

# LawRight's REFLECT Reconciliation Action Plan

October 2020 – October 2021



**RECONCILIATION  
ACTION PLAN**

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**REFLECT**



**LawRight**  
Access | Justice

*LawRight acknowledges the traditional custodians of the land and waters throughout Australia and pay our respect to Elders past, present and emerging.*

*We benefit from the gifts of First Nations peoples, acknowledge the historical and ongoing injustices they bear and support their call for power over their destiny.*

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## **Our business**

LawRight is a not-for-profit community legal centre. We aim to improve the lives of disadvantaged people across Queensland. We know that unaddressed legal problems perpetuate the cycle of disadvantage experienced by vulnerable people and groups. LawRight seeks to disrupt this cycle by identifying who is disadvantaged and where and how we can connect to them. We form strategic partnerships with pro bono lawyers and barristers to resolve targeted legal problems. We work in civil law and our services include:

- Pro Bono Connect (PBC) – connecting eligible clients to pro bono legal representation.
- Community & Health Justice Partnerships (C&HJP) – where we partner with a community host agency to deliver holistic legal support to the agency’s clients, delivered by staff lawyers or a pro bono firm. These include Homeless Persons’ Legal Clinics, the Refugee Civil Law Clinic and Health Justice Partnerships.
- Court & Tribunal Services (C&TS) – helping people to represent themselves in State Courts, Federal Courts, and some jurisdictions of the Queensland Civil & Administrative Tribunal, and the Mental Health Review Tribunal.

We generally do not assist in family law and criminal law matters. Our insurer prevents us from undertaking any work involving Native Title law.

We have around 30 staff, including three staff members who identify as Aboriginal and/or Torres Strait Islander people.

Most of our services are available across Queensland regardless of the client’s location. Our Community & Health Justice Partnerships are only accessible by clients of each host agency. Three of these agencies are in the Cairns area, and about 10 are in the Brisbane area.

Our main office is in Brisbane, along with three Self Representation Service offices. In Cairns we have staff in an office hosted by Anglicare North Queensland’s Cairns Homelessness Service Hub. The Cairns office was opened in 2014 and delivers four Community & Health Justice Partnerships – at:

- the Cairns Homelessness Service Hub (Anglicare North Queensland),
- Douglas House (supported accommodation run by Mission Australia), and
- the Edmonton and Manoora campuses of the Wuchopperen Health Service (an Aboriginal and Torres Strait Islander community-controlled health organisation).

Our Wuchopperen HJP collaborates with the Aboriginal and Torres Strait Islander Legal Service (Queensland) – also a community-controlled organisation, and uses a co-designed resource called ‘Law Yarn’ to assist Aboriginal and Torres Strait Islander health workers in that community to connect their clients to legal assistance.

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## **Our Reconciliation Action Plan**

Why is developing a Reconciliation Action Plan important to LawRight?

We recognise the strength and experience of Aboriginal and Torres Strait Islander peoples in overcoming individual and structural disadvantage. A RAP helps LawRight to respectfully and meaningfully engage with Aboriginal and Torres Strait Islander peoples and organisations to better deliver services.

We aim to improve the lives of disadvantaged people through strategic pro bono legal help. We know that Aboriginal and Torres Strait Islander peoples can experience higher levels of disadvantage, including in health, housing, employment and income, and access to justice. These are areas we improve for clients by addressing their individual legal needs.

For Aboriginal & Torres Strait Islander peoples, disadvantage cannot be separated from the imposition of laws that historically and currently do not respect First Nations sovereignty, and take land, human rights and self-governance away from communities. We endorse the Uluru Statement from the Heart and acknowledge that First Nations peoples are disproportionately incarcerated, removed and their young people are detained. These structural injustices all have a legal dimension.

As participants in the legal system that causes harm to Aboriginal and Torres Strait Islander peoples, we have a duty to recognise and address past and on-going injustices. Aboriginal & Torres Strait Islander clients should be represented among LawRight clients in proportion to their legal needs, and taking into account the existence of specialist First Nations legal assistance services. In order to properly serve Aboriginal and Torres Strait Islander peoples as clients, LawRight must be a culturally safe organisation. As a mainstream organisation, we recognise that we do not have the cultural experience and depth of knowledge to achieve this without the engagement and reflection set out in this RAP.

We recognise the immense importance of partnering with Aboriginal and Torres Strait Islander organisations when we provide legal services to First Nations clients. Through this RAP we hope to deepen and build on those relationships by taking time to recognise their value, reflecting on our duties within the partnership and how we can improve. We recognise the importance of Aboriginal & Torres Strait Islander controlled organisations being properly funded and leading service delivery. We aim to support these services and to appropriately complement their work.

We note the value of welcoming and retaining Aboriginal & Torres Strait Islander individuals as staff and volunteers. We do not yet have identified Aboriginal and/or Torres Strait Islander roles but where we have been fortunate enough to employ Aboriginal and Torres Strait Islander lawyers and administrative staff, those staff members have brought considerable value to LawRight and our clients through their existing personal and professional relationships and experience and their language and cultural skills.

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## **Our Reconciliation Action Plan journey to date**

LawRight started a RAP working group over a year ago but it did not make progress due to staff changes and not being given sufficient priority. The group consists of the Joint Principal Solicitor, Community & Health Justice Partnerships Lawyer, Wuchopperen Health Justice Partnership Senior Lawyer, Pro Bono Connect Senior Lawyer, Pro Bono Connect Lawyer, Federal Courts Senior Lawyer and QCAT Senior Lawyer Two of our RAP Working Group members identify as an Aboriginal persons.

We recognise that LawRight is late in starting a RAP and with already significant numbers of Aboriginal and Torres Strait Islander clients, partners and staff, we should aim to make the Reflect RAP a priority, and gain and maintain momentum in its progress, but that pace should be obtained through intensive work, not through skipping important steps.

LawRight has some key weaknesses in terms of reconciliation work, including implementing a cultural safety action plan, and implementing basic measures to indicate and deliver cultural safety to clients and ensuring staff are appropriately trained in this area, as well as providing appropriate support and opportunities to Aboriginal and Torres Strait Islander staff at LawRight.

We have circulated our draft RAP and encouraged all staff and Management Committee members to provide feedback, including consultation with staff who identify as Aboriginal and/or Torres Strait Islander people.

## ***Internal activities/initiatives***

In July 2018 we were fortunate to have Mr Mick Gooda deliver the Public Interest Address (an event LawRight has held every 1-2 years since 2008). Mr Gooda is a descendant of the Gangulu people of central Queensland, former Aboriginal and Torres Strait Islander Social Justice Commissioner, and a Royal Commissioner of the Royal Commission into the Child Protection and Youth Detention Systems of the Government of the Northern Territory. Mr Gooda's address reflected on the issues facing First Nations peoples and highlighted the importance of truth-telling. In doing so, he expressed frustration at failed attempts to rights past wrongs and championed the need for a rights-based approach with the universality and indivisibility of all human rights.

In the past year, staff in Brisbane received cultural awareness training from Linda Ryle of CALM, as well as attending two First Nations cultural awareness tours, on Minjerribah (North Stradbroke Island) and by BlackCard around the Kurilpa / Brisbane River. Staff in Cairns routinely participate in numerous Aboriginal and Torres Strait Islander community events and initiatives, including during NAIDOC Week, both representing LawRight and in their personal capacities. The RAP Champion is one of our Principal Solicitors, who will be responsible for driving internal engagement and awareness of the RAP.

In 2020, while developing our draft RAP, we have participated in National Reconciliation Week and undertaken initial steps such as drafting our Acknowledgement of Country. We are proud to have recruited our first Identified Position, a new Senior Lawyer for the LawRight Wuchopperen Health Justice Partnership, joining the Managing Lawyer for that Health Justice Partnership, in accordance with a recommendation of the evaluation of this service.

## **Our partnerships**

As well as our formal partnerships with Wuchopperen Health Service and the Aboriginal & Torres Strait Islander Legal Service, we recognise our colleagues in First Nations legal organisations and community legal centres that have expertise or a particular focus on serving Aboriginal and Torres Strait Islander clients and communities.

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Relationships			
Action	Deliverable	Timeline	Responsibility
1. Establish and strengthen mutually beneficial relationships with Aboriginal and Torres Strait Islander peoples, stakeholders and organisations to support positive outcomes.	1.1. Identify Aboriginal and Torres Strait Islander stakeholders and organisations within our local area or sphere of influence.	Oct 2020	Community & Health Justice Partnerships Lawyer
	1.2. Develop a stakeholder engagement document that records the nature of current engagements and how we could develop or improve that relationship.	Oct 2020	Community & Health Justice Partnerships Lawyer
	1.3. Identify and circulate guides (CLCA and Law Council, Wuchopperen Evaluation) to best practice and principles that support partnerships with Aboriginal and Torres Strait Islander stakeholders and organisations.	Oct 2020	Principal Solicitor
	1.4. Determine a way to embed these guides and principles into our ongoing work.	Nov 2020	Joint Directors
	1.5. Consult with Aboriginal & Torres Strait Islander organisations with whom we have existing relationships to seek feedback on how we can improve our relationship and service to First Nations clients and to develop guiding principles for future engagement.	Feb 2021	Joint Directors
	1.6. Invite representatives of Aboriginal and Torres Strait Islander organisations and/or communities to functions hosted by LawRight.	Feb 2021	Directors
	1.7. Develop and implement an engagement plan to work with Aboriginal and Torres Strait Islander stakeholders of LawRight.	Feb 2021	Pro Bono Connect Lawyer
2. Build relationships through celebrating National Reconciliation Week (NRW) in May each year.	2.1. Circulate Reconciliation Australia's NRW resources and reconciliation materials to our staff.	May 2021	Pro Bono Connect Senior Lawyer
	2.2. RAP Working Group members to participate in an external NRW event.	May 2021	RAP Champion
	2.3. Encourage and support staff and senior leaders to participate in at least one external event to recognise and celebrate NRW.	Mar 2021	RAP Champion
	2.4. Organise one internal NRW event each year.	Mar 2021	RAP Champion

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Relationships			
	2.5. Register our NRW events via Reconciliation Australia's website.	Mar 2021	PBC Lawyer
	2.6. Encourage Management Committee, RAP Working Group members and other staff to participate in external NRW events.	Mar 2021	RAP Champion
3. Raise internal and external awareness of our RAP to promote reconciliation through our sphere of influence.	3.1. Communicate our commitment to reconciliation to all staff.	Oct 2020	Directors
	3.2. Identify external stakeholders that our organisation can engage with on our reconciliation journey.	Oct 2020	Community & Health Justice Partnerships Lawyer
	3.3. Identify RAP and other like-minded organisations that we could approach to collaborate with on our reconciliation journey.	Oct 2020	Community & Health Justice Partnerships Lawyer
	3.4. Develop and implement a strategy to communicate our RAP to all internal and external stakeholders including publication on new LawRight website.	Oct 2020	RAP Champion
	3.5. Promote reconciliation through ongoing active engagement with all stakeholders and social media.	Nov 2020	Social Media officer
	3.6. Consider subscription to Koori Mail, Indigenous Law Journal or IndigenousX to promote platforms that highlight Aboriginal and Torres Strait Islanders stories to all staff.	Oct 2020	Pro Bono Connect Lawyer
	3.7. Make an informal reading list of books / articles / other texts recommended by and for staff to increase understanding, including Reconciliation Australia's <a href="#">Film Club</a> and <a href="#">Recommended Reading</a> .	Oct 2020	Pro Bono Connect Lawyer
4. Promote positive race relations through anti-discrimination strategies.	4.1. Research best practice and policies in areas of race relations and anti-discrimination.	Feb 2021	Federal Court Senior Lawyer
	4.2. Consider engaging external consultant with cultural expertise to assist with this process.	Nov 2020	Directors
	4.3. Conduct a review of HR policies and procedures to identify existing anti-discrimination provisions, and future needs.	Nov 2020	Joint Directors

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Respect			
Action	Deliverable	Timeline	Responsibility
5. Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.	5.1. Develop a business case for increasing understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights within our organisation.	Oct 2020	RAP Champion
	5.2. Conduct a review of cultural learning needs within our organisation.	Nov 2020	Pro Bono Connect Lawyer
	5.3. Coordinate all LawRight staff to complete cultural awareness training.	Nov 2020	Joint Directors
	5.4. Consider other resources we can take such as a staff workbook to facilitate cultural awareness training.	Oct 2020	Pro Bono Connect Lawyer
	5.5. Consider Human Rights Act principles in relation to cultural rights and other rights affecting Aboriginal & Torres Strait Islander peoples as part of our Human Rights Act action plan.	Oct 2020	Principal Solicitors
	5.6. Consult with current Aboriginal and Torres Strait Islander staff to reflect on and improve LawRight's cultural safety as an employer, offer the opportunity for their input by their preferred method, and respect their time and expertise.	Feb 2021	RAP Champion & Joint Directors
6. Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.	6.1. Develop an understanding of the local Traditional Owners or Custodians of the Lands and Waters within LawRight's operational areas.	Oct 2020	Community & Health Justice Partnerships Lawyer
	6.2. Increase staff members' understanding of the purpose and significance behind cultural protocols, including Acknowledgement of Country and Welcome to Country protocols.	Oct 2020	RAP Champion
	6.3. Develop or find "style guide" for respectful terminology.	Oct 2020	RAP Champion
	6.4. Implement an Acknowledgement of Country on website.	Oct 2020	RAP Champion

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Respect			
	6.5. Include Acknowledgment of Country at beginning of all staff meetings, speeches, training, events and publications.	Mar 2021	RAP Champion
	6.6. Include a Welcome to Country at major events.	Feb 2021	RAP Champion
	6.7. Develop policy around Welcome to Country and Acknowledgement of Country.	Oct 2020	RAP Champion
	6.8. Train staff around Acknowledgement of Country so staff appreciate the reason for Acknowledgement and that it is given more thought and not a simple routine.	Nov 2020	RAP Champion
	6.9. Include First Nations art and an Acknowledgement of Country in all LawRight offices.	Mar 2021	RAP Champion
7. Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.	7.1. Raise awareness and share information amongst our staff about the meaning of NAIDOC Week (postponed to November 2020). - <i>NAIDOC events (see below)</i> - <i>NAIDOC week posters displayed around offices</i>	Oct 2020, July 2021	QCAT Senior Lawyer
	7.2. Promote and facilitate our staff to attend and participate in external NAIDOC Week events in our local area. ( <i>Check NAIDOC week events page and circulate suggestions to all staff.</i> )	Oct 2020, July 2021	QCAT Senior Lawyer
	7.3. RAP Working Group to participate in an external NAIDOC Week event.	Nov 2020, July 2021	QCAT Senior Lawyer



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Opportunities			
Action	Deliverable	Timeline	Responsibility
8. Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.	8.1. Build understanding of current Aboriginal and Torres Strait Islander staffing to inform future employment and professional development opportunities.	Oct 2020	RAP Champion, Directors
	8.2. Develop a business case for Aboriginal and Torres Strait Islander employment within our organisation.	Oct 2020	RAP Champion, Directors
	8.3. Consider future professional development opportunities including cultural mentoring and a First Nations staff committee or group with appropriate supports.	Oct 2020	RAP Champion, Directors
	8.4. Consider changes to staff leave policy and other policies to respect cultural leave and other cultural requirements.	Nov 2020	RAP Champion, Directors
9. Review and identify options to improve our accessibility and service delivery to Aboriginal and Torres Strait Islander clients.	9.1. Extract and review client data on Aboriginal and/or Torres Strait Islander status by LawRight service, including First Nations organisations applying and being referred through Pro Bono Connect, and numbers of rejections based on Native Title exclusion from insurance.	Nov 2020	Pro Bono Connect Senior Lawyer
	9.2. Train staff and volunteers in legal issues where Aboriginal and Torres Strait Islander people may face additional hurdles imposed by Qld laws – Kupai Omasker, registration of births, Stolen Wages, lost super, wills & estates.	Feb 2021	Principal Solicitor
	9.3. Review the <i>Community Legal Centres Australia Service Delivery Guide 2017</i> to identify options to improve LawRight’s accessibility and service delivery to Aboriginal and Torres Strait Islander clients.	Oct 2020	Federal Court Senior Lawyer
10. Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.	10.1. Develop a business case for procurement from Aboriginal and Torres Strait Islander owned businesses.	Feb 2021	Federal Court Senior Lawyer
	10.2. Investigation Supply Nation membership.	Feb 2021	QCAT Senior Lawyer

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Governance			
Action	Deliverable	Timeline	Responsibility
11. Establish and maintain an effective RAP Working Group (RWG) to drive governance of the RAP.	11.1. Maintain a RWG to govern RAP implementation and meet monthly.	Oct 2020	RAP Champion
	11.2. Draft Terms of Reference for the RWG.	Oct 2020	RAP Champion
	11.3. Establish Aboriginal and Torres Strait Islander representation on the RWG by consulting staff, external appointment, or establish opportunity for input by Aboriginal & Torres Strait Islander staff to RWG proposals.	Oct 2020	RAP Champion
12. Provide appropriate support for effective implementation of RAP commitments.	12.1. Define resource needs for RAP implementation.	Oct 2020	Directors
	12.2. Engage senior leaders in the delivery of RAP commitments.	Oct 2020	Directors
	12.3. Define appropriate systems and capability to track, measure and report on RAP commitments.	Oct 2020	RAP Champion
13. Build accountability and transparency through reporting RAP achievements, challenges and lessons, both internally and externally.	13.1. Complete and submit the annual RAP Impact Measurement Questionnaire to Reconciliation Australia.	Sep 2021	RAP Champion
14. Management Committee actively monitors RAP development and implementation of actions, tracking progress and reporting.	14.1. One member of Management Committee to join RWG (“MC Rep”).	Sep 2020	RAP Champion
	14.2. Oversee the development, endorsement and launch of the RAP.	Oct 2020	Management Committee representative
	14.3. Ensure there are opportunities for Aboriginal and Torres Strait Islander peoples to join or otherwise engage with the Committee.	Mar 2021	Management Committee representative
	14.4. Monitor and report on RAP implementation.	Oct 2020	Management Committee representative
	14.5. Invite a First Nations consultant to review RAP and progress.	Feb 2021	Management

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Governance			
			Committee representative / Directors
15. Develop our next RAP.	15.1. Register via RA's <a href="#">website</a> to begin developing our next RAP.	Jul 2021	RAP Champion
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