Law Council
OF AUSTRALIA

Quadrennial Report 2020-2023

United Nations Economic and Social Committee

20 May 2024

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Law Council of Australia

Consultative Status: **Special**

Reporting Period: **2020-2023**

Introduction

1. The Law Council of Australia (**LCA**) is the national representative body of Australia's legal profession. Its Constituent Bodies are the 16 state and territory law societies and bar associations and Law Firms Australia. The LCA advises governments, courts and federal agencies on the improvement of the law and justice system for the benefit of the community. It also represents Australia's legal profession internationally, and maintains relationships with national, regional and global legal professional associations.

Aims and purposes of the organization

2. The LCA's objectives include to:

   (a) promote and defend the rule of law in the public interest;

   (b) be the national peak body for lawyers on national and international issues in furthering the betterment of law in the public interest;

   (c) represent its Constituent Bodies in all matters involving uniformity of State Laws, reform of Federal Law and legal practice in Federal Courts; and

   (d) promote the administration of justice and the development and improvement of law throughout the Commonwealth.

Significant changes in the organization

3. From 1 July 2023, the LCA hosts the Secretariat of the Law Association of Asia and the Pacific (**LAWASIA**), which also holds ECOSOC Special Consultative Status. The LCA's support for LAWASIA is limited to providing corporate services, including finance and human resources support. LAWASIA retains complete institutional independence, existing governance arrangements (including an elected President and Executive Committee) and its own Secretariat staff.

Contribution of the organization to the work of the United Nations

4. The LCA seeks to ensure that government legislation, policy and practice complies with Australia's international obligations and adheres to broader international human rights standards. Relevant activities include:

   - Advocating for Australia to adopt a statutory Federal Human Rights Charter to enhance legal protection of human rights at the Commonwealth level;
   - Advocacy regarding Australia's implementation of the Optional Protocol to the Convention Against Torture;
   - Provided a submission on the application of the United Nations Declaration on the Rights of Indigenous Peoples in Australia;

- Revised its Policy Statement on the Death Penalty;
- Published an addendum to its Policy on raising the minimum age of criminal responsibility;
- Adopted an in-principle position supporting the proposed International Convention on the Rights of Older Persons; and
- Adopted a Climate Change Policy outlining the legal implications of climate change and principles for the development of law and policy.

Participation in meetings of the United Nations

5. The LCA actively participates in Human Rights Council sessions, and presented 15 oral statements on thematic and country-specific human rights issues that relate to human rights in the context of the legal system, judicial independence, and the free and independent exercise of the legal profession. The full list of statements is available at: https://lawcouncil.au/media/speeches/united-nations-human-rights-council-statements.

6. The LCA also participated in:

   - a webinar on the United Nations Guidelines for Lawyers in Support of Peaceful Assemblies with the Special Rapporteur on Freedom of Assembly and Association (25 February 2022);
   - a meeting with the Special Rapporteur on the Independence of Judges and Lawyers (14 December 2023).

Cooperation with United Nations Bodies

7. The LCA provided a stakeholder submission to the Universal Periodic Review of Australia (3rd Cycle). This submission was referenced extensively in the Summary of Stakeholders' submissions (A/HRC/WG.6/37/AUS/3).

Initiatives taken in support of the Sustainable Development Goals (SDGs)

8. The LCA supports the realisation of Goal 16 by contributing to the development of legislation and policy in Australia, promoting good governance and effective and accountable institutions, and advocacy to improve access to justice for all Australians.

9. Relevant activities include:

   - Advocating for adequate funding for legal assistance in Australia, including legal aid, community legal centres, and Aboriginal and Torres Strait Islander-specific services;
   - Advocating for inclusive, Indigenous-led solutions to close the gap in life outcomes between Indigenous and non-Indigenous Australians;
   - Activities to promote gender equality, diversity and inclusion within Australia's legal profession and judiciary, and eliminate discrimination, pay disparity, and sexual harassment in the profession and across Australian workplaces including in the development of Australia's legislative response;

- Contributing to the development of Australia's legislative response to climate change;
- As Secretariat of the South Pacific Lawyers' Association, supporting the development of independent legal professional associations, improving access to legal education and professional development, and promoting the rule of law and access to justice in the Pacific;
- Advocating for funding for PacLII, which provides free access to legal materials for 20 Pacific Island jurisdictions; and
- Activities to defend and promote the rule of law internationally through engagement with counterpart independent legal professional associations and international (including regional) fora.