

ANNUAL REPORT 2018





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Cover: Arif Hussein and Freya Dinshaw at the #FiveYearsTooMany Protest.
Back cover: Lee Carnie at the UN.
Above: Alina Leikin and Shahleena Musk.



WHO WE ARE

The Human Rights Law Centre uses a strategic mix of legal action, advocacy, research, education and UN engagement to eliminate inequality and injustice in Australia and beyond. Our vision is a fair and just society where human rights are understood, upheld and protected.

HOW WE WORK

- ▶ We change laws and policies to protect rights and make our society fairer.
- ▶ Our work delivers justice for individuals and systemic change.
- ▶ We work collaboratively with community partners to advance shared human rights goals.
- ▶ We generate significant pro bono support from law firms and barristers to advance human rights.
- ▶ We are fiercely independent. We make change happen through the support of donors and philanthropists.

Above: Hugh de Kretser.

Message from our Chair and Executive Director

The Universal Declaration of Human Rights is one of the pinnacles of human achievement. Seventy years ago, following the horrors of WWII, governments around the world united in recognising the universality of human rights as inherent in the very nature of human beings – as a reflection of our common humanity. They promised to promote and respect human rights.

The promises at the heart of the Declaration are just as relevant today, and yet many of the rights it sets out are still not properly protected in Australian law.

That's why the Human Rights Law Centre this year launched a campaign for an Australian Charter of Rights, to ensure that everyone's rights are better protected and to give people the power to hold governments accountable for breaches of rights.

The Charter campaign builds on momentum in Queensland, where the Palaszczuk Government introduced its proposed Human Rights Act to Queensland Parliament in October, with the legislation expected to pass early next year.

We have made progress this year on many human rights issues, but recognise that there is still significant unfinished business.

Most notably, we secured lifesaving evacuations of children and families from Nauru, and we continued to prevent over 500 people from being returned to harm on Nauru and Manus.

We made progress on Aboriginal rights, advancing reforms to address inhumane conditions in prisons and youth jails and progressing work to raise the age of criminal responsibility so that governments can't lock up children as young as ten.

We played a critical role in fixing proposed laws that would have crippled the ability of charities and other community groups from speaking up about their work. We also helped to secure modern slavery laws to require large companies to publicly report on the steps they take to eliminate forced labour in their supply chains.

We made progress on women's rights, with abortion finally decriminalised in Queensland and new Queensland and New South Wales laws that ensure women can access abortion clinics without abuse and harassment.

We launched major LGBTI rights reports on hate crime and LGBT conversion therapy and progressed important reforms for trans and gender diverse communities. Finally, with Australia now a member of the UN Human Rights Council, we attended every Council session to influence our government to stand up for human rights on the world stage and to bring pressure to improve its record at home.

We end 2018 energised by our achievements and with renewed resolve to tackle unfinished business, including ensuring safety and freedom for every single one of the remaining 1,100 innocent people still held on Manus and Nauru after five long years.

The Human Rights Law Centre's impact is the result of many partnerships. Partnerships with our donors and philanthropic supporters, with pro bono lawyers, with other NGOs, with doctors, academics and more.

These partnerships are possible because we share a vision for a better Australia. An Australia where human rights are universally upheld, understood and protected.

Thank you for your support. Our impact is not possible without you.

On a final note, we want to recognise the great contribution Anna Brown has made to the Human Rights Law Centre's work over the past eight years. Anna is leaving us to lead a new national advocacy organisation, Equality Australia, which will promote equality for LGBTIQ people and their families. We are proud to be supporting Equality Australia and know that Anna will continue to have a powerful impact on human rights in Australia in her new role.



Catherine Branson QC
Chair of the Board

Hugh de Kretser
Executive Director

TRANSFORMING THE HUMAN RIGHTS LANDSCAPE

Our campaign for an Australian Charter of Rights

This year, the Human Rights Law Centre began building a nationwide campaign for an Australian Charter of Human Rights. Australia is the only Western democracy that doesn't have a charter or bill of rights, limiting the protection of human rights in our country.

An Australian Charter of Rights will ensure the values we all hold dear, like equality, dignity, freedom and respect are reflected in our laws. A Charter will ensure governments better consider our human rights when developing laws and policies and delivering services. A Charter will give people power to hold governments to account if they cross the line and breach our rights.

We've assembled a national coalition of human rights

organisations and experts. Our campaign website charterofrights.org.au was launched in September. We've met with key decision-makers to advocate for a Charter and we've launched our online petition. So far, we've connected with thousands of people through digital communications, community meetings and public lectures, building a groundswell of support.

We are currently writing a model national Charter of Rights and we are scaling-up our campaign to reach new audiences and advance the cause. This work will draw on in-depth research and focus group testing to understand the messages that resonate with the community and increase public support for human rights.



A Human Rights Act for Queensland

For several years, we've supported the community campaign for a Queensland Human Rights Act. In October, the campaign came to fruition when the Palaszczuk Government introduced the proposed Human Rights Act to Queensland Parliament. The proposed legislation is modelled closely on Victoria's Charter of Human Rights but protects additional rights including the right to education. We'll continue to provide legal, advocacy and strategic communications advice to help ensure the legislation passes in early 2019.

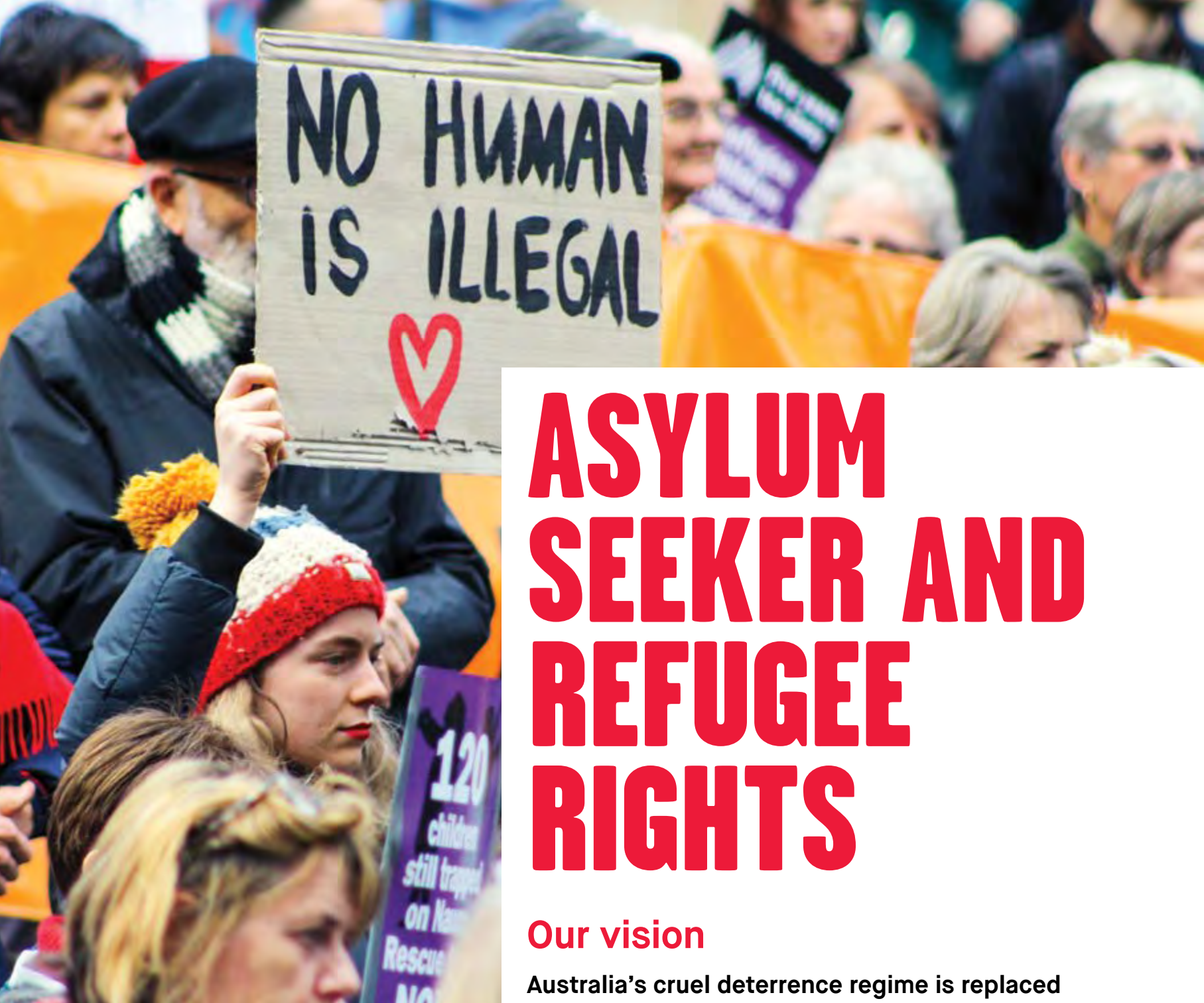
Introducing state, territory and national human rights charters has long been a goal of the Human Rights Law Centre. We've played a key role in promoting the understanding and use of Victoria's Charter to strengthen the protection of human rights. This year, we launched a series of advocacy guides to better enable advocates and communities to use the Charter to advance rights in areas such as protest rights, rights for people with disabilities, and rights for victims of crime.

Left: Lee Carnie, Julie Debeljak, Shen Narayanasamy and Tom Clarke.



This is a big step forward for human rights in Australia. Human rights are about things like ensuring all kids get a good education whether their parents are rich or poor, stopping people from being evicted into homelessness and making sure people are treated humanely when detained.

HUGH DE KRETZER,
EXECUTIVE DIRECTOR,
HUMAN RIGHTS LAW CENTRE



ASYLUM SEEKER AND REFUGEE RIGHTS

Our vision

Australia's cruel deterrence regime is replaced with a fair and humane response to forced displacement – a response focussed on safe passage, not deterrence, and which treats people with dignity, compassion and respect.

Bringing people to safety

SECURING URGENT MEDICAL EVACUATIONS FROM OFFSHORE DETENTION

Five years of limbo and suffering has resulted in a major health crisis in Australia's offshore detention centres on Manus and Nauru. Twelve people have now died in these camps and our team has seen children go from being playful and curious little kids to listless, voiceless, hopeless bodies on a mattress, unable to eat or speak.

In response to this appalling and rapidly deteriorating situation, the Human Rights Law Centre assembled a coalition of 11 pro bono law firms. Together with this coalition and our partners at the National Justice Project and the Asylum Seeker Resource Centre, we have run a series of urgent medical neglect cases in the Federal Court. The cases have been harrowing and lifesaving – in one instance, our team was in a court hearing at 1.00am on a Sunday morning to secure an urgent evacuation to Australia for a child, who doctors were warning might die within 24 hours.

In just three months, we secured urgent transfers to Australia for over 120 people, including 45 children. We have won every single case we filed, and this work continues to provide a lifeline for acutely unwell people still stranded on Nauru and Manus.

#KIDSOFFNAURU CAMPAIGN

In June 2018, the Australian Government was still holding 142 children in its offshore detention camp on Nauru. After five long years, these children and their families were suffering from depression, despair and loss of all hope. Vulnerable people were self-harming. Children as young as nine were trying to kill themselves.

As this unconscionable crisis continued to escalate, we joined with World Vision, GetUp!, the Asylum Seeker Resource Centre, the Refugee Council of Australia, and doctors from around the country to launch a major public campaign to end the detention of children on Nauru. The #KidsOffNauru campaign had two clear goals – to bring all refugee children on Nauru to safety by the end of 2018, and to increase public support for an end to Australia's inhumane offshore detention policies.

The Human Rights Law Centre played a critical role in the campaign through strategic advocacy, political outreach and by advising and supporting refugee families on Nauru, ensuring they understood the risks involved in being part of the campaign and preparing them for their interaction with the media.

The campaign triggered a dramatic shift in public opinion which, together with the court actions run by us and partners, has secured freedom in Australia for almost every child previously detained on Nauru.

Left: Daniel Webb.

Right: A child held in Australia's detention centre on Nauru. Photo courtesy of GetUp!





Reuniting families cruelly ripped apart

The Australian Government is deliberately and cruelly separating refugee families between Australia and offshore detention on Manus and Nauru.

In 2018, we began working with 15 families permanently ripped apart by this heartless deterrence tactic. Our plan was to reunite every one of them, and in the process, end the inhumane policy of separation.

In October, we launched a sustained media campaign featuring the stories of several affected families and filed a major case with the UN Human Rights Committee on behalf of all of the families we represent. The complaint, made on behalf of 63 mothers, fathers and children indefinitely separated between Australia and offshore detention, is one of the largest UN actions ever brought against the Australian Government and comes during the Government's first year as a member of the UN Human Rights Council. The complaint argues that the Australian Government, by indefinitely separating families and causing serious harm and suffering in the process, has violated the *International Covenant on Civil and Political Rights*.

Our family reunification project has cut through an otherwise difficult public debate, laying the foundations for real policy reform. Most importantly, ten of these families have now been reunited in Australia. Thanks to this work, husbands and wives have finally been reunited after five years of agonising separation, and children have been able to hug their fathers for the first time in their lives. We will continue this work until every single person separated between Australia and offshore detention is reunited with their family.

Below: Nayer has been separated from his family for five years. Photo courtesy of Matthew Abbott for GetUp!



Every one of these families has a heartbreaking separation moment - a moment when they realised our government was permanently tearing them apart. One of the dads told me he felt like his entire body froze. He said he couldn't move or even breathe and just collapsed to the floor and had to be carried away.

**DANIEL WEBB,
DIRECTOR OF LEGAL ADVOCACY,
HUMAN RIGHTS LAW CENTRE**



MOUBANI'S STORY

Our team first met Moubani when she was a three-month-old baby in a detention centre, facing deportation to indefinite limbo. Our High Court legal action prevented the Australian Government from sending her to its offshore detention camp on Nauru. Moubani is now growing up in freedom and safety in Australia instead of trapped behind a fence on Nauru.

Moubani is just one of almost 200 children whose deportation we have prevented through these High Court cases.

Photo courtesy of GetUp!



Preventing harm

HIGH COURT ACTION STOPPING DEPORTATIONS TO MANUS AND NAURU

We continue to lead High Court action preventing over 500 people, including close to 200 children, from being returned to serious harm on Nauru and Manus.

The individuals and families in this group were evacuated to Australia for urgent medical care. They include women sexually assaulted on Nauru, men attacked and seriously injured on Manus and children so traumatised by years of indefinite detention that they have lost the ability to eat or speak and have needed urgent psychiatric care.

Given the serious danger they would face if sent back to the same harmful environment our government was forced to evacuate them from, we have filed individual High Court cases to ensure their safety.

This is high pressure, high stakes litigation in the highest court in the country, which we continue to lead with an unprecedented coalition of pro bono partners. Every deportation we prevent is a pivotal moment in the life of a vulnerable human being. It means the difference between a childhood spent in homes, parks and playgrounds in suburban Australia or a childhood lost in a mouldy tent in a detention camp. Each case also takes us one step closer to finally ensuring freedom and safety for every single person held on Manus and Nauru.

Accountability on the world stage

This year, for the first time, Australia became a member of the UN Human Rights Council. We used this opportunity to highlight the Australian Government's cruelty to refugees and to secure unprecedented international scrutiny of its harmful policies.

Director of Legal Advocacy, Daniel Webb, addressed the Council comprised of representatives of governments from around the world. Videos of Daniel's speeches have generated over half a million views online and substantial international media coverage.

Below: An asylum seeker held on Manus Island. Photo credit: Matthew Abbott for GetUp!



DEMOCRATIC FREEDOMS

Our vision

We believe in a strong and healthy Australian democracy where our government serves the people; where our institutions are transparent and accountable to the people; where we are free to join together and speak out on issues we care about; where public debate is diverse, informed and robust; and where our media is free and independent.

Below: Emily Howie, Director of Legal Advocacy for our Democratic Freedoms work.



ENSURING CHARITIES AND COMMUNITY GROUPS CAN FREELY SPEAK UP ABOUT THEIR VITAL WORK

In December 2017, the Australian Government introduced a deeply flawed bill into parliament under the guise of addressing “foreign influence”. The bill posed a major threat to our democracy. If passed, it would have crippled the ability of charities and community groups to engage in public debates and criticise government policy. It also would have stopped vital international funding from supporting many charitable causes.

The Human Rights Law Centre played a critical role in ensuring the bill was amended to fix its major flaws. With key partners in the #HandsOffOurCharities campaign, we raised the alarm about the bill and pushed for changes. We provided expert legal advice and support, engaged with MPs across parties, undertook advocacy in the media, helped convince a key electoral law inquiry to recommend changes, and then helped secure cross-party support for improvements. After a year of hard work, a drastically improved version of the bill finally became law.

The new legislation adopts a far more sensible approach to regulating election communications and ensures that charities and community groups are free to engage in non-partisan public advocacy about the issues they work on.



Whether they run a homeless shelter, tackle family violence or protect the environment, charities and other community groups have enormous expertise to contribute to public debates on improving laws and policies. Our democracy is stronger when they are free to speak up.

**HUGH DE KRETZER,
EXECUTIVE DIRECTOR,
HUMAN RIGHTS LAW CENTRE**

DEFENDING PRESS FREEDOM AND WINDING BACK OUR EXCESSIVE SECRECY LAWS

In late 2017, as part of its so-called “foreign influence” measures, the Australian Government introduced proposed new secrecy laws with harsh new penalties and expanded offences which criminalised not only the disclosure of information but also the receipt and handling of it.

The Human Rights Law Centre quickly analysed and raised awareness of the changes with partners, in the media, and with parliament’s intelligence and security committee. Together with the Law Council, we were invited by the Attorney-General to a consultation which led to recognition of serious problems with the bill and amendments to narrow the criminal offences for handling government information and to strengthen defences for journalists. The parliamentary committee recommended further changes.

While our work led to important improvements, the new laws still leave whistleblowers exposed to lengthy terms of imprisonment and contain badly drafted new espionage and sabotage offences that could be used against protestors and activists.



The changes will strengthen the defence available to journalists, but the government also needs to ensure that members of the public and whistleblowers are protected when they provide information to journalists in the public interest. The problems in the draft laws were never just about the press — they affect the entire Commonwealth public service and every Australian.

**ARUNA SATHANAPALLY,
FORMER DIRECTOR OF LEGAL ADVOCACY,
HUMAN RIGHTS LAW CENTRE**



DEFENDING WHISTLEBLOWERS – THE WITNESS K SPY TRIAL

The Human Rights Law Centre has been working for years to strengthen protections for people who expose government misconduct. So we took action when news broke that the Australian Government had approved the prosecution of a former Australian agent, known as Witness K, and his lawyer Bernard Collaery, for their role in revealing that the Australian Government had bugged the East Timorese cabinet rooms during sensitive negotiations about oil and gas revenue in 2004.

This deeply troubling case highlights what’s wrong with our national security and whistleblower laws. We’re monitoring the trial, pushing for transparency and undertaking advocacy to reform the way our



With this prosecution, the government is trying to send a message to all public servants that if they dare to speak up about corruption or wrongdoing, the government will come down on them like a tonne of bricks. For a healthy democracy, we want people speaking up when they see something wrong.

**HUGH DE KRETZER,
EXECUTIVE DIRECTOR,
HUMAN RIGHTS LAW CENTRE**

laws deal with cases like this. When public servants see government misconduct, we want them to speak up. Whistleblowers should be thanked, not investigated and prosecuted.

PROTECTING OUR RIGHTS TO GATHER TOGETHER AND PROTEST

In 2017, we helped to defeat Tasmania’s harsh anti-protest laws by intervening in a High Court case brought by Dr Bob Brown and Jessica Hoyt who were arrested for peacefully protesting about a controversial logging project. The High Court’s landmark ruling was a big win for Australian democracy and helped to stop the proliferation of state-based anti-protest laws.

This year, we launched a major report *Say it loud: Protecting Protest in Australia* which draws on the High Court ruling and international human rights law to set out ten principles to guide the proper regulation of our rights to assemble and protest. The report will assist protesters, lawmakers and police to better protect protest in Australia.

We will continue to push for the repeal of New South Wales’ excessive anti-protest laws and will monitor and advocate against other laws, including the new “sabotage” laws that undermine protest rights.

Left: Lawyer, Alice Drury, with Dr Bob Brown, Julie McCrossin, Natalie Cromb, and Hugh de Kretzer at the launch of *Say it loud: Protecting Protest in Australia*.

Right: Hugh de Kretzer delivering RMIT University’s 2018 Higinbotham Lecture on the need for an Australian Charter of Human Rights.





ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLES' RIGHTS

Our vision

A legal system free from racial inequality and discrimination and that upholds the paramount importance of dignity, equality and Aboriginal and Torres Strait Islander peoples' right to self-determination.

Transforming youth justice

RAISING THE AGE OF CRIMINAL RESPONSIBILITY

Ten-year-olds belong in playgrounds and classrooms, not prisons. Yet each year, Australian governments lock up around 600 children aged ten to 13, the majority of whom are Aboriginal or Torres Strait Islander.

Last year, we helped to secure landmark recommendations from the Northern Territory Royal Commission to raise the age of criminal responsibility. This year, we've been engaging in national media and influencing key decision makers in the Australian Capital Territory, Northern Territory, Queensland, Western Australia and federally to commit to this desperately needed reform. We have brought together advocates, doctors, lawyers and young people to call for children to be supported in the community, not sent to prison.

Right: Ruth Barson, Adrienne Walters and Shahleena Musk.



This is a simple reform that would make the world of difference. Every day that the government delays raising the age of criminal responsibility, a child who should be at home or at school, can be forced into a youth prison.

**SHAHLEENA MUSK,
SENIOR LAWYER,
HUMAN RIGHTS LAW CENTRE**



CLOSING YOUTH PRISONS

The horrors of Don Dale and the disturbing stories uncovered during the subsequent Royal Commission show unequivocally that prisons fail children.

Throughout the year, we have been advocating for community-based alternatives to detention, greater use of diversion and rehabilitation programs, and Aboriginal-led solutions to address the discriminatory over-imprisonment of Aboriginal and Torres Strait Islander kids. Aboriginal children are locked up in youth jails at over 25 times the rate of non-Aboriginal kids.

We called for the closure of Don Dale and Western Australia's Banksia Hill youth jail after revelations of mistreatment and abuse. This involved multiple visits to Western Australia and the Northern Territory, talking with children in prison, influencing decision makers, and engaging in national media advocacy to challenge policies that unfairly target and trap Aboriginal children in the quicksand of the criminal legal system.



STOPPING VICTORIA'S DANGEROUS ANTI-ASSOCIATION LAWS

In 2018, cynical and divisive law and order rhetoric featured heavily in the Victorian election debate. During this period, the Andrews Government tried to pass senseless laws that would give police excessive powers to issue 'anti-association notices', telling people, including children as young as 14, who they can and can't be friends with.

The Human Rights Law Centre influenced key decision makers and used media advocacy tactics to draw attention to these divisive and undemocratic laws. Together with our partners, we were successful in staving off legislation that would have seen Aboriginal and Torres Strait Islander children and other minority communities unfairly impacted.

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I know that this is a cry for help from the kids locked away. If Four Corners taught the government anything, it's that kids should be given what I was denied – the opportunity to grow up supported and with freedom.

DYLAN VOLLER, ADVOCATE, LAW STUDENT AND FORMER DETAINEE

“

Like Don Dale, Banksia Hill is a sinking ship that should be abandoned. Premier McGowan must heed the warnings and close its super-max youth jail, raise the age of criminal responsibility and categorically prohibit solitary confinement.

RUTH BARSON, DIRECTOR OF LEGAL ADVOCACY, HUMAN RIGHTS LAW CENTRE

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Every single Victorian should be worried about these laws because they're excessive and ripe for abuse. Such laws belong in a police state – not the connected, harmonious community that we all want Victoria to be.

RUTH BARSON, DIRECTOR OF LEGAL ADVOCACY, HUMAN RIGHTS LAW CENTRE

Above: Ruth Barson.



KEENAN'S STORY

In July, we partnered with Inside Out Aboriginal Justice Consultancy to support Aboriginal rights advocate and former youth prisoner Keenan Mundine to address the UN Human Rights Council on the need for Australia to raise the age of criminal responsibility.

Keenan addressed the Council on the need for Australia to fix broken youth justice systems that discriminate against Aboriginal and Torres Strait Islander kids. He made a passionate plea for the Australian Government to stop imprisoning Aboriginal and Torres Strait Islander children, and instead support kids to be with their families and in their communities.

Right now, children as young as ten are still being locked away in prisons across Australia. This year alone, around 600 children under the age of 14 were taken from their families and imprisoned. This injustice must end.”

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In joining this Council, the Australian Government promised to uphold human rights and champion Indigenous peoples' rights. For as long as Indigenous children are 25 times more likely to be sent to prison than non-Indigenous children, these will be hollow promises.

KEENAN MUNDINE, PRINCIPAL CONSULTANT AND FOUNDER OF INSIDE OUT ABORIGINAL JUSTICE CONSULTANCY; CO-FOUNDER AND AMBASSADOR FOR DEADLY CONNECTIONS AND JUSTICE SERVICES.

Ending over-imprisonment

CHALLENGING THE RISING OVER-IMPRISONMENT OF ABORIGINAL AND TORRES STRAIT ISLANDER WOMEN

Last year, we released *Over-represented and overlooked: the crisis of Aboriginal and Torres Strait Islander women's growing over-imprisonment*, a joint report with Change the Record. This year, we have continued to focus on challenging punitive and discriminatory laws that are forcing Aboriginal and Torres Strait Islander women, most of whom are mothers and survivors of violence, into prison at unprecedented rates.

The findings of our report contributed to a dedicated chapter on women in the Australian Law Reform Commission's 2018 report into Aboriginal and Torres Strait Islander incarceration. The Commission's report outlines 35 vital recommendations to address racial inequality in criminal legal systems.

Since the release of the report, we have met with key decision makers to push for the implementation of the recommendations, as well as collaborating with community organisations and deploying targeted media advocacy tactics to raise public awareness and understanding of the wide-ranging social impacts of locking up women.



REPEALING MANDATORY SENTENCING LAWS

Australian governments are sending more people to prison than ever before due to pointless and damaging mandatory sentencing laws that make it harder for courts to deliver just sentences that take into account individual circumstances. These unfair laws are one of the drivers of the mass imprisonment of Aboriginal and Torres Strait Islander people, causing deep harm to communities.

The Human Rights Law Centre has been advocating for the repeal of mandatory sentencing laws, briefing key decision makers and engaging in targeted media engagement to effect change.

CHANGE THE RECORD

The Human Rights Law Centre is a founding member of Change the Record, a coalition of leading Aboriginal and Torres Strait Islander and human rights organisations working together to end the mass imprisonment and disproportionate violence experienced by Aboriginal and Torres Strait Islander people.

We work as part of this coalition, strategically influencing members of parliament, ensuring the voices of Aboriginal organisations are at the heart of advocacy, and pushing for a fair and just legal system for all.

Left: Shahleena Musk.

LEARNING FROM ADVOCATES IN AMERICA TACKLING MASS IMPRISONMENT

In 2018, the Ian Potter Foundation's annual international study grant was awarded to Ruth Barson, Director of Legal Advocacy. Ruth travelled to America for five weeks to learn from leading organisations such as the American Civil Liberties Union and the Centre for Constitutional Rights about the cutting edge tactics they are using to tackle mass imprisonment and racial inequality in the American legal system.



Australia is at a critical juncture: we can blindly walk down the dark path of mass imprisonment, or we can commit to respecting the dignity and humanity of all people in our community.

RUTH BARSON, DIRECTOR OF LEGAL ADVOCACY, HUMAN RIGHTS LAW CENTRE



I have seen many families ripped apart, communities drained of men, women and children, and lives turned upside down by criminal justice systems geared towards locking people up.

SHAHLEENA MUSK, SENIOR LAWYER, HUMAN RIGHTS LAW CENTRE



Economic justice in remote communities

EQUAL PAY FOR WORK IN REMOTE ABORIGINAL COMMUNITIES

The Australian Government's discriminatory remote work-for-the-dole program has left families in remote Aboriginal and Torres Strait Islander communities without money for food and other basic necessities for survival. The program forces people in remote communities to work more hours than people in cities for the same paltry Centrelink payment. The program is also strangling opportunities for Aboriginal-led development.

Working alongside the Aboriginal Peak Organisations NT, the North Australian Aboriginal Justice Agency and other leading NGOs, we employed a range of tactics, from strategic engagement with Senate inquiries, politicians and the media, to influential legal analysis.

Our collaborative advocacy has seen the Australian Government acknowledge that it needs to make its program fairer and create properly paid jobs rather than leaving people languishing in a flawed work-for-the-dole program.

Right below: Adrienne Walters with Dr Josie Douglas from the Central Land Council and The Aboriginal Peak Organisations Northern Territory.

SUPPORTING AN ABORIGINAL-LED MODEL FOR FAIR WORK AND STRONG COMMUNITIES

Aboriginal organisations are calling for the Australian Government's harmful work-for-the-dole program to be replaced with an Aboriginal-led model for fair work and strong communities.

We are an active member and advisor in the Aboriginal-led Fair Work and Strong Communities Alliance. This alliance is shifting the focus of the Government and the opposition away from a model based only on attendance and punishment, to one focused on creating opportunities, providing support and paying people properly for their labour.

PUSHING BACK AGAINST AN UNFAIR PENALTY SYSTEM

In August 2018, with little warning, the Australian Government tabled a bill in the Senate which threatened to increase poverty in remote communities. The Government's own economic modelling showed that a new no-payment penalty system, which would have been imposed on remote communities under the bill, would leave vulnerable people with less money overall.

The Human Rights Law Centre partnered with leading Aboriginal and community organisations to stop this dangerous bill passing through parliament.

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Aboriginal people want to take up the reins and drive community development. Our proposal for a new model for fair work and strong remote communities is sitting on the government's desk being ignored.

JOHN PATERSON, ABORIGINAL PEAK ORGANISATIONS NT

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Unfair financial penalties have already seen parents struggling to put food on the table for their kids. The Government appears satisfied to dump a new harsh one-size-fits-all penalty system on remote communities, but still discriminate against them in terms of work hours.

ADRIANNE WALTERS, SENIOR LAWYER, HUMAN RIGHTS LAW CENTRE

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The system is discriminatory. It is unfair. We have to do twice as many hours on activities as people on Newstart in the cities. The system is also confusing. Things are not properly explained to us, and it's hard to see the point. The activities don't help us get jobs.

JAMIE AHFAT, JAWOYN MAN, SPEAKING ABOUT THE AUSTRALIAN GOVERNMENT'S WORK-FOR-THE-DOLE PROGRAM AT A SENATE INQUIRY



OUR RECONCILIATION ACTION PLAN

The Human Rights Law Centre is deeply committed to supporting Aboriginal and Torres Strait Islander peoples' rights as a vital component of our broader mission to protect and promote human rights.

During National Reconciliation Week 2018, we launched our Reconciliation Action Plan.

Alongside this, we developed principles for partnership to guide our work in support of Aboriginal and Torres Strait Islander peoples' right to self-determination. We are grateful to the Aboriginal community controlled organisations who provided feedback critical to the development of our partnership principles.

Below: Thomas Mayor, pictured with Hannah Ryan and Angela Chen, spoke to our staff about the Uluru Statement from the Heart – a statement wholeheartedly supported by the Human Rights Law Centre as a strong expression of self-determination.



DIGNITY FOR PEOPLE IN PRISON

Stopping cruel and inhuman treatment behind bars

ENDING ROUTINE STRIP SEARCHES IN WOMEN'S PRISONS

Across Australia, people in prison are strip searched on a regular and routine basis. Hundreds of thousands of unnecessary and degrading strip searches take place each year. Strip searches involve a person being forced to remove all of their clothes in front of two prison officers. They are humiliating and can be especially traumatising for women in prison, most of whom are survivors of family and sexual violence.

Following the launch of our report *Total Control: Ending the routine strip searching of women in Victoria's prisons* in 2017, the Human Rights Law Centre has advocated across the country for an end to routine strip searching and for prisons to better protect women's dignity. The powerful advocacy of women like Vickie Roach has been critical to conveying to politicians and prison officials how damaging strip searches are to healing and the rebuilding of women's lives after prison.

In 2018, our advocacy resulted in the Victorian Government launching a pilot to dramatically cut strip searching in women's prisons. We also helped secure landmark laws in the Northern Territory to end routine strip searching of children in its youth jails. This has provided momentum to push for an end to the degrading practice of routine strip searching across Australia.



Above: Ruth Barson and Vickie Roach.

“

We should be helping women to heal, not harming them further. What earthly purpose do strip searches serve other than to degrade and humiliate and assert control over our bodies, our naked bodies?

VICKIE ROACH,
YUIN WOMAN,
ACTIVIST, WRITER AND
FORMER PRISONER

ENDING SOLITARY CONFINEMENT IN CHILDREN'S PRISONS

No child should be subjected to the harm and despair of solitary confinement – 22 hours or more a day isolated in a cell without any meaningful human contact. Solitary confinement has deeply harmful psychological, emotional and physical effects, which is why international law prohibits its use on children.

This year, the Human Rights Law Centre worked closely with key decision makers in the Northern Territory to secure landmark law reform prohibiting the use of solitary confinement on children in youth prisons. We subsequently met with state and territory decision makers across Australia urging them to pass similar laws.

In August, we engaged deeply with the Independent Inspector of Custodial Services' inquiry into alleged ill-treatment of children in Western Australia's Banksia Hill Youth Detention Centre. The Inspector described horrific conditions amounting to cruel, inhuman and degrading treatment and concluded that the laws governing isolation practices are 'obsolete, outdated and inconsistent' and failed to meet international minimum standards.

We continue to advocate for an end to the harmful solitary confinement of children and have demanded the Western Australian Government reform its dangerously broad laws.

WOMEN'S REPRODUCTIVE RIGHTS

Our vision

Every person has the right to make decisions about their own body. Australian laws and policies must promote the health, dignity and reproductive freedom of all women.

Promoting reproductive freedom across Australia

Every person should have the freedom to make decisions about their bodies and be able to safely access healthcare. Yet laws around Australia have perpetuated inequality by criminalising and restricting access to abortion.

The Human Rights Law Centre is using targeted advocacy, legal action and capacity building to bring Australia's abortion laws into line with modern community values and medical practice.

In 2018, in a huge win for Queensland women, the Queensland Parliament finally scrapped archaic abortion laws that harmed women for over 100 years. Queensland's new laws decriminalise abortion and respect a woman's right to make decisions about their body up to 22 weeks into a pregnancy.

Building on decades of work by women's rights campaigners and working with partners Children by Choice and Fair Agenda, the Human Rights Law Centre played an important part in making it happen.

In 2019, we'll be fighting for the comprehensive decriminalisation of abortion around Australia, harnessing the momentum from Queensland to push for change in New South Wales and South Australia where abortion is still criminalised.

We'll also advocate in Western Australia and the Northern Territory, where the spectre of the criminal law still hangs over the head of women who find themselves in the rare and distressing situation of needing an abortion later in their pregnancy.

Right: Adrienne Walters defending safe access zones at the High Court.

“

Every single one of us should have the freedom to decide what is right for our bodies and lives. It's fantastic to see the Queensland Parliament make that a reality in law for women across the state. We congratulate the Queensland Government for driving this critical reform.

ADRIANNE WALTERS,
SENIOR LAWYER,
HUMAN RIGHTS LAW CENTRE



Securing safe access to reproductive healthcare

No one should have to run a gauntlet of abuse and harassment just to see their doctor, which is why three years ago, the Human Rights Law Centre went to the Supreme Court with the East Melbourne Fertility Control Clinic in a bid to end decades of abuse outside the clinic's doors. The case led to the creation of safe access zone laws in Victoria, which prohibit surveillance, harassment and abuse outside reproductive health clinics.

DEFENDING VICTORIA'S SAFE ACCESS ZONES IN THE HIGH COURT

In early 2018, anti-abortionists seeking to wind back the clock on women's rights launched a constitutional challenge to Victoria's safe access zone laws. We assembled an expert pro bono legal team and intervened in the High Court case to defend the laws. We stood outside the High Court with the Fertility Control Clinic and Maurice Blackburn and told Australia that no woman should have to forgo her privacy, dignity and safety to access reproductive health care.

In our legal submissions, we argued that safe access zones strike the right balance between freedom of expression and women's privacy and equal access to healthcare. A decision is expected in early 2019.

SAFE ACCESS AROUND AUSTRALIA

Safe access zone laws work. They ensure safe and private access to reproductive health services. In previous years, the Human Rights Law Centre helped to achieve safe access zone laws in Victoria, Tasmania, the Australian Capital Territory and the Northern Territory.

In 2018, we successfully pushed to secure safe access zone laws in Queensland and New South Wales.

In 2019, we'll move to end anti-abortion harassment and abuse outside clinics by advocating for safe access zones in South Australia and Western Australia, where women remain exposed to this insidious form of gender-based violence.



“

Every day I've seen the stress caused to our patients by the aggressive and intimidating tactics of anti-abortionists. I'm delighted that women will no longer have to experience forceful and intrusive questioning about their medical decisions from strangers outside our clinic. The creation of safe zones outside clinics like ours will ensure women can access health services safely and privately.

PAUL NATTRASS, PRACTICE MANAGER AT THE PRIVATE CLINIC, A REPRODUCTIVE HEALTHCARE SERVICE IN SYDNEY THAT WAS REGULARLY BESET BY ANTI-ABORTIONISTS BEFORE SAFE ACCESS ZONES.

BUSINESS AND HUMAN RIGHTS

Our vision

There should never be business in abuse. Australian companies must respect human rights wherever they operate and be held accountable when they fail to do so.

COMBATTING MODERN SLAVERY

Australia's inquiry into modern slavery exposed horrific stories of abuse linked to some of Australia's biggest brands. Over 4,000 people are estimated to be working in slave-like conditions in Australia alone, on farms and construction sites, in restaurants and cleaning services.

For some time, we've been pushing the Australian Government to introduce modern slavery laws with strong oversight and compliance measures. This year, we continued this push by making submissions and appearances before two parliamentary inquiries as well as undertaking media and other advocacy.

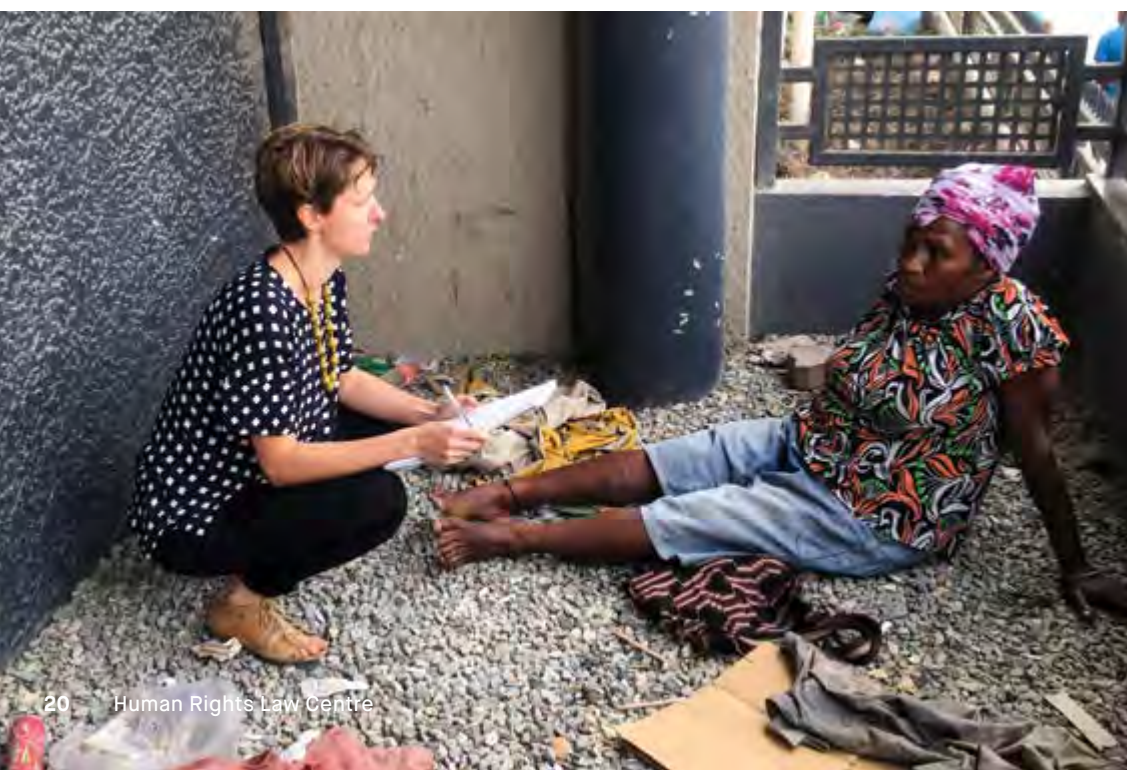
In November, the legislation finally passed parliament. The laws are an important first step in combatting modern slavery, but unfortunately they were weakened by the Government's decision not to include financial penalties for companies that fail to report or provide misleading information.

Importantly, our advocacy has helped to secure commitments from the opposition to establish an independent anti-slavery commissioner and implement penalties for non-compliance if elected. We will continue to work with all parties to strengthen the new law.

SEEKING JUSTICE FOR FAMILIES EVICTED FROM THEIR HOMES IN PAPUA NEW GUINEA

The Human Rights Law Centre's Keren Adams travelled to Papua New Guinea to investigate involvement by two Australian-linked companies in forced evictions in Port Moresby that left hundreds of people homeless.

Between 2012 and 2014, Paga Hill Development Company (an Australian-managed PNG company) and Curtain Bros (a Queensland construction company) were involved in the demolition of the settlement of Paga Hill, Port Moresby, to make way for the development of a luxury hotel complex and ring road. Residents report being evicted from their homes with significant police brutality.



“We have spoken with families who were pushed onto the streets and having to wash their kids in public toilets because Australian developers bulldozed their homes.”

KEREN ADAMS, DIRECTOR OF LEGAL ADVOCACY, HUMAN RIGHTS LAW CENTRE

Left: Keren Adams interviews Margaret Kaupa, a former resident of Paga Hill made homeless by the evictions.

Right: Keren Adams with the Vice-Chair of the UN Working Group on Business and Human Rights, Professor Surya Deva, and other symposium guest speakers at the University of New South Wales, November 2018.



NEW REPORT EXPOSES AUSTRALIAN CORPORATE ABUSES OVERSEAS

From ANZ's involvement in financing land grabs in Cambodia, to BHP's role in the Samarco dam disaster in Brazil, to Broadspectrum and Wilson Security's responsibility for alleged sexual assaults on refugee women and children held in offshore detention on Nauru, a new report from the Human Rights Law Centre details the involvement of Australian multinationals in serious human rights violations overseas.

Released in December 2018, *Nowhere to Turn: Addressing Australian Corporate Abuses Overseas* includes direct testimonies from individuals harmed by Australian corporate operations overseas, some of whose stories have never previously been heard outside communities. The ten cases paint a stark picture of corporate wrongdoing with devastating consequences for local communities. The report calls for reforms to ensure greater human rights accountability for Australian companies operating overseas.

SETTING A NEW AGENDA FOR BUSINESS AND HUMAN RIGHTS IN AUSTRALIA

In 2017, the Human Rights Law Centre helped found the Australian Corporate Accountability Network, Australia's first civil society network to promote corporate accountability by Australian business.

In November 2018, the Australian Corporate Accountability Network held a major international symposium at the University of New South Wales to develop a more ambitious business and human rights agenda for Australia.

The symposium featured global experts including Professor Surya Deva, Vice-Chair of the UN Working Group on Business and Human Rights as well as representatives from affected communities, policy makers, academics, unions and civil society organisations.

REFORMING AUSTRALIA'S WEAK CORPORATE COMPLAINTS BODY

The Human Rights Law Centre has led civil society advocacy to transform Australia's weak corporate complaints body, the Australian OECD National Contact Point (ANCP) into an effective corporate human rights watchdog with the power to investigate allegations and hold companies to account for human rights abuses. We engaged extensively with the Australian Government and Opposition on the reforms needed and, working with partner organisations, lodged an international complaint against the ANCP with the OECD's Investment Committee.

Our advocacy secured an independent review of the ANCP in 2017, which recommended a complete restructure of the body. In November 2018, the Australian Government announced key changes to the ANCP in line with these recommendations, including the establishment of an independent expert and advisory body to investigate complaints, better resourcing, and improved outreach and promotion to increase the body's visibility.



LGBTI RIGHTS

Our vision

No one should be treated unfairly or subjected to harm or abuse because of who they are or who they love. Together, we protect and promote the rights of lesbian, gay, bisexual, transgender and intersex people in Australia and beyond.

Continuing the journey after marriage equality

ENDING RELIGIOUS DISCRIMINATION AGAINST LGBTI PEOPLE

Last year, we changed the course of our nation's history. Millions of Australians stood up for the dignity of LGBTI people and their love and relationships, shaping our country as a fairer and more equal place for all.

However, one of the fallouts from the successful campaign was the move by Malcolm Turnbull to announce the Religious Freedom Review; a process that threatened to introduce new forms of discrimination against LGBT people.

The Human Rights Law Centre worked tenaciously with LGBTI community groups, people of faith, and allies to respond to the review. We prepared a leading submission and gave evidence to the expert panel with advocates and faith leaders, urging the panel to ensure that religious freedom protections don't wind back the rights of LGBTI people.

For the last decade, we have advocated across Australia for the removal of exemptions that allow religious organisations to discriminate against LGBTI people in schools and other services. When the Religious Freedom Review recommendations and draft bill were leaked in October, the Australian community was dismayed to learn that exemptions still permitted religious schools to expel or refuse to enrol LGBTI children and sack LGBTI teachers. In response, the Australian Government promised to remove the exemption in relation to school children.

Kids in schools should be focusing on classes, homework and building friendships, not living in fear of mistreatment and bullying because of who they are. Following the release of the leaked recommendations, we worked hard with the Equality Campaign and LGBTI community organisations, parents, schools and teachers to advocate for legislation to ensure that religious schools can no longer expel students and fire teachers because of who they are.

"It was six weeks before my HSC and [the school] set a meeting with me and my mother to talk about the "issue" of my sexuality. After this meeting the conclusion was that they would take it to the school board to see what will be done, whether or not I would be expelled ... A week later, I had another meeting saying I could stay in school on these conditions: one: I could not mention/talk about my sexuality at school. Two: I would be excluded from some school functions. Three: I had to see a counsellor weekly until I left school. I didn't agree with this but with only six weeks left, I had to deal with it. It left me feeling very angry and stressed."

A YOUNG GIRL NAMED BECI* FROM NSW WHO CONTRIBUTED EVIDENCE TO A PARLIAMENTARY INQUIRY

*NOT HER REAL NAME

ACHIEVING MARRIAGE EQUALITY FOR TRANS AND GENDER DIVERSE AUSTRALIANS

Many people are not aware that in most states and territories, trans and gender diverse people were unable to change their legal gender unless they were unmarried. This year, working with the trans and gender diverse community, we helped change this.

We secured legislation in New South Wales, Victoria, Queensland and the Northern Territory so people can stay married to the person they love when they change the gender on their birth certificate. Bills have also been introduced in Western Australia and Tasmania to achieve this reform. South Australia and the Australian Capital Territory already removed this barrier prior to the passage of marriage equality legislation in 2017.

These reforms ensure that trans and gender diverse people are not forced to choose between divorcing the person they love and having identification that doesn't reflect who they are.

KATE'S STORY

Kate Toyer, pictured below, is a trans woman who has been married to her wife for over 21 years. Until these reforms, she was unable to change her gender on her birth certificate without getting a divorce.

"I am a trans woman. I am a woman practically, socially, and legally in everything except one important document.

My birth certificate still assigns me as male. To change this, I would have to get divorced from the woman with whom I have three beautiful children. I would have to get divorced from the woman I love more than anything else in this world."

"This reform is an acknowledgment of the love I have for my wife and family. Now I don't have to choose between having true legal documents or having a beautiful wife and family."



Preventing harm and promoting justice

RESPONDING TO DAMAGING RELIGIOUS CONVERSION PRACTICES HARMING LGBT PEOPLE

In October 2018, the Human Rights Law Centre released a major report demonstrating that religious conversion therapy and related practices are pervasive in many faith communities in Australia and are causing profound and lasting harm to LGBT people.

Preventing Harm, Promoting Justice: Responding to LGBT conversion therapy in Australia reveals the voices and lived experiences of 15 LGBT people who have struggled to reconcile their sexuality and transgender identities with the beliefs and practices of their religious community. The report, a joint initiative of La Trobe University, the Human Rights Law Centre and Gay & Lesbian Health Victoria, provides a comprehensive history of the conversion movement in Australia, together with legal analysis and recommendations for reform.

Preventing Harm, Promoting Justice calls for action by governments, the health sector and religious communities to better respond to people experiencing conflict between their gender identity or sexual orientation and their beliefs.



ANTHONY'S STORY

Anthony Hind is one of the many LGBT Australians impacted by conversion therapy. Anthony's experience illustrates that conversion therapies are misguided, ineffective and deeply psychologically harmful.

"In my twenties, when I was earnestly seeking to build a life that would honour my deep faith and make a difference in the world, my spiritual leaders told me that I was 'sexually broken' and 'in need of healing'. My quest to change my sexual orientation saw me praying,

being prayed over, and introspecting, self-censoring and even participating in exorcisms. I tried for many years, with great passion and desire for change – and nothing worked."

"Not only is gay conversion therapy completely ineffective, it's also incredibly unsafe. It did a huge amount of psychological damage to me. And I know that I hurt other people deeply along the way as well because I was so out-of-sync with who I really was. Now, I happily know that I'm gay, I'm not broken, and I'm not in need of healing."

Above: Anna Brown and Lee Carnie marching for marriage equality in late 2017.

Left: Our LGBTI rights team with trans and gender diverse students at the Australian Parliament speaking to parliamentarians about discrimination in schools.



ENDING HATE CRIME AGAINST LGBTI PEOPLE

No one should be a target because of who they are or who they love. We should all be able to walk down the street without fear of being attacked or abused. Hate crimes target marginalised and vulnerable people with devastating impact and members of the LGBTI community are overrepresented as victims.

In September 2018, the Human Rights Law Centre launched *End the Hate: Responding to prejudice motivated speech and violence against the LGBTI community*, a report calling for stronger protections from hate speech and hate crime in Victoria. The report reveals how current laws and policies fail to protect LGBTI people from hate crime and

hate conduct and outlines how the tide can be turned with 23 recommendations for reform.

Launched one year after the postal survey, the report highlights the negative impact hate speech and hate crimes had on the health and wellbeing of LGBTI people during the survey, when verbal and physical assaults of LGBTI people more than doubled.

The report calls for comprehensive reform in law, policies and practice including introducing a hate crimes act with new offences and protections, improving data collection by police and others, and strengthening community education and support.

ERASING UNJUST HISTORICAL CONVICTIONS

In 2018, a dark chapter closed for lesbian, gay and bisexual Australians. The Northern Territory and Western Australia became the last jurisdictions in the country to pass laws to allow people to erase historic homosexual offences from their criminal records. The Northern Territory Chief Minister also delivered an apology for the harm caused by these laws, with bipartisan support.

Since 2012, the Human Rights Law Centre has worked tirelessly for reform across every state and territory to ease the stigma and shame that LGB elders in our communities have lived with for decades.

STARLADY'S STORY

Starlady, pictured right, and two other members of the LGBTI community were victims of a hate crime when they were physically assaulted in Melbourne on a Friday night in 2016.

"I was screaming loudly for someone to call the police... There was a crowd of people around us as well, and nobody said or did anything. It was sad. It's very different - you're being targeted because of your sex, gender identity, sexuality, race or religion.

Those crimes are very different and need to be handled differently by police."

Photo credit: Anna Cadden



Right: Lee Carnie speaks at our press conference in response to the leaked Ruddock Review recommendations with Magda Szubanski, Anna Brown and transgender priest Jo Inkpin.

Self-determination and bodily integrity for trans, gender diverse and intersex people

MY ID, MY IDENTITY CAMPAIGN

For most trans or gender diverse people, updating their birth certificate so it reflects their identity can be almost impossible. Being forced to use ID that doesn't match their identity creates unnecessary and distressing problems for trans people when they apply for jobs, access government services or enrol to study.

The My ID, My Identity Campaign is a partnership between the Human Rights Law Centre and trans and gender diverse advocates and community organisations, supported by the Equality Campaign. Together we have been advocating for fairer birth certificate laws across the country. By providing expert legal and human rights advocacy advice, we are supporting advocates to bring in change.

In Western Australia, we made a major submission to the Western Australian Law Reform Commission's inquiry into birth certificate laws with local transgender and gender diverse communities. In the Northern Territory, we shared the plight of sistergirls and brotherboys and supported the passage of legislation to reform outdated laws that require people to undergo unnecessary and invasive surgery to change the gender on their birth certificate.

SUPPORTING INTERSEX PEOPLE AND THEIR RIGHT TO BODILY INTEGRITY

Tragically, intersex infants and children are still subjected to so-called 'normalising' surgeries and other treatments that are medically unnecessary and performed when children are too young to provide informed consent. We are working in partnership with intersex-led organisations to ensure intersex people are supported to make their own choices about what happens to their bodies.

In 2018, we raised the human rights violations experienced by intersex people to secure positive recommendations from the UN women's rights expert committee. We are providing expert human rights advice to the Victorian Government to reform its laws and decision making frameworks for the medical treatment of intersex people and prepared a major submission to the Australian Human Rights Commission inquiry on this issue.

FOSTERING LGBTIQ LEADERSHIP AND ADVOCACY

This year, 15 current and emerging leaders graduated from our first ever LGBTIQ leadership and advocacy training program, marking the end of a two-year grant from the South Australian Government to build LGBTIQ advocacy in the state.

Over the last two years, the Human Rights Law Centre worked with local advocates and communities to deliver the passage of four bills to remove discrimination against LGBTI people from the law; secured a commitment to remove the so-called 'gay panic' defence; and built capacity within the South Australian LGBTIQ community through digital engagement, events, workshops and training.

We also delivered Human Rights Defender training to LGBTI advocates in partnership with the Victorian Government LGBTI Leadership program, and The Equality Project in Western Australia and Queensland.



Right: Anna Brown with Lottie, a nine-year-old transgender student at Parliament House.



EQUALITY AUSTRALIA: BUILDING A STRONGER LGBTIQ COMMUNITY FOR THE FUTURE

For the past three years, the Human Rights Law Centre has been a key partner of the Equality Campaign, the engine room of Australia's successful YES campaign. That victory was the starting point for something even bigger. Now we are excited to be supporting the Equality Campaign on the next phase of its journey: building an LGBTIQ+ advocacy organisation, Equality Australia, which will focus on the remaining journey to equality for LGBTIQ+ people.

Equality Australia will be led by LGBTIQ+ people and work in partnership with community organisations and supporters to continue making a more equal Australia for everyone. In 2019, the Human Rights Law Centre will support Equality Australia to become a leading voice and force for positive legal and social change for LGBTIQ+ people.

ROZ'S STORY

Roz, pictured below, is a trans woman in Queensland who just wants to be recognised for who she has been since she was a child.

"I wanted to change my identification because I was living 24/7 as a woman. My birth certificate was the primary document with my right to be who I am in society.

But the law doesn't allow it to be changed without having surgery. For several years I couldn't have the surgery.

I really struggled because I couldn't complete my transition either for surgery reasons or for birth certificate reasons. When I think of the people who are transitioning like I did, give them a helping hand. Let them have that identity document that says 'we believe who you say you are'."



Above left: Michelle Bennett, Lee Carnie and former Human Rights Law Centre secondee, Victoria Legal Aid lawyer, Aimee Cooper.



UN ENGAGEMENT

Holding Australia to account

HOLDING THE AUSTRALIAN GOVERNMENT TO ACCOUNT FOR ITS HUMAN RIGHTS HYPOCRISY

This year, the Human Rights Law Centre's Daniel Webb travelled to Geneva for each UN Human Rights Council session, ensuring that Australia's first year as a Council member came with unprecedented international scrutiny of its own human rights record.

By addressing the council and engaging with the media, we used each council session as a unique opportunity to draw attention to Australia's domestic human rights failings. Our advocacy shone an international spotlight on proposed laws that would have stifled the vital advocacy voices of Australian charities, exposed the harm being caused by the routine strip searching of women in Australian prisons, and called out the Australian Government's lack of action on corporate accountability.

At each session, we condemned the staggering disconnect between the Australian Government's words on the world stage and its cruelty on Nauru and Manus, with Daniel delivering powerful statements marking the five-year anniversary of offshore detention, exposing the health crisis and deaths

on Manus and Nauru, and highlighting the indefinite detention of children on Nauru. Lee Carnie also delivered a statement highlighting the need for continued progress on LGBTI rights in Australia and the role Australia could play in better protecting the LGBTI rights worldwide.

Videos of our statements delivered in front of representatives from governments from around the world have generated extensive media coverage and reached hundreds of thousands of people on social media.

Above: Daniel Webb at the United Nations.

“

It is so easy for our government to come here to this Council and masquerade as standing for human rights. But really, no government can truly stand for human rights while choosing to destroy the lives of children.

**DANIEL WEBB,
DIRECTOR OF LEGAL ADVOCACY,
HUMAN RIGHTS LAW CENTRE**



Youth jails are typically harmful and counterproductive. We need to support kids to get their lives back on track and reach their potential.

**SHAHLEENA MUSK,
SENIOR LAWYER,
HUMAN RIGHTS LAW CENTRE**

HIGHLIGHTING AUSTRALIA'S LACK OF PROGRESS ON GENDER EQUALITY

In July 2018, the UN Committee on the Elimination of Discrimination Against Women assessed Australia's progress on ending discrimination against women. The Human Rights Law Centre's Lee Carnie attended the review to present our shadow report *Hear our voice: Equal rights for women and girls in Australia* which highlights the many forms of discrimination and inequality that still exist for women and girls in Australia today.

Our work drew attention to key issues such as the rapidly growing rate at which women are entering criminal justice systems; the criminalisation of abortion in Australia; the treatment of LGBTI women and girls; and the inadequate medical care and routine strip searching refugee and asylum seeker women are subjected to in Australia's offshore detention camp on Nauru.



Marriage equality was a welcome step forward, but we need to do more. The UN has demanded that Australian Governments address the high levels of discrimination lesbian, bisexual, and queer women and girls face through fairer anti-discrimination protections, inclusive health and education, and by tackling drivers for discrimination.

**LEE CARNIE, SENIOR LAWYER,
HUMAN RIGHTS LAW CENTRE**

The Committee delivered a damning review and urged the Australian Government to take immediate steps to improve protections for women and girls including guaranteeing legal and safe access to abortion, adopting a Charter of Human Rights, and ending offshore detention as urgent priorities.

The Committee also recommended that Australia better protect the rights of transgender women; promote alternatives to detention, especially for Indigenous women detained for offences; replace strip searches with alternative screening methods; and introduce a National Action Plan on Business and Human Rights incorporating a gender perspective.

OUR SHADOW REPORT SHOWS THAT AUSTRALIA IS FAILING TO PROTECT VULNERABLE KIDS

All kids deserve to be given the opportunity to learn, grow and thrive. Australia should be leading the world when it comes to protecting children's rights, but sadly, we are lagging behind other nations due to our low age of criminal responsibility and racial inequality in Australia's legal system resulting in the over-imprisonment of Aboriginal and Torres Strait Islander children.

This November, the Human Rights Law Centre submitted a report to the United Nations Child Rights Committee showing that Australian governments are failing to protect the rights of vulnerable children.

Australia is due to front the Child Rights Committee in Geneva in February 2019, where the Australian Government's compliance with the Convention on the Rights of the Child will be measured. Our shadow report *Justice for Children* will inform the assessment of Australia.

PUSHING FOR ACCOUNTABILITY IN ALL PLACES OF DETENTION

At the end of 2017, the Australian Government ratified the Optional Protocol to the Convention against Torture (OPCAT) – a mechanism to prevent cruel, inhuman and degrading treatment in places of detention. At the time, the Australian Government denied its obligations extended to Australia's offshore facilities on Manus and Nauru.

Throughout the year, the Human Rights Law Centre made a compelling case for how OPCAT should be fully and properly implemented to ensure accountability and transparency in every place of detention.

Below: Ruth Barson.



It would be very cynical of the government to commit to the anti-torture treaty, yet at the same time undermine it by keeping its deepest darkest places of misery hidden from scrutiny. Half-baked implementation of the treaty risks undermining the whole purpose of it.

**RUTH BARSON, DIRECTOR OF LEGAL
ADVOCACY, HUMAN RIGHTS LAW CENTRE**

OUR TEAM

Our staff



Hugh de Kretser
Executive Director



Anna Brown
Director of Legal Advocacy



Daniel Webb
Director of Legal Advocacy



Emily Howie
Director of Legal Advocacy



Keren Adams
Director of Legal Advocacy



Ruth Barson
Director of Legal Advocacy



Michelle Bennett
Director of Communications



Tom Clarke
Director of Campaigns



Adrienne Walters
Senior Lawyer



Freya Dinshaw
Senior Lawyer



Lee Carnie
Senior Lawyer



Shahleena Musk
Senior Lawyer



Alice Drury
Lawyer



Arif Hussein
Lawyer



David Burke
Lawyer



Monique Hurley
Lawyer



Rachel Richmond
Development Manager



Anna Fordyce
Operations Coordinator



Alycia Gawthorne
Communications Officer



Whitney Chen
Administrator



Aruna Sathanapally
Director of Legal Advocacy
(to August 2018)



Alina Leikin
Lawyer (to January 2018)



Amy Frew
Lawyer (to January 2018)



Hannah Ryan
Lawyer (to August 2018)



Rose Hyland
Events & Fundraising
Administrator (to
September 2018)

Our board



Catherine Branson QC
Chair, Former President
of the Australian Human
Rights Commission



Andrew Carriline
Non-executive director
(from December 2017)



Chris Sidoti
Executive Director, Human
Rights Council of Australia
(from February 2018)



Jamie Gardiner
Vice-President,
Liberty Victoria



Jon Webster
Consultant, Allens



Padma Raman
Executive Director, Australian
Human Rights Commission
(from February 2018)



Sue Woodward
Head of Not-for-profit Law,
Justice Connect
(from April 2018)



Tim Goodwin
Barrister (from February 2018)



Carolyn Creswell
Founder and Managing
Director, Carman's Fine
Foods (until June 2018)



Fiona McLeay
Former Chief Executive
Officer, Justice Connect
(until April 2018)



Melanie Schleiger
Equality Law Program
Manager, Victoria Legal Aid
(until October 2018)

SECONDEE LAWYERS

Angela Chen
Ashurst

David Burke
Lander & Rogers

Eleanor Madden
Lander & Rogers

Geordie Bundock-Livingston
Ashurst

Jacinta Fox
Lander & Rogers

Nick Boyd-Caine
Victorian Aboriginal Legal Service

VOLUNTEERS AND INTERNS

Audrey Packer Cook
Volunteer – The University
of Melbourne

Jamie Gardiner
Volunteer – the Human Rights
Law Centre's Expungement
Legal Service

Lizzy Alderson
Intern – The University
of Western Australia

Rachel Walters
Volunteer – The University
of Melbourne

ADMINISTRATION AND FINANCES

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

Marija Ivanovska
Assistant Accountant

Shankeetha Thayaharan
Finance and Payroll Officer

FINANCIALS

STATEMENT OF PROFIT OR LOSS AND OTHER COMPREHENSIVE INCOME FOR THE YEAR ENDED 30 JUNE 2018

Income	2018 \$	2017 \$
Aboriginal & Torres Strait Islander Rights Unit (Including: Australian Communities Foundation; BB & A Miller Foundation; Caledonia Foundation; Holmes Family Foundation, Jon Webster; The Corella Fund; Perpetual; Rae and Peter Gunn Family Foundation; Reichstein Foundation; Shulu Foundation; Trawalla Foundation; Vicki Standish Family Foundation; Vincent Fairfax Family Foundation)	380,611	412,973
Asylum Seeker & Refugee Rights Unit (Including: Allen & Overy; Allens; Andrew Sisson; Australian Communities Foundation; BB & A Miller Foundation; Grenet Foundation; Guy Campbell; Humanity Foundation, Planet Wheeler Foundation)	481,204	431,550
LGBTI Rights Unit (Including: Dennis Altman; Equity Trustees - Eric Ormond Baker Charitable Fund; Gary Singer; Krystyna Campbell Pretty; La Trobe University; Leonard Vary & Matt Collins; Lush Australia; Lyn Gilbert & Tania Sorrell; South Australian Government; The Myer Foundation; Tom Snow & Brooke Horne)	264,579	232,926
Marriage Equality Campaign	511,837	540,595
The Myer Foundation - Safeguarding Democracy Grant	250,000	
BB & A Miller Foundation - International Human Rights Grant	100,000	100,000
The Sigrid Rausing Trust	166,884	61,415
Victorian Government Department of Justice and Regulation	55,000	55,000
Virgin Unite	50,000	-
Ruffin Falkiner Foundation	30,000	-
Victorian Legal Services Board	19,033	23,226
Other Grant Income	72,349	242,925
Individual Donations	340,835	221,270
Corporate Donations	145,228	99,881
Interest	27,021	26,092
Human Rights Dinners & other events	200,709	206,481
Other Income	29,088	13,811
Total Income	3,124,378	2,668,145
Expenditure	2018 \$	2017 \$
Occupancy expenses	32,984	17,984
Operational and administration expenses	1,197,153	1,039,883
Employee benefits	1,773,362	1,355,474
Total Expenditure	3,003,499	2,413,341
Total Comprehensive Income	120,879	254,805

STATEMENT OF FINANCIAL POSITION AS AT 30 JUNE 2018

	2018 \$	2017 \$
CURRENT ASSETS		
Cash and cash equivalents	2,056,422	2,148,534
Trade and other receivables	103,999	44,975
Total current assets	2,160,421	2,193,509
Total non-current assets	200,414	6,691
Total Assets	2,360,835	2,200,200
CURRENT LIABILITIES		
Trade and other payables	88,712	75,153
Provisions	258,180	138,353
Grants received in advance	1,137,154	1,211,147
Total current liabilities	1,484,046	1,424,653
NON-CURRENT LIABILITIES		
Provisions	26,112	45,749
Total non-current liabilities	26,112	45,749
TOTAL LIABILITIES	1,484,046	1,470,402
NET ASSETS	850,677	729,798
EQUITY		
Retained earnings	850,677	729,798
TOTAL EQUITY	850,677	729,798

This is an extract of the Human Rights Law Centre's audited financial statements for the year ended 30 June 2018. For a full version visit www.hrlc.org.au

WE COULDN'T DO IT WITHOUT YOU

Our generous supporters who gave between 30 November 2017 and 1 December 2018

\$50,000+

Anonymous donor
Australian Communities Foundation - Williams Fund
Australians for Equality
B B & A Miller Foundation
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Pro bono support from leading law firms and barristers is crucial to our impact. Law firms we worked with over the 2017/18 financial year provided almost 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 over \$3.7 million. Many barristers provided substantial additional pro bono support. These amounts are 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.

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IN KIND SUPPORT

Thank you to the many other friends, family and organisations who provided in kind support for our Human Rights Dinners – donating auction items, agreeing to be auctioned, hosting events and much more.



Supporter Profile: Peter van Duyn and Veronica Collins

Peter van Duyn and Veronica Collins have been supporting the Human Rights Law Centre since 2014. Their initial donation of \$2,500 helped to support our Director of Legal Advocacy, Daniel Webb, to travel to Australia's refugee detention centre on Manus Island and take part in a legal challenge in the PNG National Court.

Daniel was able to secure access to the secretive, isolated detention facility through the court case and the things he saw and the relationships he formed with the men on Manus became the foundation of our refugee work - work which has now protected over 500 people, including 200 children, from indefinite offshore detention.

"We had heard encouraging things about the Human Rights Law Centre from family and friends, and we were concerned by the punitive approach the government was taking towards refugees. As a migrant myself, I know what it's like to pack up

your life and move to the other side of the world, but the key difference being that I did it by my own choosing, I wasn't displaced or traumatised by experiences in my home country like the refugees have been," said Peter.

With Peter's background working in the shipping industry and his and Veronica's experience supporting refugees living in the community, the pair were alarmed at the Government's harsh offshore policies and were keen to explore ways to help.

"It's been gratifying to see the policies and public sentiment starting to shift and I think that is because the team, with other people and organisations, have just been chipping away at it steadily. The increasing numbers of displaced people is a global challenge and it's good if Australia can become less insular in its outlook," said Peter.

Peter and Veronica donate via the Australian Communities Foundation (ACF). One of the ACF's grants to support our refugee work won Philanthropy Australia's Best Small Grant Award which Peter was pleased to accept on behalf of the ACF funders.

"We really admire the people at the Human Rights Law Centre for both their words and their actions. They have lots of runs on the board - not just in the refugee work that we support but across the board on things like marriage equality as well. It's a very worthwhile organisation to support and we hope its influence continues for many years to come."

For more information about supporting the Human Rights Law Centre, please contact our team on **03 8636 4488**, email admin@hrlc.org.au or visit our website: hrlc.org.au

Above: Peter van Duyn and Veronica Collins at our 2017 Melbourne Human Rights Dinner.



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Human rights belong to every single one of us, no matter who we are or where we are. They are the foundations for a safe, free and dignified life.

We believe in a future where human rights are universally understood, upheld and protected. Stand up against inequality, injustice and abuse. Stand up for decency, compassion and respect. Stand up for human rights today.

To remain fiercely independent, the vast majority of our funding comes from donations and philanthropic grants. Our tenacious advocacy and strategic legal action is only possible because of partnerships with people like you, who understand the importance of brave and principled human rights leadership.

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