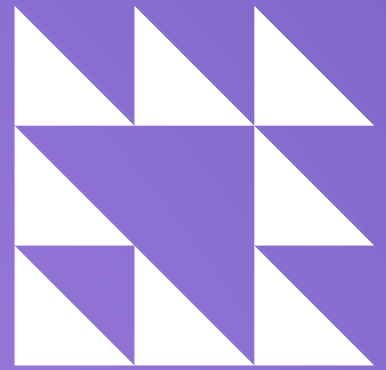
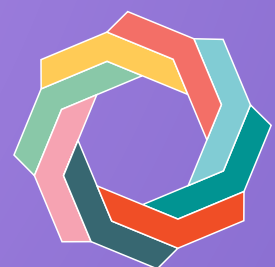


VISION FOR JUSTICE



SEPTEMBER 2025



Community Legal Centres
Australia

Acknowledgement of Country

Community Legal Centres Australia recognises that the land we work, live and learn on is unceded Aboriginal land. Our office stands on Gadigal Country. We pay our respects to Elders, both past and present.

We acknowledge the First Nations workers in our sector across a great many Aboriginal and Torres Strait Islander lands on this continent and its surrounding islands. We thank them for their generosity and persistence in supporting our sector's continuing journey of learning and growth as we seek to decolonise our minds, hearts and work.

This always was and always will be Aboriginal land.



Community Legal Centres
Australia

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Introduction

About the community legal centres movement

The first community legal centres were set up over 50 years ago by activists and advocates frustrated by the injustices faced by their communities and the failings of a legal system that punished poverty and difference. These first centres offered free legal help to people in need. Just as importantly, they used people's stories to advocate reforms to make laws and government systems and institutions fairer.

This ethos endures. Community legal centres prioritise *both* helping people untangle the legal problems making their lives harder *and* working to change the laws and systems that drive unjust outcomes. If we see bad laws harming people, we help people navigate that harm, and we advocate to change the laws to prevent future harm.

Community legal centres know that prevention is better than cure. We understand that legal and social systems can be unfair. The best approach is often to help people avoid contact with the legal system altogether or support them to exit it as quickly as possible. So, we educate communities about their rights to help people avoid legal problems, and we get out into communities to help people handle legal problems early while they are still simple to resolve.

Community legal centres know that people's legal issues are often connected to other social, financial and health problems. This means justice often can't be achieved through legal avenues alone. So, centres employ a range of allied professional workers, and partner with other trusted local community services, to give people all the supports they need at once.

Community legal centres are deeply embedded in their communities. Many centres have been built by and for people in a community, to meet their unique needs in the most effective ways. We draw on the expertise of the communities we serve. People are experts in their own lives, and we trust them to tell us what they need.

Our model encourages innovation. Agile, independent centres can quickly develop creative solutions to get the best help to people. Many of the best-practice models of legal assistance we see today, like health justice partnerships, had their origins in community legal centre innovation.

The earliest community legal centres were 'generalists', helping people with all kinds of civil, family, and some criminal law problems. However, we have always understood the importance of specialisation. Now, we have specialist centres working in areas like social security and economic justice, renters' rights, environmental justice, employment and family law, immigration law, gender-

based violence, and public interest litigation. Others specialise in supporting specific groups of people like women, Aboriginal and Torres Strait Islander people, people experiencing domestic, family, and sexual violence, older people, people with disability, children and young people, and LGBTIQ+ people.

Our movement's expertise is grounded in the stories of the hundreds of thousands of people who access our services each year and who experience first-hand the barriers to justice that exist in our legal system. Our advocacy centres their experiences, voices, needs, and ideas.

Community Legal Centres Australia is the national representative voice for the community legal sector. Our members are the eight state and territory community legal sector peak bodies. Together, we represent 152 community legal centres (including Women's Legal Services), eleven Family Violence Prevention and Legal Services and two Aboriginal and Torres Strait Islander Legal Services.

About our vision for justice

Here, we set out the common systemic barriers we see preventing the people and communities we work with from accessing justice. Against these barriers, we set out our vision for how things could look if governments and communities worked together to remove them.

Our vision is structured around eight priority themes, determined through analysis of national sector service and client data, and consultation with national sector networks and legal and policy experts.

We recognise that people's lives and problems don't often fit neatly within policy themes. In real life, people's problems get more complicated and harder to resolve the more justice barriers they face at once. A woman seeking safety from violence will have a harder time if she lives in a remote community rather than a city. A renter with physical disability access needs will have a harder time seeking justice from an exploitative landlord than a renter without home accessibility needs.

This vision for justice reflects community legal centres' work across all jurisdictions and many areas of law, from child protection and criminal law to employment, social security and immigration. It sits alongside and complements the advocacy of state and territory community legal centre peaks and individual centres.

All case studies have been provided to us by a community legal centre, and all are real accounts of clients' experiences. All have been deidentified, including in some cases combining the stories of several clients to ensure privacy.



All people deserve to have enough income to meet their basic needs, like housing, food, and medical care. All people deserve to be treated fairly and humanely by the legal system and its institutions.

Barriers to justice

Poverty is a policy choice. Low rates of income support and a social security system that is difficult to access push people into poverty.

Rumi was rejected from the Disability Support Pension without proper explanation and now must wait over a year before she can receive a payment

Rumi is a young woman living in a regional area with multiple disabilities and an ongoing mental health condition. In late 2023, Rumi applied for the Disability Support Pension. Her application was rejected, as was the internal review of the decision. Rumi lodged an application to the Administrative Review Tribunal for another review. She then heard nothing for almost a year so contacted a community legal centre.

Rumi told the centre she was extremely confused about the status of her case. She had lots of paperwork, but she couldn't send it to the lawyer because she didn't have a computer and her physical disability meant she couldn't leave her home. Her lawyer asked Rumi to contact the Tribunal to let them know she was seeking legal advice and authorise the Tribunal to provide documentation to the centre. Rumi did so and gave the lawyer the appeal number. When the lawyer requested documents from the Tribunal, staff refused to provide any information unless Rumi physically signed a form appointing a legal representative – which she was unable to do for the same reasons she couldn't send her paperwork directly to the centre. The Tribunal did not offer an alternative access arrangement. Rumi's lawyer spent over a week going back and forth with Tribunal staff. Only after escalating the matter to a Registry manager were Rumi's documents released to the centre.

The documents revealed that Rumi's matter had progressed without her knowledge, and that the reason for the initial rejection was that Rumi hadn't completed a Program of Support (POS) requiring her to undertake activities

and look for work for at least 18 months. If this had been explained to Rumi at the time of the rejection, she would have by now either completed the POS or been exited from it if it couldn't assist her to gain employment – in either case, Rumi would now be receiving a payment. Instead, Rumi must now wait another 18 months before qualifying.

Poverty drives legal need. People in poverty are more likely to face every day civil legal problems related to their housing, employment, social security, credit and debt issues, and personal safety. These everyday problems often have a greater impact on poorer people's lives and wellbeing. An unfair eviction or the refusal of an application for income support can quickly lead to homelessness and worsening physical and mental health issues.

Lucy had no option but to sleep rough after travelling to visit her child, and was assaulted

Lucy's child was removed from her care by the care and protection of children statutory authority. The matter is currently in court to decide whether Lucy will regain the care of her child. Lucy lives in a very remote community. The nearest town to Lucy – where the court hearing Lucy's matter sits and where the community legal centre helping Lucy is located – is a long drive away from her home. There were no foster carers available in that town and so Lucy's child was placed in a town that is even further from Lucy.

Lucy's primary income is social security, and she is not supported financially to attend the monthly court events. Lucy wants to be at every court event, but she can't always afford the bus tickets and motel costs. When Lucy tries to join via telephone, she can't always hear what is happening in the court room. She's worried that an inference will be made that she isn't invested in the proceedings – she wants to take all steps to be reunified with her child.

The statutory authority arranged an in-person visit for Lucy with her child. After Lucy travelled the significant distance to the town where her child was living, she couldn't check in to the hotel that was booked for her because she doesn't have ID documents. Lucy had no other options and was forced to sleep rough. While sleeping rough, she was very seriously assaulted.

Poorer people are more likely to be treated harshly by the criminal legal system. At the same time, they have less access to legal help than people who can afford a private lawyer.

Police and courts often enforce criminal laws more harshly against certain groups of people, including Aboriginal and Torres Strait Islander people, other people of colour, people with disabilities, people without a safe place to live, LGBTQI+ people, and sex workers.

Governments fund punitive responses even when evidence shows prevention and rehabilitation are more effective and cost less money. For example, governments criminalise, fine and imprison people who use drugs instead of supporting communities to be safer through healthcare and harm-reduction. Governments' over-reliance on police as first responders has expanded their role into areas better suited to mental health and social support services. The outcomes can be harmful and, at times, fatal.

Daisy was treated harshly by government systems. With help from a community legal centre and a health-based approach to substance use, she got back on her feet.

Daisy is a young woman living with multiple mental illnesses who had on several occasions been hospitalised in the mental health unit and discharged into a refuge or homelessness. Daisy had a baby, who was immediately taken into provisional protection and care by the Department of Communities, while Daisy was discharged from the hospital into homelessness. She was very distressed about her baby being taken, and very worried for her own safety. She would get intoxicated and cause disturbances to get admitted to hospital so that she would have a safe place to sleep.

Daisy was referred to a community legal centre, which helped her to access food, transport, phone credit and clothing while she

was experiencing homelessness. The centre represented Daisy in proceedings relating to her child and supported her to access a residential rehab program. Daisy stopped using substances and actively participated in the program. The centre advocated to the Department for Daisy to have greater contact with her child while at rehab, and helped Daisy to pay off fines, get a restraining order against her father, and put in a priority housing application.

After Daisy had completed five months in the rehab program, the centre supported her to advocate for her child to be placed in her care. The Department initially didn't agree, but after Daisy and her lawyer filed an application with strong evidence in her favour, the Department agreed the child could be transitioned into Daisy's full-time care. Daisy now has a house and has been reunited with her child.

Many people in prison are poor, traumatised, have an intellectual disability or poor mental health. While in prison, people can't access help to organise housing, ID, employment, social security and community support networks ahead of their release. This sets them up to fail, caught in a cycle of leaving prison without support, minor offending, and being locked up again.

Women, especially Aboriginal and Torres Strait Islander women, are the fastest-growing prison population. Most are victims-survivors of gender-based violence. Leaving prison without somewhere safe to live leaves many facing an impossible choice between going back to a violent home or sleeping rough.

Most kids in prison have experienced trauma, and many have had contact with child protection systems. Children in prison and in out-of-home care are often denied mental health and other supports.

There is no universal screening in prison for cognitive impairment or brain injury. Many people with intellectual disabilities who need healthcare and would benefit from a diversionary approach are put in prison without support.

Hundreds of thousands of people who need legal help are turned away from legal assistance every year because services don't have the resources to help. Without support, a person's once-simple problem can snowball into a complicated web of legal, social and economic problems.

Our vision for justice

No one lives in poverty. Government investment in social security increases so that people receiving income support payments live above the poverty line. The social security system is fair, accessible and transparent. People who receive unfair decisions about social security can access free legal help to appeal.

All people can access a safe, secure home. There are fair renting systems, and there is enough high-quality public housing to meet community need, including in rural, regional, remote and very remote (regional and remote) areas.

The legal system does not criminalise people, or drive poorer outcomes in civil proceedings, based on poverty, race, gender, sexuality, age, disability or other systemic biases.

Children are not imprisoned. Governments support families and communities to keep their children safe at home.

Governments use data and evidence to guide responses to justice problems. They divert resources from prisons and punitive systems towards prevention and healing. Communities design approaches that address the root causes of offending, so the number of people imprisoned decreases over time. There are no private, for-profit prisons.

People leaving prison are set up to stay safe. While in prison, people have full access to healthcare, including mental healthcare, and to other services supporting access to housing and employment. People can access ongoing casework support through the transition from prison to life in the community.

Women in prison can access specialist, trauma-informed, culturally safe gender-based violence services. The criminal legal system avoids separating women from their children. People who are pregnant or primary caregivers for children are only imprisoned as a last resort. Mothers in prison are supported to maintain contact with their children.

Anyone in prison with a suspected brain injury is screened, and this informs legal and health systems' responses to their behaviours and needs. All people with an intellectual disability in contact with the criminal legal system can access a free, specialist disability advocate.

Everyone who has a legal problem can access free, high-quality, timely legal support to resolve it.



First Nations justice

September 2025

Vision for Justice

Sovereignty has never been ceded. We acknowledge the hundreds of First Nations Countries and cultures that have lived on this land for millennia.

Barriers to justice

Australia was established based on the false claim of terra nullius, which was used to justify colonisation and genocide.

The ongoing impacts of dispossession, the Stolen Generations, and systemic racism mean Aboriginal and Torres Strait Islander people experience much higher rates of poverty, gender-based violence, housing insecurity, physical and mental ill-health, and child removals than non-Indigenous people.

It took ten years of advocacy for Samantha to be able to access social security payments.

Samantha is a transgender First Nations woman in her 40s who was removed from her family as a baby and grew up in out-of-home care. Samantha's birth wasn't registered, including during the many years she was in state care. Samantha's adulthood gender transition without access to related documentation made her circumstances more complex. Samantha didn't have official identity documents well into her adulthood which caused significant problems including being unable to access social security payments.

Samantha reached out to a community organisation for help. The barriers to accessing social security were so great that even with support from an advocate it took over ten years of sustained advocacy to various government institutions before Samantha was finally able to meet Services Australia's identity requirements and access a payment. The first payment she received was a Carer Payment as she is now caring full-time for her mother.

The Stolen Generations have never ended: the systematic removal of Aboriginal and Torres Strait Islander children from family, kin, Country and culture continue. This is a root cause of governments' persistent poor performance on Closing the Gap targets.

Wanda's child was removed with little warning or chance to put supports in place

Wanda is a young Aboriginal mother with an intellectual disability. She was told about a safety assessment the same day it took place, and two days later her child was taken into care. She was being assisted by a community legal centre, but the late notice of the assessment meant there was nothing the centre could do to help Wanda prior to removal.

The centre worked with Wanda to meet the goals set by the Department for restoration, but on several occasions, she met the goals only to be told there were further things she needed to do. Wanda and the centre helping her were frustrated by the shifting goalposts which delayed restoration.

Aboriginal and Torres Strait Islander people face systemic racism and discrimination accessing mainstream health and mental healthcare services. The high cost of specialist healthcare and long waitlists for public services create extra barriers to accessing services. This contributes to poorer health outcomes and higher mortality rates for First Nations people. Culturally appropriate support to access healthcare, including mental healthcare, is lacking for First Nations people of all ages.

Amy got sick after becoming homeless because she didn't have money to travel home

Amy is a First Nations woman who became homeless after not having enough money to return to her home in another town. She had been sleeping under the stairs of a local community organisation's building for three weeks when a worker first encountered her. Amy told the community organisation she had no money. She'd tried to speak to Centrelink staff, but they had sent her away because she had no ID.

Amy was clearly unwell, so the community worker organised medical care. Amy was immediately hospitalised with a serious infection from sleeping outdoors in the rain and cold weather. When she was released from hospital, she still had nowhere to go so she went back to sleeping under the stairs.

The community worker put Amy in touch with a local Aboriginal community-controlled organisation, which worked with Amy to try to overcome many hurdles, including Amy not being able to get a copy of her birth certificate because she had no fixed address.

Aboriginal and Torres Strait Islander peoples experience harsher policing and far higher rates of imprisonment and deaths in custody than non-Indigenous people. Governments spend huge sums of money policing and jailing Aboriginal and Torres Strait Islander peoples, while underfunding evidence-based community-led solutions to justice problems.

Rachael has a criminal record from her childhood and now isn't allowed to become a kinship carer

Rachael is a member of the Stolen Generations. When she was a child, she ran away to look for her family. Many years later, in adulthood, she found that she had a criminal file as a result. This is now a barrier to getting a Working With Children Check.

Aboriginal and Torres Strait Islander people have provided governments with hundreds of recommendations over many decades to narrow the gap. Governments have too often disregarded or partially implemented them.

Our vision for justice

Aboriginal and Torres Strait Islander peoples have equitable access to employment, economic security, healthcare, education and housing. Governments prioritise the investments and systemic reforms needed to achieve equity consistent with the priorities and principles set out in the National Agreement on Closing the Gap.

Governments restate their commitment to the Uluru Statement from the Heart and prioritise meaningful truth-telling and treaty processes. Governments respect Aboriginal and Torres Strait Islander people's rights to land, water, language, culture and self-determination.

Governments do not remove Aboriginal and Torres Strait Islander children from family, community, culture and Country. Where children need extra support to thrive, families have access to a wide range of kinship care options. No children are in jail, and governments adequately fund early intervention, youth services, and community-led diversion programs.

Aboriginal and Torres Strait Islander people design and implement self-determined approaches to close the gap. Governments properly invest in Aboriginal community-controlled organisations and follow evidence on what works to redirect funding from punitive systems to community-based supports.



Domestic, family, and sexual violence prevention, response and healing

September 2025

Vision for Justice

All people deserve to live free from the threat or experience of domestic, family, and sexual violence, and other forms of abuse.

Barriers to justice

Domestic, family, and sexual violence is largely gender-based and overwhelmingly used by men against women. It is also disproportionately perpetrated against gender-diverse people. Gender-based violence happens in places other than family and domestic settings, including workplaces, public spaces, and education and care institutions. Workplace sexual harassment is a widespread form of sexual violence.

Economic insecurity can trap people in cycles of violence. Unfair and expensive renting systems, long public housing wait lists, low rates of social security, unaffordable childcare, and the gendered pay gap all contribute to trapping women and children in violent homes.

Lily's ex-partner broke into her home to assault her and steal her money

Lily has experienced extensive family and domestic violence, including economic abuse. With help from a community legal centre, she was able to access an Escaping Violence Payment (EVP) of \$5,000, which she received in vouchers and a cash card uploaded to her apple wallet. Like all EVP payments, the options are received via email and can only be used with a tech device. Lily was separated from her ex-partner and living in her own accommodation. He found Lily, broke into her home, seriously assaulted her and stole her phone before fleeing. Using Lily's phone, he transferred all EVP value to himself. This financially devastated Lily as this was the only money she had to pay for necessities.

Some groups of women experience higher rates of gender-based violence than others, including Aboriginal and Torres Strait Islander women, women from migrant and refugee backgrounds, women with disabilities, transgender women, and women living in regional and remote areas. These women often also face more barriers to seeking safety, justice and healing following violence.

Mai was financially abused and then thrown out of the house

Mai came to Australia about 10 years ago on a spousal visa and was told she had to immediately start working at her then-husband John's business. She worked 10-12 hours per week for free. About five years ago, Mai got Australian citizenship and asked if she could get another job and earn money – John refused but agreed to begin paying her \$90 per week. When Mai wanted a phone, he docked money from her \$90 weekly allowance to pay for it. About four years ago, Mai secretly opened a bank account. When John found out, he was very angry.

Mai sought help from a community legal centre for family law parenting matters when John threw her out of the home and refused to let her see her 6-year-old son. All finances and assets are in John's name, and he has never shared information on finances with her. She does not know if she has any superannuation.

Aboriginal and Torres Strait Islander women who experience gender-based violence are often misidentified by police as perpetrators, especially where the person abusing them is a white man. This can lead to criminal charges, a higher risk of imprisonment, and further violence and trauma.

Legal systems often view children impacted by domestic and family violence as secondary victims. When systems focus only on mothers, children's experiences and needs as victims-survivors can be sidelined.

Jamie struggled to find support after being abused by their father

Jamie is a 15-year-old who reached out to a community legal centre for help with various legal issues after recently leaving home. They had been living with their father with no contact with their mother and disclosed that they had been abused by their father, who controlled their bank account and wages and monitored their movements and devices.

Domestic, family, and sexual violence prevention, response and healing

More recently there had been serious threats of physical harm and being kicked out. Jamie had tried to seek help from their school and a national helpline but had been told that “conflict with parents is normal at this age”.

Before Jamie had left the home, Jamie’s father had shoved Jamie into a wall, and they shoved him back. Jamie’s father called the police, who came and asked the father what happened. He lied and said that Jamie had initiated the incident. The police didn’t speak to Jamie alone and didn’t offer any support services to them.

The police made an AVO application against Jamie. They have not returned home and are having trouble accessing services that require parental involvement. Child protection authorities won’t help Jamie due to their age and the assessment that Jamie voluntarily left home.

Older people experience high rates of abuse and neglect from caregivers and family members. Response frameworks often do not account for the needs and preferences of victims-survivors of elder abuse, particularly if the person does not want to cut ties or pursue a punitive response. There are few alternative approaches available for these victims-survivors to seek safety and healing.

Dorothy helped her son buy a house in exchange for care but was financially abused

Dorothy provided a large sum of money to her son Jacob and his wife to buy a home for the three of them to live in. Dorothy’s name was not included on the certificate of title. In return, Jacob agreed to provide care to Dorothy as she ages, with things like doing her shopping, taking her to medical appointments, and helping her with other daily activities. Less than a year after the arrangement started, Jacob stopped providing any care and started asking Dorothy to pay for things like bills and food for the household. When Dorothy was reluctant to pay because she was on a fixed (low) income, Jacob told her that if she didn’t contribute, she’d have to move out and that she couldn’t have the money back that she’d contributed to the house because it was a gift. The only recourse available for Dorothy was to file an application in the Supreme Court seeking to recover her contribution to the house – a process that often takes several years and is complex.

Too few people who use violence are held accountable for their actions – through the criminal and civil legal systems, and across society more broadly.

People who use violence can too easily weaponise legal systems to continue their abuse. Non-payment of child support, dragging out family law proceedings or seeking outcomes that leave women and children facing poverty, homelessness, or ongoing physical, emotional, and financial violence are common forms of systems abuse.

Angela and her children are experiencing systems abuse through non-payment of child support and false reports to the child protection system

Angela and Bethany separated when their three children were very young, and now the children primarily live with Angela. For years, they had an informal child support arrangement, under which Angela was receiving less than she would have under a formal assessment. Angela was too scared to pursue a higher amount because of her experience of emotional and financial abuse which continues post-separation.

Several years ago, Bethany stopped paying the agreed amount, so Angela sought a child support assessment. Bethany refused to pay the assessed amount and is thousands of dollars in arrears. Angela and her children haven’t received any child support payment for two years, leaving them struggling to make ends meet. Bethany has demanded that Angela pay for extra medical and schooling costs for the children, but Angela can’t afford to because of the unpaid child support.

Bethany has threatened to commence legal proceedings in family court to seek greater custody of the children if Angela pursues child support, even though this isn’t what the children want. Bethany uses the child protection system to make false reports when she disagrees with Angela’s decisions about the children’s care and threatens to make further reports if Angela doesn’t comply with her demands.

Domestic, family, and sexual violence prevention, response and healing

September 2025

Vision for Justice

Many victims-survivors of domestic, family and sexual violence don't feel safe reporting violence to the police or engaging with the criminal legal system. However, there are few funded alternative, trauma-informed approaches to respond to violence.

For people who have used violence and want to change their behaviours, there are very few options for support. Those that do exist are expensive. Communities are generally not skilled or supported to hold accountable or help rehabilitate people who behave in harmful ways. Without a genuine focus on changing the behaviours of those who use violence, people will continue to be victimised.

Redress and compensation for victims-survivors of gender-based violence and other forms of physical and sexual abuse are often inadequate and not trauma informed. Frontline services that help people escape and recover are chronically under-funded. This includes legal assistance providers as well as other frontline services like shelters.

Our vision for justice

Governments prioritise evidence-based, systems-wide approaches to violence prevention. Communities are supported to promote safe and healthy relationships, and to recognise and address behaviours that are violent or enable violence.

People who experience gender-based violence or child abuse can access the legal, social and economic supports they need to be safe, pursue accountability and recover. This includes legal and casework support, safe housing, immediate and adequate financial support, physical and mental healthcare, and redress and compensation.

Older people and people with disabilities are safe and treated with dignity in their homes and institutional care settings. Those who experience violence or abuse from family members or caregivers can seek accountability and healing in the ways that are meaningful for them.

Governments and legal systems recognise children impacted by domestic and family violence as primary victims-survivors. Their voices and experiences are listened to and respected.

The legal system and its institutions are comprehensively reformed to reduce their retraumatising impact on victims-survivors of gender-based violence and other forms of physical and sexual abuse. Victim-survivors are protected from ongoing systems abuse and treated with respect and dignity at all stages of civil and criminal law proceedings.

Victim-survivors do not have to speak to the police or engage with the criminal legal system before they can access services, safety, or alternative forms of accountability and justice. Victim-survivors who want to can access restorative and transformative forms of justice.

People who show early signs of violence, or who have used violence, receive targeted evidence-based services to take responsibility for the harms they have caused and to change their behaviours.

All community legal centres that work in domestic, family and sexual violence prevention and response are adequately funded to ensure victim-survivors can access timely, free, culturally safe, and trauma-informed legal help.



All people deserve dignity and safety, no matter their country of origin or visa status.

Barriers to justice

Australia's immigration system denies people their rights to due process, safety, and dignity.

Long periods in immigration detention cause and worsen physical and mental illness. Access to health and social services in detention centres is limited, even in life-threatening situations. For people in offshore processing centres, outcomes and access to services are far worse.

Darshan is being held indefinitely in detention away from his wife and baby

Darshan arrived in Australia by boat over a decade ago. He is currently in immigration detention because of minor criminal charges that led to the cancellation of his bridging visa. Darshan has a mild cognitive disorder, substance dependency and has been impacted by a history of trauma. He has been engaging with mental health treatment and has completed rehabilitation programs to address the root causes of his criminal offending. His behaviour in detention has been good.

Despite this, Darshan's application for a bridging visa was refused based on an assumption he may engage in criminal conduct. Darshan challenged the refusal, and the Tribunal found that Darshan's total offending happened in a short period of time and was driven by substance use as a coping mechanism for stress and grief. The Tribunal also accepted evidence of Darshan's reformed character. Despite the Tribunal remitting the matter, the Department of Home Affairs has continued to delay his application.

Prolonged detention has had a significant impact on Darshan. His mental health is poor as he is separated from his partner and child. He struggles with immense shame and guilt, and his partner is struggling to provide for and raise their child on her own. Indefinite detention has caused significant anxiety about his visa status, and separation from his family.

Darshan is further harmed by the detention staff's insistence on handcuffing him when escorting him to, and during, medical appointments. He describes the use of handcuffs as triggering the trauma of his previous experiences of detention and torture in his country of origin. He is now refusing any medical treatment for fear of being handcuffed, despite needing treatment for persisting pain.

Despite Darshan's low-level offending, consistent good conduct in detention, demonstrated rehabilitation, and strong community support, Darshan remains indefinitely detained.

Laws create arbitrary rules about what visa a person can apply for – and when, if, or where they can apply for protection. Laws that allow Australia to grant temporary visas to people recognised as refugees deny them their right to permanent safety. This leaves people facing the constant risk of being returned to unsafe countries and separated from family members who include Australian residents or citizens.

Expensive fees, administrative backlogs and policies that are not sensitive to the challenges faced by refugees mean that people can be separated from their family for long periods or indefinitely. Some refugees are excluded from sponsoring family members for free because they arrived in Australia by boat. Family separation can have harmful effects on people's mental health and settlement outcomes.

Domestic laws also allow Australia to send anyone who is not a citizen to a third country without safeguards against detention or deportation. This includes people we have recognised as refugees and violates international human rights law.

Many people seeking asylum living in the community are not allowed to work, or to access social security payments, Medicare, and other social services and supports. This forces people into poverty and homelessness and worsens health and mental health outcomes.

The Australian Government has responded very differently to different global crises. Some people escaping conflict have been able to urgently access visas in Australia, as well as the right to work and study, and access to healthcare and social welfare. Others have been left with little or no support.

People in prison who are seeking asylum or have another immigration legal problem are often denied due process. Limited access to the internet and phone services means people can't speak to their lawyers or lodge applications online. Migration legal services generally don't have access to prisons, or the resourcing to assist people in prisons.

Mohammad is facing extra barriers due to his visa status as he prepares for release from prison

Mohammad, a low-risk offender in prison, has found it hard to acquire a C3 Certification allowing him to work outside of the prison due to his visa status. This has had adverse impacts on his mental health, agency, and ability to gain skills and experience as he prepares for release.

The migration system causes harm to people on temporary visas experiencing gender-based violence. Complex systems and lack of access to legal advice leave many women fearful they will be deported and separated from their Australian citizen children if they leave a violent relationship. Many do not feel safe speaking to the police, and many who do report unsatisfactory outcomes. The Department of Home Affairs has no policy in place to support women whose visas are cancelled because they report their partner's violence.

Tahmina and her children lost their protection visas because they were abused

Tahmina and her family faced years of uncertainty before securing temporary Safe Haven Enterprise Visas in 2015. Tahmina's then-husband inflicted severe family violence on Tahmina and her children, and his visa was consequently cancelled. Tahmina's and her children's visas were then also cancelled as a result, and access to legal support and Centrelink were stripped away. Tahmina was a single mother with no right to work. Tahmina reached out to a community legal centre, which worked with her for two and a half years to secure permanency for Tahmina and her children, and to connect her with support services to heal.

Migrant workers on temporary visas experience higher rates of workplace exploitation by employers but are denied access to redress schemes. Migrant sex-workers face border profiling, police harassment and unjust detention and deportation – especially transgender women.

Mila's boss stole \$100,000 from her in unpaid wages

Mila was employed at a bed and breakfast for over 55 hours per week and only compensated with a bed to sleep in and meals. Her employer had told her that this was normal for new workers to Australia. When Mila questioned her lack of payment, she was dismissed from employment and accommodation, and she is now homeless. The community legal centre assisting Mila estimate her underpayment to be well over \$100,000.

Community legal centres are often the first places migrants experiencing exploitation and violence go to seek help. People want to find out whether they can leave their abusive partner or employer and still lawfully remain in Australia. However, specialist refugee and immigration legal services are chronically under-funded, which leaves too many people without the help they need.

Our vision for justice

Australia respects the human rights of people who cross national borders and meets its international human rights obligations with respect to the treatment of refugees and asylum seekers.

Offshore detention and processing are abolished. Australia cannot and does not remove asylum seekers to third countries for processing or resettlement.

People who are held in immigration detention centres are treated with dignity and their rights to medical care and due process are respected. No children are held in immigration detention facilities.

All refugees and people seeking asylum, regardless of how they arrive, can access due process and clear pathways to permanent residence. People can reunite with their families in a timely and accessible way.

People awaiting immigration decisions live in the community and receive timely outcomes. All people regardless of citizenship or visa status can access the basics for a safe and dignified life, including employment, income support, Medicare, and health and social support services.

The Australian Government has a strategic and equitable response to humanitarian crises. This allows for the evacuation, resettlement, and reunification of people and families at risk of harm.

People on temporary visas who experience domestic, family and sexual violence and wish to leave the violent relationship and remain in Australia are supported to do so without fear of detention, deportation or separation from other family members.

Migrant workers are safe and fairly paid at work. If mistreated, they can change their employer without risk of visa cancellation, and access support, legal redress, and compensation.

People who have an immigration legal problem can access free, high-quality, and timely specialised legal help in the community, in immigration detention centres, and in prisons. Governments recognise the expertise of specialist immigration legal assistance services and provide adequate funding, including for social workers, financial counsellors and other integrated practice professionals.



Freedom from discrimination

September 2025

Vision for Justice

All people deserve equal opportunities to participate in the community and live freely and safely. Tolerance need not extend to actions or words that harm people and groups that experience discrimination and stigma.

Barriers to justice

For some groups of people, systemic discrimination makes accessing basic needs and rights harder.

Gender-based discrimination drives a gendered gap in wages, superannuation, and unpaid caring work. This leads to poorer financial security for women at all stages of life. Workplace sexual harassment is far too common, and victim-survivors often can't seek justice. Non-disclosure agreements and defamation claims are often misused to silence and punish victims.

People with disability experience discrimination and mistreatment in education, healthcare settings, employment, social services, and the criminal legal system. Guardianship and other laws are used to deny people with intellectual disability their right to make decisions about their lives. They are also more likely to experience poverty and imprisonment. People with stigmatised health conditions like HIV and mental illness also face discrimination and social exclusion.

Jess felt like she was slipping through the cracks after experiencing violence

Jess is a young woman with several disabilities. She recently left a domestically abusive relationship which left her with a fractured neck. When she presented to the emergency department, healthcare workers were dismissive due to her disability. Jess had no formal or informal supports and felt like she was slipping through the cracks. She reached out to a community legal centre, which provided her with a facilitated referral to an advocacy organisation. The advocacy organisation was able to immediately accept the referral and help Jess access adequate medical care and other supports like the NDIS.

LGBTIQ+ people are discriminated against in the workplace and mistreated in education settings. Protections from discrimination across many areas of public life are limited. Transgender people face legal and financial barriers to gender-affirming healthcare. Housing and employment discrimination drive high rates of homelessness and poverty in the trans community, especially for trans women.

Amelia was humiliated and mistreated by police

Amelia is a trans woman who allegedly committed a minor summary offence in a public building. Amelia left and was walking home when she noticed a security officer from the building following her. She asked him why he was following her and whether she was in trouble. He said she wasn't, but moments later grabbed her arm and took her back to the building, where at least five police officers were waiting. Amelia asked what was happening and why she was being detained. She was told she was not under arrest, but she was not free to leave.

After a twenty minute delay, police handcuffed Amelia behind her back and the group of police marched her along the footpath for more than 100m on a busy street to the local police station. They held her in a cell for several hours, denying her multiple requests to make a phone call, before finally charging her.

Police charged Amelia under her deadname (the name given to her at birth and associated with her gender assigned at birth), despite Amelia having legally changed her name with Births Deaths and Marriages years before and showing police her driver's licence with her correct legal name. Police exclusively referred to her by her deadname and used it on all documentation. As the matter progressed, police continued to refuse all requests for it to be corrected, citing "system" and administrative issues.

Older people experience discrimination, particularly in employment and housing. This combines with gender-based discrimination to drive high rates of poverty and homelessness among older women.

Our vision for justice

Australia has comprehensive, consolidated, and modern national anti-discrimination laws that protect key attributes missing from current laws, like experience of domestic and family violence, irrelevant criminal record, visa status, and sex work. New laws provide clear pathways for people who experience discrimination to seek justice.

All workers receive fair pay and conditions, and all workplaces are free from discrimination and sexual harassment. People who have experienced sexual harassment, assault or discrimination can report without fear of being sued for defamation.

People with intellectual disabilities are supported to make decisions about their lives, healthcare and bodies. All people with a disability are treated equally and paid fairly in the workplace. People with disabilities and stigmatised health conditions can access remedies when their rights to privacy and non-discrimination are violated.

Religious institutions, including schools, universities, hospitals, healthcare, housing and disability providers and other community services, cannot discriminate against people based on their sexuality, gender identity, family or relationship status, disability or health condition, or membership of minority faith groups.

People who have experienced discrimination can access free, specialised, timely legal support.



Human rights and civil liberties

September 2025

Vision for Justice

All people, regardless of identity or origin, deserve to live a free and dignified life. Our communities deserve governments that prioritise, protect, and enforce human rights.

Barriers to justice

Australia doesn't have a national Human Rights Act. State and territory governments can too easily override human rights legislation that does exist.

Without strong and enforceable protections, governments can and do politicise human rights issues for electoral gain. Courts and legislatures strengthen human rights protections only for governments to weaken or override them to enable specific infringements. This cycle repeats, eroding human rights of targeted groups, and people's trust in governments.

Protest movements have played an important role in winning many of the rights and freedoms we enjoy today. However, governments in many jurisdictions have passed laws that threaten protestors with heavy fines and imprisonment.

Over 60 people were arrested for protesting to protect sacred cultural sites

First Nations people and the community engaged in sustained protest to protect Djab Wurrung Country from government plans to build a highway extension disrupting sacred cultural sites. More than 60 people were arrested, including several Aboriginal land protectors. Police blocked access to the area, preventing lawyers and legal observers from entering, and there were reports a protestor's arm had been broken.

When the right to protest is eroded, people's ability to win and defend other rights is undermined. Criminalising peaceful protest harms democracy, our environment, and the people and communities who experience the most violations of their human rights.

Peter was arrested for stopping to try and help an elderly man in distress

Peter was passing by a climate change rally when he saw an elderly man in distress, being dragged by his wrists by riot police. His wrists were at a dangerous angle and the man was not resisting but was clearly in distress and a lot of pain. Peter had been asked to leave the road area but was extremely concerned for the safety of the older man, who appeared to be having a heart attack and was being handled very

roughly by police, so he approached the man with his hands held up and open to ask if he was okay. Peter was arrested alongside dozens of people who had been attending the protest.

Whistleblowing plays an important role in our democracy, but people who are brave enough to speak up about human rights abuses and government and corporate corruption and wrongdoing often face very harsh reprisal for doing so.

People who can't afford legal help or face other barriers accessing the legal system often don't receive due process. When people don't have representation in legal proceedings, this undermines their right to a fair hearing. Chronic under-funding of legal assistance means most services can't provide the level of representation people in our communities need.

Our vision for justice

People's human rights are protected through a legislated federal Human Rights Act. The Federal Government enacts domestic legislation to give full effect to Australia's obligations under international human rights treaties and optional protocols.

There are mechanisms in place to ensure human rights laws are enforced, and that people can access clear remedies where breaches occur.

Australia grows a culture of compliance with human rights. All governments and government bodies consider human rights when making decisions that affect people's lives.

All people in all communities across the continent have a strong understanding of human rights: what our rights are, and what we can do if our rights are breached.

All people can express their political views via peaceful protest without fear of police involvement or criminal sanction. Whistleblowers are protected and not punished for calling out corruption and human rights abuses.

Everyone receives a fair hearing and a voice in decisions that affect their lives. From the tribunal room to the courtroom, every person has access to the time, support and representation they need to participate fully and be heard – regardless of literacy, language, disability or economic means.



People deserve equitable access to justice and due process wherever they live.

Barriers to justice

Government approaches to justice problems often fail to deliver for regional and remote communities. People living in these communities are the best source of solutions to local problems, but governments too often overlook their ideas. Forcing inappropriate solutions on regional and remote Aboriginal and Torres Strait Islander communities gets in the way of progress on Closing the Gap.

Digital solutions are rarely an appropriate replacement for in-person service delivery in regional and remote communities. Internet coverage can be unreliable. Rates of literacy, digital literacy, and income are lower. Rates of disability and domestic, family, and sexual violence are higher. These factors and more limit the usefulness of virtual solutions.

To seek legal help, Anna has to discuss traumatic legal problems on a local school landline

Anna lives in a small remote community that is a several hours' drive from the nearest community legal centre. There is inconsistent mobile reception in the area where she lives, particularly during different weather patterns. When people in that community want to speak to people outside of the community when the mobile system is not working, they need to arrange to use the landline telephone at the school or drive many hours to the nearest town. Anna has a sensitive legal problem which is personal and traumatic. A recent weather event means that she cannot use her mobile telephone. Anna feels worried about asking to use the landline telephone at the school because she isn't sure if her conversation will be confidential. She doesn't know how to tell the school about why she needs to speak to a lawyer urgently.

Regional and remote communities have access to fewer services (both number and type). This leaves services that operate in these communities trying to meet a broad range of needs for people who don't have access to other supports.

Regional and remote communities function differently from those in urban areas. Communities are tight-knit, and people often prefer face-to-face connection. It takes time and effort to build trust.

Services regularly make long round trips to build relationships with local people and services and provide in person support.

Many Tribunals and Courts don't sit in regional and remote communities, and transport options are limited and expensive. People who travel to regional centres to attend hearings in person often experience huge financial strain. Those who simply can't afford to are often denied access to justice altogether.

Mary spent time and money travelling to give evidence only to be told her matter wouldn't be going ahead

Mary was in an abusive relationship and her partner was arrested and charged with aggravated assault after a serious incident. Mary was summoned to give evidence against her ex-partner to the Court via audio-video link (AVL) from the closest police station. Mary lives in a very remote community with no police station and no AVL system that connects to the local court. The closest police station is in another remote community several hours away from her. Mary took time off work, bought a bus ticket and travelled to the police station. The matter didn't go ahead because the Court list was too long and there wasn't time to get to Mary's matter. When she was told this, she was far from her home and from family support. This experience prolonged Mary's trauma, leaving her unsafe and out of pocket.

Funding contracts don't reflect the complexities or increased costs of delivering effective services to regional and remote communities. People in these areas lose out because funding models don't accurately account for the true costs of service delivery.

Limited housing, childcare, and other services in regional and remote areas combine with chronic underfunding to drive a workforce crisis for community legal centres and other services in regional and remote areas. Staff shortages leave communities without the help they need, workers at risk of burnout and vicarious trauma, and services at risk of closure.

Our vision for justice

Governments invest in health, education, human services, and justice infrastructure in regional and remote communities.

People in regional and remote communities can access timely legal assistance and wraparound services that are responsive to community need. This includes in-person access.

Funding for community legal centres and other services in regional and remote communities is reliable, ongoing, and reflects the true costs of delivering services. This includes resourcing to support worker wellbeing and development.

Governments seek out, listen to, and implement the ideas of people living in regional and remote communities to address challenges in those communities. Governments provide flexible funding to support services to test and grow local solutions.

September 2025

Vision for Justice



Future generations deserve bold leadership from current governments to ensure they can live, safely and healthily, on this planet. Everyone deserves protection from the devastation of climate disasters.

Barriers to justice

Climate change is already driving more frequent and worsening climate disasters like fires, droughts, heatwaves, cyclones and floods. As governments continue to expand the fossil fuel industry and sideline climate mitigation measures, its impacts are set to worsen.

Climate change disproportionately impacts people experiencing poverty and other forms of disadvantage. This includes Aboriginal and Torres Strait Islander people, for whom climate change can impact cultural and spiritual connections to land and waterways, as well as physical wellbeing.

Disasters create and worsen legal problems related to people's housing and tenancies, social security, debts, insurance, experience of domestic, family and sexual violence, and child protection. These problems can impact people's lives, and entire communities, over many years.

Most government approaches to limiting climate impacts (mitigation) and keeping people in safe homes as the climate changes (adaptation) are market-based. That is, they rely on people and households spending money on things – like solar panels, energy-efficient air-conditioning systems, insurance cover, or relocation. These approaches leave out renters whose landlords don't want to pay for upgrades, and low-income homeowners who can't afford to pay, even for solutions that are subsidised.

Climate disasters and unfair recovery approaches have left Rose and Andy in an unsafe home and financially insecure

Rose and Andy are a retired couple in their 80s who have lived in the same 1950s house in Townsville for most of their lives. When Tropical Cyclone Yasi hit in 2011, their home suffered significant structural damage. Their insurer refused their claim because of an alleged lack of roof maintenance. They weren't eligible for resilience grants even though they had limited financial means, so they ended up having to spend personal savings to hire an unlicensed contractor to make basic repairs.

Their home was damaged again in the 2019 Townsville Floods, both by floodwaters and roof leaks. Contents, vehicle and living areas were severely damaged, and mould rendered the home uninhabitable. By this point, they'd become uninsured because their premiums had become unaffordable. They were again unable to access a resilience grant, because of narrow eligibility requirements – they only needed a partial roof replacement. Rose and Andy's adult children paid for home repairs, despite themselves being in financial hardship.

Now, Rose and Andy's home remains structurally compromised, and there is a risk of future damage. Rose and Andy live with a deep sense of insecurity, both physically and financially, and the lack of timely, accessible resilience support has deepened intergenerational financial stress.

'People affected by natural disasters' are a priority group for legal assistance under the National Access to Justice Partnership. However, governments haven't delivered additional long-term funding to community legal centres to upskill workers, recruit specialists, set up permanent disaster legal assistance practices, or provide community legal education. Failing to invest in prevention of legal problems means that when future disasters happen, more people will have legal problems and those problems will be more serious. It will be slower and more difficult for communities to recover.

National Disaster Recovery Funding arrangements do not support fast, flexible and efficient delivery of disaster legal assistance services to communities following a disaster. Too often, it takes governments months or even years to get disaster recovery funding to legal assistance services in impacted communities.

Our vision for justice

Governments act on the root causes of climate change and show leadership to keep future generations safe. Governments do not subsidise the fossil fuel industry or approve any new coal or gas projects. As we transition away from fossil fuels, governments plan for and ensure fair outcomes for workers and communities that rely on mining and fracking for employment.

Governments consider climate mitigation and adaptation in all planning and decision-making. Approaches to climate adaptation are equitable, inclusive, and ensure people on the lowest incomes or facing other systemic barriers are not left behind. Governments take mitigation and adaptation approaches that most benefit the people who experience disadvantage and marginalisation. This includes things like investing in public transport, retrofitting social housing, and mandating minimum energy efficiency standards for rental homes.

Governments respect Aboriginal and Torres Strait Islander people's expertise in land and resources management. Aboriginal and Torres Strait Islander peoples make decisions about how to build climate resilience on Country, and manage fire, flood, and drought risks, and governments fund these solutions.

Governments invest in local, community-led approaches to prepare for disasters. This includes physical adaptations, community education initiatives, and building up support services and other social infrastructure. Local services like community legal centres have ongoing funding that enables them to build and maintain the expertise and relationships they need to best support their communities through disasters and contribute to prevention.

People impacted by climate and other disasters can access the support services they need, immediately and over the long term, to mitigate the legal, social, health and economic impacts.





Community Legal Centres
Australia