whistleblowers. Their brave actions are crucial to our democracy and ensure accountability for injustice. This is why the Human Rights Law Centre is committed to supporting whistleblowers.

Speaking up about government wrongdoing should never be a crime, yet for years the federal government pursued Bernard Collaery through a secretive criminal trial. Bernard was on trial for his alleged role in raising awareness about Australia's wrongdoing in Timor-Leste in the 2000's. At a time when our neighbours were recovering from decades of Indonesian repression, trying to build a new nation, profoundly troubling news emerged to indicate Australian spies were bugging Timor's cabinet to give Australia the upper hand in oil and gas negotiations.

The case against Bernard was shrouded in secrecy, with many preliminary hearings held in closed court. With partners, the Human Rights Law Centre advocated publicly and to key decision makers for the case against Bernard to be dropped. In a win for democracy, the new Attorney-General Mark Dreyfus KC discontinued the case in July 2022.

While the end to Bernard's prosecution was widely celebrated, two other whistleblowers remain on trial - Richard Boyle, who spoke up about misconduct at the tax office, and David McBride, who blew the whistle on atrocities allegedly committed by Australian forces in Afghanistan. The Human Rights Law Centre continues to advocate for these unjust prosecutions to be discontinued.



Bernard Collaery  
Image credit:  
Alex Ellinghausen/  
The Sydney Morning  
Herald

Kieran Pender in conversation with whistleblower Bernard Collaery  
Image credit: Victoria University



● “The fact that two Australian whistleblowers are on trial for speaking up about wrongdoing in government, and a third was only saved by the Attorney-General’s intervention, shows that whistleblowing laws are failing. The Federal government must prioritise stronger laws and the establishment of a whistleblower protection authority to ensure Australian whistleblowers are protected and empowered. Whistleblowers make Australia a better place.”

– Kieran Pender, Senior Lawyer

## Defending whistleblowers

To achieve long-term protection for all whistleblowers, we continued to advocate for reforms to the *Public Interest Disclosure Act* to ensure public servants can safely and lawfully speak up about wrongdoing, without fear of prosecution. We have also been calling for the establishment of a federal whistleblower protection authority to oversee and enforce whistleblowing laws.

This work has helped inform the design of our new dedicated whistleblower legal project. The new initiative will combat government secrecy and empower whistleblowers as agents of accountability and change. The project aims to: protect whistleblowers to safely reveal wrongdoing under the protection of law; ensure the wrongdoing they disclose is dealt with promptly and fairly; and protect them against any reprisal. In the meantime, we are already acting for a number of whistleblowers to help them expose wrongdoing and ensure positive change.



Image credit: Alex Ellinghausen/ The Sydney Morning Herald



Alice Drury,  
Acting Legal Director

## Advancing voting rights

The right to vote is a foundational part of our democracy – it ensures that we can all have a say in the future of our country. The Human Rights Law Centre has a proud record of standing up for voting rights in Australia. We have won critical High Court voting rights cases that have enabled hundreds of thousands of Australians to vote and we've helped to stop voter suppression tactics.

In 2021, the Coalition government introduced draft voter ID laws, which would have created unnecessary barriers to voting and crucially, undermined the right to vote for Aboriginal and Torres Strait Islander people and people experiencing homelessness. The Human Rights Law Centre raised the alarm, convened a coalition of organisations to speak out against the laws, and engaged with parliamentarians to block the laws. The strong public outcry convinced the Coalition government to drop the laws as a priority.

During the 2022 federal election, reports emerged of potential barriers to voting for people impacted by COVID-19. It took advocacy and the threat of legal action on multiple fronts, including from

then-candidate Monique Ryan, to force the federal government to allow impacted people to access phone voting. To make matters worse, possible staff shortages threatened to shut polling booths in regional and remote areas which would have disproportionately impacted Aboriginal and Torres Strait Islander communities. To track these barriers, we established an online register where people who encountered problems could record their experience.

While these problems should have been anticipated months prior to the election, the government scrambled at the last minute to make the necessary changes to reduce these significant barriers. However, our research and the Barriers to Voting register revealed that many people still faced extraordinary hurdles to casting their vote, particularly Aboriginal and Torres Strait Islander people living on homelands and people with disability. These barriers are a result of decades of underfunding and neglect, and we are advocating for much stronger action by the federal government. We used these findings when giving evidence to the parliamentary inquiry into the 2022 election.

## Advocating for fairer elections

In October 2022, the Human Rights Law Centre gave evidence to the parliamentary committee tasked with reviewing the 2022 federal election. For years, the Human Rights Law Centre has been leading in advocacy to achieve reforms that will make elections fairer and our democracy stronger. The Committee's terms made specific reference to ensuring Aboriginal and Torres Strait Islander people are able to easily enrol and vote, introducing election spending caps, increasing the transparency of political donations, and introducing truth in political advertising laws.

The Human Rights Law Centre made 25 recommendations, including: reforms to reduce the influence of harmful industries in Australian politics by making political donations more transparent and capping election spending; and prohibiting inaccurate or misleading electoral matter. We also recommended removing barriers to voting for different communities, including for Aboriginal and Torres Strait Islander people, people with disability, people in prison, people aged 16 and 17, and New Zealand citizens residing long term in Australia.

● “Political integrity and the health of our democracy were front-and-centre issues in the 2022 federal election. We urgently need limits on election spending and laws to prohibit candidates from misleading voters, to ensure election debates are balanced and fair. The government must ensure Aboriginal and Torres Strait Islander people on homelands can easily enrol and vote. We need the government to address the barriers to voting commonly experienced by people with disability.”

— Alice Drury, Acting Legal Director



Fiona lost her home in a deadly bushfire. Extreme weather events are increasing in Australia due to inaction on climate change, of which corporate influence is a

### Fiona's story

*On November 8, Fiona and her family lost their home in horrific bushfires.*

*“Australia is behind on climate action because politicians are in the pockets of fossil fuel companies, taking donations, and therefore don't want to put policies in place which will cost the fossil fuel companies money. We're having to adapt to climate change now to protect our family and it's terrifying, it's really bad.”*

— Fiona, interviewee in our *Selling Out: How powerful industries corrupt our democracy* report.

## Addressing corporate influence in our politics

Big corporations should not be able to use their vast wealth to manipulate our politicians for financial gain. Australia is falling well behind other advanced democracies when it comes to regulating corporate influence over our federal politicians. What is considered illegal and corrupt conduct in many places is business as usual in Canberra.

The Human Rights Law Centre advocates for changes to laws and policies to end the cycle of corporate influence in our political system. In January 2022, we released a major report: *Selling Out: How powerful industries corrupt our democracy*.

● “In a healthy democracy, the best interests of people, communities and our planet are at the heart of every single decision our government makes. But right now, big industries like fossil fuels and gambling are distorting democratic processes to win political outcomes that put their profits ahead of our wellbeing.”

— Alice Drury, Acting Legal Director

The report highlights how big industries are capitalising on Australia's weak integrity laws and outlines the tools they use to influence politicians. These tactics include hiring teams of lobbyists, including former politicians; buying influence with multimillion-dollar political donations; and launching punishing public attack campaigns to bend politicians to their will.

*Selling Out* also details the human cost of this form of legalised corruption, from lives destroyed by addiction to whole communities lost to climate change-induced natural disasters. The report provides clear solutions to stop the cycle of corporate influence in our politics.

## Fighting the dangerous spread of disinformation

Disinformation targets people's fears and anxieties and is used to create division and to polarise our communities for political or financial gain. Once unleashed, it travels seamlessly across social media, between newspapers, talkback radio and messaging apps. Digital platforms and media companies profit from it, and some politicians build a platform on it.

Disinformation is a complex issue. At the Human Rights Law Centre, we are committed to developing solutions that will work long term, including legal reforms to prevent its spread and penalties for politicians who deliberately mislead the public. During the 2022 federal election, we convened community, human rights and civil society groups to call on candidates to campaign honestly,

and commit to crucial reforms to stop the spread of disinformation in our democracy. Our policy vision was shared publicly across social media and through direct advocacy with politicians. It called for reforms including penalties for intentionally misleading voters; laws that require digital platforms to be transparent about how disinformation is spreading; and laws to hold traditional media companies to account for irresponsibly platforming disinformation.

We also provided evidence to the parliamentary inquiry into the federal election, advising parliamentarians on how to prohibit inaccurate and misleading election ads. This vital work is ongoing, and will hopefully lead to strong reforms in 2023.

On 20 September 2019, just days before the United Nations Climate Change Summit in New York, protesters at the Sydney Climate march joined millions of people around the world striking from school or work to demand urgent measures to stop the climate crisis. Image credit: Marcus Coblyn / Greenpeace



## Protecting our right to protest

The freedom to protest is fundamental to our democracy. So much progress for people and communities – from Aboriginal land rights to saving the Franklin River – was achieved through public mobilisation. But for years, protest rights across Australia have been under a sustained attack. This year, we saw the threat grow considerably with the introduction of damaging new laws in several states. These laws have all been designed to curb environmental activism in particular, at a time when standing up for a healthy climate has never been more critical.

In early 2022, the New South Wales Government proposed new laws which could see peaceful community protesters jailed for up to two years and subjected to enormous fines. We conducted sustained advocacy to try and prevent these laws from being introduced, including releasing an open letter with

39 civil society organisations urging the NSW Parliament to reject them. Unfortunately the NSW Parliament passed this dangerous legislation in April 2022, although it is now being challenged in the courts.

In August 2022, the Tasmanian government also rushed through new legislation that eroded the right to protest. Together with partners, we conducted extensive outreach with decision makers to secure some important amendments. This included the removal of proposed increases to penalties for street obstruction and amendments to protect Tasmanians protesting workplace rights and conditions. However, overall, the legislation has seriously weakened protest rights in the state. We continue to call for both NSW and Tasmania’s laws to be scrapped, and support the work of sector partners who have mounted a constitutional challenge to the NSW laws.

In May 2022, Victoria also proposed a draconian new law that would criminalise peaceful protest. We are currently at the forefront of blocking these laws in parliament. If introduced, the new laws would see people protesting the logging of native forests face fines of up to \$21,000 or 12 months in jail. In the absence of rapid and decisive action on climate change from our governments, the freedoms of Australians to protest will continue to play a critical role in keeping governments accountable.

We have also been building solidarity in the sector and advocating against police overreach and violence against protesters. In response to the extraordinary police raid of a home where Blockade Australia organisers lived, the Human Rights Law Centre led a coalition of 40 charities to speak out against the actions of NSW police.

● “The right to protest is a core democratic value that must be protected. This draft law marks the continuation of an alarming Australia-wide trend. “In recent months we have seen undemocratic infringements on the right to protest enacted in New South Wales. A similar law is currently before parliament in Tasmania. Victoria must not follow this path.”

— David Mejia-Canales, Senior Lawyer

# Reproductive Rights



Tania Penovic, Castan Centre for Human Rights Law; Adrienne Walters, Human Rights Law Centre; and Jennifer Kanis, Maurice Blackburn Lawyers on the day safe access zone laws were upheld by the High Court of Australia.

## Our Vision

Australian laws and policies promote the right of every person to decide what happens to their body.

## How we Work

We work with grassroots activists, civil society partners, doctors, nurses, community health services and lawyers to advance reproductive justice and defend hard-won rights.





## Focus of our Work

1

### Removing legal barriers to abortion services

Everyone has the right to decide what happens to their body. Through collaborative campaigning and skilled political advocacy, we are working to ensure that abortion is decriminalised and that abortion laws support best-practice healthcare in every state and territory.

2

### Ensuring people can access reproductive healthcare safely

No one should be intimidated and abused by strangers on the way to see their doctor. We work with partners across legal, community and health sectors to secure and defend safe access zone laws to protect people from being harassed outside reproductive health clinics.

## Our Impact

### Decriminalising abortion in South Australia

Everyone should be able to decide what's right for their lives and their body. Access to abortion is a fundamental human right. In July 2022, more than 15 months after being passed by the South Australian Parliament, the *Termination of Pregnancy Act 2021* became law in South Australia. The new law is a massive win for reproductive rights and will support more equitable access to abortion care, including vital telehealth services, across the state. We advised key politicians and engaged in strategic advocacy throughout the long process and we were proud to support the work of the South Australian Abortion Action Coalition, whose tireless advocacy was critical to securing this victory.

The new laws see abortion removed from South Australia's criminal laws. It also brings us one step closer to achieving our goal of decriminalising abortion across the whole of Australia. Western Australia is now the only state in Australia that has not properly decriminalised abortion, with laws that still undermine access to timely and compassionate abortion care. We have our sights firmly on reform in Western Australia.

● “It’s been a long, long time coming, but finally, abortion has been decriminalised in South Australia. This is a historic moment. Abortion is healthcare and access to abortion is a critical human right. Now, that right is much better protected in South Australia.”

— Adrienne Walters,  
Associate Legal Director





● “What happened in the US did not happen overnight. Bit-by-bit, year-by-year, anti-choice politicians and campaigners, lawyers and many others have sought to erode women’s reproductive rights. The situation in the US shows us that we must remain vigilant, as well as doing much more to ensure that every person can access abortion care regardless of their income, where they live or who they are.”

— Adrienne Walters, Associate Legal Director

## Devastating *Roe v Wade* decision underscores need to protect reproductive rights in Australia

The US Supreme Court’s decision to overturn *Roe v Wade*, the landmark 1973 decision that recognised abortion as a constitutional right, is a devastating blow to the lives of women in America. It also highlighted the need for vigilance in Australia. Following the decision, we used media advocacy to draw a spotlight on the need to remove barriers to abortion in Australia.

Whilst we have achieved important reforms in Australia in recent times, we can and must do much more.

We need to ensure that every person can access abortion care regardless of their income, no matter where they live or who they are.

We know the law is only part of the picture. Access to reproductive healthcare in Australia is tenuous for many. There is so much more that governments can do to properly fund and support reproductive healthcare around Australia, from increased public funding to nurse-led care. This would result in better health outcomes for everyone. We will continue to fight to remove barriers to reproductive health care in Australia.

## Improving access to abortion in the Northern Territory

Abortion is healthcare. It should be treated like all other forms of healthcare in laws. Overly complex abortion laws make it harder for health professionals to do their jobs and harder for patients to get the care they need. Despite decriminalising abortion in nearly all circumstances in 2017, the Northern Territory had retained unnecessary legal barriers to abortion care.

In December 2021, the *Termination of Pregnancy Law Reform Legislation Amendment Bill 2021* passed the Northern Territory Parliament. The changes were in line with advice we provided to the Northern Territory Government, in particular by removing a medically unjustified requirement for two doctors to decide whether an abortion is reasonable

up to 24 weeks gestation and by making it clear that abortions can be performed after 24 weeks gestation where two doctors consider it to be appropriate in the circumstances.

## Supporter story: Tom Snow

Tom Snow considers himself an accidental activist. In 2015, he was running a successful business. Human rights advocacy wasn't something on his mind. This changed when then prime minister Tony Abbott announced that there would be a national vote on whether same sex couples should be afforded the right to marry.

The concept of people in Australia voting on his rights and the rights of his family, friends, and community was shocking to Tom. To ensure that the nation voted "Yes", the LGBTIQ+ community needed to mobilise in a way that it hadn't before. It needed skilled advocates to ensure politicians weren't just hearing the views of a powerful minority. To make this happen, he helped establish the campaign for marriage equality.

This is when Tom began working with the Human Rights Law Centre. At the time, Anna Brown was leading the Centre's LGBTI rights work. Tom was immediately impressed with Anna's legal expertise coupled with her ability to engage across the political spectrum. Together Tom and Anna were Co-Chairs of the Equality Campaign which led the successful "Yes" vote, and spent countless hours working behind the scenes to build political support for this critical human rights reform. Tom believes that the partnership between the marriage equality campaign and the Human Rights Law Centre was pivotal to securing the "Yes" vote.

"What I realised through that process of marriage equality was what a powerful model the Human Rights Law Centre has in partnering with communities and bringing their very powerful skill set to the table. Not telling the communities what they need, but listening and providing guidance and a critical skillset to ensure that change happens." said Tom.

After marriage equality was achieved, the Tom and Anna went on to develop the Equality Campaign into Equality Australia, an organisation dedicated to progressing the rights of LGBTIQ+ people, with Anna Brown as CEO and Tom as the Chair. The Human Rights Law Centre continues to partner with Equality Australia to advance human rights.

This process sparked a new passion for philanthropy for Tom and he became more involved in his family's foundation. The Snow Foundation was established 30 years ago with the goal of aiding Canada's most vulnerable. Since then, the foundation has expanded significantly and now supports non-profit organisations in Australia. The Snow Foundation doesn't just follow the status quo - they fund organisations that are working boldly and innovatively to address poverty and human rights problems.

The Foundation was impressed by the Human Rights Law Centre's ability to mobilise significant pro bono support from Australia's leading law firms and its ability to secure lasting positive reforms to benefit people now, and in future.

"Once you change the law, over decades and generations the impact is huge. By donating to an organisation like the Human Rights Law Centre, you can achieve that long-term change. Marriage Equality is a great example of this. It was enormously hard but now generations of gay and lesbian people, their families, and the Australian public will be happier and better for it," said Tom.

There are a number of key reforms Tom would like to see in his lifetime. From changing laws that target the trans community and better rights for LGBTIQ+ young people, to ending discriminatory laws and policies that target Aboriginal and Torres Strait Islander people.



Tom Snow and Anna Brown, CEO,

"There are so many laws that discriminate against Aboriginal people. For example, the incarceration of young people massively disproportionately falls on Aboriginal communities. We must change these laws and policies that cause so much harm and pain," said Tom.

The Snow Foundation now supports the Human Rights Law Centre's Aboriginal and Torres Strait Islander peoples' rights work. The team fights for reforms including raising the age of criminal responsibility to stop Aboriginal and Torres Strait Islander children as young as 10 from being locked up in disproportionate numbers, and changing harmful bail laws that are unnecessarily driving up the number of Aboriginal women being sent to prison.

When asked to take part in this interview, Tom said he was honoured to be asked.

"It's exciting to see the dedication of the people working inside the Human Rights Law Centre. They are decent, intelligent people supporting the movement for change. I was really honoured to be part of supporting them," said Tom.

Tom says that he learned a lot about legal reform and advocacy through the work on the marriage equality campaign, and he is proud to continue supporting the Human Rights Law Centre through the Snow Foundation.

# Our Team

## Our Staff



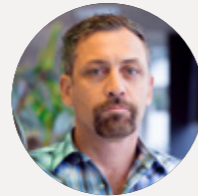
**Caitlin Reiger**  
Chief Executive Officer



**Hugh de Kretser**  
Executive Director (to July 2022)



**Keren Adams**  
Legal Director



**Nick Espie**  
Legal Director



**Daniel Webb**  
Legal Director



**Michelle Bennett**  
Engagement Director



**Kate Frost**  
Director of Operations



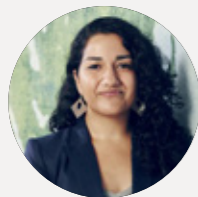
**Alice Drury**  
Acting Legal Director



**Adrienne Walters**  
Associate Legal Director



**Monique Hurley**  
Managing Lawyer



**Sanmati Verma**  
Managing Lawyer



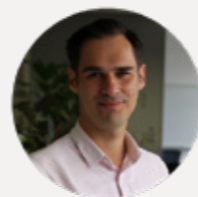
**Freya Dinshaw**  
Senior Lawyer



**Josephine Langbien**  
Senior Lawyer



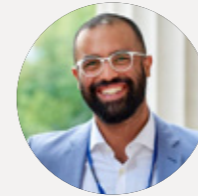
**Amala Ramarathinam**  
Senior Lawyer



**Scott Cosgriff**  
Senior Lawyer



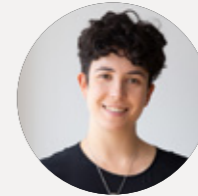
**Kieran Pender**  
Senior Lawyer



**David Mejia-Canales**  
Senior Lawyer



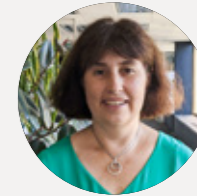
**Rachel Richmond**  
Development Manager



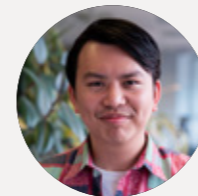
**Lauren Frost**  
Government Relations Manager



**Daney Faddoul**  
Campaign Manager



**Kate Rogers**  
Finance Manager



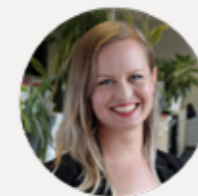
**Thomas Feng**  
Media and Comms Manager



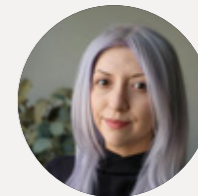
**Angela Iaria**  
Content Producer



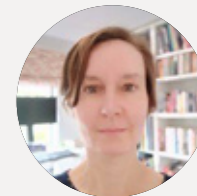
**Kate Steele**  
Philanthropy Officer



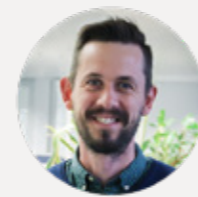
**Anna Fordyce**  
Operations Coordinator



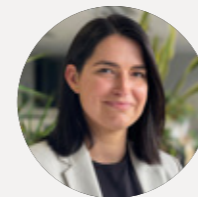
**Nicole Jamett**  
Administration and Accounts Assistant



**Christina Hill**  
Campaign Manager (to September 2022)



**Evan Schuurman**  
Media and Comms Manager (to September 2022)



**Alex Sheehy**  
Paralegal and Comms Assistant (to July 2022)



**David Burke**  
Legal Director (to April 2022)



**Yusur Al-Azzawi**  
Senior Lawyer (to February 2022)



**Emma Costa**  
Administrative Assistant and Paralegal (to March 2022)



**Meena Singh**  
Consultant (to February 2022)

**Our Board**



**Ben Kiely**  
Chair



**Professor Robynne Quiggin**  
Chair (to October 2022)



**Tim Goodwin**  
Deputy Chair



**Andrew Carriline**  
Director



**Chris Sidoti**  
Director



**Jamie Gardiner OAM**  
Director



**Jessica Kendall**  
Director



**Padma Raman PSM**  
Director



**Sue Woodward AM**  
Director (to November 2022)



**Fiona Smith AM**  
Director (to October 2022)

**Secondees**

**Stephanie Hogarty**  
Norton Rose Fulbright

**Georgina Flaherty**  
Ashurst (to October 2022)

**Rachel Saravanamuthu**  
Asylum Seeker Resource Centre (to September 2022)

**Benjamin Wilson**  
Hall & Wilcox (to April 2022)

**Tatum Joseph**  
MinterEllison

**Morsaal Aimaq**  
MinterEllison (to August 2022)

**Rex Lee**  
Norton Rose Fulbright (to September 2022)

**Marley Angus**  
MinterEllison (to March 2022)

**Samantha Marsh**  
Ashurst

**Harriet Forster**  
Ashurst (to January 2022)

**Waiwa Mudena cadets**

**Aleisha Bailey**  
(June - July 2022)

**Kaiwyn McCartney**  
(June - July 2022)

# Financials

This is an extract of our audited financial statements for the year ended 30 June 2022. For a full version visit [www.hrlc.org.au](http://www.hrlc.org.au)

Income	2022 \$	2021 \$
Grants	3,777,256	2,856,920
Event Registrations	-	700
Donations	689,431	702,872
Interest income	9,384	15,697
Other income - including legal costs recovered	6,925	1,065,283
Other income - government support	-	341,000
<b>Total Income</b>	<b>4,482,996</b>	<b>4,982,472</b>
<b>Expenditure</b>		
Operational and administrative expenses	655,105	1,438,220
Employee benefits expense	2,670,713	2,694,798
Occupancy expenses	55,966	53,814
<b>Total Expenditure</b>	<b>3,381,784</b>	<b>4,186,832</b>
Surplus for the year	1,101,212	795,640
Other Comprehensive Income	-	-
<b>Total Comprehensive Income</b>	<b>1,101,212</b>	<b>795,640</b>

Current assets	2022 \$	2021 \$
Cash and cash equivalents	3,744,371	3,798,115
Trade and other receivables	100,383	264,000
<b>Total current assets</b>	<b>3,844,754</b>	<b>4,062,115</b>
<b>Non-Current assets</b>		
Property, plant and equipment	72,270	115,227
<b>Total non-current assets</b>	<b>72,270</b>	<b>115,227</b>
<b>Total assets</b>	<b>3,917,024</b>	<b>4,177,342</b>
<b>Current liabilities</b>		
Trade and other payables	153,642	432,979
Provisions	257,630	265,049
Contract liabilities	200,339	1,264,897
<b>Total current liabilities</b>	<b>611,611</b>	<b>1,962,925</b>
<b>Non-current liabilities</b>		
Provisions	58,072	68,288
<b>Total non-current liabilities</b>	<b>58,072</b>	<b>68,288</b>
<b>Total liabilities</b>	<b>669,683</b>	<b>2,031,213</b>
<b>Net Assets</b>	<b>3,247,341</b>	<b>2,146,129</b>
<b>Equity</b>		
Accumulated surplus	3,247,341	2,146,129
<b>Total Equity</b>	<b>3,247,341</b>	<b>2,146,129</b>

# We couldn't do it without you

## Pro Bono Supporters

Pro bono support from leading law firms and barristers is crucial to the Human Rights Law Centre's model and impact. Law firms we worked with over the 2021/22 financial year provided over 5,300 hours of pro bono legal work to support our work, including undertaking legal action, research, writing human rights case summaries and seconding lawyers to us. The value of this work was over \$2 million. Many barristers across the country provided substantial additional pro bono support.

The volume and quality of pro bono work done in partnership with us is a testament to the extraordinary professional commitment of Australian lawyers to human rights, the rule of law and access to justice. We are incredibly grateful for this support and thank all the pro bono lawyers who worked alongside us.

## Firms

Allen & Overy	Carroll & O'Dea Lawyers	Hall & Wilcox	Marque Lawyers	Phi Finney McDonald
Allens	Clothier Anderson Immigration Lawyers	Holding Redlich	Maurice Blackburn	Robinson Gill
Ashurst	Collin Biggers & Paisley	K&L Gates	McCabe Curwood	Russell Kennedy
Baker McKenzie	DLA Piper	King & Wood Mallesons	McCullough Robertson Lawyers	SBA Law
Banki Haddock Fiora	Gilbert + Tobin	Leigh Day	MinterEllison	Slater and Gordon
Carina Ford Immigration Lawyers		Lander & Rogers	Norton Rose Fulbright	Webb Henderson
		Maddocks		Wotton + Kearney

## Counsel

Adam Coote	Christopher Horan KC	Jim Hartley	Ron Merkel KC
Adam McBeth	Craig Lenehan SC	Julian Murphy	Shawn Rajanayagam
Alison Hammond	David Seeman	Matthew Lewis	Stella Gold
Ben Mostafa	Daye Gang	Dr Michelle Sharpe	Stephen McDonald SC
Brendan Johnson	Edwina Smith	Min Guo	Thomas Wood
Bret Walker AO SC	Emrys Nekvapil SC	Paul Lamb	Tim Farhall
Celia Winnett	Fiona Forsyth KC	Peter Hanks KC	Wendy Harris KC
Christine Boyle	Glyn Ayres	Rachel Amamoo	
Phillip Boulten SC			

## In-kind support

Thank you to the many other individuals and organisations who have provided in-kind support for our work over the year, from doctors writing medical reports for refugee clients, to administration and IT staff at law firms, to pro bono management coach Michaela Healey, costs lawyer Liz Harris, Dropbox volunteers and so many more people who have given their time and expertise. We are so grateful for all the support we receive that helps us to achieve our mission of advancing human rights in Australia.

## Our generous supporters who gave between 1 December 2021 and 30 November 2022

\$50,000+	ACF Impact Fund	Dropbox Foundation	New Venture Fund	Sigrid Rausing Trust	The Ross Trust
	ACME Foundation	Harris Morrison Fund	Oak Foundation	Snow Foundation	The Sunrise Project
	Anderson Pender Foundation	Mannifera	Howard Pender	Charles Tegner	Virgin Unite Australia
	B B & A Miller Foundation	McKinnon Family Foundation	Planet Wheeler Foundation	The Corella Fund	Williams Fund
				The Myer Foundation	

\$10,000– 49,000	Allens	Peter Duncan	Humanists Victoria	Rusty Russell	The Fund for Global Human Rights
	Anonymous donors	Evans5 Fund	Igniting Change	SEMZ Property Advisory & Project Management	The Kimberley Foundation
	APS Foundation - Ahren's Fund	Fair World Foundation	Ben Kiely & Peter Garrow	Story Street Fund	Trawalla Foundation
	Bezlwether Foundation	Russell Goldflam	King & Wood Mallesons	Sunning Hill Fund	Susan Varga
	Krystyna Campbell-Pretty	Andrew Haigh	Nautilus Foundation	The Antipodean Family Foundation	Vicki Standish Family Foundation
		Peter Hanks QC	Reichstein Foundation		

\$5,000– 9,999	Suzanne Adams	Ballandry Fund	Roger Burke	Dropbox	Jamie Gardiner
	Michael Ahrens	Barlow Impact Group	Prof Tom Calma AO	Espero Fund	Gilbert + Tobin
	Arnold Dallas McPherson	Catherine Branson	Robert Cooper	Lyn Gilbert	Holmes Family Foundation
			Barry Crisp and Joan Staples	Gandel Philanthropy	

## \$1,000– 4,999

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