

Human Rights Day

10 December 2023



This year marks a significant time as we celebrate 75 years of the Universal Declaration of Human Rights (**UDHR**). Born from the ashes of WWII and the ‘barbarous acts’ which had ‘outraged the conscience of [hu]mankind’¹, it remains as relevant today as it was three-quarters of a century ago. It cemented the recognition of the inherent dignity and equality of all human beings in international law and that it was essential, if we are ‘not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law’.²

¹ Preamble, UDHR.

² As above.





As lawyers, we are guardians of the rule of law. As a firm, Hall & Wilcox is a signatory to the United Nations Global Compact (**UNGC**); committed to implementing, and advising clients on implementing, the [10 UN Global Compact principles](#), all of which include elements of support and respect for the protection of internationally proclaimed human rights.

Access to justice

Hall & Wilcox's Pro Bono practice provides access to justice for those members of the community who through financial or other disadvantage would otherwise be unable to pursue their rights.

Our practice also engages with human rights and social justice organisations to work on law reform and the use of international human rights mechanisms to work towards systemic change.

In the 2023 financial year, we did more pro bono work than ever before, with over 69% of our lawyers delivering 19,168.4 hours of pro bono legal services.

Human rights and law reform

We have worked with partners such as the NSW Council for Civil Liberties and PIAC to improve the protection of human rights at a state and federal level, including in the area of disability. We have assisted Powerhousing Australia to advocate for improved investment in social and affordable housing.

We sponsored the Australian Human Rights Institute's conference: 'Accountability in Crisis: The Rise of Impunity as a Challenge to Human Rights,' held on 11 and 12 October 2023, supporting important discussions on improving access to remedies for human rights violations.

A Hall & Wilcox team won the National Justice Project's Law Hack 2023. They were tasked with creating innovative solutions to secure the rights of First Nations children in state custody and care. The team's winning idea to improve outcomes for at risk First Nations children involved reforms to local, state and federal government eligibility criteria for contractual tendering, requiring all professional service providers to contribute towards supporting Aboriginal Community-Controlled Organisations, as well as direct mentoring services to young First Nations people as they navigate their formative years.

The right to work

Article 23 of the UDHR declares that everyone has the right to work, to just and favourable conditions of work and to just and favourable remuneration.

Wage theft is a strategic priority area in our Pro Bono practice as an ongoing and significant human rights issue in Australia. We are assisting pro bono clients with these claims around Australia through our partnerships with Fitzroy Legal Service in Victoria, Marrickville Legal Centre in NSW and LawRight in Queensland. In addition to securing resolutions of claims, we assist with enforcement of judgment debts to ensure that clients obtain the money to which they are entitled.

We also ensure that when someone is unfairly dismissed from employment, they receive adequate remedy. For one client, we resolved her claim for five times the amount of the employer's original offer.

Freedom from discrimination

Article 2 of the UDHR declares: 'Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.'

We support the LGBTI Legal Service with a graduate on secondment two days per week assisting with significant strategic litigation in discrimination. We also worked with Fitzroy Legal Centre to re-launch their LGBTIQA+ clinic.

We have assisted children with disabilities threatened with expulsion from school due to behavioural issues when schools have failed to implement appropriate supports, and assisted a mother with a disability who had her newborn removed from the hospital and placed into foster care.

At Hall & Wilcox, diversity, inclusion and wellbeing are vital components of our practice of Smarter Law.

We continue to be recognised as an Employer of Choice for Gender Equality; a citation issued by the Workplace Gender Equality Agency. We actively address barriers to gender equality and are committed to supporting the progression of women into partnership and senior management roles, ensuring representation at board level and eliminating unconscious bias in graduate recruitment.

We are adoptees of the Law Council of Australia's Gender Equitable Briefing Policy, and we are a signatory to the Charter for the Advancement of Women in the Legal Profession with the Law Society of New South Wales and Victoria. Our firm has an active equitable briefing policy, following the Model Equal Opportunity Briefing Policy for Female Barristers and Advocates.

We partner with JobSupport, a specialist not-for-profit Disability Employment Service that works exclusively with people with disability (intellectual) to find employment. Our Melbourne office continues to host this employee.

We are a member of [Pride in Diversity](#), supporting our LGBTIQA+ identifying and ally community, allowing us to learn, share and advocate equality and to build a community with member organisations. We established an employee-led Hall & Wilcox Pride network in 2022.

We make mental and physical support and wellbeing accessible; a priority on prevention and early intervention, to reduce stigma and discrimination. Some initiatives include a Wellbeing Champions network, to provide an employee peer network to promote and advocate mental and physical wellbeing awareness across the firm and regularly promoting our EAP services, highlighting professional counselling and assistance should it be needed.

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The right to housing

Article 25 of the UDHR declares that everyone has the right to a standard of living adequate for the health and wellbeing of themselves and of their family, including food and housing.

Many of our pro bono clients are at risk of homelessness and often due to elder abuse.

Our 81-year-old client's son and his wife improperly influenced her to sign over her home for \$1, which was never paid. It is alleged the couple wanted the house to use it to pay off debts and invest in a townhouse development. They allegedly said our client could live in one of the townhouses but moved in themselves. On the first day of hearing, the son agreed to hand back the house and the court ordered him to do so on penalty of contempt.

We have assisted a number of clients subject to elder abuse, handing over life savings or properties with the promise of housing in granny flats, only to find themselves at risk of homelessness due to family members attempting to sell the property without proper recompense to our clients.

Our wills and estates team has skilfully assisted clients finding themselves at risk of homelessness due to the alleged misconduct by executors or improperly executed wills.

Homeless law clinics

Hall & Wilcox is an active member of Justice Connect's Homeless Law, which provides people who are homeless or at risk of homelessness with practical legal assistance, advice and representation. The primary issues our lawyers encounter are attempted evictions into homelessness and discriminatory fines and infringements on clients experiencing homelessness. We have also assisted clients obtain compensation for rent paid during periods in which the property was uninhabitable due to pervasive mould.

In the 2023 financial year, our firm completed 1,986.8 hours at Homeless Law.



The right to social security

Article 22 of the UDHR declares that everyone, as a member of society, has the right to social security.

Disability Support Pension Clinic

In partnership with the Welfare Rights Centre, Hall & Wilcox takes part in the Disability Support Pension Clinic, providing assistance with disability support pension reviews.

In the 2023 financial year, our lawyers completed nearly 470 hours assisting clients of the clinic.

We assisted a young person with autism whose disability support pension application was rejected by Centrelink. Through the DSP clinic, we assisted at an AAT review ensuring he obtained the proper medical evidence and Centrelink's original rejection was quashed.

The right to seek and enjoy asylum

Article 14 of the UDHR declares that everyone has the right to seek and to enjoy in other countries asylum from persecution.

In partnership with organisations such as RACS and Refugee Legal, we assist people seeking safety with making applications and enforcing their rights to a fair determination.

We have assisted a Tamil asylum seeker with lodging an urgent injunction to prevent his removal until the Minister considers his application for Ministerial intervention.

We also have a number of active judicial review matters and recently were successful in an appeal to the Federal Court, which quashed the decision of the Immigration Assessment Authority that had denied our client a protection visa.



Refugee Legal Clinic

Refugee Legal is an independent community legal centre that provides weekly clinic appointments to refugees and asylum seekers. During each appointment, our volunteers provide assistance and advice to clients seeking to engage with visa application procedures. This can include preparing for interviews with the Department of Home Affairs or responding to adverse assessments of protection applications.

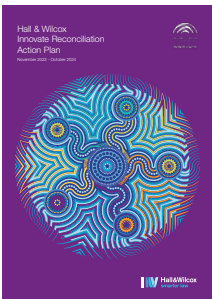
Recently our work has also included assisting Refugee Legal in their TPV Clinic, which involves assisting refugees to apply for permanent visas under the new scheme.

The right of self-determination

All peoples have the right of self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

– Article 1, *International Covenant on Civil and Political Rights*; *International Covenant on Economic Social and Cultural Rights*; Article 3, *UN Declaration on the Rights of Indigenous Peoples*

Our [Innovate Reconciliation Action Plan](#) includes ways in which we can contribute to increase economic equity and support First Nations' self-determination.



Our [First Nations Pathway Program](#) runs for four weeks and provides First Nations university law students with realistic insight into life at Hall & Wilcox. Successful

participants are eligible to apply for a graduate position upon completion of their studies.

Also as part of our commitment to improve employment outcomes, our people are currently participating in the Australian Business and Community Network (**ABCN**) Goals Program for First Nations Students (**Goals**). This year our mentors were paired with year 9 students from Chifley College. The sessions focus on leadership qualities, building confidence and continuing education to Year 12 and beyond. Goals gives students the opportunity to network outside of their immediate community and expand their options for their future education and career paths.

In order to support improved economic and social outcomes, we are committed to assisting First Nations businesses. Hall & Wilcox is a member of Supply Nation and included 13 Indigenous businesses in our supply chain in FY23.

Through our pro bono work, we also assist First Nations organisations with business matters, including Art Centres and Local Aboriginal Land Councils.

We were a proud supporter of the call for a constitutionally enshrined Voice to Parliament and have contributed to the work towards treaty in Victoria through a secondment of one of our lawyers to the [Self-determination Fund](#). We are also helping local voices such as [Empowered Young Leaders](#) in Western Australia.

We have assisted with advice on Native Title claims.



Freedom from slavery

Article 4 of the Universal Declaration of Human Rights declares that no one shall be held in slavery or servitude: slavery and the slave trade shall be prohibited in all their forms.

The term ‘modern slavery’ describes serious exploitative practices such as forced labour, human trafficking, the worst forms of child labour, servitude, forced marriage, debt bondage and deceptive recruiting for labour or services.

In December 2022, the firm published its [third modern slavery statement \(Statement\)](#) under the *Modern Slavery Act 2018* (Cth) (**Act**). The Statement sets out the actions we have taken to assess and address risks of modern slavery in the firm’s operations and supply chain. We have established a modern slavery working group responsible for determining and implementing our modern slavery response.

The firm also assists clients with their human rights and modern slavery requirements. Our Business & Human Rights practice, part of our Employment practice, aims to help businesses, non-profit and public sector entities to develop an approach to human rights that integrates seamlessly with their operations, objectives and brand, and which reflects international human rights standards and best practice. It provides advice and representation to enable businesses to comply with all of their legal obligations in all areas relating to human rights, including working with clients at all stages of the modern slavery reporting cycle.

A clean, healthy and sustainable environment

The United Nations General Assembly has recognised the human right to a clean, healthy and sustainable environment.

Our firm has been reviewing its supplier list and supply chains to ensure we support and prioritise the purchasing of goods and services which are environmentally and socially responsible.

We have undertaken an audit of our scope 1, 2 and 3 greenhouse gas (GHG) emissions. The goal of this audit was to further enhance our carbon mitigation strategies and to allow us to move towards becoming a certified carbon neutral business and to make our contribution to Australia’s commitment to Net Zero by 2050. We are looking to reduce all our emissions and become Climate Active carbon neutral certified by no later than 2025. This commitment means that we will offset 100% of our scope 1, 2 and 3 emissions that we are unable to reduce through our mitigation activities.

Our goal is to significantly reduce the production of GHG, the depletion of natural resources and the generation of non-recyclable waste from our business activities. We do this by making environmentally conscious decisions about the operation of our business – an approach that’s monitored by our Environment and Sustainability Committee, our Managing Partner, and our Board.

Since 2012, Hall & Wilcox has been a member of the Australian Legal Sector Alliance (**AusLSA**). Our [2023 AusLSA Sustainability Profile](#) can be found on our website. AusLSA is an industry-led association working to promote sustainable practices across the legal sector.



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2021



Community
driven justice.

Refugee Legal:
Defending
the rights of
refugees.

RACS
REFUGEE ADVICE & CASEWORK SERVICE