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Gagging Charities Equals Gagging Communities

It's difficult to understand why governments would object to charities and not for profits advocating for change, writes James Farrell, the director of Community Legal Centres Queensland.

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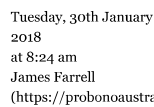
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Each year, Queensland's community legal centres provide free legal help to about 60,000 people. Our clients are a diverse group, with a variety of legal problems, spanning divorces and separation, unpaid wages, disputes with banks, domestic violence and car accidents, amongst hundreds of other issues.

The one common factor, for all of these people, is that they face a problem that may have a legal solution.

Wouldn't it be great if, instead of providing individual, resource-intensive legal help to every one of these everyday Australians, we addressed the unfair laws and systems that created the problems?

Wouldn't it be great if we could build a fence at the top of the cliff, rather than continuing to provide ambulance after ambulance at the bottom?

Imagine the harm that could be avoided.

That's why community legal centres, and other community services and charities, advocate for changes to laws, practices and policies. Every day, we see the impact of harmful laws or legal systems. We're uniquely placed to provide information to lawmakers, corporations and governments about changes that would have a positive impact on our community.

So far this year (and it's only the end of January!), as the peak organisation for Queensland's community legal centres, we've advocated for changes to the way that insurers respond to victims and survivors of domestic violence. We've advocated for a public transport system that allows people with disability to access vital

services. We've advocated for a Human Rights Act for Queensland, a new law to protect and promote people's fundamental rights. We're reviewing court cases about the National Disability Insurance Scheme (NDIS), to help ensure people can access the critical support services they need. Many of our 33 member organisations are advocating for changes to laws and policies based on the experiences of their clients in other areas of social policy, all focused on improving outcomes for everyday people with everyday legal problems.

None of these issues are controversial, or ideological, or obscure. All of this work is based on the experience of hundreds of employees and volunteers that provide free legal help to Queenslanders each week, where our people see problems with the status quo.

It makes sense to prevent people developing legal problems, before they escalate – often at great personal and financial cost, to the individual and to the taxpayer. In fact, the Productivity Commission has found that this activity is an appropriate use of our limited resources, finding that advocacy and law reform can address underlying problems and reduce the demand for frontline services.

So it doesn't make sense that governments are trying to curtail these activities.

While there's a federal law that prevents governments from restricting NGOs' advocacy activities, there are other ways that our advocacy activities are being undermined. Changes to funding agreements, donation laws, tax concessions and electoral laws are being used to effectively gag community organisations from advocating for better laws and policies.

While various reasons are given for these restrictions, the obvious effect is the silencing of community organisations' advocacy.

Shutting out community organisations' voices shuts out the voiceless people in our community, and will have a profound impact on the rights and opportunities for vulnerable and disadvantaged people – including the clients of community legal centres.

Rather than silencing community organisations, and the communities with whom they work, we should be promoting opportunities for people to have their say: to improve unfair laws and policies, to engage people in our democratic processes, and to ensure better outcomes for all of us.

About the author: James Farrell OAM is the director of Community Legal Centres Queensland. Twitter: @clc_qld



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