

Human Rights Law Resource Centre: Evaluation Report

Evaluation Team:

Professor Alun C Jackson
Ms Amanda E McKenzie
Ms Julia L McKenzie
Ms Emma K Jackson

of Jackson Consulting

and

Associate Professor Simon Evans
Associate Professor Carolyn Evans

of the Melbourne Law School

for the University of Melbourne School of Enterprise

January 2008

Suggested citation: Jackson, AC & McKenzie, AE (2008) *Human Rights Law Resource Centre: Evaluation Report*, Melbourne: School of Enterprise, The University of Melbourne, 79pp

Table of Contents

EXECUTIVE SUMMARY	3
1. INTRODUCTION	7
1.1 Evaluation purpose	8
1.2 Evaluation activity undertaken	8
2. ORGANISATIONAL DESIGN	10
2.1 Overview of the Human Rights Law Resource Centre	10
2.2 Organisational purpose	10
2.3 Process of establishment of the Human Rights Law Resource Centre	13
2.4 Organisational context	13
2.4.1 The need for the Human Rights Law Resource Centre	14
2.4.2 Concerns of existing organisations	15
2.4.3 Support from existing organisations for the establishment of the Centre.	16
2.5 Policy context	17
3. IMPLEMENTATION	18
3.1 Organisational structure	18
3.2 Organisational governance	18
3.3 Engagement with stakeholders	21
3.4 Funding	23
4. ACTIVITIES OF THE CENTRE	25
4.1 Casework and litigation	25
4.2 Law Reform, advocacy and policy work	28
4.3 Human Rights education, training and capacity building	29
4.4 Projects	31
4.5 Publication and information dissemination	31
4.5.1 Bulletin	31
4.5.2 Website	31
4.5.3 Yearbook	32
4.6 Performance against plan	32
5. CONCLUSION	35
5.1 Overall comments on the operation and worth of the Centre	35
5.2 Future directions	37
5.3 Criteria for judging effectiveness	39
ATTACHMENTS	
Attachment 1: Email Survey	44
Attachment 2: Organisations which have a Similar Purpose to HRLRC in Other Jurisdictions	46
Attachment 3: Distribution of Board Effort 2006 and 2007	49
Attachment 4: Interview Schedule for Advisory Committee Members	54
Attachment 5: Achievement of Key Stakeholder Strategy	57
Attachment 6: Human Rights Law Resource Centre Submissions	64
Attachment 7: Performance against Plan	71

EXECUTIVE SUMMARY

Evaluation purpose

The University of Melbourne School of Enterprise was commissioned in June 2007 to undertake an evaluation of the Human Rights Law Resource Centre. The evaluation was primarily proposed as an implementation evaluation, incorporating an analysis of organisational and program design, and a review of the effectiveness of implementation of this design, including the design of organisational processes including governance, and a review to some extent, of Centre activities. The evaluation team comprised Professor Alun C Jackson (Project team leader), Ms Amanda McKenzie (Senior researcher), Ms Julia McKenzie (Research assistant), and Ms Emma Jackson (Research assistant) of Jackson Consulting; and Associate Professor Simon Evans (Consultant) and Associate Professor Carolyn Evans (Consultant) of the Melbourne Law School.

Evaluation activity undertaken included meetings with the Director and Deputy; interviews with the Board of Management and Advisory Committee; extensive analysis of organisational records; analysis of Board and Advisory Committee minutes to determine whether Board and Committee activity reflected the priorities as outlined in establishment documentation and strategic planning documentation; interviews with community organisation members expressing concerns regarding the establishment of the Centre during the planning phase; convening of an Expert Panel to explore effectiveness and impact guidelines for the Centre; evaluation of the Centre's stakeholder engagement strategy; evaluation of the extent to which the Centre has performed against its strategic plan and an e-mail survey of those people on the Centre's email distribution list.

Establishment of the Centre

The Centre has determined four thematic priority areas for its work, namely the effective implementation and operation of the Victorian *Charter of Human Rights and Responsibilities*; the rights of people in detention, including asylum-seekers, prisoners and involuntary patients; economic, social and cultural rights, particularly the rights to health and adequate housing; and equality rights, particularly the right to non-discrimination.

Within these thematic priorities, the Centre has particular regard to the rights of a range of communities and groups, namely, people with a disability; people experiencing mental illness; people experiencing homelessness; Indigenous people; people experiencing poverty; people subject to marginalisation or discrimination on the grounds of race, religion, ethnicity, gender, political opinion or other status; children and young people; and people adversely affected by counter-terrorism measures.

The proposal to establish a specialist human rights law service was developed over a two year period with significant input from diverse stakeholders. This process commenced in June 2004, with the Public Interest Law Clearing House (PILCH) and Liberty Victoria

convening a Reference Group to provide strategic guidance and advice in relation to the need for, and the development and implementation of, a specialist human rights law service. The Reference Group carried out this consultation concluding that there was a clear need for a specialist human rights law resource centre.

Support expressed for the formation of the Centre clearly indicated not only that there was agreement that there was an unmet need in this area, but also that the establishment of the Centre was an appropriate response. The evaluation team believes that the consultation process and analysis of competing programs and organisations represents best practice in initial program planning, and that the Centre is clearly perceived to be a significant player in human rights in Australia, an increasingly influential organisation in the *international* human rights arena, and enjoys strong support from a range of community organisations concerned with human rights and law.

Centre structure and governance

The Centre is governed by a Board of Directors comprising three Directors appointed by PILCH, two Directors appointed by Liberty Victoria and one Director appointed by the Advisory Committee. The Board appears to the evaluation team to work efficiently and effectively and we believe this is aided by the guidelines for Board and staff operation contained in the document *Core values and purpose*. The case selection and litigation guidelines contained in this document comprise a comprehensive checklist which acts as an effective decision aid for the organisation. We believe that this is a useful resource for the maintenance of the strategic nature of the Centre's involvement in litigation

This level of guidance for policy making and organisational operation is exemplary.

Interviews with Board members indicate strong support for this Board / Advisory Committee structure, which is seen to work very effectively as a decision making structure. However, the results from interviews with the Advisory Committee suggest that they would like to have a greater input in the Centre and that their role may be enhanced with more frequent meetings.

Stakeholder engagement

The Centre has implemented 90.8% of its stakeholder engagement strategy plan, with the remainder accounted for by substituting more appropriate activity, or by responding to changing circumstances that led to the specific strategy being irrelevant at the time of intended implementation. In this sense, the Centre has fully operationalised its Stakeholder Engagement Strategy with respect to activities deemed relevant at the implementation phase rather than the planning phase. We believe, however, that at this stage in the organisation's development it would be worth examining the extent to which the Strategy might be modified to accurately reflect a goal of *maintenance* of stakeholder relationships as distinct from the *engagement* focus, relevant to the earlier stage of organisational development.

Centre activities

The Centre provides pro bono expert advice, assistance, resources and support to community legal centres, human rights organisations, non-profit organisations and marginalised or disadvantaged groups to pursue human rights litigation, policy analysis and advocacy, education, monitoring and reporting. The Centre also undertakes these activities in its own right. Respondents to the email survey noted that the Centre was filling a 'gap between existing services to run complex matters with a broad public interest reach'. This demonstrates stakeholder appreciation of the way in which the Centre has managed to walk the fine line between existing services to fulfill its objectives and to create a discrete and important niche for itself.

The Centre conducted 16 significant cases in 2006/2007 and opened a total of 35 major files from 1 January 2006 to 30 June 2007. In the latter part of 2007 the Centre took on another 13 significant cases. Over the last 2 years casework and litigation have formed a key part of the Centre's work. The volume and quality of the work completed is very impressive and belies the small size of the staff group.

The Centre has made 27 major law reform submissions since the beginning of 2006. Many of the Centre's submissions have been subsequently cited in relevant reports illustrating their significant influence on human rights policy and practice, both in Australia and internationally. The contribution of the Centre to law reform is evident and represents significant impact, particularly in terms of raising the profile of these issues and contributing to public discourse on human rights.

The Centre's education program and resource provision have been identified as activities that the Centre does particularly well. The Centre has played an important role in raising awareness and publicising human rights issues, as well as sparking public conversation and community engagement.

The Centre produces a monthly Bulletin containing the latest human rights news, opinion pieces, information on recent human rights cases, the Victorian Charter of Rights, law reform and advocacy, as well as information on the Centre's activities. In the email survey the Bulletin was highlighted by many respondents as a valuable, relevant and comprehensive resource.

Website usage has shown a high rate of growth with usage increasing by roughly 200 visitors per month, with a total of 40,597 visitors between July 2006 and October 2007. The highest usage was in September 2007 at 5070. The website provides an excellent and comprehensive resource for students and practitioners engaged in human rights law with access to current international human rights news and the Centre's own publications.

The Centre's 2006/2007 Yearbook is an impressive resource for practitioners, students and those with an interest in human rights law. The content is comprehensive, providing a thorough, wide ranging assessment of human rights law issues.

In terms of casework, policy and advocacy, when measuring actual activity against planned activity, there is a high achievement rate of 88.5%, in terms of specified activities being either completed or ongoing. In terms of community, professional and judicial human rights legal education, there is a high achievement rate of 93.3% of activities either completed or ongoing. In relation to governance, there is a 94% achievement rate, with the only outstanding item relating to implementation of recommendations arising from the present evaluation. All activities related to funding, in terms of obtaining funding, managing those funds and obtaining and maintaining beneficial taxation status have been achieved and there is an 88.8% achievement rate in relation to maximizing the profile of the organisation and developing and maintaining positive relationships with key stakeholders.

The Centre has achieved a 93% success rate in implementation of its strategies across all activity areas, and has demonstrated an exemplary commitment to strategic planning.

The Centre has also acted as a bridge between the community and private legal sectors, being well received by the diverse range of organisations which make up the human rights landscape. The work that the Centre has completed has been diverse, completed to a very high standard, and this outstanding work has been recognised in a number of ways, including its short listing for the 2007 Australian Human Rights Law Award for a 'proven track record in the promotion and advancement of human rights in Australia through the practice of law'.

Future directions

Comments made to the evaluation team on the Centre's future raise the question of whether the Centre ought to be providing a consensus view on the matters forming the content of submissions or whether, having consulted with interested parties, they make a judgment on what their own position may be. The extent to which the Centre is deemed to be representative has been raised by respondents. The evaluation team suggests that this issue is clarified with stakeholders and other community groups and non-government organisations.

In the email survey and in interviews with the Advisory Committee the bulk of suggested future activities involved expanding existing roles which will be dependent on funding and staffing levels of the Centre. A widely held view with which the evaluation team concurs is that the Centre should regularly review its thematic priority areas and target groups. This should include a review of priorities within existing categories and the possibility of adding to the priority areas and groups. This is to balance changing societal needs and changing opportunities for effective casework, litigation, law reform, advocacy, policy work and education.

Conclusion

On the evidence available to date the Centre appears to the evaluation team to be an exemplary organisation in terms of its planning capacity and its fidelity to its original needs analysis and program design, in its implementation.

1. INTRODUCTION

1.1 Evaluation purpose

The University of Melbourne School of Enterprise (SoE) was commissioned in June 2007 to undertake an evaluation of the Human Rights Law Resource Centre (the Centre), to be completed by the end of December 2007, and including production of an interim report by September 21st 2007. In formulating the initial evaluation design, reference was made to a 60-page *HRLRC Evaluation Brief* produced by the Centre, the SoE document *A Monitoring Evaluation of the Human Rights Law Resource Centre 2006-2007*, and a number of evaluation planning meetings held between the of the 29th March 2007 and 16th April 2007, between the Centre, SoE and the Report authors. The evaluation team comprised Professor Alun C Jackson (Project team leader), Ms Amanda McKenzie (Senior researcher), Ms Julia McKenzie (Research assistant), and Ms Emma Jackson (Research assistant) of Jackson Consulting; and Associate Professor Simon Evans (Consultant) and Associate Professor Carolyn Evans (Consultant) of the Melbourne Law School.

The evaluation was originally proposed as primarily an implementation evaluation, incorporating an analysis of organisational and program design. Utilising a framework developed by Donovan and Jackson¹, the basic questions which the evaluation was designed to address are noted in Chart 1 below.

Chart 1: Questions to be addressed by the evaluation

1. What **need** is being met by this organisation / program?
2. What **evidence** was used in the formulation of the mission, goals and objectives of the organisation? That is, what evidence is there that this sort of organisational response is both feasible and demonstrably effective? In situations where no precedent exists, we would ask here what the evidence was from cognate fields.
3. What organisational **structure** was designed to act as a vehicle for the articulation of the mission, goals and objectives?
4. Was this structure **implemented** as designed?
5. If not, what were the **barriers** to design fidelity? Typical barriers are such things as lack of appropriate budget, consequential staffing gaps etc.
6. What program or organisational **activities** have been undertaken in pursuit of the goals and are these an accurate translation of these goals when expressed as objectives?
7. Are organisational activities adequately documented in an **evaluation-oriented program information system**?
8. Is there evidence of **effectiveness** to date, bearing in mind that these might be primarily process rather than outcome measures?
9. Are there any **adjustments** that should be made to organisational practices to enhance effectiveness?

¹ Donovan, FD & Jackson, AC (1991) *Managing Human Service Organisations*, Sydney: Prentice Hall, pp 187-189

10. What human rights **impact and outcome measures** can or should be developed and implemented for use into the future?

It was noted in the initial evaluation design proposal by this Report's authors that while a short term evaluation of this sort could not necessarily be expected to make definitive statements about program or organisational impact or outcomes, it could, through articulation of the program logic (specification of the link between need, interventions or inputs, outputs, impact and outcome), make an informed prediction of likely impacts and outcomes, given a reasonably predictable funding and political context for the organisation's practice. While this was our belief prior to commencing the evaluation, in preparing the Interim Report we noted that it should be possible to make some more definitive statements about impact and outcome. To do this we have drawn on a standardized program logic framework as articulated by the W.K. Kellogg Foundation², which includes, in addition to the program description items referred to above:

- *Inputs* – the human, financial, organisational and community resources invested in the program
- *Activities* – what the program did with its inputs, or the processes, events and actions that were an intentional part of the program implementation
- *Outputs* – the direct product of program activities or the volume of work accomplished by the organisation and the number of people reached by these activities
- *Outcomes* – benefits of the program in terms of change in the condition or need which gave rise to the organisation's formation.

Examining aspects of these organisational features has enabled us to follow to some extent the focus applied in a published study of nine non-governmental human rights organisations, namely explication of aims and objectives; description of activities and outputs; level of independence from government; models of management and organisational structure; funding approaches and levels; efficiency and effectiveness; target of advocacy practice; publication and information dissemination; clarity of documentation.³ It should be noted however, that Landman and Abraham's evaluation of the nine organisations was closer to a *summative* evaluation rather than the predominantly *design and implementation* evaluation undertaken in the case of the Centre.

1.2 Evaluation activity undertaken

Evaluation activity undertaken in the period July to December included:

- Meetings with the Director and Deputy

² WK Kellogg Foundation (2000) *Logic model development guide*, Battle Creek, Michigan: WK Kellogg Foundation

³ Landman, T. & Abraham, M. *Evaluation of Nine Non-Governmental Human Rights Organisations*, IOB Working Document February 2004, Ministry of Foreign Affairs, The Hague

- Group interview with the Board of Management of the Centre, supplemented by individual interviews
- Extensive analysis of organisational records pertaining to:
 - The establishment of the organisation, covering designation of purpose and need definition;
 - Proposed organisational structure and function;
 - Goal setting and articulation of values and guiding principles of the organisation;
 - Objections and concerns raised by other organisations in the legal rights / advocacy domain concerning the establishment of the Centre and action taken to address those concerns
- Analysis of Board and Advisory Committee minutes to determine whether Board and Committee activity reflects priority setting as outlined in establishment documentation and strategic planning documentation
- Analysis of data relating to delivery of educational programs
- Preliminary analysis of data relating to organisational effectiveness in relation to human rights determinations
- Interviews with Advisory Committee members
- Interviews with community organisation members expressing concerns regarding the establishment of the Centre during the planning and early consultation phase
- Convening of an Expert Panel to determine effectiveness and impact guidelines for the Centre
- Evaluation of the Centre's stakeholder engagement strategy
- Evaluation of the extent to which the Centre has performed against its strategic plan
- E-mail survey of those people on the Centre's email distribution list, inviting comment on what they thought the Centre did particularly well; what they thought the Centre could do better; whether there were any other areas they would like to see the Centre work in, and whether there were any other groups they would like to see them pay attention to, in addition to the groups already worked with. The survey comprised roughly a 10% sample of the distribution list (N=48) and incorporated the following stakeholder groups: Funders (including potential funders); law firms and corporate legal departments; Community legal centres; Victoria Legal Aid; University Law Schools; human rights and community organisations; legal professional associations; statutory human rights bodies; Governments; courts; statutory legal bodies; member organisations; non-government organisations and an independent researcher

Responses to the survey are integrated throughout the evaluation (See Attachment 1 for the survey questions).

2. ORGANISATIONAL DESIGN

2.1 Overview of the Human Rights Law Resource Centre

The Human Rights Law Resource Centre Ltd (the Centre), the first specialist human rights legal centre in Australia, was established in 2005 as a joint initiative of the Public Interest Law Clearing House (Vic) Inc (PILCH) and the Victorian Council for Civil Liberties Inc (Liberty Victoria). The Centre is an independent community legal centre which seeks to promote, protect and contribute to the fulfilment of human rights in Australia, particularly the human rights of people that are disadvantaged or living in poverty, through the practice of law.⁴

2.2 Organisational purpose

From a variety of sources the aims of the HRLRC can be deduced as follows:

- To promote human rights in Victoria and Australia, particularly the human rights of those that are disadvantaged or living in poverty, through the practice of law.⁵
- Contribute to the harmonization of law, policy and practice in Australia with international human rights norms and standards, including those contained in and derived from:
 - The *International Covenant on Civil and Political Rights* ('ICCPR');
 - The *International Covenant on Economic, Social and Cultural Rights* ('ICESCR');
 - The *Convention on the Rights of the Child* ('CROC');
 - The *Convention on the Elimination of All Forms of Racial Discrimination* ('CERD');
 - The *Convention on the Elimination of All Forms of Discrimination Against Women* ('CEDAW');
 - The *Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment* ('CAT');
 - Customary international law; and
 - International human rights resolutions, principles, standards and declarations.⁶
- To support and enhance the capacity of the legal profession, judiciary, government and community sector to use human rights in their casework, advocacy and service delivery.⁷

The Centre seeks to achieve these aims by undertaking and supporting the provision of legal services, litigation, education, training, research, policy analysis and advocacy

⁴ Annual Director's Report 2005-2006 (2006) *Human Rights Law Resource Centre*, p8

⁵ Providing Legal Services and Resources to Promote Human Rights (2007) *Human Rights Law Resource Centre*

⁶ Annual Director's Report 2005-2006 (2006) *Human Rights Law Resource Centre*, p10

⁷ Ibid and Application for Funding to the R E Ross Trust (2007) *Human Rights Law Resource Centre*, p1

regarding human rights. These activities are undertaken through partnerships which coordinate and leverage the capacity, expertise and networks of pro bono lawyers and barristers, university law schools, community legal centres, and other community and human rights organisations. It is the first centre in Australia to pilot this innovative service delivery model to promote human rights. Attachment 2 notes a number of organisations identified internationally by the evaluation team, with cognate aims and purposes.

In developing the Centre, the Reference Group had particular regard to the findings of a series of consultations with human rights legal organisations from over 50 countries by the International Human Rights Law Group (now Global Rights). These consultations found that human rights organisations that clearly state and define objectives and targets tend to be more effective than organisations with broader more wide-ranging goals. Hence, in designing the Centre, careful thought has gone into the most strategic application of limited resources to have the greatest impact.⁸ The Centre has determined four thematic priority areas for its work:

- The effective implementation and operation of the Victorian *Charter of Human Rights and Responsibilities*
- The rights of people in detention, including asylum-seekers, prisoners and involuntary patients;
- Economic, social and cultural rights, particularly the rights to health and adequate housing; and
- Equality rights, particularly the right to non-discrimination.

Within these thematic priorities, the Centre has particular regard to the rights of the following communities and groups:

- People with a disability;
- People experiencing mental illness;
- People experiencing homelessness;
- Indigenous people;
- People experiencing poverty;
- People subject to marginalisation or discrimination on the grounds of race, religion, ethnicity, gender, political opinion or other status;
- Children and young people; and
- People adversely affected by counter-terrorism measures.

While the Centre did not necessarily set out to be a national, rather than Victorian based, organisation, the nature of its work often has national implications, for instance, litigating constitutional cases. Indeed its focus was international from the start, as reflected in its Constitution, where it was noted that the Centre would, among other tasks, submit, and assist with, communications, complaints, petitions, reports and submissions to

⁸ PILCH/Liberty Victoria Working Group for the Human Rights Legal Clinic Reference Group, 'Human Rights Legal Clinic: Discussion Paper' August 2004

international, regional and local human rights agencies, organisations and bodies, including but not limited to:

- The Office of the United Nations High Commissioner for Human Rights;
- The United Nations Human Rights Committee;
- The United Nations Committee on Economic, Social and Cultural Rights;
- The United Nations Committee on the Elimination of Discrimination Against Women;
- The United Nations Committee on the Elimination of Racial Discrimination;
- The United Nations Committee on the Rights of the Child;
- United Nations Special Rapporteurs;
- Federal, State and Territory courts and tribunals;
- The Human Rights and Equal Opportunity Commission; and
- State and Territory anti-discrimination and equal opportunity commissions and tribunals.⁹

The perceived capacity, and support for the Centre to contribute on an international stage, is exemplified by their successful application to the Reichstein Foundation for funding for the *UN-NGO Human Rights Enablement Project*. The Centre received enthusiastic and high level support for this expansion to their capability.

The Centre on Housing Rights and Evictions (COHRE), Geneva, one of the world's leading human rights organisations focusing on Economic, Social and Cultural Rights, which has special consultative status with the Economic and Social Council of the United Nations, supported the application, as did the Federation of Community Legal Centres (Vic) Inc, which noted that:

The Human Rights Legal Resource Centre Ltd (HRLRC) is an innovative, well-managed independent community legal centre with a reputable commitment to legal excellence. As a specialist human rights legal service they effectively promote human rights in Victoria and Australia - particularly the human rights of people who are socially and economically disadvantaged. They play a significant role in supporting other community legal centres to use human rights in their casework, advocacy and service delivery.¹⁰

Strong support was also forthcoming from the National Association of Community Legal Centres (NACLCC), the peak body representing the eight state associations of community legal centres (CLCs) and 207 CLCs nationally, who noted that the Centre would be able to build a bridge between the law, the community, NGOs and international human rights mechanisms and that it would also be able to provide support to CLCs and NGOs already engaged in international human rights mechanisms and facilitate the engagement of those not already engaged.

Similar support was received from Oxfam Australia and the Public Interest Advocacy Centre (PIAC), who were keen to support this project as it was seen to provide a much-

⁹ HRLRC *Constitution (Final Draft)*, Melb: Freehills November 2005

¹⁰ Federation of Community Legal Centres, Letter of Support (not dated)

needed focus for the NGO sector's development and engagement in United Nations Human Rights processes, as well as Youthlaw and the Women's Rights Action Network Australia, who welcomed the cross-sectoral leadership shown by the Centre in their vision to bring a cohesive and unified voice to Australian NGO engagement with the UN human rights system.

The Centre is clearly perceived to be a significant player in human rights in Australia, increasingly influential in the **international** human rights arena, and enjoys strong support from a range of community organisations concerned with human rights and law.

2.3 Process of establishment of the Human Rights Law Resource Centre

The proposal to establish a specialist human rights law service was developed over a two year period with significant input from diverse stakeholders. This process commenced in June 2004, with PILCH and Liberty Victoria convening a Reference Group to provide strategic guidance and advice in relation to the need for, and the development and implementation of, a specialist human rights law service. The Reference Group, which met throughout the latter part of 2004, included representatives from a wide variety of interested parties. A smaller Working Group, comprising nominated members of the Reference Group, also met throughout this period. Reference and Working Group members were encouraged to provide written and oral comments and to consult with their own stakeholders and constituents. Informed by the Reference Group's finding that a specialist human rights law resource centre should be established, PILCH and Liberty Victoria subsequently both passed resolutions in October 2005 to establish such a Centre, with PILCH and Liberty Victoria as the initial members. Pilot funding for this purpose was obtained from PILCH, the National Australia Bank, the Victoria Law Foundation, the R E Ross Trust and the Helen Macpherson Smith Trust. The Centre was incorporated as a company limited by guarantee in January 2006, commenced service provision in February 2006, and became a member of the Federation of Community Legal Centres in April 2006.

2.4 Organisational context

The nature and capacity of existing services was carefully considered in the development phase to ensure that the Centre did not duplicate or detract from their activities.¹¹ Consequently significant consultation was undertaken with diverse stakeholders, including legal professional associations, community legal centres, legal aid, the private legal profession and human rights and community organisations. The Reference Group carried out this consultation concluding that there was a clear need for a specialist human rights law resource centre.

¹¹ PILCH/Liberty Victoria Working Group for the Human Rights Legal Clinic Reference Group, 'Human Rights Legal Clinic: Discussion Paper' August 2004, p10

The consultation process and analysis of competing programs and organisations represents best practice in initial program planning.

2.4.1 The need for the Human Rights Law Resource Centre

The need for a centre was identified based on the following grounds:

- It was acknowledged that the availability of advice, assistance and advocacy about human rights is an integral component of the implementation and realisation of such rights, with the right to equality before the law and the administration of justice being both a human right of itself and an important aspect of the promotion, protection, fulfilment and enforcement of other human rights. It was also emphasised that it is particularly important that human rights advocacy and legal services be available to marginalised and disadvantaged individuals and groups, who are vulnerable to human rights violations and less able to access ordinary legal services.
- It was observed that there was a lack of protection of human rights in Australia, felt most strongly by marginalized individuals and groups, as human rights were not legislatively or constitutionally enshrined in either Victoria or Australia at the time the Centre was established.¹² The lack of domestic human rights legal protection was perceived to be compounded by the limited use of international human rights law in domestic litigation and advocacy. The limited use of international human rights law in domestic litigation and advocacy was considered to be ‘a significant deficiency in Australia and Victoria’s institutional framework of human rights protection’.¹³ Further it was asserted that as complaints to international bodies were often drafted poorly, the Centre could provide training and resources for other groups making submissions.¹⁴
- While legal aid commissions, community legal centres and pro bono lawyers already use strategies such as impact litigation, law reform work and community education, it was argued that a strategic and proactive approach designed to advance human rights on a broader scale is a significant gap in service delivery.¹⁵ While these types of specialist human rights law centres have sprung up across the world in recent times (see Attachment 2), Australia has no equivalent Centre to identify human rights issues and seek to redress them in a strategic and proactive way.¹⁶
- Strategic litigation was identified as an area that lacked adequate activity, with the Reference Group outlining a variety of hypothetical scenarios where casework could not be taken on or coordinated by any other service.¹⁷ In addition, consultation with

¹² Application for Funding to the R E Ross Trust (2007) *Human Rights Law Resource Centre*, p6

¹³ Application for Funding to the R E Ross Trust (2007) *Human Rights Law Resource Centre*, p6; Human Rights Clinic, Minutes for Meeting of Reference Group, 5pm 26 July 2004

¹⁴ PILCH/Liberty Victoria Working Group for the Human Rights Legal Clinic Reference Group, ‘Human Rights Legal Clinic: Discussion Paper’ August 2004

¹⁵ Proposal for PILCH Board Meeting 17 June 2004

¹⁶ Human Rights Clinic, Minutes for Meeting of Reference Group, 5pm 26 July 2004

¹⁷ PILCH/Liberty Victoria Working Group for the Human Rights Legal Clinic Reference Group, ‘Human Rights Legal Clinic: Discussion Paper’ August 2004

stakeholders found that while private law firms have an interest and expertise in human rights law, the potential for adverse publicity for the firm can make them more reluctant to take on cases.¹⁸ Hence it was argued that firms may be more willing to help if the Centre can act as the solicitor on the record.

- It was observed that there was a lack of coordination between organisations conducting human rights work.¹⁹
- It was observed that there was a significant pool of practitioners and law students that could be better engaged to assist in human rights work.²⁰

The Reference Group considered that the establishment of a human rights law resource centre could provide the following benefits:²¹

- Contributing to the promotion, protection and realisation of human rights;
- Enhancing pro bono sector capacity and expertise regarding human rights; and
- Contributing to the entrenchment of a ‘human rights-respecting culture’.

2.4.2 Concerns of existing organisations

Throughout the process of consultation a number of stakeholders expressed concerns regarding the establishment of the Centre. One of the concerns most frequently raised was that the Centre should not duplicate the work of existing services.²² The Reference Group acknowledged its ‘clear mandate to avoid duplication’ recommending that the Centre role should fill gaps in service delivery and facilitate co-operation and co-ordination between existing services.²³ In particular, unlike existing services which were reactive and which used litigation to address an individual’s human rights, a key role of the Centre was seen as using strategic litigation proactively to advance human rights as an objective in and of itself.²⁴

The Centre’s capacity to proactively and strategically litigate as a method of promoting and protecting human rights is now a major distinguishing feature of the Centre.

Another concern was that the approach of the Centre would be paternalistic; that is it would fail to include and empower the broader community, exacerbating the divide between the private and community legal sector.²⁵ A representative of an organisation

¹⁸ Human Rights Clinic, Minutes for Meeting of Reference Group, 5pm 26 July 2004

¹⁹ Human Rights Clinic, Minutes for Meeting of Reference Group, 5pm 26 July 2004

²⁰ PILCH/Liberty Victoria Working Group for the Human Rights Legal Clinic Reference Group, ‘Human Rights Legal Clinic: Discussion Paper’ August 2004

²¹ Application for Funding to the R E Ross Trust (2007) *Human Rights Law Resource Centre*, p7

²² Belinda Lo, Principle Solicitor, Whittlesea Community Legal Service, ‘Email regarding the Human Rights Working Group meeting on the 17th of August’, 16 August 2004.

²³ Human Rights Clinic, Minutes for Meeting of Reference Group, 5pm 26 July 2004

²⁴ Human Rights Clinic, Minutes for Meeting of Reference Group, 5pm 26 July 2004

²⁵ Belinda Lo, Principle Solicitor, Whittlesea Community Legal Service, ‘Email regarding the Human Rights Working Group meeting on the 17th of August’, 16 August 2004.

who expressed this concern in 2004 was interviewed by the evaluation team in 2007 and asked whether the concern had been ameliorated. It was noted by this respondent that the Centre has ‘taken a lot of steps to allay those fears and concerns’ by ‘linking in with other groups to ensure that they are linking with the community’. A concern was expressed in 2004 that there had been inadequate consultation with community-based organisations in the Centre’s developmental phase. A representative of the organisation expressing this concern was interviewed by the evaluation team and it was suggested that the Centre now works closely with community-based organisations providing them with resources and training. Initially there was also a concern as to whether there was an actual unmet need that the Centre would fill. A representative of the organisation that expressed this concern was interviewed by the evaluation team and asked whether the concern had been ameliorated. The representative responded that ‘...there is a wealth of information that comes out from the Centre now – newsletters, emails, documents, which are available as a resource to all community centres now’. Further, the representative noted that many Community Legal Centres ‘have now begun to refer cases directly to the Centre, ...and my understanding is that they have been more than happy with the assistance they have received’. This confirms the view of the evaluation team that the Centre is fulfilling a previously unmet need.

2.4.3 Support from existing organisations for the establishment of the Centre

There was substantial support in the initial development stages for the establishment of the Centre by a whole range of stakeholders. The following is a brief snapshot of the diversity and scope of support across the legal community for the development of the Centre. The Brimbank Melton Community Legal Centre wrote on the 25 November 2004 that ‘[a]ny proposal which seeks to establish greater resources for the protection of human rights in Australia is to be commended’. Consumer Law Centre Victoria (now the Consumer Action Law Centre) wrote on 4 October 2004 to express their support for the establishment of the Centre, acknowledging that as a Community Legal Centre a number of issues they deal with involve human rights law and that it ‘would be great to have a specialised Human Rights Legal Centre to which we could refer appropriate matters, especially given we have little capacity (both in terms of resources and expertise) to take on such matters’. The Consumer Law Centre Victoria further considered the Centre to be a ‘valuable contribution to the work already being undertaken by CLCs and pro bono services in achieving greater access to justice for marginalised members of our community’. The Law Institute of Victoria wrote on 6 September 2004 in support of the Centre as a ‘fantastic initiative’ with a ‘distinct mandate’. The Institute also wrote on 1 September 2004 to acknowledge the careful work in designing the Centre which had sought to prevent duplication of the work of other clinics and to protect their sources of funds.

La Trobe University, Peninsula Community Legal Centre, Mallesons Stephens Jacques, Geelong Community Legal Service, Job Watch and Blake Dawson Waldron, also wrote to support the establishment of the Centre.



Support expressed for the formation of the Centre clearly indicated not only that there was agreement that there was an unmet need in this area, but also that the establishment of the Centre was an appropriate response to this unmet need.

2.5 Policy context

Human rights issues have recently become key issues in the Australian public discourse, with issues including asylum seekers, Indigenous people, the introduction of the Victorian *Charter of Human Rights and Responsibilities (Charter)* and counter-terrorism laws all commanding the front page of Australian newspapers.

The Victorian *Charter* is anticipated to create many challenges and opportunities for the Centre once it becomes fully operational and justiciable on 1 January 2008. In its first five years of operation, the UK *Human Rights Act*, on which the *Charter* is based, became a significant consideration in over a third of all cases in the House of Lords.²⁶ Comparative experience from the UK and the Australian Capital Territory suggest that professional and community education about the *Charter* will be critical to its effective implementation and operation.

There is clear scope nationally and internationally for the activities of a human rights law organisation such as the Human Rights Law Resource Centre.

²⁶ Department for Constitutional Affairs, United Kingdom, *Review of the Implementation of the Human Rights Act*, July 2006, p10

3. IMPLEMENTATION

3.1 Organisational structure

It was considered that the Centre should be a separate legal entity to ensure its independence, flexibility, democratic governance, beneficial taxation status and to maximize its standing.²⁷ Hence, in January 2006, the Centre was incorporated as a company limited by guarantee. The Centre is a public benevolent institution and has been endorsed by the Australian Taxation Office as a deductible gift recipient and for charity tax concessions.

3.2 Organisational governance

The Centre is governed by a Board of Directors comprising three Directors appointed by PILCH, two Directors appointed by Liberty Victoria and one Director appointed by the Advisory Committee (discussed below).²⁸ The Board is responsible for the governance and management of the Centre for the purpose of carrying out the Centre's objects and purposes. Analysis of Board activity over a 20 month period was undertaken to determine the extent to which Board activity reflected the priorities set at establishment (See Attachment 3). It was found that the Board tended to focus on two of the thematic priorities (namely, the Victorian Charter of Human Rights and the treatment and conditions of detained persons) to a greater extent than the other priorities. However, the spread became more even throughout the 20 month period, reflecting the expansion in activities of the Centre. Naturally a significant amount of Board effort was concentrated on organisational management, for instance the organisation's structure and finances. Activity in this area developed significantly over the period with the Board moving from initial discussions regarding the organisational work plan and business plan, to more extensive strategic plans, such as 5-10 year plan and a stakeholder engagement strategy.

Throughout all areas of Board discussion, it appeared that issues rarely stagnated, with the Board quickly moving from discussion to actions and decisions. The Board appears to work efficiently and effectively. We believe this is aided by the guidelines for Board and staff operation contained in the document *Core values and purpose*. This document clearly articulates the:

- Centre's mission
- Respective roles of Board, Chair and Executive-director
- Executive-director's role in building and maintaining stakeholder relationships
- Policy and procedure applied to file management and supervision

²⁷ PILCH/Liberty Victoria Working Group for the Human Rights Legal Clinic Reference Group, 'Human Rights Legal Clinic: Discussion Paper' August 2004

²⁸ See: Annual Director's Report 2005-2006 (2006) *Human Rights Law Resource Centre*, p20; Annual Director's Report 2006-2007 (2007) *Human Rights Law Resource Centre*, p28 and Human Rights Law Resource Centre Advisory Committee: Terms of Reference (2005) *Human Rights Law Resource Centre*

- Guidelines for the selection of cases which helps them to focus on the strategic nature of their casework
- Protocol for the Centre's executives and officers to the adoption and communication of the Centre's policies and views.

As an example of the comprehensiveness of this policy and procedures document, the Board-Executive Relationship Policy notes on page 9 that:

1.1 The Board directs the Executive Director to achieve certain results for certain recipients through the Mission Policy.

1.2 The Board limits and directs the activities of the Executive Director through the Activities and Operations Policy and the Executive Responsibilities Policy.

1.3 In order to implement the Mission Policy, the Executive Director is authorised to make all such decisions and do all such things as are reasonably consistent with the Operations Policy and the Executive Responsibilities Policy.

1.4 The Board will systematically and rigorously monitor and evaluate the performance of the Executive Director in implementing the Mission Policy.

Similarly, the three page case selection and litigation guidelines beginning on page 10 comprise a comprehensive checklist which acts as an effective decision aid for the organisation. We believe that this is a useful resource for the maintenance of the strategic nature of the Centre's involvement in litigation. A summary of the criteria for case selection is as follows:

The Centre considers requests for legal services, resources and litigation support having regard to the following issues:

1. whether the case or matter raises an issue of human rights under an international human rights treaty or customary international human rights law;
2. whether the case or matter falls within the Centre's thematic priorities;
3. the legal merit and prospects of success of the case or matter;
4. the potential impact or outcome of the case or matter;
5. the purpose and means of the applicant individual, group or organisation;
6. the availability of legal aid or other more appropriate service;
7. the availability and feasibility of partnerships or collaboration with other service providers;
8. the availability and use of the Centre's resources; and

9. an analysis of the risks associated with the case or matter.

This level of guidance for policy making and organisational operation is exemplary.

The Centre's Board is assisted by an Advisory Committee. The Advisory Committee's function is to provide strategic guidance and advice, and to make recommendations to the Board in relation to the realisation of the Centre's objectives and the conduct of its activities. The Advisory Committee comprises approximately 25 members, including representatives from community legal centres and legal aid, human rights organisations, community organisations, law firms, legal professional associations and university law schools. The Advisory Committee may appoint one person to the Centre Board. This is intended to ensure effective communication, collaboration and coordination between the Centre Board and the Centre Advisory Committee.

Interviews with Board members indicate strong support for this Board / Advisory Committee structure, which is seen to work very effectively as a decision making structure.

The evaluation team conducted detailed interviews with members of the Advisory Committee (for the Advisory Committee interview schedule, see Attachment 4). Seventeen of the 26 members of the Advisory Committee were able to participate in the interviews. When asked to rate on a 1-10 scale the Advisory Committee's achievement of its aim the mean response was 6.86. There were three themes suggested as to how the Advisory Committee could enhance its effectiveness. First, a common concern was the meeting schedule, with most respondents expressing an interest for more meetings. Suggestions included having quarterly meetings, or a Calendar of meetings times for the year. The meetings could consist of more than just input to the Board, but also include strengthening the culture and communication between the members of the Committee.

Second, it was commonly suggested that the Advisory Committee could have greater input given its experience, diversity and expertise. This was also linked to a suggestion of increasing the number of meetings, as it would allow more time for contribution. Third, there was concern as to a lack of communication with the Advisory Committee over the meeting schedule; whether meetings were required, and if not, why not; the Advisory Committee's role; and the Board's deliberations. It was suggested that there could be regular updates from the Board to the Advisory Committee to facilitate the relationship between the two bodies. Additionally, it was suggested that regular meetings with a general focus would assist in keeping the Advisory Committee abreast of the Centre's operations, their role and would open a space for the Advisory Committee to play a great participatory role. Another suggestion was to create an online forum which could provide a platform for increased communication, networking and input by the Advisory Committee.

The Advisory Committee was also asked to rate on a 1-10 scale the Board's consideration of advice and recommendations of the Advisory Committee. The mean response, 8.7, illustrates the high level of satisfaction the Advisory Committee has with its relationship with the Board. This result, coupled with the findings above, suggest that while the relationship between the Board and the Advisory Committee is positive and operating smoothly, the Advisory Committee wishes to have a greater role in the Centre and contribute more regularly.

The results from the survey suggest that the Advisory Committee would like to have a greater input in the centre and their role may be enhanced with more frequent meetings

3.3 Engagement with stakeholders

During 1999-2000, the International Human Rights Law Group (now Global Rights) conducted consultations with over 125 human rights legal organisations from more than 50 countries to identify the characteristics, methods and strategies of effective human rights legal organisations. The Centre noted two important findings from this international consultation process, to inform its own *Stakeholder Engagement Strategy*, adopted in March 2006.²⁹ These findings were that:

- The most effective human rights legal organisations worked cooperatively and collaboratively with other stakeholders, particularly non-legal human rights organisations and university law schools; and
- Working with pro bono lawyers, legal professional associations, paralegals, academics and law students can significantly enhance the capacity, resources, operations and effectiveness of human rights legal organisations. It is important, however, that the commitment made by volunteer legal practitioners is long-term and that there is some continuity in staffing. It is also important that the human rights legal organisation remains independent, responsive and flexible and that its aims not be compromised or subverted to the specific aims of stakeholder organisations. Autonomy, flexibility and responsiveness were found to be crucial determinants of program success.³⁰

In the resultant *Stakeholder Engagement Strategy*, the stakeholders were grouped into the following categories to inform the formulation of the strategy, although it was noted that these categories were not necessarily discrete: members; funders (including potential

²⁹ Human Rights Law Resource Centre, 'Stakeholder Engagement Strategy 2006-7, adopted by resolution of the Board, March 2006

³⁰ See generally, Richard Wilson and Jennifer Rasmusen, *Promoting Justice: A Practical Guide to Strategic Human Rights Lawyering* (2001) at http://www.globalrights.org/site/PageServer?pagename=wwd_promoting_justice_2.

fundere); Advisory Committee; law firms and corporate legal departments; community legal centres; Victoria Legal Aid; University law schools; human rights and community organisations; legal professional associations; statutory human rights bodies; governments; and courts.

In order to assess the stakeholder engagement strategy, the Director was asked to rate the achievement of the specific strategies in relation to target categories. A summary of the results of this review are presented in Table 1 below, while the full review table is presented as Attachment 5.

Table 1: Achievement of Stakeholder Engagement Strategy

Stakeholder category	Number of strategies	Achieved	If not achieved, reason(s) given
Members	6	5	More appropriate substitute activity
Funders	8	6	More appropriate substitute activity
Advisory Committee	9	7	More appropriate substitute activity
Law firms and corporate legal departments	10	9	Changed circumstances made strategy irrelevant
Community legal centres	11	10	Changed circumstances made strategy irrelevant
Victoria Legal Aid	7	7	
University law schools	10	9	No longer considered relevant given workload and priorities
Human rights and community organisations	9	9	
Legal professional associations	8	8	
Statutory human rights bodies	8	8	
Governments	6	6	
Courts	6	5	Not considered appropriate due to potential conflict of interest
Total	98	89	

Overall, the Centre has implemented 90.8% of its stakeholder engagement strategy plan, with the remainder accounted for by substituting more appropriate activity, or by responding to changing circumstances that led to the specific strategy being irrelevant at the time of intended implementation. In this sense, the Centre has fully operationalised its Stakeholder Engagement Strategy with respect to activities deemed relevant at the implementation phase rather than the planning phase.

In the email survey a number of respondents commented on the Centre's support for stakeholders' goals and provision of resources, particularly to the community legal sector. It was also noted that the Centre communicated well with stakeholders. Typical of this response was the comment that the Centre 'not only informs but saves a lot of research time for our Community Legal Centre as well as support of our goals'.

The Advisory Committee on average rated the effectiveness of the Centre's stakeholder engagement strategy as 8.66 out of 10. A number of members of the Advisory Committee noted that not all stakeholders require the same level of engagement as some have less time and resources. Hence the focus should be on engaging community sectors, community legal centres, the Federation of Community Legal Centres and grassroots organisations. It was further noted that the Centre should ensure that the seminars and forums are accessible to a wide range of people, and the content and presentation tailored to involving a wide range of people and organisations.

Overall the Stakeholder Engagement Strategy has been very well implemented, however at this stage in the organisations' development it would be worth examining the extent to which the Strategy might be modified to accurately reflect a goal of **maintenance** of stakeholder relationships as distinct from the **engagement** focus, relevant to the earlier stage of organisational development.

3.4 Funding

One of the most important determinants of success noted in the International Human Rights Law Group (now Global Rights) consultation exercise referred to above, was found to be the adequacy and stability of funding, and the ability to work cooperatively and strategically with both the NGO sector and the private legal sector. While the Centre has been in a stable financial position over its time in operation, its ongoing sustainability will require continued attention. In the Annual Report 2006-2007 the then Treasurer, Bruce Moore, notes that the Centre's annual budget of approximately \$160,000 had enabled the Centre to undertake and facilitate 8000 hours or employing approximately \$2.5 million of legal work.³¹ This work was undertaken by over 50 lawyers and is the equivalent of 4 full-time lawyers, in addition to the 2 lawyers employed at the Centre.

³¹ Annual Director's Report 2006-2007 (2007) *Human Rights Law Resource Centre*, p6

Moore notes that the major constraint upon the Centre harnessing the substantial latent human rights lawyering capacity in the private sector is the Centre's coordination capacity.

The Centre has received funding support by way of a number of relatively small grants, including support from the Victorian Law Foundation, PILCH (using funds provided from the National Australia Bank), the Helen Macpherson Smith Trust, National Australia Bank, the R E Ross Trust, the Reichstein Foundation, Allens Arthur Robinson, Blake Dawson Waldron and Mallesons Stephen Jacques. In kind support has also been provided by the Law Institute of Victoria, the Victorian Bar and by DLA Phillips Fox which provides a full-time human rights lawyer. In addition, the Victorian Government through the Department of Justice has allocated \$100,000 per annum for 5 years to the Centre which will commence on 1 January 2008, which will account for approximately 60% of the Centre's core operating costs at current organisational levels.

Funders are considered to be supporters, rather than members, of the Centre. This is considered an important distinction designed to ensure the Centre's independence.

4. ACTIVITIES OF THE CENTRE

The Centre provides pro bono expert advice, assistance, resources and support to community legal centres, human rights organisations, non-profit organisations and marginalised or disadvantaged groups to pursue human rights litigation, policy analysis and advocacy, education, monitoring and reporting. The Centre also undertakes these activities in its own right. These activities may include:

- Human rights training and education;
- International and domestic human rights law advice;
- Assistance with human rights research and consultations;
- Submission and report drafting and writing;
- Litigation and litigation support;
- Co-counsel arrangements;
- Amicus curiae interventions; and
- Access to pro bono solicitors and barristers.

4.1 Casework and litigation

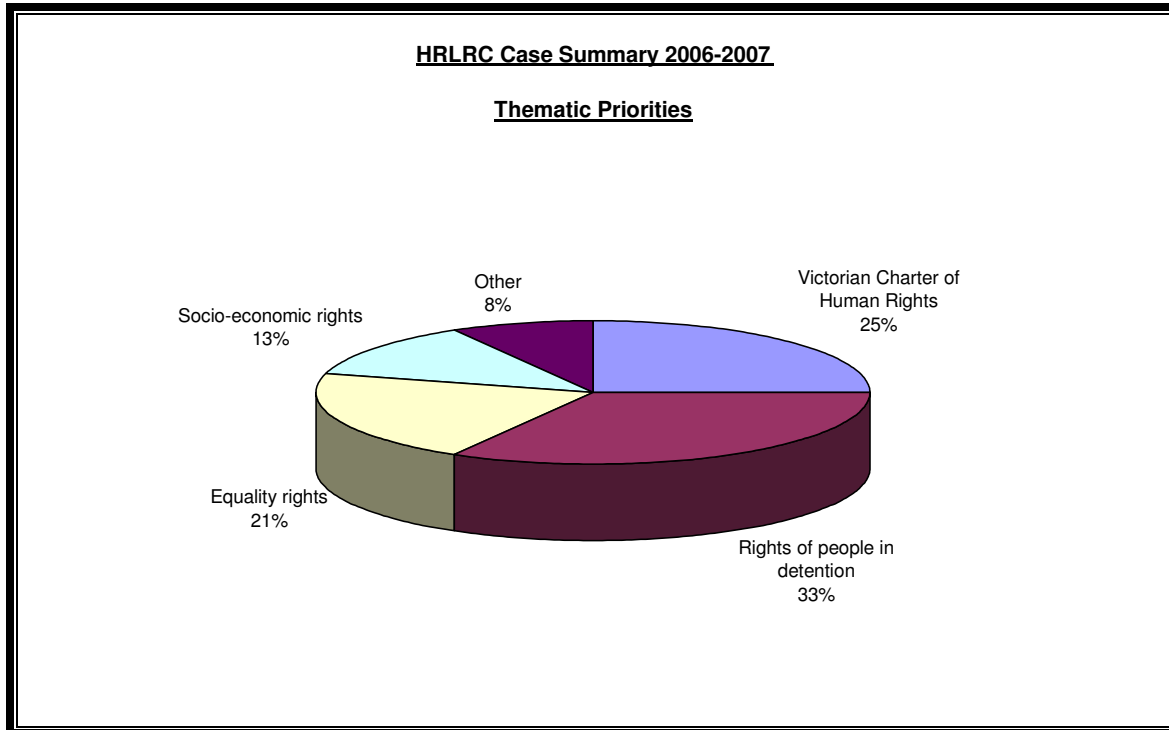
The Centre conducted 16 significant cases in 2006/2007 and opened a total of 35 major files from 1 January 2006 to 30 June 2007.³² In the latter part of 2007 the Centre took on another 13 significant cases.³³ The Centre has managed to take on such a demanding workload through both its committed staff and its partnerships with major law firms, the Victorian Bar and community legal centres. This view was highly supported in the email survey. Typical comments regarding this is: '[t]he Centre is exceptional at harnessing support from the private sector to drive human rights orientated casework and policy work'. This capacity to undertake strategic and test case litigation through partnerships is a distinguishing feature of the Centre. The 'enthusiasm and dedication' of the Centre's staff, Phil Lynch and Ben Schokman, and their ability to mobilize pro bono support and resources was also regularly noted, with one respondent stating that the Executive Director 'is the only leader of a public law group who has gone out of his way to seek out this group (the corporate legal sector)'. In addition, respondents to the email survey noted that the Centre was filling a 'gap between existing services to run complex matters with a broad public interest reach'. This demonstrates stakeholder appreciation of the way in which the Centre has managed to walk the fine line between existing services to fulfil its objectives and create a discrete and important niche for itself.

³² Application for Funding to the R E Ross Trust (2007) *Human Rights Law Resource Centre*

³³ Activity Report (2007) *Human Rights Law Resource Centre*

See the chart below for a summary of the case activity in relation to thematic priorities.

Case Summary 2006-2007



The Advisory Committee was asked to rate the effectiveness of the Centre's casework on a scale of 1-10. The mean score was 8.52, illustrating that the Advisory Committee views the Centre's casework as being of a very high quality. Members of the Advisory Committee noted that they would encourage the Centre to focus on areas that would otherwise fail to be raised in Australian courts, as well as considering novel areas of the *Victorian Charter of Human Rights and Responsibilities*. Another member of the Advisory Committee suggested that while the Centre had chosen cases well, they could, however, have a more strategic approach focusing upon key points when approaching courts.

The Centre has conducted a diverse range of significant human rights cases before domestic and international courts and tribunals including:

- A successful High Court challenge to the constitutional validity of the blanket disenfranchisement of prisoners on behalf of an Indigenous female prisoner, Vickie Roach. The landmark case received widespread media coverage³⁴ with the Centre's

³⁴ Karen Kissane, 'Court reverses prisoner vote ban', *The Age*, August 31, 2007; Karen Kissane, 'Former delinquent takes on Government and wins' *The Age*, August 31, 2007; Kim Rubenstein, 'Not all Australian citizens are equal' *The Age*, August 30, 2007; 'The right decision for democracy' *The Age* August 31, 2007; Jane Holroyd, 'Prisoners win right to vote' *The Age*, August 30, 2007; Jonathan Pearlman, 'Court

Executive Director Philip Lynch being quoted extensively. The case has been described as ‘the biggest constitutional law case of the year’.³⁵ Many respondents to the email survey were particularly impressed with the Centre’s work on the Roach case. Illustrative of these comments is the following response:

‘The Roach voting case was a fantastic example of the importance of having a Centre that can run a case for a disadvantaged person by pulling together the resources of the law firms, community legal centres, barristers and other agencies and have a significant impact. Hopefully more cases can be proactively run to raise the Centre’s profile further in 2008.’

- A complaint with the UN Human Rights Committee regarding the detention and deportation of Stefan Nystrom in late 2006. Mr Nystrom, was deported to Sweden on the basis of his criminal record despite being a permanent resident of Australia for 33 years, since arriving aged 27 days.
- The Centre has made submissions detailing international human rights law relevant to issues in Jack Thomas’ appeal against conviction and sentence for terrorist-related activities in the Victorian Court of Appeal.
- The Centre worked with the UN Working Group on Arbitrary Detention regarding the oppressive conditions of detention of the 13 Melbourne men who have been charged with ‘terrorist-related’ offences.
- The Centre, in partnership with Blake Dawson Waldron, the Federation of Community Legal Centres and the Victorian Council of Social Services, is currently working on a major project regarding the human rights of women in prison.
- In partnership with Allens Arthur Robinson the Centre has produced advice on the impacts and implications of the Victorian Charter of Human Rights for mental health law, policy and practice.
- Together with Maurice Blackburn Cashman, Julian Burnside QC and Rowena Orr, the Centre has obtained a settlement with ASIO regarding ASIO’s failure to make a security assessment in relation to Mr P. Pursuant to the settlement, ASIO has agreed to make an assessment and also to pay costs associated with the Federal Court proceedings.
- In a matter pertaining to the right to a fair hearing, the Centre has negotiated with GSL and the Department of Justice to waive any fees associated with the transport of a prisoner to civil proceedings. The requirement to pay fees acted as a significant impediment to the prisoner pursuing his legal rights, contrary to the right of access to the courts.

gives vote back to some inmates’ *The Sydney Morning Herald*, August 31, 2007; Michael Pelly and Paul Maley, ‘Prisoners regain right to have a say’ *The Australian*, August 31, 2007; Paul Maley, ‘High court lets prisoners vote’, *The Australian*, August 30, 2007; ‘Lift on prison inmate voting ban ‘disappointing’’, *ABC News Online*, August 30, 2007; ‘High Court overturns prisoner vote ban’ *ABC News Online*, August 30, 2007; ‘Court overturns prisoner vote ban’, *Herald Sun*, August 30, 2007; ‘High Court ruling overturns legislation on voters’, *Herald Sun*, August 30, 2007; ‘High Court allows inmates to vote’, *The Western Australian*, August 30, 2007; High Court overturns electoral law, *The Western Australian*, August 30, 2007; ‘Prisoners get the vote’, *The Courier Mail*, August 31, 2007; and ‘Aboriginal woman wins High Court battle on the rights of prisoners to vote’, *National Indigenous Times*, August 23, 2007.

³⁵ Kenneth Nguyen, ‘Prisoner goes to High Court to win right to vote’ *The Age*, April 25, 2007

- Ben Schokman and Phil Lynch attended and made submissions to the UN Committee Against Torture review of Australia in Geneva in November 2007.

Over the last 2 years casework and litigation have formed a key part of the Centre's work. The volume and quality of the work completed is impressive, as a member of the Advisory Committee commented, 'the work they have done affirms that they have an important role to play'.

4.2 Law reform, advocacy and policy work

The Centre has made 27 major law reform submissions since the beginning of 2006.³⁶ Many of the Centre's submissions have been subsequently cited in relevant reports illustrating their significant influence on human rights policy and practice in Australia and, increasingly, internationally. Some notable examples include:

- The Centre's submission to the Tasmanian Law Reform Institute regarding a Charter of Human Rights for Tasmania was cited 10 times in the Institute's report and was substantially incorporated.
- Four specific recommendations detailed in the Centre's submission to the United Nations Human Rights Committee regarding Draft General Comment on the Right to a Fair Trial were incorporated in the Committee's 'General Comment 32 on the Right to a Fair Hearing and Equality before the Courts'.
- The United Nations Committee on Economic Social and Cultural Rights General Comment on the Right to Social Security incorporated three specific recommendations/observations from the Centre's submission. These recommendations concerned the role that social security plays in poverty reduction; the right to social security – including the right not to be subject to arbitrary and unreasonable restriction with existing social security coverage; and the reasonableness and transparency of qualifying conditions for benefits.
- The Centre's submission to the Consultation Committee for a Proposed Western Australian Human Rights Act regarding a Charter of Human Rights for Western Australia was endorsed by WA Legal Aid, National Children's and Youth Law Centre and Aboriginal Health Council of WA, as well as being cited 35 times in the Committee's report.

Respondents to the email survey were impressed with the Centre's prolific, diverse and high quality law reform and policy work. This was also reflected in the mean rating of 8.58 on a 1-10 scale by the Advisory Committee of the effectiveness of the Centre's submissions. There was a suggestion by a member of the Advisory Committee that the Centre should work to get more mileage from each submission, for instance this could include increased media coverage and educational seminars related to the submission.

³⁶ Human Rights Law Resource Centre Submissions (2007) *Human Right Law Resource Centre*

As with the Centre's litigation program much of the Centre's policy work is undertaken in partnership with major law firms, the Victorian Bar and community legal centres. See Attachment 6 for a detailed review of submission activity and its impacts. This review utilises a reasonably simple schema for gauging impacts, consisting of the following scale:

- *Substantial implementation* when the majority of the report's recommendations, including key recommendations, have been implemented by those to whom the recommendations are directed.
- *Partial implementation* refers to implementation of at least some recommendations of a Centre report.
- *Proposals under consideration* applies to reports that have received a positive response from those to whom the recommendations are directed but are still awaiting implementation, and to those that have been completed within the past two years and are yet to receive a response.
- *No implementation* refers to those reports which have not been implemented in any way in the two year period following publication.
- *Not possible to measure* refers to those reports in respect of which it is not possible to assess implementation (eg, a report made to an internal government inquiry the results of which are not published).

While this is one schema to utilise, it does not provide an accurate reflection of the *full* impact of the Centre's submissions, as implementation is not under the control of the Centre. It should also be recognised that law reform can be a slow process, particularly in human rights for the marginalised, where political support can be difficult to muster. Particularly early in the life of the Centre, even if recommendations are not accepted in the short term, submissions are still important as they can raise the profile of human rights issues, generate public debate and provide an educational resource.

The contribution of the Centre to law reform is evident and represents significant impact, particularly in terms of raising the profile of these issues and contributing to public discourse on human rights.

4.3 Human rights education, training and capacity building

The Centre's educational and capacity-building activities included:

- Publishing monthly editions of the Human Rights Law Bulletin, which now has over 3000 subscribers;
- Publishing the 2006/2007 Yearbook, a comprehensive and unique resource of human rights issues confronting Australia during 2006 and 2007;
- Publishing the Human Rights Law Resource Manual in collaboration with Allens Arthur Robinson, Blake Dawson Waldron, Mallesons Stephen Jacques, barristers and academics. The Manual is an accessible and comprehensive guide to international

human rights law, the international human rights system and includes chapters on the *Victorian Charter of Human Rights and Responsibilities* and strategic human rights litigation in a domestic context. It is available for download on the Centre's website.

- Conducting a comprehensive Human Rights Law and Advocacy Training Program in both 2006 and 2007 attended by over 100 people each time. The feedback received regarding the training was excellent, in 2006 the average evaluation score was 4.9/5 and in 2007 it was 4.6/5. In both years the Program was attended by practitioners from both community legal centres and private law firms, as well as law students and members of other community organisations. Written responses evaluating the Program by participants were very positive, the Program was described as providing a 'very useful and practical introduction to human rights law' and as 'practical and accessible', the speakers were described as 'engaging and empowering' and 'exemplary' and hand-outs and power point were considered to be 'excellent resources'.
- Developing and maintaining the Centre's website, which enables access to human rights legal briefs, articles, commentary, case notes and a searchable database of jurisprudence. Visitors to the site have been steadily increasing over the last year with 5070 people visiting the website in September 2007, the highest number for the year (see also Section 4.5).
- Hosting the inaugural Human Rights Law Resource Centre Visiting Fellow, Sir Nigel Rodley of the UN Human Rights Committee.
- Publishing and periodically updating a comprehensive online Guide to the Victorian Charter of Human Rights and Responsibilities; and
- Convening a highly successful human rights seminar series, with high-profile, internationally renown guest speakers, for instance, Justice Kenneth Keith of the International Court of Justice, Justice Zak Yacoob of the South African Constitutional Court, Sir Nigel Rodley and Professor Ivan Shearer of the UN Human Rights Committee, Debbie Kilroy from Sisters Inside and Professor Philip Alston who is the UN Special Rapporteur on Extrajudicial, Summary and Arbitrary Executions. The seminars, 15 held during 2006 and 12 held during 2007, have been very well attended, indeed many have been sold out. The Centre is approaching a number of high profile speakers for its seminar series in 2008.
- Additionally, the Centre provided targeted human rights training and seminars to commercial law firms, the Victorian public service, Victoria Legal Aid, university law schools, and a wide range of community legal centres and NGOs.
- Frequently publishing opinion articles in credible media sources.

In the email survey the Centre's education program and resource provision was mentioned numerous times as something the Centre did particularly well. It was noted by a number of respondents that the Centre has played an important role in raising awareness and publicising human rights issues, as well as sparking public conversation and community engagement. Respondents noted the openness and willingness of the Centre to share its expertise and resources, and its ability to nurture and mentor young talent within law firms. Many respondents noted the value of the Centre's education programs, particularly in bringing interesting and informative speakers to its seminars,

typical of these responses is: ‘Their forums are always engaging and involve prominent speakers who can teach us much’.

4.4 Projects

The Centre seeks to develop innovative projects which meet human rights needs and build human rights capacity and expertise. The Centre is currently developing a ‘clearing house’ project to support and facilitate the effective, coordinated and strategic use of international human rights mechanisms by Australian NGOs and civil society.³⁷ The Centre has received a grant of \$15,000 from the Reichstein Foundation to assist in the development of this project. When established, the ‘clearing house’ will function primarily as a point of coordination, facilitation, enablement, resources, information and support for NGOs in their engagement with UN human rights bodies.

4.5 Publication and information dissemination

Respondents to the email survey consistently mentioned the ‘excellent’, ‘useful’ and ‘relevant’ resources provided by the Centre. Some of the resources provided by the Centre have been considered by the evaluation team below.

4.5.1 Bulletin

As mentioned above the Centre produces a monthly Bulletin containing the latest human rights news, opinion pieces, information on recent human rights cases, the Victorian Charter of Rights, law reform and advocacy, as well as information on the Centre’s activities. In the email survey the Bulletin was highlighted by many respondents as a valuable, relevant and comprehensive resource. A typical comment regarding the Bulletin is as follows: ‘Excellent, the [Bulletin] is invaluable and I can’t speak highly enough about it’. A number of respondents highlighted its usefulness as a way of keeping practitioners up to date with recent developments, as one respondent stated: ‘I use this Bulletin to brief my colleagues who work in the Criminal Law Justice Statement Unit on recent human rights cases we should be aware of’. The only criticism of the Bulletin received was that it can be too long.

4.5.2 Website

Website usage has shown a high rate of growth with usage increasing by roughly 200 visitors per month, with a total of 40,597 visitors between July 2006 and October 2007. The highest usage was in September 2007 at 5070. The website provides an excellent and comprehensive resource for students and practitioners engaged in human rights law with access to current human rights news from around the world and the Centre’s own publications. In general the website is also a useful resource for a layperson wishing to learn about the Centre’s activities. In particular the examples provided regarding case work and policy provide a simple and effective illustrative of the Centre’s work.

³⁷ Annual Director’s Report 2006-2007 (2007) *Human Rights Law Resource Centre*, p24

Respondents to the email survey frequently highlighted the high quality of the website, typical of these responses is the following: 'The website is an outstanding, up to date resource that provides useful information about human rights related work going on in Victoria'. Another respondent noted the difficulty of finding timely material related to the new developments taken by the UN Human Rights Committee and thus 'I thought the Centre's coverage [was] rather impressive...and I will definitely be recommending this resource to my other colleagues'. Another respondent noted that they 'reference the work of the Centre very often in our community education, and suggest non-lawyers go to the website for simply stated but comprehensive charter information'.

4.5.3 Yearbook

The Centre has recently published the 'Human Rights Law Resource Centre 2006/2007 Yearbook' which provides:

- An overview of the significant human rights issues confronting Australia over the period
- A compilation of opinion articles by leading Australian advocates
- A collection of articles on the topic 'If I were Attorney-General...'
- A compilation of human rights case notes

The Yearbook is an impressive resource for practitioners, students and those with an interest in human rights law. The content is comprehensive, providing a thorough, wide ranging assessment of human rights law issues. The Yearbook is unique, as there does not appear to be any other publication that compiles such a broad, detailed and up to date range of information regarding the human rights legal issues confronting Australia. However, the layout should be examined with a view to making the document more accessible for non-law specialist readers.

The Centre's publications are valued resources which disseminate detailed and wide-ranging information about human rights law issues.

4.6 Performance against plan

The Centre undertakes a range of both routine and special purpose planning activities, from which it has derived a number of strategies with associated key activities, within its priority areas. Attachment 7 provides a detailed review of achievements against the plan, while Table 2 provides a brief summary of these data.

Table 2: Achievement of Performance against Plan

Activity area	Number of priorities related to activity area	Number of strategies related to priorities	Number of key activities	Action on activities
Casework, policy and advocacy	4	14	26	Completed = 3 Ongoing = 20 Planned but not commenced = 3
Community, Professional and Judicial Human Rights Legal Education	1	3	15	Completed = 3 Ongoing = 11 Abandoned = 1
Governance	4	5	17	Completed = 3 Ongoing = 13 Planned but not commenced = 1
Funding and Financial Management	3	3	9	Completed = 5 Ongoing = 4
Profile and Stakeholder Engagement	1	1	9	Completed = 4 Ongoing = 4 Planned but not commenced = 1

In terms of casework, policy and advocacy, there is a high achievement rate of 88.5%, in terms of specified activities being either completed or ongoing. Planned activity includes:

- Initiate, respond to and intervene in Victorian Charter of Human Rights and Responsibilities cases in accordance with Case Selection and Litigation Guidelines
- Initiate or intervene in cases giving rise to arguments regarding economic, social and cultural aspects of civil and political rights
- Lobby and advocate in relation to the elimination of discrimination against people in same-sex relationships by engaging with international mechanisms, including Special Rapporteurs and treaty bodies.

In terms of community, professional and judicial human rights legal education, there is a high achievement rate of 93.3% of activities either completed or ongoing. One activity, to develop a Human Rights Law and Advocacy subject for the La Trobe Public Interest Law Masters to be offered around Jan/Feb 2008, was abandoned due to workload, capacity constraints and focus on legal service education provision rather than tertiary education.

In relation to governance, there is a 94% achievement rate, with the only outstanding item relating to implementation of recommendations arising from the present evaluation. All activities related to funding, in terms of obtaining funding, managing those funds and obtaining and maintaining beneficial taxation status have been achieved.

Section 3.3 of this Report noted in some detail the achievements of the Key Stakeholder Strategy, but in the context of strategic planning, it is noted here that there is an 88.8% achievement rate in relation to maximizing the profile of the organisation and developing and maintaining positive relationships with key stakeholders.

The Centre has achieved a 93% success rate in terms of implementation of its strategies across all activity and priority areas, and has demonstrated an exemplary commitment to strategic planning.

5. CONCLUSION

5.1 Overall comments on the operation and worth of the centre

On the evidence available to date the Centre appears to the evaluation team to be an exemplary organisation in terms of its planning capacity and its fidelity to its original needs analysis and program design, in its implementation.

It has undertaken a range of activities to a high standard that is consistent with its aims and objectives. Overall respondents to the email survey were highly impressed with the Centre's work. In particular it was noted that the Centre had been very successful in engaging and harnessing private law firms to substantially increase its capacity to undertake its work. As one respondent noted:

This allows the Centre to promote and protect human rights (through case work, advocacy, education and law reform submissions) to an extent that belies its relatively meagre resources. I am sure that many people are surprised to learn that the Centre is staffed by only two full time lawyers - its presence and performance is equal to that of a far larger, better resourced organisation.

The Centre has also acted as a bridge between the community and private legal sectors, being well received by the diverse range of organisations which make up the human rights landscape. The work that the Centre has completed has been diverse, completed to a very high standard and as one respondent noted it 'performs a vital service in the community'. A number of the respondents to the email survey also noted the accessible nature of the work completed by the Centre and its success in communicating this to a wide variety of stakeholders. The Centre's impressive array of publications are a useful tool for practitioners, an accurate and comprehensive resource for students and a thorough source of information for lay people interested in learning more about human rights law.

The Advisory Committee generally felt that the Centre has been efficient and effective in meeting its ambitious aims, growing very rapidly with limited time and resources. Many members of the Committee were impressed by the high quality, responsive work completed by the Centre noting that it demonstrated a high level of skill and expertise. Some comments included that the Centre was 'breaking new ground', its work was 'critically important, ambitious, efficient, well received by the community and organisations that would not have the time and resources to be involved in this kind of work otherwise' and that its work was filling 'an important niche that other groups could not'. A number of members of the Advisory Committee noted the importance of the Centre as a resource for education, litigation, policy, coordination, promoting human rights issues, awareness raising and mobilising the legal profession to do pro bono work. A Committee member who is also a member of a private firm noted that the Centre is a

‘leader in pro bono and advocacy work in human rights and facilitates a large amount of work for the private sector, which we otherwise could not do’. The value of the Centre to the legal community is also illustrated by the unsolicited testimonial from Justice North of the Federal Court to express his congratulations at the success of the Centre, stating that it ‘makes me proud to be a lawyer, and particularly one in Victoria’.

Members of the Committee and respondents to the email survey also recognised that the contribution of the Executive Director and other staff has been crucial to the effectiveness and development of the Centre.

The broad support for the Centre across both the legal and human rights community was also recently reflected in the letters of support provided to the Centre for its application to the Reichstein Foundation. Some of the comments made in these letters are as follows:

- The Women’s Rights Action Network Australia noted that they welcome ‘the cross-sectoral leadership shown by the HRL[R]C in their vision to bring a cohesive and unified voice to Australian NGO engagement with the UN human rights system’
- The National Association of Community Legal Centres stated that ‘We believe that a specialist CLC like HRLRC will be able to build a bridge between the law, the community, NGOs and international human rights mechanisms. It will also be able to provide support to CLCs and NGOs already engages in international human rights mechanisms and facilitate the engagement of those not already engaged’.
- Youthlaw stated that ‘This project proposal represents an important “next step” in the development, coordination and support of the non-government sector and civil society to engage with international human rights bodies and to generally promote human rights in Australia. We believe there is significant need for the building and strengthening of NGO capacity to engage with UN human rights bodies in a coordinated, strategic and adequately resourced way.’
- As noted in Section 2, the Federation of Community Legal Centres stated that the Centre is an innovative, well-managed independent community legal centre with a reputable commitment to legal excellence. They also noted that the Centre plays a significant role in supporting other community legal centres to use human rights in their casework, advocacy and service delivery. Further, they observe that the Centre is noted for their capacity to develop partnerships across a range of community and private organisations that enhances their capacity to provide effective services to the community.

The Centre’s outstanding work as been recognised in a number of ways:

- The Centre has been short listed for the 2007 Human Rights Law Award which is jointly conferred by the Human Rights and Equal Opportunity Commission and the Law Council of Australia for a ‘proven track record in the promotion and advancement of human rights in Australia through the practice of law’.
- The Centre has been invited by the Victorian Attorney-General and Deputy Premier, Rob Hulls MP, to be one of 19 members of a high-level ‘Human Rights Leadership Forum’ to ‘provide leadership, support and coordination for the implementation of the

Charter of Human Rights by public authorities and for the promotion of a human rights culture across the community’.

- The Centre is one of only 12 external stakeholders and ‘human rights leaders’ that has been invited by the Human Rights and Equal Opportunity Commission to participate in a 2 day summit in February 2008 to assist the Commission to ‘create an inspired, motivating and realistic role for HREOC in the future’.

5.2 Future directions

Almost half the respondents to the email survey could not suggest any areas of improvement when asked if there was anything that the Centre could do better. The evaluation team believe this is a high level of endorsement for the content and quality of Centre activity. Typical of these responses was the following comment:

Given its resources, it seems to be doing an enormous amount, and of a very high quality. I think it should just persevere with the track it has set and now with Labor governments in all states and at federal level, to not lose the edge in being prepared to tackle the meritorious if unpopular cases.

Below is noted a summary of areas nominated by respondents for improvement.

- Over twenty percent of respondents believed that the Centre should expand its **present** operations and pay particular attention to publicising its work more broadly and establishing a higher profile with government and media.
- Many respondents suggested that the Centre continue to support and engage with community groups and non-government organisations. Further, some suggested that the Centre should review its consultative processes to strengthen the legitimacy of its submission work.

Some comments on the Centre’s future raise the question of whether the Centre ought to be providing a consensus view on the matters forming the content of submissions or whether, having consulted with interested parties, they make a judgment on what their own position may be. The extent to which the Centre is deemed to be representative has been raised by respondents. The evaluation team suggests that this issue is clarified with stakeholders and other community groups and non-government organisations.

- Increase community education through forums attracting a multidisciplinary audience, including community workers.
- Explicitly occupy a national leadership role through effective networking.
- Make explicit the criteria by which cases are adopted for direct representation by the Centre, as distinct from those cases which are brokered.
- Expanding their engagement with international human rights bodies.
- Provide work experience and placements for lawyers and legal and related studies students.

- A strongly expressed and concrete suggestion was that the Centre should:

Work with Civil Liberties Australia to secure a full Senate inquiry into Civil Liberties in Australia, to operate from mid-2008 and to report in 2009. This would fit with the 'people adversely affected by counter-terrorism' brief below. There have been 50 laws passed (to Feb 07 – see the Alford report at <http://www.cla.asn.au/pages/students.php>) in response to the 11 Sept 01 terrorist attacks. Arguing for repeal or improvement of those laws one-by-one is a full time job for all CL/HR bodies in Australia. Instead, let's approach the problem from the other direction: define what our civil liberties should be in this country, and then compare how the laws of Australia measure up, in a 3-5-year process. (The process would form a most useful basis for an ongoing debate or decision on a Bill of Rights for Australia)

Suggested future activity largely involves expansion of existing roles which will be dependant on funding and staffing levels of the Centre.

In terms of target groups that the Centre may expand its current work with, or consider working with in the future if they do not currently do so, suggestions from the Advisory Committee members and the email survey included:

- Women's rights, violence and abuse.
- Indigenous rights, which it is recognised form a part already of the existing priority groups.
- Rights of people with disabilities, including the full range of disabilities
- Migration and refugee rights and law access.
- Corporate social responsibility and human rights.
- Drug and alcohol users
- Rural populations
- Children's rights
- Elderly
- People affected by environmental degradation
- Gay, lesbian, bisexual, transgender and intersex populations subjected to discrimination
- Homelessness
- Cultural and religious rights
- Counter-terrorism
- Privacy
- People involved in the criminal justice system as perpetrators and victims
- Workers rights
- Press freedom

It should also be noted that many respondents, including half of the email survey respondents, suggested that the Centre should **not** expand its priority areas or target groups as it was already fully occupied with its present priorities. The implication of

comments such as this is that the Centre would need to **substitute** activity rather than **add** activity. A widely held view with which the evaluation team concurs is that the Centre should regularly review its thematic priority areas and target groups. This should include a review of priorities within existing categories and the possibility of adding to the priority areas and groups. This is to balance changing societal needs and changing opportunities for effective casework, litigation, law reform, advocacy, policy work and education.

5.3 Criteria for judging effectiveness

Although, as noted in the introduction, it is not part of this design and implementation evaluation to make specific judgements on the effectiveness of the Centre, in terms of its primary activities, we have made some limited conclusions on a range of Centre activities. It is the role of a more comprehensive outcome evaluation to determine the appropriate impact and effectiveness criteria for the Centre, and to make judgements against those criteria.

In order to provide some guidance on outcome indicators, an expert panel was convened and asked to consider the same questions. A further task of an outcome evaluation, which should follow this implementation evaluation, would be to operationalise these suggestions.

The indicators outlined in Table 3, below, represent those of the expert panel, comprising people experienced in human rights, non-profit organisations and legal services, namely: Matthew Carroll (EOCV); Hugh de Kretser (Executive Officer, Federation of Community Legal Centres (Vic) Inc); Catherine Dixon (Human Rights Unit, Victorian Department of Justice), Andrea Durbach (Director, Australasian Human Rights Centre), Helen Durham (Melbourne Law School, formerly Red Cross), Sarah Joseph (Director, Castan Centre for Human Rights), and Andrew Lynch (Acting Director, Gilbert & Tobin Public Law Centre).

While those who contributed to the development of indicators acknowledged the importance of benchmarking and standard setting in ensuring the quality of the Centre, several also warned against over-reliance on quantitative measures or the creation of an assumption that ‘more is better’. For example, it might be more effective to write two or three targeted, detailed and credible submissions to parliamentary or government inquiries a year than to attempt to put in a submission to every relevant inquiry. Similarly, it might be better to conduct very high quality training for a particular, targeted group in human rights than to run a large number of training sessions that are not well focused or resourced. The indicators in Table 3 are, therefore, set out in general terms with no attempt to ascribe quantities to them. The Centre will then need to determine how best to target its resources and what goals can be set in terms of such things as quantity of training, number of cases, reports etc.

In addition to the expert panel, email survey respondents were asked to indicate what they would consider as useful outcome indicators. In Table 3, panel member suggestions

are in normal type. Any criteria for measuring effectiveness mentioned by the email survey respondents that were in addition to the panel members' suggestions are in italics.

Table 3: Suggested Outcome Indicators for the Centre

Work stream	Indicator	Annotations/explanation
Overall indicators	<ul style="list-style-type: none"> ▪ High regard by relevant stakeholders. ▪ Centre effectively coordinate s/ acts as a hub for the work of other human rights / legal organisations. ▪ Evidence that the Centre meets an otherwise unmet need in its work (ie it avoids duplicating the work others)? ▪ Consistent delivery of excellent work. ▪ A stable or growing resource base (including funding, volunteer, pro bono). ▪ Resource base becomes sustainable and has reasonable protection against potential negative events (ie: cut in government funding, move away from pro bono etc). ▪ The Centre's organizational structures, relationships and networks support its ability to meet its aims 	<ul style="list-style-type: none"> ▪ eg: Does the Centre have good networks so that important cases/clients are referred to it? Can the Centre call on relevant expertise to deal with issues? Can the Centre harness resources to deal with particular issues? Does the Centre have good processes and input for identifying priority issues and needs?
Legal case work and advocacy	<ul style="list-style-type: none"> ▪ Number of cases/complaints launched ▪ Number of clients advised ▪ Number of interventions in legal proceedings ▪ <i>Citations of cases by courts</i> ▪ Profile of cases/complaints/interventions 	<ul style="list-style-type: none"> ▪ Who is the HRLRC assisting/not assisting? Is it maintaining focus in its case work or dissipating its effectiveness through an unfocussed strategy? Is its focus enabling it to build political capital and profile?

	<ul style="list-style-type: none"> ▪ Number of hours of lawyers' work / value of lawyers' work at hourly charge-out rates (including pro bono lawyers contribution) ▪ Client satisfaction ▪ Outcomes (redress for applicant; government commitment to investigate or reform policy / legislation; agenda setting; formal or informal law reform processes initiated; publicity and initiating/contributing to public debate) ▪ Pro bono resources attracted / contributed / coordinated ▪ <i>Extent to which cases get to High Court</i> 	
<p>Law reform</p>	<ul style="list-style-type: none"> ▪ Number of submissions ÷ number of Bills or enquiries with major human rights issues ▪ Profile of submissions ▪ Number of submissions cited / implemented / cited in public debate ▪ Engagement in public debates about law reform (media work – op-eds; interviews and citations – and also participation in fora where this is discussed/debated) ▪ Participation in shaping/initiating law reform terms of reference ▪ Participation on working groups/committees ▪ <i>Consultation with key stakeholders in framing submissions</i> ▪ <i>Quality of written work</i> ▪ <i>Extent to which submissions provide template for other reformers</i> 	<ul style="list-style-type: none"> ▪ Is the HRLRC maintaining focus in its submissions or dissipating its effectiveness through an unfocussed strategy? Is its focus enabling it to build political capital and profile? ▪ Citation by committees should not be seen as purely numerical measure. Committee citation practices are variable and unpredictable.

<p>Provision of information</p>	<ul style="list-style-type: none"> ▪ Numbers of citations by courts / politicians / commentators / scholars to HRLRC publications ▪ Number of downloads / pageviews of website material ▪ Geographic diversity / focus of downloads / pageviews ▪ Growth (to a stable plateau?) in subscribers to monthly e-newsletter ▪ Qualitative/quantitative evaluation of web user/newsletter subscriber satisfaction ▪ Invitations to participate in events / reviews / media interviews ▪ Agenda setting / influence on terms of debate ▪ Expectations, knowledge, understanding, commitment, confidence, workplace support and future needs through pre and post surveys of attendees at training sessions 	<ul style="list-style-type: none"> ▪ Reviewed six-monthly to ensure that web development resources are being appropriately targeted
<p>Education and other human rights work</p>	<ul style="list-style-type: none"> ▪ Number of human rights training courses (whether contracted or not) conducted by HRLRC or participation therein by staff; type of people trained under such contracts (eg government, barristers) ▪ What publications has the Centre produced? To whom are they targeted? ▪ Has it offered training to those working in the area? Was this evaluated by clients in order to give some indication as to quality/success? ▪ Reflection on the opportunities to ‘piggy-back’ onto other education and HRs work being done in the community (ie perhaps could provide the legal framework to 	

	<p>other institution's practical application) as well as identify own priorities.</p> <ul style="list-style-type: none"> ▪ Numbers attending lectures, training courses and events ▪ Qualitative/quantitative evaluation of satisfaction among attendees 	
<p>Governance</p>	<ul style="list-style-type: none"> ▪ Ability to work within budget; ▪ Adequacy and frequency of reports made to stakeholders ▪ Compliance with the Centre's internal structure and Constitution ▪ Regular meetings with external advisers and stakeholders. ▪ Ensure that governance and all that goes with this concept (transparency, accountability etc) is strong but not an 'end-in-itself' to the extent that it takes more resources than the actual workload itself. ▪ Retention of key staff, including administrative and support staff, ▪ Composition of management structure reflects appropriate strategic and financial objectives 	

Attachment 1: Email Survey

Dear distribution list member

The School of Enterprise at the University of Melbourne is conducting an evaluation of the Human Rights Law Resource Centre. As part of this evaluation, we are emailing you as a contact of the Centre to ask if you would be able to assist the evaluation team by answering a small number of questions. These questions appear below. If you wish to take part, could you please reply to this email and place your responses below the questions.

Please reply to our research assistant collating this part of the evaluation materials, Ms Emma Jackson, at e.jackson3@ugrad.unimelb.edu.au. If you could reply by Friday 7th December 2007 at the latest, this would be much appreciated.

Thank you for your co-operation in this, and please do not hesitate to phone me on 03 8344 9402 if you have any queries about the evaluation. Please note that answers to this brief survey will be presented in aggregate form in our Evaluation Report, and no respondent will be identified.

QUESTIONS BEGIN HERE

1. **Could you please indicate which key stakeholder group (or groups) you belong to**, deleting those that do NOT apply to you:

fundors (including potential fundors); Advisory Committee; law firms and corporate legal departments; community legal centres; Victoria Legal Aid; University law schools; human rights and community organisations; legal professional associations; statutory human rights bodies; governments; courts: other (specify) _____

2. **What do you think the Centre does particularly well?**

3. **What do you think the Centre could do better?**

4. The Centre has adopted the following priority areas for its work: the effective implementation and operation of the Victorian *Charter of Human Rights and Responsibilities*; the rights of people in detention, including asylum-seekers, prisoners and involuntary

patients; economic, social and cultural rights, particularly the rights to health and adequate housing; and equality rights, particularly the right to non-discrimination. **Are there any other areas you would like to see them work in?**

5. Within these priority areas, the Centre wishes to pay special attention to the following groups: people with a disability; people experiencing mental illness; people experiencing homelessness; Indigenous people; people experiencing poverty; people subject to marginalisation or discrimination on the grounds of race, religion, ethnicity, gender, political opinion or other status; children and young people; and people adversely affected by counter-terrorism measures. **Are there any other groups you would like to see them pay attention to?**

Thank you for your assistance

Professor Alun Jackson

Attachment 2: Organisations which have a Similar Purpose to HRLRC in Other Jurisdictions

Organisation Name/ Website	Location	Background	Funding Body	Purpose	Activities	Related publications
Human Rights Clinic, British Columbia Human Rights Coalition	British Columbia, Canada.	Charitable, non-profit organisation.	Unclear	Seeks to promote and strengthen human rights throughout BC and Canada.	In concert with the Community Legal Assistance Society, the BC Human Rights Coalition runs a specialist Human Rights Clinic. The Clinic provides a free service to British Columbians to assist them in pursuing and understanding their legal rights under the BC Human Rights Code. The service includes the provision of advice relating to human rights issues and assistance in pursuing a complaint under the Code and representation before the BC Human Rights Tribunal. The BC Human Rights Coalition's activities also include: 1. Education and training 2. Consultation 3. Investigation 4. Mediation 5. Research 6. Advocacy	
Rights International: The Centre for International Human Rights Law Inc.	Miami, Florida (however also holds events in other states)	Established in 1994 by human rights lawyers and international policy analysts in response to the increasing power of international human rights tribunals. Operates independently of any political ideology, government, economic interest, or religious creed.	Members of the public can contribute via their website. No government funding. Many of those who work for them donate their time.	1. To protect the human rights of their clients. Human rights is defined as those rights 'recognised by the Universal Declaration of Human Rights and other international human rights treaties'. 2. To advance the development of international human rights case law.	1. Representing victims of human rights violations in international tribunals, and filing amicus briefs before such tribunals. Rights International sues foreign governments before international tribunals on behalf of people throughout the world whose human rights have been violated by their governments. The organisation sues countries for money damages and injunctive relief. 2. Collaborating with and providing legal assistance and education to human rights advocates both in the US and in other countries. 3. Organizing continuing legal education programs on international human rights law practice. 4. Publishing 5. Provision of a 'Brief Bank', downloadable model human rights guides for practitioners presenting cases before international tribunals and domestic courts.	International Human Rights Law & Practice (Kluwer Law International, 1997) Range of law text books that incorporate the growing body of case law emanating from international tribunals. A Research Guide to resources, on-line and off-line, for human rights

						litigators.
Lawyers Without Borders.	Based in the US, but is an international organisation.	Developed in 2000, LWB is the world's largest group of volunteer lawyers from around the globe who stand ready to offer pro bono services.	Many supporters including large legal firms and legal databases. Firms contribute lawyers to work on cases pro bono. Also individuals can donate their time.	Aim is to provide legal support to Rule of Law projects and initiatives in the human rights and nation building sectors at law or significantly discounted cost.	NGO's can apply for pro bon counsel	Large amount of resources published on their website.
Urban Justice Centre	New York City, US	Established in 1984	Pro bono counsel. Private foundation, corporations, gov grants and individual donations.	1. To make legal services available to people living on the streets and in poverty. 2. To make social advocacy and law reform efforts directly responsive to the struggles of their clients.	1. Outreach work in the community 2. Devices advocacy strategies to effect systemic change, including class action litigation and law reform	
The Centre for Justice and International Law	Washington DC	Founded in 1991 by a group of prominent human rights advocates in Latin America and the Caribbean.	Unclear	To achieve full implementation of international human rights norms in the member States of the Organisation of American States.	1. The Legal Defence Program CEJIL chooses cases which exemplify a systematic pattern of abuse and which could impact the implementation of international human rights norms in countries of the region. Generally before the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights. 2. Training and Dissemination program Trains legal communities and civil society activists about the procedures, standards and jurisprudence of the international human rights protection systems. 3. Campaign to Strengthen the Inter-American System.	
Liberty	London	Leading human rights and civil liberties organisations in UK. Founded in 1934.	Unclear	To protect civil liberties and promote human rights.	1. Public campaigning and parliamentary lobbying 2. Legal advice, education, training and test cases. Provides assistance for those who believes their rights have been breached and specialist advice for lawyers and advisors. 3. Research and policy development.	
Public Interest Lawyers	Birmingham	Established in 1999.	Unclear	1. To provide a unique legal service to individuals and groups worldwide on legal	1. Has acted in number of complaints to the European Court of Human Rights	

				<p>matters of public interest.</p> <p>2. To achieve compliance of administrative measures with both the Human Rights Act (UK) and the European Convention on Human Rights and Fundamental Freedoms.</p> <p>Focus upon International Human Rights Law using the procedure of judicial review in the UK.</p>		
The Southern Africa Litigation Centre.	Johannesburg, South Africa.		Open Society Initiative for Southern Africa. International Bar Association. DLA Piper.	<p>The purpose of the Centre is to increase the number of successful legal challenges brought on human rights related issues. The Centre is designed to provide a focus on three principal areas: support for human rights cases; advice on Constitutional advocacy in the Southern African region; and training in human rights and rule of law issues.</p>	<ol style="list-style-type: none"> 1. Strategic litigation 2. Provide support (training, mentoring and facilities) to organisations that promote the effective implementation of human rights in the region. 	
Lawyers for Human Rights	Offices throughout South Africa	Established in 1979	Philanthropic, international aid, international legal and UN organisations. Danish and Dutch embassies.	<p>Lawyers for Human Rights is a non-governmental, non-profit organisation whose vision is to be:</p> <ol style="list-style-type: none"> 1. a leading, effective human rights organisation, as well as a constitutional watchdog and advocate. 2. an international force in the development and delivery of human rights, with a primary focus in Africa. 3. a primary contributor to clear strategic policy on the delivery of socio-economic rights for the disadvantaged. 4. LHR strives to promote awareness, protection and enforcement of legal and human rights through the creation of a human rights culture. 	<ol style="list-style-type: none"> 1. Case work and litigation 2. Advocacy 3. Education: developing materials and training 4. Contributing to development of legislation 5. Community capacity building and empowerment work 6. Working with other similar southern African legal services to support one another and to advocate for parallel goals. <p>Focus is on key domestic human rights issues, particularly of the most vulnerable.</p>	A number of publications are available on the website referring to the key areas in which they work.

Attachment 3: Distribution of Board Effort 2006

Notes: D: Discussion; A: Action; R: Resolution

	1 19/01/06	2 16/02/06	3 16/03/06	4 27/04/06	5 26/05/06	6 22/06/06	7 27/07/06	8 24/08/06	9 05/10/06	10 02/11/06	11 11/12/06
Thematic Priorities											
General		D: Priorities						D: Priorities			
Victorian Charter of Human Rights					D: Development of Human Rights Law Resource Manual which touches on Vic Charter.	D: education and implementation.	D/R: Submit tender to EOCV provide training regarding Vic Charter	D: Advisory committees comments regarding education and implementation. D: EOCV tender D/R: Submit tender to provide training and resources to Vic Dep of Justice D: In-house training.	D: EOCV tender – Castan centre chosen, but wishes to sub-contract to HRLRC. D: Tender Dep of Justice. D: Creation of memorandum regarding impact of Charter on CLCs.	D: Tender Dep of Justice. D: Funding application	
Treatment and conditions of detained persons					D: Involvement in Jack Tomas case.		D: Constitutional challenge. D: Submission as amicus curie	D: Submission used by defence counsel. D: Constitutional challenge. D: Submission, detention conditions. D: Submission regarding asylum seekers D: Consultative immigration detention workshop. D: Submission regarding prisoners with mental illness.	D: Constitutional challenge. D: Submission regarding prisoners with mental illness.		D: Seminar D: Opened file
Economic, social and cultural rights						D: Submission	D: Submission			D: Workshop	D: Workshop
Equality Rights										D: Speaker	
Activities											
Human rights training and education	D: Seminar series A: Approach speaker.	D: Seminar series update D: 3 day induction training	D: Seminar series update D: induction training update D: Other events and training	D: Seminar series update D: induction training update & evaluation. D: Other events	D: Other events and training D: Human Rights Law Resource Manual	D/A: Evaluation of edu and training in other jurisdictions. D: Human Rights Law	D/R: Submit tender to provide training and resources to EOCV D: Other events	D: EOCV tender D/R: Submit tender to provide training and resources to Vic Dep of Justice	D: EOCV tender – Castan centre chosen, but wishes to sub-contract to HRLRC.	D: Workshop D: funding application D: 2 speakers	D: Workshop D: Seminar D: Future speakers

				and training D/A: Master subject at La Trobe		Resource Manual D: Other events and training	and training	D: In House training.	D: Tender Dep of Justice. D: Human Rights Law Resource Manual			
Human Rights Litigation: includes legal services, advice, resources and litigation support.	R: Case selection and litigation guidelines adopted. A: Develop risk analysis guidelines.	R: risk analysis guidelines adopted. R: File management and supervision policy adopted D: case discussion	D: Case work report	D: Case work report	D: Case work report; details of 3 items.	D: Case work report	D: Case work report, details of 3 items.	D: Case work report, details number of items D: Which cases will not take on.	D: Case work report, details 2 items.		D: Case work report, details 2 files opened	
Submission and report drafting and writing					D: Submission.	D: Submission.		D: number of submissions	D: 2 submission	D: 2 submission	D: 3 Submission	
Human Rights Policy Analysis, Lobbying and Advocacy			D/R: to adopt Protocol for Policy Positions and Public Comment			Policy advocacy reported.			D: Creation of memorandum regarding impact of Charter on CLCs.			
Other activities			D/A: Scholarship D/A: Website	D/A/R: Scholarship	D: Scholarship update	D/R: Award	D: Website	D: Visiting fellow	D: Visiting fellow	D: Appointed Co-convenor of the National Association of CLCs Human Rights Network	D/A: Annual Dinner D: Website, 1000 visitors per month, avg 10mins spent. Potential of expanding activities into the Asia Pacific.	
Structural/process considerations												
Structure	R: Appoint Office Bearers & auditor. A: Insurance D: Membership peak body. R: Staffing R: Advisory Committee. D: Implementation plan. D/A: Appointment of Patron.	R: Accept mins. D/A: Advisory Committee. D/A: Business plan. D: Implementation plan. A: Appointment of Patron	R: Accept mins. D/A: Advisory Committee D/A: Business plan. D/A: Development of work plan. D: Insurance D: Patron	R: Accept mins. D/A: Advisory Committee D/A: Work plan. D/R/A: Centre evaluation.	R: Accept mins. D/A: Work plan. D: Evaluation R/A: Appoint evaluation team. D: How to conduct evaluation. A: Evaluation Budget.	R: Accept mins. D: Advisory Committee D/A: Work plan, progress. D: Evaluation D: Secondee solicitor.	R: Accept mins. D/R: Work profile D/A: Evaluation D/A: Annual reporting D/R: Constitutional amendment. Staff:	R: Accept mins. D: Work plan, progress, discussion engagement community legal centres. D/A: Evaluation D/A: Annual reporting, audit, AGM, Board	R: Accept mins. D: Work plan, progress D/A/R: Annual reporting, audit,	R: Accept mins. D: Work plan, progress	R: Accept mins. D: Work plan, progress	R: Accept mins. D: Work plan, progress D: Evaluation D/A: Board appointment D/A/R: Staff D/R: Secondee D/A: Strategy

	A: Stakeholder engagement strategy. D: Memorandum of understanding with PILCH	D/A: Amend stakeholder engagement strategy. D: Memorandum of understanding with PILCH	R: Adopt and implement stakeholder engagement strategy. D/A: Memorandum of understanding with PILCH D: Branding				performance and remuneration	composition, directors report.	AGM, Board composition, directors report. D: Seconded solicitor.		meeting for 07
Taxation		R: Establish Gift Fund R/A: Apply for DGR status.	D: Tax status								
Financial	A: Prepare reporting dates. R: Accept 6month budget A: Funding	A: Revise draft 2 year budget. D: Reporting	D: Reporting D/A: Grants	D: Reporting D/A: Grants D/R: Contribution to post-grad fees.	D: Reporting D: Funding	D: Reporting D: Investment D: Grant	D: Reporting D: Investment D: Budget D/A: Grant A: Future funding strategy	D: Reporting D: Investment R: Budget adopted 06/07/ D: Budget 07/08 D/A: Future funding strategy.	D/A: Reporting D: Future funding strategy.	D/A: Reporting D: Future funding strategy. D: Funding application	D/A: Reporting D/A: Future funding strategy.

Distribution of Board Effort 2007

	1 01/02/07 – Longer planning meeting	2 01/03/07	3 04/04/07	4 03/05/07	5 07/06/07	6 02/08/07	7 03/09/07	8 04/10/07	9 15/11/07
Thematic Priorities									
General	D: Priorities								
Victorian Charter of Human Rights	D: Seminar D: submission D: Funding for edu D: Outlines 07 objectives	D: Intention to act in accordance with the Charter. D/A: Potential liability under the Charter.	D: Intention to act in accordance with the Charter. D: Potential liability under the Charter. D: Provision of advice	D: Impact on mental health law and practice.		D: Charter database. D: Charter resources on the website.			D: Retained to provide training to Magistrates, VCAT and Sheriff's office.
Treatment and conditions of detained persons	D: Prisoner voting rights case D: deportation case D: Outlines 07 objectives	D: Case	D: Provision of advice D: Case				D: Provision of advice D: Case	D: Case x 2	
Economic, social and cultural	D: Seminar D: Shadow reporting D: Outlines 07								

rights	objectives								
Equality Rights	D: Outlines 07 objectives		D: Provision of advice						
Activities									
Human rights training and education	D: Seminars D/A: Future speakers D: Funding for edu	D: Seminars	D/A: Seminars D: Training	D: Seminars D: Training	D/A: Seminars D/A: Training	D: Seminars	D: Seminars	D: Seminars	D: Seminars 2008.
Human Rights Litigation: includes legal services, advice, resources and litigation support.	D: 2 cases	D: Case	D: Provision of advice x 2 D: Case	D: Case D: Provision of advice	D: Case D: Provision of advice		D: Case (Yasser Maghami) D: Provision of advice	D: Case (Yasser Maghami and reasons for prisoner voting rights case.)	
Submission and report drafting and writing	D: 2 submissions		D: submission			D: Human Rights Shadow Reports	D: 4 submissions	D: 4 submissions	D: 2 submissions D: Results of the Tasmanian submission.
Human Rights Policy Analysis, Lobbying and Advocacy	D: Drafted gov policy D: Shadow reporting	D/A: Briefing paper – potential publication.	D/A: Briefing paper – potential publication. D: UN NGO Human Rights Engagement Project D: Election scorecards	D: UN NGO Human Rights Engagement Project	D: UN NGO Human Rights Engagement Project	D: UN NGO Human Rights Engagement Project		D: UN Human Rights Committee acceptance of recommendations re: fair trial	D: UN Committee Against Torture, oral submissions report. D: UN NGO Human Rights Engagement Project
Other activities	D: Annual Dinner D: Website – 1868 hits in Dec; avg 10mins	D: Dinner D: Website 2181 views of avg 9 mins D: Meeting with Vic Attorney General	D: Meeting with Vic Attorney General – organizing meetings with Shadow AG – Cmth and Vic D: Corporate engagement – two activities. D:	D/R: Scrutiny of Acts and Regulations Committee D/A: VLF Human Rights Fellowship	D: meetings with Federal Shadow Attorney General and Chair of the Scrutiny of Acts and Regulations Committee.	D: website usage		D: Attorney-General's Human Rights Leadership Forum D: website usage	D: Networking with international human rights bodies. D: Secondment program with HREOC.
Organisational									
Structure	R: Accept mins. D: Work plan, progress D/A: Board appointment D/A/R: Staff D/A: Seconded D: Advisory committee D/A/R: Evaluation D/A: 2007 planning.	R: Accept mins. D: Strategic work plan amended D: Development of a 5-10y plan D: Seconded D/A: Evaluation	R: Accept mins. D: Work plan D: Engaging Corporates D/A/R: Development of 5-10ry plan (planning meeting May or June) D/R: Evaluation D/R: 'Core Values and Purpose Policies' document	R: Accept mins. D/A: Centre's strategy day. D/A: Evaluation	R: Accept mins. D/A: Centre's strategy day. D/R: Evaluation	R: Accept mins. D/R: Evaluation D/R/A: AGM D/R: Directors annual report. D/R: Board composition. D/A: Board membership. D/A: Centre's strategy day.	R: Accept mins. D: Evaluation D/R/A: AGM D/R: Directors annual report. D/A: Board membership D/A: Centre's strategy day.	R: Accept mins. D: Evaluation D/A: Board membership D/A: Centre's strategy day	R: Accept mins. D: New Board appointments. R: Election of Chairman. D/R: Distributing the role of Treasurer. D/A: Evaluation. D/A: Methodologies to measure Centre's success. D/R: Schedule of Board meetings. D: Staffing.

	D/A: Details Boards response to Advisory committees evaluation comments. Board outlines some recommendations to be implemented. D/R: Advisory Committee appointment	D: Advisory Committee appointment	adopted						
Taxation									
Financial	D/A: Reporting D: Funding	D: Reporting D: Donation	D/A: Reporting D: Draft Budget 07/08	D/A: Reporting D: Draft budget 07/08 D/A: Future funders. D/A: Book keeper fees.	D/A: Reporting D: Draft budget 07/08 D/A: Future funders. D: Book keeper fees.	D/R: Reporting D/R: Pay rise for executive director. D/A: Audit D: Future funding	D/R: Reporting D/R: Audited financial statements.	D: Reporting D: Funding application	D: Budget R: Acceptance of financial statements. D: Summary of recent funding. D: Future funders.

Notes: D: Discussion; A: Action; R: Resolution

Attachment 4: Interview Schedule for Advisory Committee Members

Introduction

My name is _____, and I'm ringing you to follow up an email you will have recently received from Phil Lynch, Director of the Human Rights Law Resource Centre about the evaluation of the Centre, currently being undertaken by a team from the University of Melbourne. I am a research assistant employed by Professor Alun Jackson, the head of the evaluation team.

As Phil mentioned in his email we would like to ask you, in your capacity as a member of the Centre's Advisory Committee, a few questions about your views on the Centre's value and impacts and your views on the governance structure. These questions should take no more than 10 to 15 minutes to answer.

Is this a good time to talk with you? (If yes, proceed)

If no, then ask 'Would you like to schedule a time to talk that better suits you?'

Questions

First I would like to ask some questions about the Committee itself.

Q1. The Advisory Committee Terms of Reference state that: *In relation to matters referred to it by the HRLRC Board, the Advisory Committee's aim is to provide assistance and advice, and to make recommendations, to the HRLRC Board in relation to realisation of the HRLRC's objectives and the conduct of the HRLRC's activities.*

On a scale of 0 to 10 where 0 represents 'not at all' and 10 represents 'exceedingly well', how well do you think the Advisory Committee achieves this aim? (Circle response)

0-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10

If the score for Q 1 was 7 or below, then ask Q2. If not go to Q3.

Q2. How do you think the effectiveness of the Advisory Committee could be enhanced?

Q3. The Advisory Committee Terms of Reference state that: *The HRLRC Board will value and respect the participation and contribution of Advisory Committee members. In particular, the Board will consider the advice and recommendations of the Advisory Committee in the design, delivery and evaluation of the HRLRC's legal service, education, training, research and advocacy activities.*

On a scale of 0 to 10 where 0 represents 'not at all' and 10 represents 'exceedingly well', how well do you think the Board considers the advice and recommendations of the Advisory Committee? (Circle response)

0-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10

If the score for Q 3 was 7 or below, then ask Q4. If not go to Q5.

Q4. What would have to happen for this term of reference to be better met?

Q5. Is there anything else you would like to add about the operation of the Advisory Committee?

I would now like to ask you some questions about the Centre generally

Q6. How would you characterize the overall value of the Centre?

Q7. On a scale of 0 to 10 where 0 represents ‘not at all effective’ and 10 represents ‘very effective’, how effective do you think the Centre is in its **submission** work?

0-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10

If the score for Q 7 was 7 or below, then ask Q8. If not go to Q9.

Q8. What would make the Centre’s submission work more effective?

Q9. What criteria do you use to judge effectiveness in relation to submissions?
(Prompts include citations in judgments, media reports etc)

Q10. On a scale of 0 to 10 where 0 represents ‘not at all effective’ and 10 represents ‘very effective’, how effective do you think the Centre is in its **casework**?

0-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10

If the score for Q 10 was 7 or below, then ask Q11. If not go to Q12.

Q11. What would make the Centre’s casework more effective?

Q12. What criteria do you use to judge effectiveness in relation to casework?
(Prompts include citations in judgments, media reports etc)

Q13. The Centre has identified a range of key stakeholders, namely, funders (including potential funders); Advisory Committee; law firms and corporate legal departments; community legal centres; Victoria Legal Aid; University law schools; human rights and community organisations; legal professional associations; statutory human rights bodies; governments; and courts. The Centre has devised a stakeholder engagement strategy.

On a scale of 0 to 10 where 0 represents ‘not at all effective’ and 10 represents ‘very effective’, how effective do you think the Centre has been in engaging its key stakeholders?

0-----1-----2-----3-----4-----5-----6-----7-----8-----9-----10

If the score for Q 13 was 7 or below, then ask Q14. If not go to Q15.

Q14. What would make the Centre’s engagement of its key stakeholders more effective?

Q15. The Centre has designated four priority areas for its work:

- the effective implementation and operation of the Victorian *Charter of Human Rights and Responsibilities*
- the rights of people in detention, including asylum-seekers, prisoners and involuntary patients;
- economic, social and cultural rights, particularly the rights to health and adequate housing; and

- equality rights, particularly the right to non-discrimination.

Is this the right mix of priorities? (Please circle) Yes / No

Q16. Are there any other areas you would like to see added in the future?

Q17. The Centre has designated a number of target populations for its work:

- people with a disability;
- people experiencing mental illness;
- people experiencing homelessness;
- Indigenous people;
- people experiencing poverty;
- people subject to marginalisation or discrimination on the grounds of race, religion, ethnicity, gender, political opinion or other status;
- children and young people; and
- people adversely affected by counter-terrorism measures.

Are there any other target populations that you would like to see the Centre addressing in the future?

Q18. Do you have any other comments about the Centre?

That concludes the questionnaire. Thank you for your time.

Office use only

Advisory Committee Member:	Date:
----------------------------	-------

Attachment 5: Achievement of Key Stakeholder Strategy

Stakeholder Category	Strategy	Achieved	If not achieved, reason(s) given
Members	Appointment of three PILCH representatives and two Liberty Victoria representatives to HRLRC Board.	✓	
	HRLRC Director to provide reports to PILCH Board regarding operation and management of HRLRC	✓	
	Liberty Victoria representatives on HRLRC Board to report to Liberty Victoria Committee regarding operation and management of HRLRC	✓	
	Offer to co-host human rights seminars and events with PILCH and Liberty Victoria	✓	
	Convene an annual lunch or dinner involving the HRLRC Board, the PILCH Board and the Liberty Victoria Committee	✗	HRLRC, PILCH and Liberty Boards invited to AGM and drinks
	Invite PILCH and Liberty Victoria staff, management and members to HRLRC seminars and events	✓	
Funders	Invite funders to attend an HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health, on 29 or 30 April	✓	
	Convene an annual funders dinner	✗	Funders invited to Annual Human Rights Dinner and other relevant events
	Invite funders to attend HRLRC seminars and events	✓	
	Acknowledge funders at each HRLRC event and in HRLRC publications	✓	
	Invite funders to attend one HRLRC Board meeting each year	✗	Funders invited to Annual Human Rights Dinner and other relevant events and also

			provided with regular updates via email and monthly newsletters
	Send funders a quarterly newsletter	✓	
	Include funders on a HRLRC email list	✓	
	Arrange for HRLRC Director and one HRLRC Board or Advisory Committee member to meet with representatives from funders to discuss aims, expectations and outcomes	✓	
Advisory Committee	Convene Advisory Committee meetings on at least a bi-monthly basis	✗	Advisory Committee has met six times over two years to provide strategic guidance and advice to the Centre
	Invite Advisory Committee to attend an HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health	✓	
	Invite Advisory Committee to attend HRLRC seminars and events	✓	
	Acknowledge Advisory Committee at HRLRC events and in HRLRC publications	✓	
	Convene an annual lunch or dinner of the HRLRC Board and Advisory Committee	✓	
	Provide Advisory Committee with a formal HRLRC Board response in relation to Advisory Committee recommendations	✓	
	Arrange for HRLRC Director and one HRLRC Board member to meet with representatives from each HRLRC Advisory Committee stakeholder group to discuss human rights challenges and opportunities	✗	Not considered necessary in light of the direct and regular interaction between Board and Advisory Committee
	Send Advisory Committee a quarterly newsletter	✓	
	Include Advisory Committee on a HRLRC email list	✓	
Law firms and corporate			

legal departments	Representation on Advisory Committee	✓	
	Invite pro bono lawyers to attend HRLRC seminars and events	✓	
	Acknowledge supporting law firms at HRLRC events and in HRLRC publications	✓	
	Offer to attend or present at law firm pro bono committee meetings or pro bono practice or interest group meetings	✓	
	Offer to provide specialist human rights law training to pro bono lawyers	✓	
	Send pro bono committee and participating lawyers a quarterly newsletter	✓	
	Include pro bono committee and participating lawyers on a HRLRC email list	✓	
	Arrange for HRLRC Director and one HRLRC Board or Advisory Committee member to meet with representatives from participating law firm to discuss aims, expectations and outcomes	✓	
	Liaise with Attorney General about making a speech or statement which explicitly recognises the HRLRC as an 'approved cause' for the purpose of Government Legal Service Panel contract requirements	✗	Not considered necessary as HRLRC is clearly an 'Approved Cause'
Community legal centres	Representation on Advisory Committee	✓	
	Attend and participate in monthly Federation Human Rights Working Group meetings	✗	Federation Human Rights Working Group now disbanded but HRLRC represented on Federation Management Committee and Justice Initiatives Standing Group
	Offer to co-host human rights seminars and events with the Federation of Community Legal Centres	✓	
	Invite community legal sector workers to HRLRC seminars and events	✓	
	Invite Federation Secretariat, management Committee and HR Working Group to	✓	

	HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health		
	Prepare and distribute a paper which discusses ways in which HRLRC can work with community legal centres to resource and support human rights litigation, education and advocacy	✓	
	Attend interested community legal centres, particularly in regional areas, to provide training and discuss ways in which the HRLRC and the relevant centre can collaborate	✓	
	Attend and participate in bi-monthly Nat Assoc of Community Legal Centres Human Rights Network Teleconferences	✓	
	Attend and participate in Nat Assoc of Community Legal Centres Annual conference	✓	
	Post quarterly newsletter on Federation of Community Legal Centres email bulletin board	✓	
	Include interested community lawyers on a HRLRC email list	✓	
Victoria Legal Aid		✓	
	Representation on Advisory Committee	✓	
	Invite Exec Director and manager of VLA's Civil Law and Human Rights section, to HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health	✓	
	Meet with manager of VLA's Civil Law and Human Rights section, to discuss the development of a referral protocol and opportunities for collaboration	✓	
	Invite VLA staff to HRLRC seminars and events	✓	
	Offer to provide specialist human rights law training to VLA lawyers	✓	
	Send VLA a quarterly newsletter	✓	
	Include VLA on a HRLRC email list	✓	
University law schools			
	Representation on Advisory Committee	✓	
	Develop links and liaisons with law schools not represented on the Advisory Committee	✓	
	Offer to co-host human rights seminars and events with participating university law schools	✓	
	Speak at university law schools about the work of the HRLRC	✓	
	Consider organizing or sponsoring and annual law students 'Human Rights Moot' or	✗	Not considered

	essay competition		necessary in light of workload and priorities
	Acknowledge supporting law schools at HRLRC events and in HRLRC publications	✓	
	Invite participating law school staff HRLRC seminars and events	✓	
	Offer to provide human rights law seminars and guest lectures to law school students	✓	
	Send participating universities a quarterly newsletter	✓	
	Include participating universities on a HRLRC email list	✓	
Human rights and community organisations		✓	
	Representation on Advisory Committee	✓	
	Liaise with other human rights and community organisations with expertise or interest in relation to HRLRC's particular priorities or projects	✓	
	Offer to co-host human rights seminars and events with relevant human rights and community organisations	✓	
	Invite human rights and community organisation staff and constituents to HRLRC seminars and events	✓	
	Offer to provide specialist human rights training and education to human rights and community organisation staff and constituents	✓	
	Prepare and distribute a paper which discusses ways in which the HRLRC can work with community and human rights organisations to resource and support human rights litigation, education and advocacy	✓	
	Speak at human rights conferences and publish articles in human rights journals	✓	
	Send relevant human rights and community organisations a quarterly newsletter	✓	
	Include relevant human rights and community organisations on a HRLRC email list	✓	
Legal professional associations		✓	
	Representation of LIV and Victorian Bar on Advisory Committee	✓	
	Offer to co-host human rights seminars and events	✓	
	Invite Exec Director of LIV, Chair of Bar Council and the Chair of the Victorian Bar	✓	

	Human Rights Committee to HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health		
	Invite LIV and Victorian Bar members to HRLRC seminars and events	✓	
	Contribute articles to the Law Institute Journal and the Victorian Bar publication, In Brief	✓	
	Attend and participate in LIV Administrative and Human Rights Law section meetings and activities.	✓	
	Send LIV and Victorian Bar a quarterly newsletter	✓	
	Include LIV and Victorian Bar on a HRLRC email list	✓	
Statutory human rights bodies		✓	
	Representation of EOC on Advisory Committee	✓	
	Offer to co-host human rights seminars and events	✓	
	Invite EOC and HREOC staff to HRLRC seminars and events	✓	
	Arrange to meet bi-annually with EO Commissioner to discuss human rights issues, challenges and opportunities for collaboration	✓	
	Develop regular liaison with HREOC	✓	
	Participate in the annual HREOC Human Rights Awards	✓	
	Send EOC and HREOC a quarterly newsletter	✓	
	Include EOC and HREOC on a HRLRC email list	✓	
Governments		✓	
	Invite Victorian Attorney General and the Federal Attorney General to HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health	✓	
	Meet on bi-annual basis with the advisor to the Victorian Attorney General and advisor to the Minister for Victorian Communities, to discuss the HRLRC's activities and operations and the Government's implementation of the Charter of Human Rights and Responsibilities	✓	
	Meet on bi-annual basis with the Victorian Department of Justice Human Rights Project Team to discuss the HRLRC's activities and operations and the Government's implementation of the Charter of Human Rights and Responsibilities	✓	
	Invite the Victorian Attorney General to speak at a HRLRC seminar or events	✓	

	Send Victorian Department of Justice Human Rights Project Team and Commonwealth Human Rights Branch a quarterly newsletter	✓	
	Include Victorian Department of Justice Human Rights Project Team and Commonwealth Human Rights Branch on a HRLRC email list	✓	
Courts	Invite President of the Victorian Court of Appeal to become Patron of the HRLRC	✘	Not considered appropriate due to potential conflict of interest
	Invite relevant judges to HRLRC dinner with Professor Paul Hunt, UN Special Rapporteur on the Right to Health	✓	
	Meet on bi-annual basis with relevant judges to discuss opportunities for collaboration and co-operation between the courts and profession to develop human rights jurisprudence	✓	
	Invite President of the Victorian Court of Appeal to speak at a HRLRC seminar or event	✓	
	Send relevant judges and Judicial College of Victoria a quarterly newsletter	✓	
	Include relevant judges and Judicial College of Victoria on a HRLRC email list	✓	

Attachment 6: Human Rights Law Resource Centre Submissions

Submission (see www.hrlrc.org.au)		Response and Impact				
Subject	Date and Number of Pages	Title	Date	URL	Number of citations of HRLRC submission	Implementation and comments
1. Submission to the Corporations and Markets Advisory Committee into Corporate Social Responsibility regarding 'Human Rights and Corporate Responsibility'.	February 2006 33 pages	<i>Parliamentary Joint Committee on Corporations and Financial Services: Corporate Responsibility: Managing Risk and Creating Value</i>	June 2006	www.aph.gov.au/senate/committee/corporations_ctte/corporate_responsibility/report/report.pdf	2	No implementation
2. Submission to the Senate Finance and Public Administration Legislation Committee Inquiry into the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005 regarding the 'Human Right to Vote and Participate in Public Affairs'.	March 2006 17 pages	<i>The Senate: Finance and Public Administration Legislation Committee: Provisions of the Electoral and Referendum Amendment (Electoral Integrity and Other Measures) Bill 2005</i>	March 2006	www.aph.gov.au/senate/committee/fapa_ctte/electoral_integrity/report/report.pdf	5	Partial implementation
3. Submission to the Commonwealth Attorney-General's Extradition and Mutual Assistance Review Team	March 2006 4 pages	Submission made to internal government inquiry – no public report produced	NA	NA	NA	Not possible to measure

regarding the <i>Relevance of International Human Rights to the Review of Australia's Extradition Law and Practice</i> .						
4. Submission to the Senate Legal and Constitutional Legislation Committee Inquiry into the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006 regarding 'Migration Law Reform in light of Australia's International Human Rights Obligations'.	May 2006 18 pages	<i>The Senate: Legal and Constitutional Legislation Committee: Provisions of the Migration Amendment (Designated Unauthorised Arrivals) Bill 2006</i>	June 2006	www.aph.gov.au/senate/committee/legcon_ctte/migration_unauthorised_arrivals/report/report.pdf	2	No implementation
5. Submission to the United Nations Committee on Economic, Social and Cultural Rights regarding the <i>Human Right to Social Security</i> .	June 2006 5 pages	UN Committee considering submission in the ongoing development of a General Comment on the Right to Social Security	NA	NA	NA	Proposals under consideration
6. Submission to the Human Rights and Equal Opportunity Commission National Inquiry into Discrimination against People in Same-Sex Relationships: Financial and Work-Related Entitlements and Benefits regarding the 'Human Right to Non-	June 2006 18 pages	<i>Same-Sex: Same Entitlements: national Inquiry into Discrimination against People in Same-Sex Relationships: Financial and Work-Related Entitlements and Benefits.</i>	May 2007	www.hreoc.gov.au/human_rights/samesex/report/pdf/SSSE_Report.pdf	4	Substantial implementation

<i>Discrimination in Same-Sex Relationships</i> '.						
7. Submission to the Commonwealth Attorney-General's Extradition and Mutual Assistance Review Team regarding the <i>Relevance of International Human Rights to the Review of Australia's Mutual Assistance Law and Practice</i> .	October 2006 7 pages	Submission made to internal government inquiry – no public report produced	NA	NA	NA	Not possible to measure
8. Submission to United Nations Special Rapporteurs regarding <i>Urgent Action for People Experiencing Homelessness in Australia</i> .	November 2006 67 pages	<i>Report of the UN Special Rapporteur Report on the Right to Adequate Housing: Mission to Australia</i>	June 2007	http://daccessdds.un.org/doc/UNDOC/GEN/G07/125/72/PDF/G0712572.pdf?OpenElement	3	Substantial implementation
9. Submission to the Tasmanian Law Reform Institute regarding a <i>Charter of Human Rights for Tasmania: 'Respecting, Protecting and Fulfilling Human Rights in Tasmania'</i> .	November 2006 55 pages	<i>A Charter of Rights for Tasmania</i>	October 2007	http://www.law.utas.edu.au/reform/Human_Rights_A4_Final_10_Oct_2007_revised.pdf	10	Substantial implementation
10. Submission to the Victorian Law Reform Commission Civil Justice Review regarding <i>Amicus Curiae: 'Why are Non-Parties Non-Starters: A Call for Clearer Procedures and</i>	November 2006 18 pages	Pending – issue of third party interveners to be addressed in Stage 2 of Civil Justice Review in 2008	NA	NA	NA	Proposals under consideration

<i>Guidelines for Amicus Curiae Applications in Victoria</i> .						
11. Submission to the Victorian Law Reform Commission Civil Justice Review regarding the <i>'Right to a Fair Hearing: The Relevance of the Charter of Human Rights and Responsibilities Act 2006 (Vic) to Civil Justice'</i> .	December 2006 32 pages	<i>First Exposure Draft of Civil Justice Review Reform Proposals</i>	June 2007	http://www.lawreform.vic.gov.au/CA256A25002C7735/OrgDoc/~33E941E53085A04BCA2571E100040E86?OpenDocument&1=30-Current+projects~&2=87-Civil+Justice~&3=~	NA	Partial implementation
12. Submission to the United Nations Human Rights Committee regarding <i>Draft General Comment on the Right to a Fair Trial</i> .	January 2007 7 pages	<i>General Comment 32 on the Right to a Fair Hearing and Equality before the Courts</i>	August 2007	http://www.ohchr.org/english/bodies/hrc/docs/gcart14.doc	4 specific recommendations adopted and incorporated in General Comment as adopted	Substantial implementation
13. Submission to the Sentencing Advisory Council regarding <i>High Risk Offenders: Post-Sentence Supervision and Detention</i> .	February 2007 8 pages	<i>High Risk Offenders: Post-Sentence Supervision and Detention: Final Report</i>	May 2007	www.sentencingcouncil.vic.gov.au	6	Partial implementation
14. Submission to the Australian Government regarding the <i>Australian Government Draft Report under the ICCPR and ICESCR</i> .	February 2007 13 pages	Submission made to internal government process – no public report produced	NA	NA	NA	Not possible to measure
15. Submission to the Joint Standing Committee on Treaties regarding the <i>Agreement between</i>	February 2007 11 pages	<i>Report 84: Treaty Tables on 6 December 2006: Agreement between Australia and Indonesia on the Framework</i>	June 2007	www.aph.gov.au/House/committee/jsct/6december2006/report/fullreport.pdf	2	Partial implementation

<i>Australia and Indonesia on the Framework for Security Cooperation.</i>		<i>for Security Cooperation.</i>				
16. Submission to the Consultation Committee for a Proposed Western Australian Human Rights Act regarding a <i>Charter of Human Rights for Western Australia: 'Respecting, Protecting and Fulfilling Human Rights in Western Australia'</i> .	July 2007 70 pages	Committee considering submission in development of report due in late-2007	NA	NA	NA Submission endorsed by WA Legal Aid, National Children's and Youth Law Centre and Aboriginal Health Council of WA	Proposals under consideration
17. Submission to the United Nations Committee against Torture regarding <i>'Australia's Periodic Report to the Committee against Torture'</i> .	July 2007 10 pages	Committee considering submission which will inform review of Australia in November 2007.	NA	NA	NA	Proposals under consideration
18. Senate Legal and Constitutional Affairs Committee's Inquiry into the Northern Territory National Emergency Response Bill 2007 and Related Bills	August 2007 6 pages	<i>Report of Inquiry into the Northern Territory National Emergency Response Bill 2007 and Related Bills</i>	August 2007	http://www.aph.gov.au/senate/committee/legcon_ctte/nt_emergency/index.htm	0	No implementation
19. Submission to the Ad Hoc Parliamentary Committee Inquiry into the Same-Sex: Same Entitlements Bill 2007.	August 2007 18 pages	<i>Entitled to Equality: Parliamentary Inquiry into the Same-Sex: Same Entitlements Bill 2007</i>	September 2007	http://www.democrats.org.au/glbti/#inquiry	12	Partial implementation
20. Submission in Response to the Victorian Law Reform Commission	August 2007	<i>Second Exposure Draft of Civil Justice Review Reform Proposals</i>	September 2007	http://www.lawreform.vic.gov.au/CA256A25002C7735/OrgDoc/~33E941E53085A04	NA	Proposals under consideration

Civil Justice Enquiry First Exposure Draft Civil Justice Reform Proposals	15 pages			BCA2571E100040E86?OpenDocument&1=30-Current+projects~&2=87-Civil+Justice~&3=~		
21. Submission in Response to the Victorian Law Reform Commission Civil Justice Enquiry Second Exposure Draft Civil Justice Reform Proposals	September 2007 26 pages	Commission considering submission	NA	NA	NA	Proposals under consideration
22. Submission to the Victorian Scrutiny of Acts and Regulations Committee regarding the Justice Legislation Amendment Bill 2007	September 2007 16 pages	<i>Alert Digest No 12 of 2007</i>	September 2007	http://www.parliament.vic.gov.au/sarc/Alert_Digests_07/07alt12.htm	2 specific recommendations adopted	Partial implementation
23. Submission to the Victorian Environmental Assessment Council regarding the River Red Gums Forest Investigation 2007	October 2007 5 pages	Council considering submission	NA	NA	NA	Proposals under consideration
24. Further Submission to the United Nations Committee against Torture regarding 'Australia's Periodic Report to the Committee against Torture'.	October 2007 9 pages	Committee considering submission which will inform review of Australia in November 2007.	NA	NA	NA	Proposals under consideration
25. Submission to Department of Justice regarding Draft Family Violence Bill 2007	October 2007 13 pages	Department considering submission which will inform revision of proposed Family Violence Bill.	NA	NA	NA	Proposals under consideration

26. Fact Sheets to the United Nations Committee against Torture regarding 'Australia's Periodic Report to the Committee against Torture'.	October 2007 20 pages	Committee considering submission which will inform review of Australia in November 2007.	NA	NA	NA	Proposals under consideration
-------------------------------------------------------------------------------------------------------------------------------------------	------------------------------	------------------------------------------------------------------------------------------	----	----	----	-------------------------------

Key:

Using a methodology adopted by the Australian Law Reform Commission, the Centre considers that a report is:

- *Substantial implementation* when the majority of the report's recommendations, including key recommendations, have been implemented by those to whom the recommendations are directed.
- *Partial implementation* refers to implementation of at least some recommendations of an HRLRC report.
- *Proposals under consideration* applies to reports that have received a positive response from those to whom the recommendations are directed but are still awaiting implementation, and to those that have been completed within the past two years and are yet to receive a response.
- *No implementation* refers to those reports which have not been implemented in any way in the two year period following publication.
- *Not possible to measure* refers to those reports in respect of which it is not possible to assess implementation (eg, a report made to an internal government inquiry the results of which are not published).

Attachment 7: Performance against Plan

Casework, Policy and Advocacy

Priority	Strategies	Key Activities	Action taken C= completed O= ongoing P= planned but not commenced A= abandoned (if this code used, brief reason to be given)
1. The content, implementation, operation and review of the Victorian Charter of Human Rights and Responsibilities	Monitor, report on and, where appropriate, intervene in cases relating to the Charter	Systematically monitor Charter cases Initiate, respond to and intervene in Charter cases in accordance with Case Selection and Litigation Guidelines	O P
	Make a significant contribution to the 4 year review of the Charter, including promoting the inclusion of ESC rights	Conduct and disseminate research and information regarding the utility, importance and impact of legislatively protecting ESC rights Convene seminars in relation to ESC rights	O O
	Lobby and advocate for the enactment of other state-based human rights instruments and a federal charter of rights	Make submissions to state-based human rights charter consultation processes Promote and support adoption of federal charter of rights, including through New Matilda campaign	C O

2. The treatment and conditions of detained persons, including asylum-seekers, prisoners and involuntary patients	Conduct and intervene in litigation relating to prisoners' rights	<p>High Court challenge to disenfranchisement of prisoners</p> <p>Monitor and, where appropriate, intervene in prisoners' matters that may give rise to issues under the Charter</p> <p>Engage with international mechanisms, including Special Rapporteurs and treaty bodies</p>	<p>C</p> <p>O</p> <p>O</p>
	Provide training and resources regarding detainees' human rights	Develop and implement a 'train-the-trainer' legal education and resources program to enable existing services to provide human rights information and advice to detainees	O
	Conduct research, advocacy and litigation regarding compatibility with international human rights law of Australian policy and practice relevant to the death penalty	<p>Make submissions to relevant parliamentary and departmental inquiries</p> <p>Participate in Death Penalty Roundtable and LIV Anti-Death Penalty Working Group</p> <p>Engage with international mechanisms, including Special Rapporteurs and treaty bodies</p>	<p>O</p> <p>O</p> <p>O</p>
	Conduct research, advocacy and litigation regarding compatibility with international human rights law of Australian policy and practice regarding refugees and asylum seekers	<p>Make submissions to relevant parliamentary and departmental inquiries</p> <p>Engage with international mechanisms, including Special Rapporteurs and treaty bodies</p>	<p>O</p> <p>O</p>
3. The importance, interdependence indivisibility and justiciability of	Conduct litigation and advocacy in relation to ESC rights and contribute to development of ESC jurisprudence	<p>Initiate or intervene in cases giving rise to arguments re ESC aspects of CP rights</p> <p>Engage with international mechanisms, including Special Rapporteurs and UN CESCR</p>	<p>P</p> <p>O</p>

economic, social and cultural rights	Disseminate research and information regarding the utility and impact of legislatively protecting ESC rights	Monitor and report on developments in ESC jurisprudence, including through the publication of reports, articles and case notes Conduct seminars in relation to ESC rights	O O
	Lobby and advocate in relation to the adoption of an individual complaints mechanism under the ICESCR	Participate in NGO Coalition for OP for ICESCR	O
4. Equality rights, particularly the right to non-discrimination, including on the grounds of race, religion, ethnicity, disability, gender, age and poverty	Coordinate and contribute to educational and ratification campaigns in relation to the International Convention on the Rights of Persons with Disabilities	Provide education, training and resources in relation to the Convention Advocate and lobby for ratification of Convention, including by making and assisting with submissions to JSCOT	O O
	Lobby and advocate in relation to the elimination of discrimination against people in same-sex relationships	Make submissions to relevant parliamentary and departmental inquiries Engage with international mechanisms, including Special Rapporteurs and treaty bodies	C P
	Promote harmonisation of domestic anti-discrimination and equal opportunity law with international human rights standards	Monitor, conduct and intervene in and assist with appropriate litigation	O
	Conduct advocacy and litigation in relation to the situation of Australian Indigenous peoples under international human rights law	Engage with international mechanisms, including Special Rapporteurs and treaty bodies	O

Community, Professional and Judicial Human Rights Legal Education

Priority	Strategies	Key Activities	Action taken C= completed O= ongoing P= planned but not commenced A= abandoned (if this code used, brief reason to be given)
5. Human rights education, training and resources	Provide human rights education, training and resources for legal practitioners, the judiciary and community organisations	<p>Provide Annual Human Rights Induction Training</p> <p>Publish and periodically update an online Human Rights Law Resource Manual</p> <p>Disseminate legal briefs and memoranda of advice about human rights issues and cases</p> <p>Conduct a bi-monthly human rights seminar series for legal practitioners, members of the judiciary and community organisations</p> <p>Collaborate with law firms, legal service providers and community organisations, and use law firm resources in the organisation and presentation of training, seminars and events</p>	<p>C</p> <p>C</p> <p>O</p> <p>O</p> <p>O</p>

	<p>Contribute to human rights knowledge and jurisprudence</p>	<p>Confer an annual National Australia Bank Human Rights Law Scholarship to enable a person to undertake a LLM subject in the area of human rights and public interest law</p> <p>Develop a Human Rights Law and Advocacy subject for the La Trobe Public Interest Law Masters to be offered around Jan/Feb 2008</p> <p>Participate in and contribute to human rights conferences</p> <p>Prepare and publish relevant papers and articles</p>	<p>O</p> <p>A (due to workload, capacity constraints and focus on legal service provision rather than tertiary education)</p> <p>O</p> <p>O</p>
	<p>Provide education, training and resources to legal practitioners and community organisations regarding the Charter</p>	<p>Develop and deliver a legal professional educational program on the Charter which equips attendees to use Charter in their practice and also to provide community legal education through existing service delivery structures (eg, CLCs)</p> <p>Prepare and maintain an online Guide to the Charter</p> <p>Monitor and disseminate articles and commentary about the Charter</p> <p>Develop and roll out an online searchable database of Charter cases</p> <p>Monitor and report on relevant international and comparative jurisprudence</p> <p>Conduct research, prepare resources and provide training about the relevance and implications of the Charter to identified priority groups</p>	<p>O</p> <p>C</p> <p>O</p> <p>O</p> <p>O</p> <p>O</p>

Governance

Priority	Strategies	Key Activities	Action taken C= completed O= ongoing P= planned but not commenced A= abandoned (if this code used, brief reason to be given)
6. Constitution and Corporate Governance Policies	Ensure relevant Constitution	Periodically review Constitution in context of priorities, activities, efficiency and effectiveness	O
	Ensure best practice Corporate Governance Policies and Practice	Review policies on periodic basis, including the need for the preparation and adoption of further policies Monitor best practice developments in NGO corporate governance	O O
7. Advisory Committee	Convene and maintain Advisory Committee to provide guidance, advice and recommendations to Board on priorities, strategies, activities and operation	Review Terms of Reference on periodic basis Review composition of Advisory Committee on a periodic basis to ensure broad participation, engagement and input Convene Advisory Committee on at least a quarterly basis Promote effective communication and engagement between Board and Advisory Committee	O O O O
8. Board	Convene and maintain Board with relevant expertise, representation, commitment and level of participation	Appoint Board members having regard to expertise, diversity and representation Convene Board at least every 6 weeks Convene HRLRC Board Sub-Committees as necessary	O O O

		<p>Prepare and distribute Board reports and papers in agreed format</p> <p>Review Board composition annually to identify need for any additional or alternative expertise</p>	<p>O</p> <p>O</p>
9. Evaluation	Undertake comprehensive, rigorous and independent evaluation	<p>Prepare Evaluation Brief</p> <p>Solicit Expressions of Interest from identified possible evaluators</p> <p>Appoint appropriate evaluation team</p> <p>Assist with conduct of evaluation</p> <p>Implement recommendations of evaluation as determined by Board</p>	<p>C</p> <p>C</p> <p>C</p> <p>O</p> <p>P</p>

Funding and Financial Management

Priority	Strategies	Key Activities	Action taken C= completed O=ongoing P=planned but not commenced A= abandoned (if this code used, brief reason to be given)
10. Funding	Obtain adequate, secure funding for core operations and growth	<p>Seek and obtain funding from government</p> <p>Seek and obtain funding from philanthropic trusts and foundations</p> <p>Seek and obtain funding from law firms and corporations</p>	<p>C</p> <p>O</p> <p>O</p>

11. Financial management	Ensure responsible and sustainable financial management	<p>All financial planning and expenditure directed toward implementation of aims and objectives</p> <p>Spending not to deviate materially from the Board's annually approved budget or risk financial jeopardy</p> <p>Establish, implement and maintain accurate, reliable and effective financial operating systems</p> <p>Effect adequate insurance, including in relation to professional indemnity and public liability</p>	<p>O</p> <p>O</p> <p>C</p> <p>C</p>
12. Taxation status	Obtain and maintain beneficial taxation status	<p>Obtain and maintain DGR status</p> <p>Obtain and maintain ITEC status</p>	<p>C</p> <p>C</p>

Profile and Stakeholder Engagement

Priority	Strategies	Key Activities	Action taken C= completed O= ongoing P= planned but not commenced A= abandoned (if this code used, brief reason to be given)
13. Recognition as a leader in human rights law and development and maintenance of positive relationships with key stakeholders	Develop and maintain positive relationships with key stakeholders	<p>Develop and implement Stakeholder Engagement Strategy</p> <p>Periodically review Strategy to identify gaps and monitor progress</p> <p>Appoint key stakeholders to HRLRC Advisory Committee</p> <p>Maintain a highly relevant and accessible website</p> <p>Convene Annual Human Rights Dinner and Oration for key stakeholders</p> <p>Invite key stakeholders to HRLRC seminars and events</p> <p>Prepare and disseminate a monthly electronic newsletter</p> <p>Establish and implement a contacts schedule to ensure regular contact with key stakeholders and in key relationship areas</p> <p>Strengthen relationships in RRR areas and with NGOs by partnering and linking with PILCH</p>	<p>C</p> <p>O</p> <p>C</p> <p>C</p> <p>C</p> <p>O</p> <p>O</p> <p>O</p> <p>O</p> <p>P</p>