



AUSTRALIAN
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Media release

For immediate release **Wednesday, 5 October 2016**

LEADING HUMAN RIGHTS LAWYERS CALL FOR IMMEDIATE LAW REFORM FOR THE EQUALITY OF DEAF JURORS

Australian Lawyers for Human Rights (ALHR) are gravely concerned about the operation of Queensland's Jury Act after the High Court dismissed the appeal in *Lyons v Queensland*, upholding that the exclusion of deaf person, Gayle Lyons from performing jury duty is not direct or indirect discrimination under the *Anti-Discrimination Act 1991* (Qld).

Benedict Coyne, President of ALHR explains "the High Court has found that without specific legislative provision, the Jury Act does not permit an Auslan interpreter to be present during jury deliberations. Accordingly, Ms Lyons is not qualified to serve as a juror and the Deputy Registrar was required to exclude her from the jury panel. As a result, the exercise of the Deputy Registrar's powers under the Jury Act is not discriminatory." Mr Coyne states "the role of the jury is to reflect the composition and values of the community; it is unacceptable to have current laws which exclude members of our community on the basis of their disability. The lived experience of disability is a part of the makeup of the community and must be reflected on our juries to ensure access to justice is preserved."

Australia has made a clear commitment to the human rights of persons with disabilities by ratifying the *Convention on the Rights of Persons with Disabilities*. Mr Coyne pressed "it is absolutely clear under article 13 of the CRPD that people with disabilities have the right to participate as direct and indirect participants of the justice system, which includes serving as jurors. The current operation of the Jury Act in Queensland violates that right by excluding people on the basis of their disability and must be reformed immediately."

Mr Coyne urges "while the decision of the High Court today dismissed the appeal in relation to the claim of discrimination, it is resoundingly clear that the Jury Act must be changed to be inclusive of people with disabilities, including deaf persons who require Auslan interpreters to communicate. A failure to do so will perpetuate this gross violation of the human rights of people with disabilities."

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ALHR was established in 1993 and is a national network of over 2600 Australian solicitors, barristers, academics, judicial officers and law students who practise and promote international human rights law in Australia. ALHR has active and engaged National, State and Territory committees and a secretariat at La Trobe University Law School in Melbourne. Through advocacy, media engagement, education, networking, research and training, ALHR promotes, practices and protects universally accepted standards of human rights throughout Australia and overseas.