

MEDIA RELEASE

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UN SPECIAL RAPPORTEUR CALLS ON GOVERNMENT TO STOP RESTRICTIONS ON COMMUNITY LEGAL CENTRES AND REVERSE FUNDING CUTS

The National Association of Community Legal Centres (NACLC) has welcomed the strong statement released today by the United Nations Special Rapporteur on the Situation of Human Rights Defenders, Mr Michel Forst, calling on the Australia Government to recognise, respect and fund the work of community organisations and human rights defenders, including Community Legal Centres.

Mr Forst issued the statement following a two week visit to Australia and meetings with Federal and State and Territory Government representatives, academics and community organisations across Australia, including NACLC and Community Legal Centres.

Funding for Community Legal Centres

The Special Rapporteur's statement emphasised the vital work of Community Legal Centres "long perceived as stalwart provider of free and accessible legal and related services to hundreds of thousands of people each year". He also emphasised concern about the funding cliff facing Community Legal Centres- "I am worried that the cut will have a significant impact on Community Legal Centres and their staff, as well as highly vulnerable and disadvantaged clients they support" and recommend that the Federal Government "reviews budgetary allocations with a view to preventing detrimental effects on legal assistance".

"We welcome the Special Rapporteurs' recognition of the role of Community Legal Centres and the significant impact that a 30% cut to Commonwealth funding from 1 July next year will have on our centres and clients and recommendation to Government to review the funding situation" said Dan Stubbs, NACLC National Spokesperson.

"This is yet another voice joining the chorus of voices calling for the Government to reverse the funding cuts to Community Legal Centres. We continue to call on the Government to reverse the funding cuts and work with us as a sector to ensure the most vulnerable and disadvantaged members of our community get the legal help they need" added Mr Stubbs.

Restrictions on Advocacy

Mr Forst also expressed concerns about a restriction under the National Partnership Agreement for Legal Assistance that prohibits community legal centres from using Commonwealth funding to undertake policy, advocacy and law reform activities.

He said such restrictions are "contrary to the principle of a free and democratic society" and emphasised that the "profound knowledge" of organisations such as Community Legal Centres "makes them extremely valuable source of expertise". He added:

"The Government has increasingly stressed a distinction between "frontline services" and "advocacy" work of peak bodies, with the latter function not meriting official funds. To me, such a distinction is rather paradoxical because it is impossible for those organizations to provide direct services to

vulnerable populations, without advocating for their rights in that process. And such advocacy should be seen as important feedback for the Government to consider in its formulation of policy approaches to addressing systemic issues”.

“We also welcome the Special Rapporteurs’ comments in relation to the vital policy, advocacy and law reform work of Community Legal Centres and his emphasis on the importance of Government funding and recognition of the importance of such work and recommendation that restrictions on such work be removed from all Commonwealth and State funding agreements” said Mr Stubbs.

“The Special Rapporteurs’ comments echo those made by the Productivity Commission in its 2014 Access to Justice Arrangements Report, which recognised that law reform and advocacy is a core activity of CLCs, that such work is an efficient way to use limited taxpayer dollars, and that the Government should support it being undertaken” he added.

“We continue to call on the Government to fund this vital work and to recognise the intrinsic relationship between delivery of frontline legal service delivery and law reform and advocacy work” concluded Mr Stubbs.

NACLC also welcomes the comments and recommendations made by the Special Rapporteur in relation to Environmental Defenders Offices; sustainable and certain funding for community organisations and peak bodies such as the National Congress of Australia’s First Peoples; the need for a national Human Rights Act; and the important role and independence of the Australian Human Rights Commission.

The Special Rapporteur’s statement is available here: <http://un.org.au/2016/10/18/australian-government-must-re-build-trust-of-civil-society-un-human-rights-expert/>

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