

Human  

---

Rights  

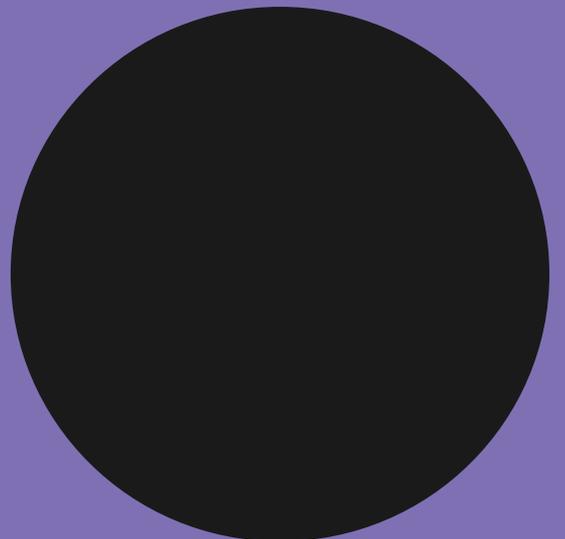
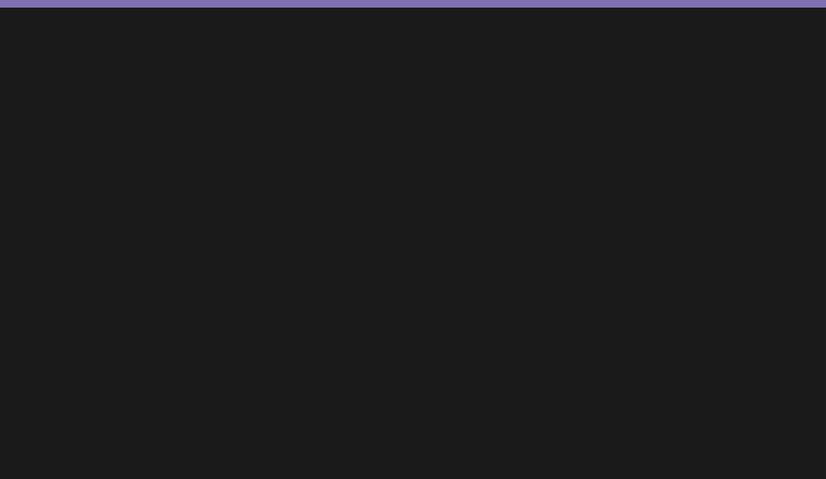
---

Law  

---

Centre.

Fearless  
action for a  
fairer future



We acknowledge and pay our respect to the Traditional Owners of the land on which we work and live. We pay our respects to the First Peoples of this country, to their culture and their Elders past, present and emerging. We recognise that this land was and always will be Aboriginal and Torres Strait Islander land because sovereignty was never ceded. **WARNING:** This document may contain images or names of people who have passed away.

# Annual Report 2020

05

A message from our Chair  
and Executive Director

06

Aboriginal & Torres Strait Islander  
Peoples' Rights

13

Dignity for People in Prison

16

Democratic Freedoms

23

Human Rights  
on the Global Stage

26

Business & Human Rights

31

Rights of Refugees  
& People Seeking Asylum

35

Reproductive Rights

38

An Australian Charter of  
Human Rights & Freedoms

41

Our Team

44

Financials

47

Supporter List

52

Supporter story:  
Martyn Goddard

55

Join the Movement for  
Human Rights Progress

# Human rights in the COVID-19 pandemic

## A message from our Chair and Executive Director

2020 has been a year of extreme challenges. The COVID-19 pandemic is a global human rights crisis, causing widespread loss of life and prompting governments to severely restrict rights in response. People's ability to earn a living, attend school, see loved ones, access health care, worship and so much more have all been affected. Mental illness and family violence have risen. The most vulnerable have often been impacted hardest.

As the crisis unfolded, the Human Rights Law Centre took swift action to protect communities at risk, to promote balanced responses and to ensure scrutiny and accountability.

We joined with Aboriginal and Torres Strait Islander organisations in advocating for measures to prevent the virus from taking hold in remote communities. We stood alongside refugees in detention centres and people in overcrowded prisons, taking legal action and calling for measures to address the acute health risks in closed environments. We advocated for initiatives to prevent inequality from widening and to provide a robust safety net.

With Australian governments imposing unprecedented restrictions on liberty, effective democratic scrutiny became even more important. We advocated against the suspension of Parliaments and pushed for the new Senate Committee to scrutinise Federal responses. We promoted transparency around powerful new bodies like the National COVID-19 Commission and we helped secure critical safeguards concerning the COVID-Safe app.

As governments invoked emergency powers and imposed strict lockdowns, we closely scrutinised their exercise. Our advocacy helped to stop overreach like Victoria's proposed preventative detention laws. It promoted greater transparency around the public health justifications. It helped ensure powers were used responsibly and restrictions were time bound and proportionate.

While our COVID-19 work was significant, we progressed other vital efforts; from our action to stop Aboriginal and Torres Strait Islander deaths in custody to our campaign to raise the age of criminal responsibility; from our work supporting people on Bougainville to address the ongoing devastation of mine pollution, to our campaign for an Australian Charter of Human Rights and Freedoms.

As always, partnerships were central to our work. Partnerships with Aboriginal and Torres Strait Islander organisations, guided by self-determination principles. Partnerships with civil society, with pro bono lawyers and with the donors and philanthropic foundations who power our work. Thank you to all who have worked alongside us and supported our work.

While this year has tested our resolve, it has also given us hope. Human rights have been at the forefront of our collective consciousness. Human rights remind us of the people we want to be and help us shape the society we want to live in. This year has shown us that Australians want a society with human rights at its heart.

This gives us confidence that, out of this pandemic, we can secure lasting progress. With more people joining our movement, we are confident that together we can build a fairer nation grounded in the values we all share like compassion, equality, dignity and respect.



— Catherine Branson AC QC,  
Chair of the Board



— Hugh de Kretser,  
Executive Director

# 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 ●

---

### Challenging police impunity and calling for justice for Tanya Day

In Australia, over 440 Aboriginal and Torres Strait Islander people have died in custody since the 1991 Royal Commission into Aboriginal Deaths in Custody. Not a single person has ever been held criminally responsible. Not a single government in Australia has taken responsibility and implemented all of the Royal Commission's recommendations made 30 years ago.

The Human Rights Law Centre fights to end the mass-imprisonment of Aboriginal and Torres Strait Islander peoples, and challenges Australia's failure to ensure accountability for police misconduct and abuse of power in relation to deaths in custody.

Tanya Day was a proud Yorta Yorta woman and a passionate community advocate. She was a much loved mother, sister and grandmother, and at age 55, she had a long life ahead of her. In 2017, Tanya fell asleep on a train from Echuca to Melbourne. While on the train, a conductor woke her up and despite her doing nothing wrong, deemed her "unruly". This triggered a series of events, which culminated in the police being called and removing Tanya from the train in Castlemaine.

Rather than taking Tanya to the hospital or helping her get home, the police locked her up in a concrete police cell for being drunk in public. While alone in the cell, Tanya fell and knocked her head repeatedly. The police responsible for her care failed to properly check on her for three hours. When they finally did, it was too late. She had sustained a severe head injury that led to her death.

The Human Rights Law Centre coordinated a pro bono legal team to represent the Day family in the coronial inquest into Tanya's death to ensure the Coroner uncovered the truth and recommended changes to prevent future deaths. In her findings, the Coroner stated that Tanya's death was preventable had she not been locked up. The Coroner stated that she believed "an indictable offence may have been committed" while Tanya was in custody and referred the police officers for criminal investigation. The Coroner also recommended that the Victorian Government repeal the discriminatory public drunkenness laws that resulted in Tanya being arrested.



Tanya Day's family hold a smoking ceremony before the inquest into their mum's death in police custody

Credit: Charandev Singh

The Director of Public Prosecutions (DPP) subsequently notified the Day family that the two police officers involved in Tanya's death will not be prosecuted. The outcome speaks volumes about police impunity and highlights the need for reform to ensure fully independent investigations of deaths in custody, instead of the status quo of police investigating police and gathering evidence to inform any potential prosecution.

#### **Legal reform will help prevent future deaths in custody**

In response to Tanya Day's tragic death and her family's staunch advocacy, the Victorian Government committed to scrapping the discriminatory public drunkenness laws that were used to arrest Tanya and many other Aboriginal and Torres Strait Islander people. We will hold the Victorian Government to account and make sure it delivers on its promise to repeal these dangerous laws and replace them with an Aboriginal-led, public health response to public drunkenness to stop people from being criminalised or locked up for having too much to drink.

● “In the last 30 years, hundreds of Aboriginal people like our mum have died at the hands of the police, yet no police officer has ever been held criminally responsible. We had hoped that in this global ‘Black Lives Matter’ movement there might be some care and accountability for our mum’s needless death, but instead the DPP are choosing not to prosecute this injustice. This is wrong and speaks volumes about systemic racism and police impunity in this country. Aboriginal people will keep dying in custody until the legal system changes and police are held accountable.”

— The Day Family

Credit: Charandev Singh



## Pushing for an end to mass imprisonment and calling for justice for Veronica Nelson

The Human Rights Law Centre advocates for an end to systemic racism in our legal system. Together with Aboriginal and Torres Strait Islander partner organisations, we fight for changes to laws and policies that contribute to the mass imprisonment of Aboriginal and Torres Strait Islander peoples.

In December 2019, 37 year old Veronica Nelson, a proud Gunditjmara, Dja Dja Wurrung, Wiradjuri and Yorta Yorta woman, was arrested and taken into custody in relation to shoplifting and outstanding warrants. After appearing in court without a lawyer, Veronica was refused bail and locked up in pre-trial detention at the Dame Phyllis Frost centre - a maximum security prison. While in custody, Veronica was distressed, in pain and cried out for help on a number of occasions. Three days after being locked up, Veronica was found dead, alone in a prison cell.

The Human Rights Law Centre is representing Veronica's mother, Donna Nelson, in the coronial inquest into her daughter's death. The inquest is due to commence in 2021. Together with Donna and community advocates, we will be demanding accountability for Veronica's death. We are also calling for changes to the punitive and discriminatory bail laws that led to Veronica being imprisoned for low-level offending, rather than released into the care of her family and community.

● “I miss my daughter and cry for her every single day. She was a warrior and had a fighting spirit, and should have never been arrested and locked up in a maximum security prison. Veronica was a deeply caring and loving person - she deserved to be treated with dignity and taken to hospital. Instead, she died alone in a prison cell. Why doesn't this government care about Aboriginal women's lives?”

— Donna Nelson, mother of Veronica Nelson

### Advocacy to reform Victoria's broken bail laws

Between 2017 and 2019, the Andrews Government made punitive changes to Victoria's bail laws. These changes were aimed at violent men, but have disproportionately impacted Aboriginal and Torres Strait Islander women. The result is a discriminatory and complicated system for granting bail, leading to a significant increase in the number of Aboriginal and Torres Strait Islander women being funneled into pre-trial detention for very low level wrongdoing. Together with our partners, we are pushing to reform these laws to cut the over-imprisonment of Aboriginal and Torres Strait Islander women and prevent future deaths in custody.

Ruth Barson, Legal Director,  
Human Rights Law Centre



## Police accountability during the COVID-19 pandemic

In 2020, Victorian police were given sweeping new powers in an attempt to contain COVID-19. History shows that an increase in police powers usually leads to marginalised communities - and in particular Aboriginal and Torres Strait Islander peoples - being unnecessarily criminalised and disproportionately punished. Alongside Aboriginal and Torres Strait Islander organisations and community legal centres, the Human Rights Law Centre advocated for these powers to end when the crisis ends, to be the subject of independent oversight and to have safeguards against abuse, including the collection and transparent analysis of relevant data.

## Youth Justice - #RaiseTheAge

Miranda Tapsell @missmirandatap

Twitter Post 23 Jul 2020

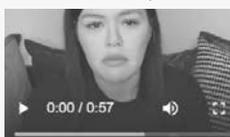


You only have until Monday 27th of July to sign the petition below to raise the age of criminal responsibility to at least 14. Right now it's 10. If the idea of a child in jail makes you as ill as it makes me, please sign the petition to [#RaiseTheAge](#)

84 Replies 1,350 Retweets 2,439 Likes

Nakkiah Lui @nakkialui

Twitter Post 22 Jul 2020



Kids as young as 10 are being imprisoned, some for just stealing a chocolate frog. 70% of 10-13 yr old kids are First Nations. On 27 July, Aus Governments will consider whether to [#RaiseTheAge](#) of criminal responsibility to 14 years Sign the petition [raisetheage.org.au](#)

126 Replies 2,598 Retweets 3,594 Likes

We know that children do best when they are supported, nurtured and loved. Yet in Australia, children as young as ten can be charged with a criminal offence, hauled before the courts and sent to prison. Australia's low age of criminal responsibility disproportionately affects Aboriginal and Torres Strait Islander children, who account for almost 65 per cent of ten to 13 year old children behind bars, yet comprise only six per cent of the general youth population.

There is overwhelming evidence showing that criminalising young children is the wrong approach. The Human Rights Law Centre champions a fair and compassionate youth legal system that supports Aboriginal and Torres Strait Islander children to reach their full potential, supported by their families and in their communities.

In 2020, together with Aboriginal and Torres Strait Islander organisations, legal, human rights and medical experts, we launched the [#RaiseTheAge](#) campaign. The goal of the campaign is to compel governments across Australia to raise the age of criminal responsibility from ten to at least 14.

The campaign is undertaking national advocacy with politicians, and speaking out in the media and on social media to raise awareness and support for this reform. The campaign petition has so far secured signatures from over 100,000 people who all agree that children don't belong in jail.

Ambassadors including Nakkiah Lui, Senator Briggs, Miranda Tapsell, Jack Charles and Archie Roach have shared videos on social media, introducing the campaign to new audiences. The [#RaiseTheAge](#) hashtag continues to be shared widely by the sector and the public alike.

### ACT Government commits to raise the age of criminal responsibility

In October 2020, we secured a big win for the [#RaiseTheAge](#) campaign when the ACT Government became the first to commit to raising the minimum age of criminal responsibility. Together with the National Aboriginal and Torres Strait Islander Legal Services, Change the Record, the Australian Indigenous Doctors Association, Australian Medical Association, Amnesty International Australia, Public Health Association of Australia, the Law Council of Australia, the Royal Australian College of Physicians, and experts across Australia, we are now pushing for this commitment to be translated into legislation.

We will continue advocating for every other state and territory government to follow the ACT Government's lead and change their laws so that children are no longer hauled before courts and locked away in jails. We will not stop until we have done away with the discriminatory laws and policies that lead to early criminalisation and imprisonment of young children.

---

## Aboriginal-led Change the Record Justice Coalition

Right now, more people in Australia are being removed from their families and communities and forced into prisons than at any other time in our history. Aboriginal and Torres Strait Islander peoples are being hit hardest. Government laws and policies across Australia are criminalising poverty, entrenching racial injustice and paving the way for the mass-imprisonment of Aboriginal and Torres Strait Islander peoples.

The Human Rights Law Centre is a founding member of Change the Record, an Aboriginal-led coalition of leading justice and human rights organisations working to end the mass imprisonment and disproportionate violence experienced by Aboriginal and Torres Strait Islander people. We are part of the steering committee which is instrumental in advancing the policy and advocacy goals of the coalition.

---

## Economic justice for Aboriginal & Torres Strait Islander communities

The Human Rights Law Centre works to end the oppressive targeting of Aboriginal and Torres Strait Islander peoples through the social security system. We advocate for a fair social safety net so that all people can live with dignity and self-determination.

Blanket compulsory income control undermines personal autonomy and denies people the freedom to make decisions about where to buy everyday essentials like food and clothes. Together with Aboriginal Peak Organisations NT, we are advocating to end compulsory income quarantining in the Northern Territory, which overwhelmingly and disproportionately impacts Aboriginal and Torres Strait Islander people.

With our partners, we fought the introduction of the income control tool, the Cashless Debit Card, into the Northern Territory on permanent basis. Trials of the card show it is demeaning, expensive and ineffective. The Federal Government has again failed to properly consult with and listen to Aboriginal and Torres Strait Islander people who will be impacted by the policy. Our research and policy analysis is informing a collaborative advocacy strategy that seeks to influence key decision makers to wind back compulsory income control and move towards voluntary, community-driven models, in line with Aboriginal and Torres Strait Islander people's right to self-determination.

We are also working closely with Aboriginal legal services in the Northern Territory to champion wage justice over exploitative work-for-the-dole laws. We are challenging the discriminatory Community Development Program which imposes more onerous work obligations and harsher penalties on job-seekers in remote communities. We are advocating for the Federal Government to instead support community-led reform proposals to create sustainable job opportunities and economic development in remote communities.



# Dignity for People in Prison

## Our Vision

An Australia where governments are working towards closing, rather than opening, prisons and all people behind bars are treated with dignity – with prison operators and governments held to account for human rights abuses ●

---

### Ending routine strip searching

People in prisons should not be subjected to traumatising practices that deny them their dignity. Strip searches are invasive, dehumanising, archaic and ineffective. Pushing for an end to routine strip searching in Australian prisons is an important goal for the Human Rights Law Centre and we have made significant advances in recent years. In 2017, the Victorian Government made policy reforms which drastically reduced the use of strip searches in women's prisons, and in 2018 the Northern Territory Parliament banned the use of routine strip searches on children.

Building on this success, we have been advocating for an end to the routine strip searching of children across Australia. This year, the Tasmanian Government committed to new laws banning routine strip searching of children. We will continue to pressure the Tasmanian Government to ensure these new laws reflect their commitments. We will leverage these wins by pushing for all jurisdictions to commit to this straightforward and humane reform.

---

### Ending solitary confinement

Solitary confinement is a cruel and damaging practice that can inflict long-term and irreversible harm. The UN's Mandela Rules ban solitary confinement of children and prolonged solitary confinement of adults, but Australian governments have not embedded these rules in our domestic laws. Solitary confinement disproportionately affects people with cognitive disability in prison. To end the practice in Australia, the Human Rights Law Centre engaged with the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability and called on all state and territory governments to reform their laws to strictly prohibit the use of solitary confinement in Australian prisons. We will continue to use advocacy and legal action to stop the use of solitary confinement across Australia.

Hugh de Kretser,  
Executive Director,  
Human Rights Law Centre



## Protecting people in prison during COVID-19

The advice from health experts is clear – COVID-19 will spread like wildfire if it enters overcrowded prisons. Crowded communal spaces, poor hygiene practices, and the fact that people in prison are more likely to suffer from complex health problems than the general population create a deadly environment for transmission of the virus. Prisons also have a high turnover of staff travelling to and from the facility on a daily basis, amplifying the risk of transmission into multiple communities.

During the COVID-19 pandemic, we worked to prevent the dangerous spread of COVID-19 in youth and adult prisons. We called for a managed and responsible reduction in prison numbers in our overcrowded jails including, where appropriate and safe, for the release of people at high risk of serious complications or death. We opposed knee-jerk responses including mandatory quarantine and lockdowns that could amount to solitary confinement and advocated for a more balanced approach, using a range of measures to address the health risk without denying people in prison meaningful human contact.

Our work included partnering with Fitzroy Legal Service and pro bono lawyers to run an urgent Supreme Court case on behalf of a man in prison with acute health problems. The court ruled that the Victorian Government had prima facie breached its duty to take reasonable care for the man's health in prison. While the Court did not order his release, it did order that an assessment of risks to people in prison be carried out at Port Phillip Prison, and that any recommendations made as a result of that assessment be implemented. We combined this case with broader, nationwide advocacy calling for greater oversight of prisons during the pandemic and beyond.

# Democratic Freedom

## Our Vision

An Australian democracy in which civil society is robust 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 ●

---

### Protecting charity advocacy and strengthening democracy in Queensland

Limiting the influence of big money on our elections is vital to building a fairer Australia. In June 2020, the Palaszczuk Government passed an important reform to limit political donations and spending in Queensland elections. Drawing on years of advocacy from civil society organisations including the Human Rights Law Centre, these reforms provide a roadmap for further changes at a national level which would dramatically strengthen Australia's democracy.

These exciting reforms initially hit a roadblock when it was revealed that the law would effectively stop charities and grassroots groups from speaking out on election issues. The Human Rights Law Centre briefed key decision makers in the Queensland Government on the negative impact this could have on public debate. We also led a campaign response with a coalition of Queensland and national organisations, publishing opinion pieces, engaging in extensive media advocacy and publishing legal advice from a leading QC on the constitutional problems with the proposed law. Our advocacy was successful. The Palaszczuk Government made vital amendments to the law which ensure charities and community groups can continue to speak out on issues in the public interest.

— Alice Drury, Senior Lawyer,  
Human Rights Law Centre

● “Election campaigns should be a time when people with important things to say on matters of public interest can be heard, not just those with enough cash to buy a national platform. By stopping big donations to political parties, Queensland now has the best laws in the country for keeping politicians accountable to the people rather than those with deep pockets.”

## Safeguarding democracy in the COVID-19 pandemic

### Ensuring Parliamentary scrutiny of our Government's pandemic response

Throughout the COVID-19 pandemic, governments have been making profoundly important decisions. These decisions have immediate impacts on our rights and freedoms and have the power to shape our society, our economy and the environment for years to come.

During a crisis, we need our democracy to step up, not shut down. So when Federal Parliament was suspended in April 2020, we called on Federal MPs to establish a cross-party Senate Committee to scrutinise all aspects of the Morrison Government's response to COVID-19. We also led sector advocacy and direct engagement with decision-makers to ensure Federal and State Parliaments resumed as soon as possible and continued to sit in a way that was safe.

### Achieving human rights and privacy safeguards in the COVIDSafe tracing app

In response to the COVID-19 crisis, the Australian Government rolled out controversial new contact tracing technology with limited consultation and transparency, and with nothing but a vague and incomplete privacy policy to prevent people's private information from being misused. Contact tracing is crucial to the COVID-19 health response, but mass surveillance technologies that allow the government to indefinitely track the movements of Australians pose serious risks to democracy.

The Human Rights Law Centre publicly advocated for the introduction of much stronger privacy protections for the technology, with media appearances ranging from *ABC News* to *A Current Affair*. We also engaged directly with the Health Minister's office. Together with our partners, our constructive engagement and advocacy helped secure vital legislative privacy safeguards, ensuring our data cannot be given to the Government or police or used for any purpose other than COVID-19 contact tracing.

● “We don't want to emerge from this crisis in a country where the Government can trace the movements of every single one of us, all of the time. Our Government must be transparent about its use of this technology and it must guarantee that this intrusion into how we live our lives ends once the pandemic is over.”

— Daniel Webb, Legal Director,  
Human Rights Law Centre



---

## Reducing the distorting influence of big money in Australia's political system

When our democracy works, the wellbeing of people, the planet and future generations is at the heart of every government decision. But right now, our political system isn't the level playing field we need it to be. Australia's political donation and spending laws are incredibly weak when compared with other democracies. Unlike the UK, Canada and New Zealand, Australia does not limit how much can be spent on election campaigns and spending is increasing exponentially at each election. Our national laws also lag far behind state laws, almost all of which limit political donations. Our outdated laws are enabling certain vested interests to wield disproportionate influence over government decision-making and to distort policy outcomes on important issues, such as climate change and human rights.

Through direct outreach to MPs and advocacy before multiple parliamentary committees, we have built stronger political support for policy solutions including more transparency and limits on political donations and election spending. Together with the Australian Conservation Foundation and other partners, we have also undertaken deep policy analysis with a range of academics and experts from public health, environment, human rights, gambling and gun control organisations, and unions. We have also developed communications strategies to build the foundations of a powerful, collaborative campaign for change.

---

## Defending our right to privacy

Australia's current metadata retention laws are some of the most intrusive of any democracy in the world. These laws require that telecommunication companies keep records of every single phone call we make and text message we send, as well as a range of other personal data, for at least two years. This data is being quietly accessed over 350,000 times a year by at least 87 different agencies ranging from local councils to the RSPCA. The laws have also been used by police to secretly access journalists' metadata at least 78 times.

The Human Rights Law Centre has been challenging the scope of these laws and calling for significant reforms to safeguard democracy and our right to privacy. The Parliamentary Joint Committee on Intelligence and Security conducted an extensive review of the laws, which have been in place since 2017. The Human Rights Law Centre briefed the Committee, advising that the retention regime lacked important democracy safeguards and was a grossly disproportionate infringement of Australians' privacy. In October 2020, the Committee handed down 22 recommendations to scale back the regime, including amending the laws so that people's data can only be accessed by specified security and law enforcement agencies in connection with serious crimes. While amendments such as these would be an important step in the right direction, we will continue advocating for further privacy safeguards, such as requiring law enforcement agencies to obtain judicial warrants in order to access people's private information.

● “In a democracy, we should be able to go about our lives without a bunch of government agencies secretly scooping up details of where we’ve been, who we’ve spoken to and the text messages we’ve sent. Under the current laws, your local council might have accessed your personal information for something as minor as a parking fine, without you ever being told. These laws go much further than in other democracies. The Morrison government should follow the Committee’s advice and scale them back.”

— Alice Drury, Senior Lawyer,  
Human Rights Law Centre

---

## Defending our right to protest

Our ability to come together and speak out on the issues we care about is fundamental to our democracy. Protest has been vital to securing so many advances that we now take for granted, from the eight hour work-day, to the right to vote for all Aboriginal and Torres Strait Islander peoples, to marriage equality. Protests are a crucial tool for people and communities to build the awareness and visibility needed to secure change.

In 2020, the right to protest proved vital for people across the globe rallying against generations of systemic racism and state violence. But instead of committing to systemic change to keep Aboriginal and Torres Strait Islander people out of prisons and end Black deaths in custody, Prime Minister Scott Morrison called for Black Lives Matter protesters to be arrested and charged for exercising their basic democratic rights. He claimed the protests were not safe during the COVID-19 pandemic, but just days later announced football stadiums with crowds of 10,000 would be reopening.

In this vital moment for racial justice and democracy, we joined a coalition of legal and human rights groups to call on governments around the country to proactively facilitate – rather than violently suppress – COVID-safe protest action in accordance with their obligations under International law. We also supported advocacy against new anti-protest laws in Queensland, NSW and in Tasmania through media advocacy, UN action and by providing legal advice on the human rights and constitutional issues with each new law.

The Human Rights Law Centre is now working with civil society partners and activists to map the laws and practices which currently suppress Australians’ right to protest. The results of this mapping project will form the basis of a legal action and advocacy strategy to remove the most problematic and excessive restrictions that are unduly restricting peaceful protest action.

● “As State and Federal governments across the country continue to lift restrictions – opening up restaurants, gyms, cinemas and sports stadiums – they also have a responsibility to facilitate safe and peaceful protest as an essential component of a healthy democracy.”

— Yusr Al-Azzawi, Senior Lawyer,  
Human Rights Law Centre

People protesting Invasion Day in Melbourne

Credit: Laura May Grogan



## Standing up for whistleblowers and press freedom

Strong legal protections for whistleblowers and public interest journalism are fundamental to ensuring that our Government is open and accountable to the people. Yet the Morrison Government has introduced a succession of overly broad and poorly defined secrecy, espionage and telecommunications access laws which criminalise public interest reporting and legitimate criticism.

The Parliamentary Joint Committee on Intelligence and Security was tasked with conducting an inquiry into law enforcement and intelligence powers and their impact on press freedom after the June 2019 raids on ABC offices and the home of News Corp journalist, Annika Smethhurst. The raids followed the aggressive prosecution of a number of whistleblowers, including Witness K and his lawyer Bernard Collaery for their role in revealing the Australian Government's bugging of the Timor-Leste cabinet room during sensitive negotiations about oil and gas revenue.

Our advocacy in response to the raids and prosecutions contributed to the establishment of the Committee, and we gave expert evidence to the inquiry on the need to rein in the secrecy and surveillance laws that are damaging Australia's democracy.

While the Committee's final report – released in August 2020 – stopped short of what is needed to fully protect press freedom, it did make important recommendations. These include greater public reporting on warrants granted to access journalists' data, improvements to freedom of information processes and reforms regarding the classification by agencies of material as "secret". We will continue to advocate for stronger legal protections for whistleblowers and public interest journalism, and explore strategic legal interventions.

● “No journalist should face prosecution for doing their job and no whistleblower should face prison for doing the right thing. Our Government might not like scrutiny or having wrongdoing exposed, but we have a fundamental right to know what they are doing in our name.”

— Daniel Webb, Legal Director,  
Human Rights Law Centre

## Australian Democracy Network

Collaboration is crucial to achieving impact on democracy issues. So together with partners at the Australian Council of Social Services and the Australian Conservation Foundation, this year we launched the Australia Democracy Network – a project to build greater civil society collaboration and collective action on key democracy campaigns.

The Australian Democracy Network brings together civil society organisations with an interest in democratic integrity, advocacy and civil liberties to share information, resources and strategy. In its first year, the Network has coordinated rapid-response working groups to monitor COVID-19 related legislative changes, helped to ensure scrutiny of the Federal Government's powerful National COVID-19 Coordination Commission and delivered workshops and training to over 500 campaigners and activists.

By building civil society collaboration and collective action on key democracy campaigns, the Network will increase the impact and effectiveness of all our work. The Network is led by campaigner Saffron Zomer, who joined the Human Rights Law Centre team at the beginning of 2020.

# Human Rights on the Global Stage

## Our Vision

Australia upholds the international human rights standards it has promised to comply with and champions human rights on the world stage ●

---

### United Nations engagement

#### Australia's human rights record scrutinised at the UN

In January 2021, Australia will have its human rights record assessed at the United Nations Human Rights Council in a process known as the Universal Periodic Review (UPR). Happening every five years, the UPR is an important opportunity for other nations to identify human rights problems in Australia and recommend solutions to address them.

NGOs play a critical role in the scrutiny process. The Human Rights Law Centre, together with partners the Caxton Legal Centre and the Kingsford Legal Centre, formed the steering group for the NGO coalition, coordinating a major report and related advocacy to inform the review. The NGO report, *Australia's Human Rights Scorecard: Australia's 2020 United Nations UPR*, draws on expert knowledge from a broad advisory group and provides a comprehensive insight into the state of human rights in Australia in 2020. The report's 88 recommendations provide a thorough roadmap for a better future where human rights principles are at the heart of our laws and policies. Over 200 NGOs endorsed the report. The Human Rights Law Centre will monitor Australia's review and advocate to maximise international pressure to prompt Australian governments to bring laws and policies in line with international human rights obligations.

#### Calling for greater oversight in places of detention

Abuse thrives in the dark. Transparency is critical to preventing mistreatment in places of detention. The Optional Protocol to the Convention Against Torture (OPCAT) is an important international treaty which aims to prevent mistreatment and promote humane conditions in places of detention by establishing proactive systems for independent monitoring and inspection. Following years of advocacy by the Human Rights Law Centre and partners, the Australian Government finally ratified the treaty but, disappointingly, governments across Australia have been slow to fully implement its required inspection mechanisms. In response, we have been working with an alliance of civil society organisations, including Aboriginal and Torres Strait Islander and disability organisations, to advocate for the effective implementation of OPCAT so it will realise its potential in stopping abuse in all places of detention.

Edwina MacDonald,  
Legal Director at the UN  
in Geneva 2019



## Human Rights Law Centre joins International Network of Civil Liberties Organizations

The Human Rights Law Centre has joined the International Network of Civil Liberties Organizations (INCLO). INCLO is a network of independent, national human rights organisations from 15 different countries working together to promote fundamental rights and freedoms around the globe.

By joining INCLO, the Human Rights Law Centre is able to share knowledge and strategy with like-minded overseas organisations. We work together to push for change on significant human rights issues. INCLO currently works on four priority areas: Protest Rights and Policing; Surveillance and Human Rights; Religious Freedom and Equal Treatment; and Protecting Civic Space. This year, INCLO members collaborated on issues including resisting excessive decryption laws, monitoring emergency responses to the COVID-19 pandemic to ensure they are no wider than necessary and advocacy to condemn the use of excessive force and the misuse of less-lethal weapons against Black Lives Matter protesters in the USA.

● “At home and around the world, human rights are under threat as populist authoritarianism is on the rise. We can better defend human rights in Australia by sharing knowledge and strategy with like-minded organisations overseas. We look forward to working with INCLO members to stand together to defend the values that unite us like freedom, equality, dignity, compassion and respect.”

— Hugh de Kretser, Executive Director,  
Human Rights Law Centre

# Business & Human Rights

## 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 ●

### Demanding accountability for Rio Tinto's deadly legacy in PNG

Corporations shouldn't be allowed to wreak environmental devastation on communities – polluting their water and food supplies and impacting their health. But Rio Tinto did just that on the Pacific island of Bougainville.

The Panguna copper and gold mine, majority-owned by Rio Tinto, was one of the world's largest copper and gold mines. During its operation from 1972 to 1989, the mine generated almost \$US 2 billion in revenue for Rio Tinto and the Papua New Guinea Government. In 1989, an uprising by local people against the environmental destruction caused by the mine and inequities in the distribution of its profits forced the mine's closure and triggered a brutal decade-long civil war. In 2016, the British-Australian mining giant divested from the mine, leaving behind a billion tonnes of mine waste. The communities living in the shadow of the decaying infrastructure are



Rusting mine buildings, Bougainville

now forced to live with rivers poisoned by copper, forests flooded with waste and serious health problems. The Human Rights Law Centre is supporting these communities to pursue justice for this appalling legacy.

Legal Director Keren Adams visited Bougainville twice to meet with community members and gather evidence of the widespread impacts of the abandoned mine. This research, undertaken in collaboration with local partners, informed *After the mine: Living with Rio Tinto's deadly legacy*. Released in March 2020, the report exposed the extent of Rio Tinto's devastating actions in Panguna.

In September 2020, we filed a human rights complaint with the Australian Government on behalf of 156 community members, demanding that Rio Tinto take action to clean up the mess it left behind. To coincide with the launch of the complaint, we secured national and international media coverage to raise awareness of Rio Tinto's actions. Our research, complaint and advocacy prompted an immediate response, with the company committing to hold discussions with local communities. We will continue to hold Rio Tinto to account to ensure justice for the communities forced to live with these impacts and help them secure a proper clean up of the mine waste pollution.

— Keren Adams, Legal Director,  
Human Rights Law Centre

Human Rights Law Centre Legal Director, Keren Adams, and Theonila Roka Matbob, traditional landowner from Makosi village, looking out over the abandoned mine at Panguna, Bougainville

● “Rio Tinto’s decision to cut and run from Panguna without addressing the massive problems created by the mine is an appalling breach of its responsibilities. During our research, we spoke to children with skin ulcers that never heal. We heard from families whose loved ones had drowned trying to cross rivers flooded with mine waste, and women who now have to walk two hours every day to lug water back to their communities because their nearby creeks are now poisoned by copper. This is not a historical issue – it is an ongoing human rights disaster and Rio Tinto must immediately act to address it.”



● “The Panguna mine devastated our communities physically and culturally and we are still living with the consequences. Our land is destroyed and our rivers are poisoned. Kids are drinking and bathing in the polluted water and getting sick. New areas of land are still being flooded with the waste from the mine. We urgently need Rio Tinto to come back and deal with these problems so our communities can find healing.”

— Theonila Roka Matbob, a traditional landowner from Makosi village and MP for Ioro constituency



Misimu washes gold in the mine pit

---

## Drawing international condemnation for the destruction of Juukan Gorge

Across the nation, people were outraged by news that, on the eve of National Reconciliation Week, Rio Tinto had detonated a 46,000 year old sacred Aboriginal site at Juukan Gorge in Western Australia, all in the name of profit.

In August 2020, we joined 34 Aboriginal and Torres Strait Islander and human rights organisations to demand international accountability for this action. This advocacy resulted in the global Corporate Human Rights Benchmark publicly condemning the mining company and calling on it to provide redress to the Traditional Owners, a serious blow to Rio's global reputation. The Traditional Owners of the land at Juukan Gorge, the Puutu Kunti Kurrama and Pinikura People, had fought a seven year battle to have their site protected. That Rio Tinto was able to disregard the wishes of the Traditional Owners and blow up the site just to expand its iron ore mine is a clear example that Australia's cultural heritage protection laws are in desperate need of reform.

During the subsequent public Senate Inquiry into the Juukan Gorge destruction, the Human Rights Law Centre made submissions supporting calls by the National Native Title Council and other First Nations organisations for a national cultural heritage protection regime to protect similar sites across Australia, many of which are threatened by mining activity. Our advocacy helped draw an international spotlight onto Rio Tinto's actions and the flagrant inadequacy of the company's response. The resulting widespread condemnation led to a rare showing of accountability, with the forced resignation in September of Rio Tinto's CEO, Jean-Sébastien Jacques and two other senior executives.

---

## Advocating for workers' rights during COVID-19

Everyone in our community should be able to access support during a public health emergency, yet many migrant workers have been left trapped and destitute during COVID-19.

In April 2020, the Human Rights Law Centre joined the Migrant Workers Centre and more than 120 other civil society, faith, business, union and migrant organisations across Australia to call on the Morrison Government to urgently expand its JobKeeper wage subsidy scheme to protect all working people in Australia.

We also collaborated with unions and other civil society organisations to advocate for stronger measures to protect workers' rights and safety both within Australia and in the overseas supply chains of Australian companies during the pandemic, including through submissions to the Senate Select Committee into COVID-19. This collective advocacy helped to secure a number of important measures, such as the provision of pandemic leave payments to enable workers to take time off work to get tested and self-isolate.



# 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 ●

---

### Fighting for the rights of people seeking safety during the COVID-19 pandemic

Every person deserves to be safe during this health emergency. But in so many ways, our Government put refugees and people seeking asylum in harm's way when it failed to listen to experts and reduce the number of people held in detention. With shared bathrooms, bedrooms and crowded food halls, social distancing is impossible in immigration detention centres.

In April 2020, the Human Rights Law Centre launched a legal challenge in the High Court against Minister Peter Dutton and the Australian Government on behalf of a man in immigration detention. The man, who had been brought to Australia from offshore detention for medical treatment, had asthma, diabetes and a heart condition, placing him at higher risk of serious illness from COVID-19. Our case argued that the Government had breached its duty of care by failing to provide conditions that would allow our client to protect himself from the virus.

While our legal challenge was ultimately unsuccessful in releasing our client – in part due to the suppression of COVID-19 in Queensland – we obtained concessions to increase our client's protection during the highest risk period of the virus. The legal action and public advocacy also pushed the Federal Government into taking broader steps to protect people held in these centres.

— Josephine Langbien, Senior Lawyer,  
Human Rights Law Centre

● “Medical experts have been clear that the people in these detention centres, especially those with underlying health issues, are at severe risk from COVID-19. We are asking Minister Dutton to listen to the medical experts - just like the Government is asking all of us to do - in response to this public health crisis. He can avoid placing lives at risk by simply releasing people into safe housing where they can socially isolate.”

## Stopping Minister Dutton's attempt to ban mobile phones in immigration detention

Mobile phones are an essential lifeline for people in immigration detention to family, friends and legal support. Yet under the cover of the pandemic, Minister for Home Affairs Peter Dutton attempted to cut this lifeline. The Minister proposed a dangerous new law that would allow him to strip people of mobile phones, and almost any other item, in immigration detention.

The Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020 was a blatant attack on transparency and an attempt to further dehumanise refugees and people seeking asylum. Mobile phones have allowed people in detention to shine a light on their mistreatment and access help when they need it. The law was designed to silence the people held in immigration detention and hide their experiences from public view.

The Human Rights Law Centre met with key decision makers to brief them on the devastating impacts this bill could have on the lives of people held in Australia's immigration detention facilities. Working with our key sector partners, we promoted a public campaign that generated widespread opposition to the expanded power. In a big win for the people in detention, Senator Lambie announced she will use her decisive vote to stop the Government from adopting the harmful bill.

● “This proposed law was a blatant attack on transparency designed to silence criticism and hide the appalling conditions of immigration detention from public view. These powers were entirely unnecessary. Senator Lambie has made the right decision in rejecting this overreach from the Morrison Government.”

— David Burke, Legal Director,  
Human Rights Law Centre

## Fighting to end offshore detention

19 July 2020 marked seven years since Prime Minister Kevin Rudd announced that people seeking asylum who arrived by boat would have their refugee claims processed offshore and would never be allowed to settle in Australia. Successive Governments embraced this cruel policy.

Fighting to end the harm imposed through this policy is a core goal of the Human Rights Law Centre. We continue our sustained legal action, advocacy and political engagement, working in close collaboration with partners, to secure freedom and safety for people still held offshore. The work is difficult but it continues to achieve impact. It continues to change lives. Since May last year over 500 people have finally left Nauru and PNG to come to Australia for medical treatment, or to be resettled in the USA and elsewhere.

We continue to lead an extraordinary partnership of pro bono law firms and barristers in high pressure, high stakes legal action in the High Court for over 500 children, women and men who have been brought to Australia. This work continues to prevent their deportation back to serious harm in offshore detention.

Almost 300 people are still held by the Morrison Government on Nauru and PNG. We will not stop until every single person is living in permanent freedom and safety and this dark chapter in Australia's history is brought to an end.



David Burke, Legal Director, Human Rights Law Centre

### **David Burke wins award for work defending the rights of people seeking safety**

In February, the International Commission of Jurists, Victoria awarded Human Rights Law Centre Legal Director, David Burke, with the 2020 John Gibson Award for his work defending the rights of refugees and people seeking asylum.

The John Gibson Award is awarded in honour of the late John Gibson. John was a scholar, barrister and an outstanding and tireless human rights and refugee advocate. The award recognises the critical role the legal profession plays in the protection of human rights and advocacy for refugees.

Since 2019, David has led our work defending the rights of people seeking asylum and refugees. The award recognises David and his team's work steering a pro bono coalition of more than 13 law firms and over 30 barristers across three states to bring hundreds of people to Australia for lifesaving medical treatment. This work has helped women sexually assaulted in Nauru, men attacked and seriously injured on Manus Island, and children so traumatised by years of indefinite detention that they had lost the ability to eat or speak and needed urgent psychiatric care.

# Reproductive Rights

## Our Vision

Australian laws and policies promote health, dignity and reproductive freedom and ensure every person has the power to decide what's right for their body and their future ●

People gathering in support of safe access zones and decriminalisation of abortion in NSW



## Big steps forward for reproductive rights in South Australia and Western Australia

No one should have to run a gauntlet of abuse and harassment just to see their doctor and laws regulating abortion must give women freedom and control over their bodies. Since working with Melbourne's Fertility Control Clinic to achieve safe access zone laws in Victoria to stop abuse and harassment outside abortion clinics, the Human Rights Law Centre has been at the forefront of the fight for reproductive freedom across Australia. Supporting grassroots advocates and providing strategic legal and policy guidance to decision makers, we have helped to decriminalise abortion in Queensland and NSW, achieve safe access zone laws across six states and territories, and to successfully defend safe access zone laws against a constitutional challenge.

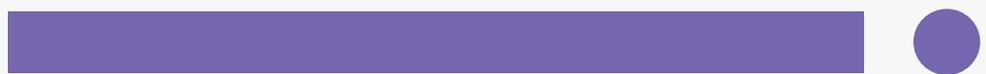
This year, we helped to secure further critical advances in South Australia and Western Australia, the two states yet to fully modernise their abortion laws. In South Australia, safe access zone laws to protect the safety and privacy of people accessing reproductive health services were passed in November. Abortion in South Australia is currently regulated by criminal laws written in 1969. A bill introduced to Parliament this year to decriminalise abortion presents a vital opportunity to finally get the law right and treat abortion as a health matter in South Australia, not a criminal one.

Western Australia has also passed proposed safe access zone laws through the lower house of their Parliament. These reforms are significant steps towards increasing access to reproductive healthcare and bringing South Australian and Western Australian laws into the 21st Century. We will continue our advocacy to ensure the proposed laws become a reality and to defend the hard won gains for reproductive freedom across Australia.

Supporters of safe access zones in NSW



Adrienne Walters,  
Associate Legal Director,  
Human Rights Law Centre



# An Australian Charter of Human Rights & Freedoms

## Our Vision

An Australia where the values we all share, like fairness, equality and compassion, are reflected and protected in our laws, and where everyone understands their rights and freedoms and has the power to take action to ensure that they are upheld ●

---

### Advancing the campaign for an Australian Charter

Our lives are better when we all treat each other with fairness and respect. Unfortunately, powerful politicians and corporations don't always respect the rights of people and communities. An Australian Charter of Human Rights and Freedoms will help to level the playing field and ensure that the decisions and actions of our governments are guided by values like freedom, equality, compassion and dignity. A Charter will help everyone understand the rights and freedoms that we all share, and it will give people power to take action if their rights are violated.

The Human Rights Law Centre is running the national campaign to secure an Australian Charter of Human Rights and Freedoms. This campaign builds upon our work in Victoria, the ACT and Queensland, where human rights Charters have been secured. This year, the Charter campaign continued to grow, with many new individual supporters joining over 50 organisations which now back the campaign. To build support for a Charter in 2020, we engaged with politicians, and promoted the need for a Charter through media advocacy and events.

---

### A new guide for effective communication about human rights

In December 2019, we launched a human rights messaging guide to help people and organisations effectively advocate for a Charter. *Talking about human rights in Australia* outlines communications strategies to win public support for human rights. The report uses research and analysis of past advocacy efforts to recommend communication strategies to build support for a Charter.

---

### Charters of Rights during a pandemic

The COVID-19 pandemic underscored the importance of human rights protections in law. It has highlighted how a Charter can help governments in Victoria, the ACT and Queensland to make the right decisions when considering how to protect life and health without unduly restricting other rights. The pandemic also revealed the gaps in legal protections of rights at the national level and in other states and territories.

We advocated for a Charter at the national level in our submission to the Senate Committee tasked with investigating the Federal Government's response to COVID-19. We also shared the stories of hundreds of Charter supporters on why the Senate Inquiry should recommend having an Australian Charter of Human Rights and Freedoms.

In October, we came together with the UTS Centre for Social Justice and Inclusion to hold a major online event *UnChartered: Health, Housing, Human Rights & COVID-19*. The event explored how a Charter could help to ensure essential rights like quality healthcare, affordable housing and dignified aged care are accessible to everyone. Speakers included Annie Butler, Australian Nursing and Midwifery Federation Federal Secretary; Kate Colvin, Everybody's Home Campaign Spokesperson; and Human Rights Law Centre Executive Director, Hugh de Kretser.

Speakers presenting at *UnChartered: Health, Housing, Human Rights & COVID-19*



Kate Calvin



Annie Butler



Verity Firth



Hugh de Kretser

— Hugh de Kretser, Executive Director,  
Human Rights Law Centre

● “We are at a pivotal moment. We must ensure our governments are responding appropriately, fairly and in a way that promotes, rather than undermines, human rights and democracy for years to come. An Australian Charter of Human Rights would help ensure that values we all share, like fairness, dignity and compassion, are placed at the heart of government action.”

Tom Clarke, Campaigns Director  
and Roselina Press, Digital Producer  
launching the Charter of Human Rights  
messaging guide on social media



Tom Clarke &amp; Roselina Press

# Our Team

**Our staff**



**Hugh de Kretser**  
Executive Director



**Keren Adams**  
Legal Director



**Ruth Barson**  
Legal Director



**Daniel Webb**  
Legal Director



**David Burke**  
Legal Director



**Michelle Bennett**  
Public Engagement  
Director



**Kate Frost**  
Director of Operations



**Monique Hurley**  
Legal Director (Acting)



**Adrienne Walters**  
Associate Legal Director



**Alice Drury**  
Senior Lawyer



**Freya Dinshaw**  
Senior Lawyer



**Josephine Langbien**  
Senior Lawyer



**Kieran Pender**  
Senior Lawyer



**Scott Cosgriff**  
Senior Lawyer



**Yusur Al-Azzawi**  
Senior Lawyer



**Rachel Richmond**  
Development Manager



**Lauren Frost**  
Government Relations  
Manager



**Daney Faddoul**  
Campaign Manager



**Saffron Zomer**  
Senior Campaigner



**Anna Fordyce**  
Operations Coordinator



**Marta Zajac**  
Fundraising and Events  
Officer



**Emma Costa**  
Administrator and  
Paralegal



**Edwina MacDonald**  
Legal Director  
(to September 2020)



**Tom Clarke**  
Campaigns Director  
(to August 2020)



**Shahleena Musk**  
Senior Lawyer  
(to August 2020)



**Hollie Kerwin**  
Senior Lawyer  
(to April 2020)



**Roselina Press**  
Digital Producer  
(to July 2020)

---

## Our board



**Cathy Branson**  
Chair  
Former President of the  
Australian Human Rights  
Commission



**Tim Goodwin**  
Deputy Chair  
Barrister



**Ben Kiely**  
Partner, King & Wood  
Mallesons



**Andrew Carriline**  
Non-executive director



**Jamie Gardiner**  
Vice-President, Liberty  
Victoria



**Jessica Kendall**  
Founding Co-Director,  
Economic Media Centre



**Padma Raman**  
Chief Executive, Aus-  
tralian Human Rights  
Commission



**Chris Sidoti**  
International human  
rights consultant



**Fiona Smith**  
Non-executive director



**Sue Woodward**  
Head of Not-for-profit  
Law, Justice Connect

---

## Seconded Lawyers

**Darcy Todaro**  
Lander & Rogers

**Danielle Jones**  
Lander & Rogers

**Paul Mersiades**  
Allens

**Daniel Barnett**  
Ashurst

**Tracey Yeung**  
King & Wood  
Mallesons

**Ellie Arrowsmith**  
MinterEllison

**Sharee Darwinkel**  
King & Wood  
Mallesons

**Matyas Szuk**  
Ashurst (to September  
2020)

**Brittni Dienhoff**  
MinterEllison (to  
September 2020)

**Stephanie Kelly**  
Allens (to August 2020)

**Crystal Gluch-Martin**  
Ashurst (to August 2020)

**Sophie Andritsos**  
King & Wood Mallesons  
(to August 2020)

**Madeleine Causbrook**  
Ashurst (to June 2020)

**Tess McGuire**  
MinterEllison  
(to March 2020)

---

## Interns

Designed with and for First Nations law students, Waiwa Mudena is a program run by King & Wood Mallesons to increase First Nations representation in the legal sector. The Human Rights Law Centre continued our involvement in the program and welcomed two interns in 2020.

**Nathan Bell**  
King & Wood Mallesons  
Waiwa Mudena  
intern (October 2020)

**Ruby Jeffrey**  
King & Wood Mallesons  
Waiwa Mudena intern  
(September 2020)

---

## Administration and finance

The Human Rights Law Centre is provided with bookkeeping, accountancy and administrative services through a shared services agreement with Justice Connect. We are grateful for the support of our Justice Connect colleagues who provide these services.

**Sophie Gordon-Clark**  
Chief Operating Officer

**Michele De Gilio**  
Finance Manager

**Shankeetha Thayaharan**  
Finance and Payroll  
Officer

**Roger Harper**  
Finance Officer

**Trelawney Edgar**  
Office Manager

**Thea Martin**  
Office Manager

**Ella Cattach**  
Office Manager

**Emma Dunphy**  
Office Manager

# Financials

## Statement of Profit or Loss and Other Comprehensive Income for the Year ended 30 June 2020

<b>Income</b>	<b>2020 \$</b>	<b>2019 \$</b>
Aboriginal & Torres Strait Islander Rights Program (Including: BB & A Miller Foundation; Corella Fund; Gandel Philanthropy; Kimberley Foundation; Limb Family Foundation; Perpetual; Reichstein Foundation; Ross Trust; Shulu Foundation; Snow Foundation; Trawalla Foundation; Vicki Standish Family Foundation; Vincent Fairfax Family Foundation)	681,620	430,412
Asylum Seeker & Refugee Rights Program (Including: Australian Communities Foundation; BB & A Miller Foundation; Lander & Rogers; Planet Wheeler Foundation)	420,364	559,960
Democratic Freedoms Program (Including: The Myer Foundation, Australian Communities Foundation)	256,333	220,911
Charter of Human Rights Program (Including: BB & A Miller Foundation, Lord Mayor's Charitable Foundation, The Myer Foundation, River Capital Foundation, George & Freda Castan Charitable Foundation)	135,000	125,000
The Sigrid Rausing Trust	184,407	155,853
Dropbox Foundation	162,917	
The Fund for Global Human Rights	136,514	
Oak Foundation	77,265	94,406
Australian Communities Foundation	72,432	101,295
Virgin Unite	50,000	50,000
Caledonia Foundation	50,000	50,000
Victorian Government Department of Justice and Community Safety	50,696	56,000
Australian Government Attorney-Generals Department	50,000	
Other Grant Income	126,333	341,737
Individual Donations	525,549	327,166
Corporate Donations	96,334	223,975
Interest	32,962	38,315
Human Rights Dinners & Other Events		184,899
Other Government Income	224,000	
Other Income	27,880	37,262
<b>Total Income</b>	<b>3,360,606</b>	<b>2,997,191</b>
<b>Expenditure</b>		
Occupancy, Operational and Administration Expenses	814,048	1,069,416
Employee Benefits	2,163,136	1,811,385
<b>Total Expenditure</b>	<b>2,977,184</b>	<b>2,880,801</b>
<b>Total Comprehensive Income</b>	<b>383,422</b>	<b>116,390</b>

## Statement of Financial Position as at 30 June 2020

<b>Current assets</b>	<b>2020 \$</b>	<b>2019 \$</b>
Cash and cash equivalents	2,998,138	2,126,067
Trade and other receivables	187,329	63,330
Total current assets	3,185,467	2,189,397
Total non-current assets	118,144	158,273
<b>Total assets</b>	<b>3,303,611</b>	<b>2,347,670</b>
<b>Current liabilities</b>		
Trade and other payables	155,991	95,213
Provisions	268,775	276,806
Grants received in advance	1,489,049	978,239
<b>Total current liabilities</b>	<b>1,913,815</b>	<b>1,350,258</b>
<b>Non-current liabilities</b>		
Provisions	39,307	30,345
<b>Total non-current liabilities</b>	<b>39,307</b>	<b>30,345</b>
<b>Total liabilities</b>	<b>1,953,122</b>	<b>1,380,603</b>
<b>Net Assets</b>	<b>1,350,489</b>	<b>967,067</b>
<b>Equity</b>		
Retained earnings	1,350,489	967,067
<b>Total Equity</b>	<b>1,350,489</b>	<b>967,067</b>

This is an extract of the HRLC's audited financial statements for the year ended 30 June 2020. For a full version visit [www.hrlc.org.au](http://www.hrlc.org.au)

We  
couldn't  
do it  
without  
you.

## Our generous supporters who gave between 1 December 2019 and 30 November 2020

---

### \$50,000+

Michael Ahrens	Dropbox Foundation	Planet Wheeler Foundation	The Sunrise Project	Virgin Unite Australia
Anonymous donors	Lord Mayor's Charitable Foundation	Sigrid Rausing Trust	Victorian Department of Justice and Community Safety	Williams Fund (Australian Communities Foundation)
B B & A Miller Foundation	Mannifera	The Corella Fund	Vincent Fairfax Family Foundation	
Caledonia Foundation	New Venture Fund	The Myer Foundation		
		The Ross Trust		

---

### \$10,000–49,000

Anonymous donors	Anne Coombs & Susan Varga	Igniting Change	Andrew Sisson	The Kimberley Foundation
Barlow Foundation	Digicel Foundation	King & Wood Mallesons	Snow Foundation	Trawalla Foundation
Ben Kiely	Evans5 Fund	NSW Department of Communities and Justice	Sunning Hill Fund (Australian Communities Foundation)	Vicki Standish Family Foundation
Catherine Branson	Fair World Foundation	Oak Foundation	The Antipodean Family Foundation	
Krystyna Campbell-Pretty	Fairness Fund (Australian Communities Foundation)	Reichstein Foundation		

---

### \$5,000–9,999

Alf & Meg Steel Fund (Australian Communities Foundation)	Clare Murphy Fund (Australian Communities Foundation)	Espero Fund (Australian Communities Foundation)	Peter Hanks	River Capital Foundation
Ballandry Fund (Australian Communities Foundation)	Crisp Nominees Pty Ltd	Fairer Futures Fund (Australian Communities Foundation)	Michael Kingston	Small Giants Catalyst Foundation
Roger Burke	Anne-Marie Delahunt	Jamie Gardiner	Lander & Rogers	The Fund for Global Human Rights
Tom Calma	Diversicon Environmental Foundation	George and Freda Castan Foundation	Matt & Sophie Mullins	Jon Webster
			Nautilus Foundation	
			Lisa Nichols	
			Karen Probst	

**\$1,000–4,999**

Ari Abrahams	Rachel Connor	Ross Howie	Kristof Mikes-Liu	Fiona Smith
Damian and Sandy Abrahams	Robert Cooper	Will Irving	Kathryn Miller	Michael Smith
Allens	Claudia Craig	Meryl Jackson	Travis Mitchell	Kathryn Snow
Philip Alston	Miranda Cummings	Renae Jarman	Jenny Morgan	Tania Sorrell
Dennis Altman	Ben De Rango	Christos Kakris	Marlene Morison	Kate Spargo
Sarah Andrews	Hope Defteros	Annie Keely	Samuel Mularczyk	Angus Stuart
Arnold Dallas	Elizabeth Evatt	Jessica Kendall	Dan Nicholson	Aravinthan
McPherson	Sharon Farrall	Claire Kenna	Leana Papaelia	Sundaralingam
Andrew Baker	Michael Finnane	Margaret & Neil Kiely	Clare Parkes	Georgie Swan
Hamish Black	Fiona Forsyth	Joshua Kinal	Mark Parnell	Katie Sweatman
Mark Bradley	Keith Foster	Alison Lansley	Elaine Pearson	Pamela Taylor-Barnett
Lois Bryson	Gilbert + Tobin	Lansol	Phi Finney McDonald	Charles Tegner
(Australian Communities Foundation)	Lyn Gilbert	Daniel Le Lant	Victor Pillay	The Rossi Foundation
Alison Cameron	Mitzi Gilligan	Gina Lee	Verity Quinn	The Woolley
Emily Campbell-Pretty	Martyn Goddard & Barry Scott	Craig Lenehan	Jo Renkin	Charitable Trust
Hannah Casey	Felicity Hampel	A Keith Lethlean	Ian Repper	Joel Townsend
Centre for Australian Progress	Cameron Herbert	Madden Sainsbury Foundation	William Richardson	Waterfall Way Trust
Emily Christie	Adam Hochroth	Tim Maddock	Cheryl Saunders	Susanne Weress
Tom Clarke	Michael Hodge	Mangala Fund	Heather Sculthorpe	Ian Whitney
Michael Cohn	Holmes Family Foundation	Jane Matthews	Shulu Foundation	& David Anthony
Greg Connellan	Starley Hope	Therese McCarthy	Christopher Sidoti	Linden Woodward
		Fiona McLeay	Kyle Siebel	Sue & Ted Woodward
			Gary Singer	Josette Wunder
				David Yarrow

**\$500–999**

Susie Allanson	Karen Dellow	Kathryn James	Keren Murray	Luke Smorgon
Grace Alsop	Maryanne Dever	Louise Jenkins	Colin Neave	Tamiaka Spencer Bruce
Liz Austin	Joana d'Orey Novo	Jean & Andrew John	Nha Trang Nguyen	Michael Strasser
Baserange Australia	Sam Drummond	Sarah Joseph	Alastair Nicholson	Colin Stucley
Phil Batterham	Paul Drury	Jason Kenkel	Andrew Nicoll	Jeanne Taylor
Christine Bayly	Helen Dunstan	Susan Kneebone	Sally Nicolson	Jessica Timmins
Grant Benvenuti	Simon Ellis	Stu Knibbs	Tomislav Nikolic	The Caroline Durre'
Pauline Bernard	Melissa Emanuel	Rex Kuo	Lisa Ogle	Sub Fund (Australian Communities Foundation)
Mary Blight	Eloise Falkiner	Freya Langham	Robert O'Neill	Frances Tolhurst
Judy Blundell	Faro Filantropia	Joel Lazar	Alice Opper	Karina Utomo
Isobel Booksmythe	Mark Free	Christopher Lee	Mark Orr	Simon Waight
Chester Brown	Andre Fucs de Miranda	Julie Ligeti	Allison O'Toole	Adrian Walker
Elissa Campbell	Shabnum Ghafar	Mark Madden	Josef Peters	Kristen Walker
Stephen Campbell	Anneliese Gillard	Annette Madvig	Tiara Pires	Paul Wild
Ella Casey	Philip Grano	Victoria Marles	Ann Porcino	Mitty Williams
Megan Casey	Alastair Greenall	Emily Mason	Alicia Reynolds	Michelle Withers
Thea Casey	Janet Grevillea	Sarah Matheson	Susanna Ritchie	Paul Wood
Janet Castle	William Haebich	Helen McCarthy	Armina Rosenberg	Cariad Wratten
Elizabeth Chase	Claire Harris	Sally McLean	Ben Saul	Penny Wright
Kieren Chester	Clare Harris	Sam McMillan	Dominique Saunders	Roz Zalewski
Michael Cowen	Jo Hind	Adele Moloney	Renae Schilg	
Michael Dalton	Lauren Honcope	Adrian Morgan	Peta Severn	

**\$300–499**

99designs Pty Ltd	Emma Browne	Sharon Hollis	Rose Mann	Jacob Simmons
Guy & Kim Abrahams	Emma Buckley Lennox	Elizabeth Hurley	Alexandra Marrone	Marius Smith
Pia Abrahams	Charmaine Chew	Melinda Jones	Emma McGuire	Liz Snell
Melissa Aitchison	Delia Crabbe	Leslie Kilmartin	Isabelle Meere	Pamela Tate
Lily Alting	Sean Crosby	Alan Kirkland	Brendan Murphy	Barb Taylor
Bayside Refugee Advocacy & Support Association	Lyrian Daniel	Fay Knibbs	J Murray	Barbara Trauer
Joanna Betteridge	Grant Edney	Kyona Koren	Karina Newnham	Simon Underschultz
Che Bishop	Gillian Essex	Michelle Kothe	Mary Anne Noone	Alison Vivian
Louella Bollard	Anna Farthing	Trish Langford	Glenn Osboldstone	Eugene White
Lauren Bonkowski	Fonda Charities	Jim Lennon	Depita Rahim	Peter Williams
Clare Brennan	Chris Gill	Janis Lesinskis	Dennis Roethig	
Louise Brown	Tim Goodwin	Joanna Luke	Cass Rowles	
	Andrew Grimes	Leslie Mack	Ralph Saubern	

**\$200–299**

Anthony Abrahams	Matt Dixon	Lucy Hayes	Alastair McEwin	Henry Singleton
Julia Adams	Elsa Dominish	Sarah Heesom	Tomas McGregor	Fiona Smart
Lisa Adkins	Braden Dowling	Peta Heffernan	Shannon McKinn	Joanne Smart
Gilbert Aitken	Brendan Doyle	Bella Hindle	Bruce Moore	Lafitani Sotiriou
Mayuri Anupindi	Alexander Duhig	William Howard	Tom Murray	Samantha Stowasser
Sophie Arnold	Gareth Evans	Kate Jeffery	Mary Nicholson	Will Thames
Elizabeth Barcan	Kerry Fallon	Huw Jennings	Jesse Northfield	Louarde Thomas
Lucy Barton	Michael Feeney	Ryan Kalkman	Stephen O'Shannessy	Joshua Tram
Lee Ann Basser	Simon Finfer	Anthony Keenan	Suyeon Park	Luke Tsekouras
Paul Bauert	Abby Foster	Will Kelly	Alan Peng	Nadia Tucker
Barbara Baumgartner	Amy Gallagher	Adrian Kennedy	Mary Petr	James Turnbull
Julia Brampton	Michael Garcia	Kim Kleeborn	Anna Pollard	Andrew Vagg
Sarah Brasch	James Gibson	Robyn Lansdowne	Chris Povey	Serena Vella
Craig Brown	Anna Gigliotti-Skret	Rachel Lawlor	Refugee Action Club	Hannah Warnaar
John Burke	Caterina Giorgi	Vanessa Lesnie	Mark Reynolds	Cathy Whelan
Kevin Campbell	Rose Girdwood	Beatrice Leung	Kate Rintoul	Estelle White
Jessica Chapman	John Greenall	Catherine Long	Ellen Roberts	Paul Wood
Will Conaghan	Annette Hackett	Joshua Longhurst	Mikhaela Rodwell	Alryel Yang
Laura Connor	Belinda Harries	Andrew Lowery	Megan Rouse	Lauren Zanetti
Erica Contini	Penny Harris	Philip Lynch	Pam Rowley	
Charlotte Dare	Luke Hastings	Rosemary Lynch	Lisa Scully	
Peter de Waal	Cindy Hauser	Sibylla MacDonald	Lachlan Simpson	
Paul Desmond	Mele-Ane Havea	Cynthia Marwood	Neil Sinclair	

## Pro bono legal support

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 2019/20 financial year provided around 10,000 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 around \$4 million. Many barristers across the country provided substantial additional pro bono support.

The amount 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	Holding Redlich	McCabe Curwood	Robinson Gill
	Allens	Clothier Anderson	K&L Gates	McCulloch Robertson	Russell Kennedy
	Ashurst	Colin Biggers & Paisley	King & Wood Mallesons	MinterEllison	SBA Law
	Baker McKenzie	DLA Piper	Lander & Rogers	Norton Rose Fulbright	Slater and Gordon
	Banki Haddock Fiora	Gilbert + Tobin	Maddocks	Perry Maddocks Trollope Lawyers	Webb Henderson
	Carina Ford Immigration Lawyers	Hall & Wilcox	Marque Lawyers	Phi Finney McDonald	Wotton + Kearney
		Herbert Smith Freehills	Maurice Blackburn		

Counsel					
	Ben Mostafa	Elizabeth Raper	Jim Hartley	Matthew Albert	Stephen Lloyd SC
	Caoilfhionn Gallagher QC	Ella Delany	John Southalan	Min Guo	Stephen Warne
	Christopher Horan QC	Emrys Nekvapil	Julia Kretzenbacher	Peter Morrissey SC	Tessa Meyrick
	Christopher Tran	Evelyn Tadros	Kanaga Dharmananda SC	Rachel Amamoo	Tim Farhall
	Claire Palmer	Fiona Forsyth QC	Kathleen Foley	Raph Ajzensztat	Tim Jeffrie
	Craig Lenehan SC	Fiona McLeod AO SC	Kylie Evans	Ron Merkel QC	
	Damien Atkinson	Georgina Costello QC	Laura Hilly	Roshan Chaile	
	Edwina Smith	Glyn Ayres	Lisa De Ferrari SC	Rutendo Muchinguri	
	Elizabeth Bennett	Jennifer Robinson	Louise Coleman	Stella Gold	

### 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.

## Supporter story: Martyn Goddard

I and my partner, Barry Scott, grew up – me in outer suburban Melbourne, him on the west coast of Tasmania – into a world that didn't much like us. It seemed inconceivable, back in the sixties, that any homosexual person would be able to live anything other than a sad and solitary life, criminalised and forced into concealment.

Things happened, though. Human rights happened, and eventually they applied to us too. But the road was to be long and tough because the fears and hatreds of centuries were stubbornly fixed in society, religion, journalism and the law.

Some media anecdotes. In 1975, as senior reporter with Channel 7 News in Brisbane, some seriously rednecked cameramen discovered I was gay. Every day, several times a day, I was subjected to their obscene jibes and insults. Managers did nothing. Eventually I was sacked for “upsetting the newsroom”.

In 1978, when I was working as a journalist in the BBC's vast London newsroom, a very senior and influential sub-editor stood and waved a piece of copy in the air. Jeremy Thorpe, the former Liberal leader, had been charged with conspiracy to murder a former lover, of which he would eventually be acquitted. The BBC man shouted in victory: “We've got the poofster bastard at last!”

In 1990, in an ABC radio debate with the editor of the *Adelaide News*, I suggested that human rights covered gay and lesbian people. The editor was having none of it. Among loud and derisive chortles, he said: “Human rights? Human rights? You're kidding!”

The year before, I had taken up the editorship of the *Sydney Star Observer*, the gay community's newspaper, and found myself in the very centre of this country's AIDS crisis. Of the people I got to know, perhaps one in three died. Fortunately, this country had a decent federal government and an honourable Health Minister, Neal Blewett, who rejected the campaigns for gay men to be marginalised, quarantined and tattooed that emerged from the dark and rancid rat-holes where career bigots spawn.

But the epidemic gave power and impetus to those who wished us dead. Almost every gay man who'd lived in Surry Hills or Darlinghurst for longer than a couple of years had been beaten up at least once. Five or six gay men were murdered every year, in their homes and in the streets, simply because of who they are; and most of those cases remain unsolved. One detective in the NSW Homicide Squad did his job; the others didn't much care.



Martyn Goddard

Murder charges, on those occasions when they were brought, could be downgraded if the “gay panic” defence was used. This meant murder was partly justified if the perpetrator had been asked, or thought he had been asked, for sex. Only very recently has that defence been abolished in the last state still to allow it, South Australia.

For many of us, AIDS changed the world. It certainly changed my life. I was diagnosed as HIV-positive in 1989 when only one inadequate and problematic antiretroviral drug was available. Fortunately for me I still had a robust immune system and, as I later discovered, a uniquely wimpy virus that took a long time to do anything. So when decisive treatments came along in 1996, I was still around to benefit.

As I became further and further involved in national AIDS policy, joining the key ministerial advisory committee on AIDS and viral hepatitis, and then the committee that evaluated drugs for the PBS, I became more and more aware of two basic truths: that decent health care is a basic human right, and that human rights must apply to everyone. Not just to me.

There seems to be something in the human genome that makes us wary of the unfamiliar, and afraid of people who seem different to us. That may have helped the species endure in the prehistoric world but today it presents the greatest threat to our continued survival.

For the whole of my lifetime, there have been weapons capable of destroying humanity and the earth itself. There were too many near-misses – including the well-documented time in 1969 when Richard Nixon got drunk and ordered a nuclear strike on Moscow. This was thwarted just in time by a phone call from National Security Adviser Henry Kissinger to some generals, who decided to wait till the president had sobered up in the morning.

Or the time in the 1983 when Soviet early-warning system mistook the sunrise for an incoming missile attack. Only a software engineer named Stanislav Petrov, who defied orders to push the button, avoided a nuclear holocaust.

The same fear and hatred of strangers poisons not only the international order but also the daily lives of ordinary people. It allows elected governments, including our own, to do things in our name that are just plain evil. It allows, for example, opportunistic racists to imprison asylum seekers whose only offence is to ask Australia to live up to its international obligations. It allows the apparatus of government to be hijacked so innocent people can be incarcerated for year upon year in detention prisons and denied not only their freedom but the right to medical care that any person in an Australian prison would expect and get.

It is a myth, fondly held in liberal democracies, that everyone is equal before the law. But it isn't so. Unless someone else intervenes, the law is there for the people who can afford it. The law works very well for people who already have money and power. After all, they have an outsized role in making those laws.

The government can afford the law, using your money and mine. The rest, and particularly those with the least power and status, cannot. Unless someone steps in.

That someone should, of course, be the government acting to protect individual and collective liberties. Fat chance of that.

So it falls to others, those without access to public money and the compromises that entails, to pursue the correction of egregious wrongs. In the van of that pushback is the Human Rights Law Centre.

I and Barry support the Human Rights Law Centre because we are interested in justice. We support the idea that Australia should be a liberal democracy in more than name alone. We make regular donations, within our capacity, and we have named the centre as the principal beneficiary in our wills.

Against all our early expectations, Barry and I have been together for 40 years. We have a good life. Too many others don't.

## Join the Movement for Human Rights Progress

As the COVID-19 crisis continues to compound deep inequalities, our work together standing up for human rights and challenging injustice is urgent. But in this moment also lies hope. The actions we take today have the power to reshape the world of tomorrow.

Across the country, people are seeing that a fairer future is possible and that together we can forge a more compassionate society where every person is treated equally and is free to live a safe and meaningful life. By joining our movement for change, you can help us harness this moment and push for reforms like ending the imprisonment of children as young as ten; stopping deaths in custody; cutting the influence of money in politics; and ending cruel policies like offshore detention.

The Human Rights Law Centre is powered by thousands of people like you, standing up for fairness, equality, dignity and compassion. Our supporters power our legal action, advocacy and policy work fighting for a fairer Australia. You can be part of our movement for positive change by becoming a supporter today.

---

For more information, visit our website: [hrlc.org.au](http://hrlc.org.au)  
or contact Rachel Richmond, Development Manager  
on the details below.

P 03 8636 4450  
E [rachel.richmond@hrlc.org.au](mailto:rachel.richmond@hrlc.org.au)  
W [hrlc.org.au](http://hrlc.org.au)

The Human Rights Law Centre is an Australian registered charity with Deductible Gift Recipient Status. All donations of \$2 or more are tax deductible. Join our movement for positive change by becoming a supporter today.

Human  

---

Rights  

---

Law  

---

Centre.