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**Queensland Government Funding Cuts Undermine Access to Justice**

Australian Lawyers for Human Rights (ALHR) is concerned that the Queensland Government's recent funding cuts to community legal centres will adversely impact on access to justice in Queensland.

The Environmental Defenders Office Qld, the Environmental Defenders Office NQ, Sisters Inside and, most recently, the Queensland Working Women's Service have had their State government funding cut off which is likely to see their services being significantly reduced or even ceasing entirely.

Equality before the law and the principle of non-discrimination lie at the heart of most international human rights instruments. For example, Article 14 of the International Covenant on Civil and Political Rights (ICCPR) provides that "all persons shall be equal before the courts and tribunals." ALHR is concerned that by jeopardising the operation of key non-government agencies which provide access to the law in areas where people are particularly vulnerable or where money and resources are concentrated in the hands of businesses whose primary focus is not on protecting the environment, Queensland is undermining Australia's practical ability to comply with these principles.

Our concerns are reflected in a recent submission to the Federal Government by the Law Council of Australia:

Equality before the law is meaningless if there are barriers that prevent people from enforcing their rights. ... The legal assistance system is critical in overcoming these barriers.<sup>1</sup>

The Attorney-General, the Honourable Jarrod Bleijie, announced that State provided funding to the Environmental Defenders Office (EDO) Qld and EDO NQ would cease as at 30 June 2012. The loss constitutes half of the offices' recurrent funding. Both offices work to protect the environment in the public interest. They advise and act for

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<sup>1</sup> Law Council of Australia, *Legal Aid and Access to Justice Funding 2009-10 Federal Budget*, 9 January 2009.

individuals, community groups and conservation groups, in addition to taking an active role in environmental law reform, policy formation and community legal education. The EDOs provide free legal advice to Queenslanders faced with issues pertaining to the environmental, planning and health impacts of proposed developments.

Sisters Inside also suffered defunding from 30 June 2012. Sisters Inside Inc. is an independent community organisation working with women in prison to address gaps in available services. Ms. Debbie Kilroy, the founder, has stated, “It will mean that we can no longer operate effectively as a community legal centre.” Most significantly, the funding cuts will affect a program that assists disadvantaged women to appear before the Special Circumstances Court. This innovative program diverts homeless offenders away from the criminal justice system and reduces recidivism.

Recently, the Queensland Working Women’s Service Inc. (QWWS) also had all state funding discontinued. The service relied heavily on state funding for its viability. The likely result of the funding cut will see the QWWS cease to function. The service has provided free telephone information and practical advice to Queensland women regarding all work-related issues for almost 20 years. The service provides a “safety net” for women dealing with work-related matters. In particular, the QWWS advocates for women faced with unfair dismissal, discrimination or sexual harassment in the workplace.

The impact of these funding cuts may be seen by published research on the importance of community legal centres in the overall legal services environment in Australia. A recent report released by Community Law Australia noted the cost of legal services in Australia is unaffordable, severely inhibiting access to justice. As the Chief Justice of the Supreme Court of Western Australia, the Honourable Wayne Martin, stated, “big business can afford access to the courts, but the ordinary Australian can’t.”<sup>2</sup>

The report noted the important role of community legal centres. Specifically, the report stated “over 80 per cent of the people helped by community legal centres receive under \$26,000 a year in income.”<sup>3</sup> ALHR is concerned the recent funding cuts and the consequent decrease in services provided by the EDO Qld, the EDO NQ, Sister’s Inside and QWWS, will prevent the most vulnerable members of our community from accessing justice.

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<sup>2</sup> Community Law Australia, *Unaffordable and Out of Reach: The Problem of Access to the Australian Legal System*, July 2012, 5.

<sup>3</sup> *Ibid* 6.

The recent funding cuts will have a serious negative effect on the ability of the community to access justice. ALHR urges the Queensland Government to reconsider its commitment to this principle and community legal centres.

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ALHR (Australian Lawyers for Human Rights) is a network of Australian lawyers active in practising and promoting awareness of international human rights standards in Australia. ALHR has a national membership of over 2000 people, with active National, State and Territory committees.