

OPENING ADDRESS
QUEENSLAND COMMUNITY LEGAL CENTRES CONFERENCE

Monday, 25 May 2015

Park Regis, 293 North Quay, Brisbane

The Honourable Justice Margaret McMurdo AC
President, Court of Appeal

Thank you Auntie Sarah Wapau for your generous, wise and powerful welcome to country. I acknowledge the traditional owners of this land: once known as Meanjin, the Turrbal people and across the river the Jagera people. I pay my respects to their elders past and present.

I am delighted and honoured to open this important conference of the Queensland Association of Community Legal Centres (QAILS) with representation from across the suburbs of Brisbane and the south-east corner including the Sunshine Coast, Logan and the Gold Coast; west to Toowoomba, Roma and Goondiwindi; north along Queensland's long coastline through Hervey Bay, Rockhampton, Mackay, Townsville and Cairns and across to Mornington Island in the Gulf of Carpentaria. QAILS and its members obviously do a fine job in ensuring that Australia's most decentralised state is well-served by its community legal centres, known to all present by the acronym, CLCs.

I begin by thanking, on behalf of the courts, the legal profession and the wider community, each and every one of you for your commitment to providing free legal services to the most disadvantaged and marginalised Queenslanders. I am not alone in recognising the importance of the work of CLCs. You shall shortly hear from Dr Warren Mundy on the results of the Productivity Commission's report into *Access to Justice Arrangements*, delivered last September which commended the distinct role played by CLCs in delivering access to justice.¹

And little wonder. The National Association of Community Legal Centres (NACLC) in June 2012 prepared an economic cost benefit analysis of CLCs. It found that they have a cost benefit

¹ Australian Government Productivity Commission, "Productivity Commission Inquiry Report Overview - Access to Justice Arrangements", No. 72, 5 September 2014, 26.

ratio of 1:18; that is, for every dollar spent by government they return a benefit to society that is 18 times the cost. The study demonstrated that the benefits of the CLC sector significantly outweigh the cost to the community of providing community legal services. A more qualitative review of CLC programs like community legal education and law reform advocacy also yield a net economic benefit to the community. CLCs are economically efficient, both in providing government funded legal services and also in addressing societal inequalities. This helps remove barriers to accessing legal services.² The ability of CLCs to respond to immediate crises and to provide early assistance through an holistic, personalised, preventative approach to client case management is critical to the demonstrated success of CLCs to economically and efficiently contribute to social inclusion and equitable access to justice.³ From time to time governments have attempted to make funding to a CLC conditional upon it not advocating against government policy. Such attempts are anti-democratic and completely fail to apprehend the essence of the successful roles of CLCs in our society.

Obtaining government funding is always difficult but it seems this message has been understood, at least to some extent, by the Federal Government, which in the recent Budget announced an increase in funding to Queensland community legal centres from the start of the next financial year for two years, based on a new funding model to correct historical inequities. From July 2017, however, there will then be a 25 per cent cut to federal funding of CLCs in Queensland and a cut of about 30 per cent across CLCs elsewhere in Australia. It must be frustrating for CLCs and organisations like QAILS to have to spend so much time and money every year, chasing government funding. The short term funding which follows makes strategic planning almost impossible. Dedicated and experienced staff are left without the job security or career paths they deserve. Given the proven economic and societal worth of CLCs, there must be a better model with guaranteed future funding and regular accredited performance reviews to ensure industry best practice.

Let's take a closer look at the work you do. According to QAILS' 2013-2014 annual report, member organisations saw a total of 46,337 clients that year. The vast majority of work concerned either civil or family law with a small amount of criminal law. The top five problem

² Judith Stubbs and Associates, Report prepared for the National Association of Community Legal Centres Inc., "Economic Cost Benefit Analysis of Community Legal Centres", June 2012, 17, 24 and 25.

³ National Association of Community Legal Centres, "Why Community Legal Centres are Good Value", 3.

areas accounting for 64 per cent of all advice given were contact and residency; tenancy; family property disputes; family and domestic violence; and credit and debt. Encouragingly for our too often maligned legal profession, 1,215 volunteers contributed 3,379 hours of work per week. Of course, not all CLC staff and volunteers are lawyers. They include community educators, social workers, non-lawyer advocates, financial and other counsellors and domestic violence and other specialist community workers and are backed by administrative and co-ordination staff.⁴

Many of you know that I am proud Patron of Womens Legal Service (WLS) a member of QAILS, and of my role in initiating the annual legal profession White Ribbon Day Supreme Court Breakfast which raises awareness about the scourge of domestic violence as well as significant and much needed funds for WLS. I therefore note with interest that QAILS members last year provided almost 5,500 pieces of legal advice to clients in the area of domestic violence, one in six of every family law advice provided. Concerningly, a large, but immeasurable number of clients seeking advice on other legal problems have experienced domestic or family violence. I am delighted that QAILS Director, James Farrell, is a White Ribbon ambassador, using his significant influence within the community to combat domestic violence.

I am also grateful that QAILS and its member CLCs advocate and work in practical ways to promote human rights and social justice for disadvantaged and vulnerable minorities, including Aboriginal and Torres Strait Islander people, children and young people, lesbian, gay, bisexual and trans intersex people, the mentally ill, those with physical disability, (indeed, one in six or 16 per cent of Queensland CLCs' clients identify as having a disability), prisoners, refugees, seniors and victims of crime.

QAILS is tangible proof that, although its individual CLC members serve different sectors of the Queensland community and do that very well, through sharing knowledge and experience and in joining together in QAILS they can achieve so much more.

⁴ Above, 2.

QAILS has rightly identified that it has a role in increasing community awareness about CLCs and how they can assist people in obtaining access to the justice system. QAILS and its member CLCs have developed valuable pro bono partnerships with a number of leading Queensland law firms and I congratulate those firms on these initiatives.

And in holding conferences like this, QAILS supports Queensland CLCs in providing quality sustainable and well-managed services. You are in for a stimulating time over the next three days. You will be hearing from practising lawyers and social workers and distinguished academics on issues including child protection, mental illness and disability, duty lawyering in domestic violence cases, new initiatives by member CLCs, workplace health and safety, torture and trauma, student clinics and legal research. All this will help you work even more effectively and economically for the benefit of your clients, your CLCs and the community. In an earlier draft of the program I noticed that QAILS' Cathy Baker was to give a session headed "Working with the Media." I thought I would ask her for a few tips!! But I see the title of her sessions has now changed to "Promoting your CLC." Perhaps I could still do with those tips from Cathy!! You are also having a session on philanthropy. As to that topic, I hope you have been admiring my preloved Escada jacket purchased on Friday night at a corporate clothing pop-up organised by the Women Lawyers Association of Queensland to raise funds for WLS. Don't miss it next year!

In conclusion, thank you again for your work. It is deeply appreciated. Thank you also for participating in this conference. I hope you find it rewarding and renewing and that it helps develop your vision for best practice in your CLC. That way, through your diverse CLCs, you can continue to serve all Queenslanders by assisting our marginalised and disadvantaged, in the most cost-effective and compassionate way, to access the justice system.