

# Relaunched, rebranded and reinvigorated

By Eva Scheerlinck

**T**he Australian Lawyers Alliance was officially launched at our national conference in Melbourne on 21 October. Our new name and broader objectives were embraced by the keynote speakers, Julian Burnside QC and Tom Percy QC, who joined on the spot, to become our first new Australian Lawyers Alliance members.

In his keynote address, Julian Burnside QC talked of the need for lawyers to speak out. Lawyers' knowledge, position and skills make them uniquely qualified to expose and speak out against injustices in our community. He spoke of his concern about the widening gulf between law and justice, and the challenge for legal practitioners in deciding when to speak out, and when to remain silent. He explained how, for him personally, it was the profoundly unjust treatment of asylum seekers in our immigration detention centres that triggered his decision to speak out on behalf of those without a voice.

Similarly, Tom Percy QC spoke of injustice in our criminal law system. In particular, Tom spoke of the large number of wrongfully convicted individuals languishing in jails across the country. He spoke of government policies that make it easier to convict, yet harder to achieve justice for the wrongfully accused. His address highlighted interference with the right to silence, the cost of legal representation in criminal matters, and the power imbalance between the state and accused individuals.

The recent experience of personal injury lawyers, defending the rights of their clients in an increasingly hostile legal environment, is clearly not an isolated one. The principles that drive immigration lawyers representing refugees, criminal lawyers protecting

the rights of the accused, as well as plaintiff personal injury lawyers, spring from a common philosophy.

As the Australian Lawyers Alliance continues to grow and mature, our goals remain unchanged, but have simply expanded to embrace more practitioners in a wider range of legal fields. Individual justice and individual freedoms remain our touchstone. Those values resonate strongly with many lawyers, not just those working in personal injury law.

The rights of individuals in Australia have been seriously eroded in recent years on all fronts. Governments at both state and federal level have chipped away at the common law, which provides the basis for the legal rights of individuals who have suffered injury as the result of someone else's wrongdoing.

Other, equally fundamental rights have been progressively limited by statute – for example, access to lawyers, the presumption of innocence, the right to silence and unanimous jury verdicts. Some recent measures – such as anti-terrorism legislation and immigration policy – have even compromised Australia's compliance with its obligations under international treaties, including the Rights of the Child.

Clearly there is a pressing need to vigilantly monitor government proposals and policy across all these areas.

Our members, present and future, share a commitment to redressing the power imbalance and the inequality of resources available to the big end of town. Our members, present and future, share a commitment to assisting those who have lost their capacity to live ordinary lives as the result of others' wrongdoing. Our members, present and future, share a commitment to representing their



clients – ordinary people – as best they can.

This organisation was created so that likeminded people could combine their knowledge and experience to better represent their clients; to better overcome the tactics of their opponents; and to collectively lobby governments to make better laws that prioritise the rights of individuals over considerations of profit and political gain.

That founding inspiration remains just as true today for the Australian Lawyers Alliance. Our challenge now is to balance the need to strike out into new areas with the need to stay true to our roots.

The decision of Julian Burnside and Tom Percy to join the Australian Lawyers Alliance is a potent reflection of our shared commitment to the preservation of individual rights and freedoms. Together we shall not disappoint! ■

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