



Basic Rights Queensland

Annual Report 2019



States Parties shall prohibit all discrimination on the basis of disability and guarantee to persons with disabilities equal and effective legal protection against discrimination on all grounds.

*UN Convention on the Rights of Persons With Disabilities Article 5*

Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

*Universal Declaration of Human Rights, Article 23*

States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights...

*UN Convention on the Elimination of All Forms of Discrimination against Women, Article 11*

## Supporters and Donors

We are grateful for the support we receive, both financial and in-kind, from former clients, private individuals, business and organisations.

### Sponsor

The Electrical Trades Union,  
Qld and NT branch, sponsor since 2006

### Pro bono

Clayton Utz  
Minter Ellison  
Ashurst  
Holding Redlich  
Caxton Legal Service

### Individual Donors

BRQ receives donations from the general public and from former clients. We would like to express our sincere thanks for their support.

### Funding

Basic Rights Queensland is funded by the Queensland Department of Justice and Attorney-General, the Commonwealth Attorney-General's Department and the Queensland Office of Industrial Relations. We are grateful for their support.

Funded by



Australian Government  
Attorney-General's Department

# Contents

About us - What we do	2
Our Vision, Our Purpose, Our Values	4
President Report	7
BRQ Team	8
Volunteers and Students	10
Community Legal Education	12
Social work	14
Social Security	16
2019 Service Statistics	17
Working Women Queensland Program	19
Disability Discrimination	20
Domestic & Family Violence Work Aware Training	23
Financial Report	24
Contact Us	28



ABOUT US

## What we do

Basic Rights Queensland (BRQ) is a specialist community legal centre, providing free advice, advocacy and legal services state-wide by telephone.

Our committed staff, volunteers and students assist vulnerable people in matters relating to social security, disability discrimination and women's employment issues.

Where an issue has an impact on the broader community we may develop and conduct community education activities, and/or undertake research informing law reform projects where we advocate on behalf of the community.

- BRQ's specialist services are accessible via freecall numbers from anywhere in Queensland.
- BRQ's client work focuses on vulnerable and disadvantaged people:
  - 55% of our clients are people with disability, including mental illness
  - 89% of our clients are in very straitened financial circumstances
  - 13% of our clients have no income at the time of contact
- BRQ's social work services are offered to clients in need of brief counselling or linking in with local supports
- BRQ's plain English factsheets support understanding of the law, how to access rights and any related responsibilities
- BRQ's capacity-building training assists community, private sector and government workers to understand the law and how to assist their clients
- BRQ's law reform activities arise from the client work; they focus on informing government of the impacts of laws and policies on vulnerable people and on offering positive alternatives
- BRQ has been operating for over 33 years with the support of volunteers, sponsors, donors and pro-bono assistance



## Our Values

### Fairness

We act with integrity, ensuring our resources are targeted equitably while prioritising the most vulnerable.

### Access

We are committed to enabling access to justice through innovative service provision and making the complex comprehensible.

### Inclusion

We are non-judgemental and we embrace diversity.

### Transparency

We are clearly accountable for our actions so as to maintain trust with our clients, the wider community, and funders.

### Respect

We respond to all who need our assistance with compassion and understanding, maintaining a non-judgemental perspective.

### Responsiveness

We provide our clients with an objective assessment of their situation while also being empathic to the difficulties of their situation and the challenges of dealing with it.

### Knowledge / Expertise

Through continually developing our in-depth knowledge of complex areas of law, we provide expert, evidence-based advice to our clients.

## Our Vision

Basic rights for a just society

## Our Purpose

- Providing high quality, independent advice, legal services and community education
- Upholding rights to social security entitlements and freedom from discrimination
- Advocating fair and just outcomes for vulnerable people







The level of hardship  
being experienced by higher  
and higher numbers of people  
living in poverty due to inadequate  
social and economic infrastructure  
(be they in the workforce or not)  
continue to exceed our capacity  
to respond to unmet need



## A MESSAGE FROM Our President

### Lurleen Comerford

2018/19 has been a year like no other!

We reported that 2017/18 was our year of change with the commencement in January 2018 of our new team providing services to woman experiencing problems in the employment and work world and also the provision of the Domestic Violence Work Aware program.

As at June 2019 some 18 months down the track, Basic Rights Qld continues to develop new and creative ways of coming together around separate but interconnected programs of women at work, social security and disability discrimination as well as keeping a focus on legislative reform and policy advocacy in the area of human rights and employment and social security.

Most significant from an organisation change perspective, was the departure of both Directors: Georgina Warrington and Kerriann Dear. Georgina was at BRQ for 10 years, 8 of those years as Director. Kerriann was with Qld Working Women's Service (QWWS) and BRQ for 20 years in total. To both women we owe accolades for their intelligent and principled contribution to the field of social and legal justice. Voluntary management committees of smaller social and community service organisations will always rely heavily on people in Director type of positions to lead the organisation and to support good governance. Both Georgina and Kerriann have been responsible for all of this and the committee records our thanks again here.

We have been fortunate to have the invaluable assistance of Avryl Gratton, our locum Director and also the consistently high standard of work of all our volunteers and employees during the consolidation of our organisational structure.

As at June 30 2019 BRQ was in the process of recruiting a full time Director. As a post script, we are pleased to say that Fiona Hunt commenced work as our new Director in early August. She has a big job as we will be applying for our next round of recurrent funding in the next few weeks. Indeed, the state government recently announced the welcome increase from 3 to 5 year funding cycles with the community legal centre program.

The level of hardship being experienced by higher and higher numbers of people living in poverty due to inadequate social and economic infrastructure (be they in the workforce or not) continue to exceed our capacity to respond to unmet need. Our colleagues in other states can attest to the national issues created by harsh and inadequate social security policies despite the ongoing revelations by way of Royal Commissions and other sources, about the underlying systemic inequity and hardship, if not abuse, in major societal institutions. It is so important of for rights based organisations to continue pursuing advocacy and to seek recognition by government funding bodies to properly fund processes designed to contribute to the operation of fair and equitable institutions.

This year we also finalised our Enterprise Bargaining Agreement ensuring fair and above award conditions for our workers. The committee would like to thank the Queensland Services Union and Kerriann Dear for their support in drafting and negotiating the agreement.

I would like to thank all of the BRQ committee people for the valuable contributions and in particular acknowledge the work of Leah Mertens who resigned in June 2019.

# BRQ Team

## Management Committee

### Lurline Comerford, President



A Social Worker of over 40 years' experience, Lurline has been BRQ President since 2011. With a strong interest in economic independence for women, Lurline is keen to promote social justice and equity for all. Lurline aims to maintain a strong community-based organisation that can address the issues, anomalies and problems confronting BRQ clients and participate in improving the system for those who are disadvantaged. Equity is a guiding principle where people face poverty, discrimination or unfair treatment at work and where basic rights are neglected.

### Cale Fryer, Secretary



Cale holds a Bachelor of Business Management (Int. Business) degree as well as graduating with Honours with a Bachelor of Laws from the University of Queensland. Cale is a solicitor of the Supreme Court and the High Court of Australia. He has extensive experience in all aspects of general practice with particular focus on personal injury litigation. Cale is committed to helping ordinary Queenslanders achieve improvement and justice and has been on the Committee since 2013.

### Stuart McDowall, Treasurer



Stuart is a Chartered Accountant, with professional qualifications in Business and Information Technology. For nearly 20 years, he has been working with government, business and not-for-profits to help them succeed. He has a keen interest in social justice, and joined the Management Committee in 2015.



### Georgina Warrington, Committee Member

Director of BRQ for 7 years, Georgina Basic Rights Queensland has a keen interest in assisting vulnerable people to access their rights and a better life through individual and/or systemic advocacy and through the provision of high-quality community services. With a background in social work and education, Georgina has over 20 years' experience in community sector client service, worker training, resource and policy development, management, leadership and governance roles.



### Jessie Westaway, Committee Member

Jessie works at Tenants Queensland as a Data Analyst and Tenancy Advice Worker. Prior to her work with TQ, Jessie worked as an Industrial Officer at The Services Union and Senior Industrial Officer at Queensland Working Women's Service (now Working Women Queensland). Jessie is passionate about issues involving human rights, women's rights and the promotion of strong social justice values. Jessie has been a member of the Committee since 2017.



### Leah Mertens, Committee Member

Leah Mertens joined the BRQ management committee in 2017, following the merger with the Queensland Working Women's Service, which operated in Queensland for more than 20 years. She was previously the Chair of the QWWS Management Committee, works for the Queensland Teachers' Union as a Research Officer and was formerly the QTU's Women's Officer. She has an interest in the basic rights of workers, particularly women workers, and a strong interest in education, equity and social justice for all.

### Lyndal Sleep, Committee Member



Dr Lyndal Sleep is a research and teaching academic at Griffith University. She researches social security law, gender and technology. Her most recent research has been on the couple rule in Australian social security law and domestic violence.



### Mike Dee, Committee Member



Mike joined the Committee in 2015, having lectured in social work at Queensland University of Technology for a number of years and most recently in social policy at the University of Queensland.

His interests include social policy issues around welfare 'reform', covering citizenship, participation, social inclusion/exclusion and the surveillance of welfare subjects. Mike has published on these topics and is currently writing a social history of surveillance.



### Wylie Thorpe, Committee Member

Wylie Thorpe is a solicitor of the Supreme Court of Queensland. Wylie has over 8 years of experience in commercial litigation and all forms of dispute resolution. Wylie is a Special Counsel at Holding Redlich. Wylie has a strong belief in social justice and the value of pro bono work in our community. Wylie has been a member of the management committee since 2018.



### Paul Freeburn, Committee Member

Paul obtained an honours degree in law from the University of Queensland and then was admitted as a solicitor in 1983. After working as a solicitor, Paul was admitted as a barrister in 1990. In 2003 Paul was made a Senior Counsel which was converted to Queens Counsel in 2012. Paul has experience in a large range of commercial litigation and legal advice. He also has a strong belief in community and social justice issues. He has been part of the Basic Rights Qld committee since 2015.

### Neisha Traill, Committee Member



Neisha, who joined the Committee in November 2016 and is an Industrial Officer with the Electrical Trades Union. Neisha has worked in Unions for 12 years and has a keen interest in social justice and equity. She is particularly focused on workplace relations and protecting individual's rights at work.

BRQ Permanent Staff	Roles
Andrew Davison	Principal solicitor
Isabella Morosan	Industrial Officer
Caitlin Collins	Social Worker - Advocate
Deidre Ross	Intake & Admin Manager
Ellia Guy	Admin Assistant
Georgina Warrington	Director
Jayne Carter	Industrial Officer
Jen Carmen	Industrial Officer
Kerriann Dear	Director
Lee Matahare	Senior Industrial Officer
Maddison Dantu-Hann	Law clerk
Mark McKeon	Financial Administrator
'Sam' Simon Tracy	Solicitor
Steve Irvine	Senior Solicitor
Teresa Grahame	Social worker - Advocate
Terri Kempton	Solicitor

Casual Staff
Casual Staff
Avryl Gration
Bridget Burton
Nicole Harrison
Laura Dawson
Jack Margaritis
Tamara chin

# Volunteers

## Deidre Ross

Our volunteers provide valuable work that supports every aspect of service at BRQ. Our volunteers are mostly law students and volunteering at BRQ provides great opportunities to develop skills that just can't be gained through the coursework structures of university. Volunteers work directly with clients and report that the experience has enabled them to gain an advantage over their peers in work experience and professional development.

We have a lot of fun working together as well as doing the serious business of client support, general duties and assisting advice workers. I enjoy working with our volunteers and am very grateful for their time and effort; we wouldn't be able to help as many people without the help of our "vollies" and they really make a difference.

Volunteering at Basic Rights Qld has given me an amazing opportunity to learn and develop the skills necessary for understanding different legal matters and provided me with practical experience in speaking with a wide range of clients. The team at Basic Rights is very supportive and I have been able to develop skills in communicating with and understanding vulnerable clients and have become very passionate about the work Basic Rights does. The experience I have gained is invaluable and has given me a wonderful foundation for my future career.

*Chloe*

## Volunteers July 2018 - June 2019

Alicia Hahn	Fergus Harte	Josia Nann	Nicole Harrison
Alida Very	Georgia Kelly	Kelly Browne	Nikita Aganoff
Alison Waller	Hana Sarac	Kelvin Lee	Ossanna Faataape
Amelia Lodge	Harry Cross	Kristy Vilalba	Rhiannon Byrnes
Anke Joubert	Jack Hubert	Lachlan Schofield	Ruby Clarke
Bonnie Kubler-Shaw	Jack Margaritis	Laura Dawson	Simone Weiss
Brooke Hannan	Jake Sheehan	Lorie Robinson	Storme Louw
Caroline Vang	Jasmine Drummond	Maddison Dantu-Hann	Tamara Chin
Chloe Tilse	Jenn Carman	Madison Waldbay	Tara Seiffert-Smith
Dahye Jung	Jessica Rosengren	Michaela Jewell	Zarin Anthony Nunis

## Student Placements

Georgia Frizelle	Guy Van Acker	Stuart Brachen
Grant Young	Isabella Morosan	Jake Sheehan



Volunteering at Basic Rights has been one of the most rewarding parts of my law studies. I have been able to work within the social security and disability discrimination law space, learning from experienced lawyers and social workers who are all committed to serving our community. The volunteers are a great team, and it's been a huge benefit for my CV and wider experience.

*Laura*

Basic Rights Queensland has created the space where I could connect my passions for working alongside some of the most vulnerable members of our community with current practice in the community legal sector. Volunteers are valued and invested in by all staff members. This investment has not only grown my professional capacity but has built a rich framework for future practice.

*Kelly*

Having the opportunity to volunteer at Basic Rights Queensland has been an extremely invaluable experience to me. Not only has it contributed to my education, but it has also allowed me to grow, learn and work alongside wonderful and supportive staff members. I have been fortunate to be in the position where I have been able to volunteer my time to a great community legal centre such as Basic Rights Queensland.

*Brooke*



# Community Legal Education

## Steve Irvine, CLE Coordinator

In 2018-19 Basic Rights Qld's (BRQ) provided training to 200 workers over 15 workshops and community events. This included education to community organisations and tertiary institutions, participation in social security forums, attending targeted community events, participating in national media events and continued our networking within the social security and legal communities. The community legal education team this year consisted of Steve Irvine, Caitlin Collins, Sam Tracy, Jayne Carter and Maddison Dantu-Hann.

Participating in community events has been a great opportunity for BRQ to educate the general public on social security issues. Last year we participated in The Logan City Council Homeless Connect in Kingston and Brisbane City Council Homeless Connect held at Doomben racecourse. BRQ has become regular participants in both events over the last 4 years providing us with a great opportunity to connect with the public and network with other community organisations.

BRQ also participated in the Anti-Poverty Week events organised by Brisbane City Council and Logan City Council. Steve Irvine and Caitlin Collins attended and presented on income support issue for people over the age of 45. The topic was particularly relevant as later independent statistics indicated this particular demographic to be over-represented amongst recipients.

Community forums provide a great opportunity for BRQ to meet and answer questions from members of the public and professional workers involved in the sector. This year Caitlin Collins attended and participated in the Queensland Womens Week forum conducted by the Kingston East Neighbourhood Group (KENG). Caitlin Collins presented and answered questioned predominately on Centrelink debt matters at the event which was attended by over 20 organisations.

The governments ParentsNext program received a great deal of attention from the media earlier in the year and BRQ were asked to provide information and education around the program. Sam Tracy,

in collaboration with the National Social Security Network, researched and prepared interviews with the ABC's "Life Matters" and Channel 7's "Today Tonight". Maddison Dantu-Hann also produced a "Fact Sheet" resource on the ParentsNext program.

The workshops that BRQ provide to the community are not only important in providing education to the sector but also provide opportunities for organisations to refer clients to our service. Every year we make new connections with clients and sector workers throughout Queensland and once again this has resulted in referrals to our service. Last year BRQ conducted workshop sessions with organisations such as Rights in Action, Tenants Qld and Kingston East Neighbourhood Group.

Collaboration within the sector and with stakeholders plays an important role in the dissemination of social security information. BRQ maintained involvement with other community legal services via the CLE Legal Assistance Forum Network (CLAF). BRQ also contributes regularly to the National Social Security Network and attends monthly meetings via teleconference. BRQ also contributes to the network by publishing new and updated fact sheets on social security, disability discrimination and employment issues.

Student placements provides BRQ with an opportunity highlight the important role that Community Legal Centres provide to those less advantaged in society to legal students and the important role CLCs play in the provision and dissemination of legal advice throughout the community and within the legal profession. BRQ have great support in this area from Lindsey Stevenson-Graf from Bond University and Monica Taylor and Bridgett Burton from The University of Queensland clinical legal placement program. Lindsey, Monica and Bridget are passionate about the community legal sector and providing holistic legal education to law students. Through their respective programs BRQ is able to provide law students from both universities, opportunities to gain practical experience within the sector and experience how administrative law "works" in a practical setting. The students from both universities have been excellent and have thoroughly enjoyed their experience at BRQ.





## CLIENT STORY

# Debt entirely waived

Ally\* had a Centrelink debt of approximately \$50 000 in total for child care related payments. Ally is from a refugee background and is the mother of 8 children. During the debt period, Ally underwent treatment for significant health issues and as a result, she was not able to meet her study requirements for the child care payments. BRQ provided advocacy at the Centrelink internal appeal level and asked Centrelink to consider waiving the debt on the basis of special circumstances. Ally was able to provide medical evidence to Centrelink for the debt period.

The Centrelink authorised review officer waived the whole debt amount.

### Feedback

- "I feel fortunate to have been able to spend time at BRQ" (student)
- "Thank you for giving me such an unique opportunity to see law from a new perspective"
- " the information delivered at the community level from Basic Rights QLD around Centrelink would contribute to women's (and everyone's) financial empowerment"

(\*not her real name)

# Social Work

## Teresa Grahame and Caitlin Collins

2018/2019 proved to be another productive year for the social work service with an ongoing emphasis on assisting the more vulnerable clients accessing BRQ. The social workers have noted an increase in the need for liaison with Centrelink on behalf of vulnerable clients in response to increasingly problematic Centrelink processing issues. Given the complex nature of the Centrelink system, the social workers continue to maintain a focus on early intervention for clients.

The social work service continued to drive the project focused on the development of the Disability Support Pension (DSP) medical evidence questionnaire which was further refined and finalised in March this year. This document was designed for treating health professionals to provide information relevant to the legal criteria for DSP. The updated doctor letter is now in frequent use by the BRQ advocates and has been instrumental in assisting our clients to gather relevant medical evidence to support their claims for DSP.

We were fortunate to have a third year social work student, Guy, join the social work service on his first field placement for approximately four months. Guy made a significant contribution to our direct client work and was actively involved in the development of a fillable electronic version of our updated medical evidence questionnaire. We were also very happy to welcome back Jack, our casual social work advocate/volunteer who completed a placement at BRQ in 2017. Jack has continued to deliver high quality client work through our Telephone Advice Service is a valued member of our team.

At a broader level, in an effort to further build relationships with our key stakeholders, the social workers took an active role in arranging and participating in meetings with Centrelink representatives from the Service Recovery team. This process has been most useful in maintaining our ongoing relationship with key staff within Centrelink who can support our client work. The social workers also utilised their knowledge and expertise to deliver training to BRQ staff on suicide and responding to suicidal clients in the organisational context.





## CLIENT STORY

# DSP granted

BRQ represented Jason\* at the AAT regarding the rejection of his claim for DSP. Jason has an intellectual disability and met the IQ score to be manifestly qualified for DSP based on his most recent psychological assessment. Centrelink rejected his claim for DSP as they preferred an older psychological assessment. BRQ obtained additional medical evidence and argued at the AAT that the recent psychological assessment should be accepted and that Jason automatically qualifies for DSP based on his IQ score. The AAT set aside the Centrelink decision and DSP was granted.

(\*not his real name)

# Debt partially waived

BRQ represented Sarah\* at the AAT regarding a debt of approximately \$14 000 for overpayment of education related payments and Mobility Allowance. Sarah has an acquired brain injury and has significant memory issues. She is a recipient of DSP and receives daily in-home support through the NDIS. BRQ argued at the AAT that the debt should be waived on the basis of special circumstances as Sarah's brain injury affected her ability to comply with Centrelink obligations. The AAT waived \$6000 of the total debt. BRQ assisted Sarah to arrange an affordable repayment plan with Centrelink for the remainder of the debt.

(\*not her real name)



# Social Security

## Andrew Davison, Acting Senior Solicitor.

Once again it has been a challenging year for Basic Rights Qld's (BRQ) advice and casework team with an increase in the volume of highly vulnerable clients as well as staff and organisational changes. Despite this our advisors have responded exceptionally well and continued to provide excellent service to our clients.

Staff development at BRQ is crucial in the provision of advices and casework support to our clients. This year our "newer" staff members in social security and disability discrimination areas performed exceptionally well in developing their expertise in their respective areas with the guidance and support of our experienced team members. The addition of our employment law service has provided BRQ with an extra dimension to our team. The Industrial Officers from Working Womans' Queensland have added to our expertise with their experience in industrial matters, including negotiation skills that are transferable throughout the whole BRQ team. BRQ also has had the benefit of trained volunteers and former students who have developed to a point where they were able to provide supervised advice on a casual basis. Thank you to Tamara Chin and Jack Margaritis for their dedication and contribution throughout the year.

In general clients reported they were experiencing long delays in processing of claims and long delays in the appeals process, particularly appealing debt matters. Clients have increasingly presented to us with high levels of frustration and anger concerning these processes. There has also been an increase in clients contacting us who are highly distressed and have needed their matters escalated to our social workers. In general these client issues have led to greater demands on the level of assistance required by our staff. Throughout the year we have advocated on client issues with the Department and will continue in the future in conjunction with the National Social Security Rights Network.

## Social Security Advices

BRQ continue to provide a high volume of telephone advices. In 2018-19 we provided over 2500 advices and information to clients. BRQ duty lawyer service at the Administrative Appeals Tribunal (AAT) was extended to one session per week and provided 164 advices. The Duty Lawyer clinic allows BRQ to view the client's AAT file and provide more in depth advice or assistance to the client. One positive change we have made to the clinic is our process to identify the most vulnerable clients who contact our advice lines and where appropriate self-refer them to the clinic. We have received very positive feedback from the AAT about the clinic and appreciation from the clients referred to the clinic.

## Social Security Casework

In 2018-19 we opened cases for more than 190 clients, closing 115 cases in the reporting period. We have had a high success rate with cases where we have proceeded to Tribunal Hearing. The cases remain predominately concerned with Disability Support Pension, many with complex medical issues. However we have also enjoyed success at hearing in other areas of social security such as member of a couple relationships and debt matters.



# 2019 Service Statistics



Clients	2,270		
Services Provided	4,921		
2039 <sup>89.8%</sup>	1143 <sup>50.3%</sup>	108 <sup>4.75%</sup>	
Financial Disadvantage	People with disability	Indigenous Australians	
75 <sup>3.3%</sup>	74% <sup>3.3%</sup>	44% <sup>44.3%</sup>	
Culturally and Linguistically diverse backgrounds	People over 35	People over 50	



Clients	1568		
Services Provided	3939		
1537 <sup>98%</sup>	871 <sup>56%</sup>		
Financial Disadvantage	People with disability		
49 <sup>3%</sup>	88 <sup>6%</sup>	14 <sup>1%</sup>	
Culturally and Linguistically diverse backgrounds	Indigenous Australians	Homeless	



Clients	640		
Services Provided	1112		
433 <sup>67.6%</sup>	197 <sup>30.7%</sup>		
Financial Disadvantage	People with disability		
24 <sup>3.7%</sup>	17 <sup>2.6%</sup>		
Culturally and Linguistically diverse backgrounds	Indigenous Australians		



Clients	117		
Services Provided	226		
112 <sup>96%</sup>	102 <sup>87%</sup>		
Financial Disadvantage	People with disability		
4 <sup>3.3%</sup>	4 <sup>3.5%</sup>		
Culturally and Linguistically diverse backgrounds	Indigenous Australians		



## CLIENT STORY

# Discrimination Claim resolved in the Anti-Discrimination Commission

Jane\* worked as a permanent part-time educator in the childcare industry for over eight years. Her child was enrolled at the relevant childcare centre, and Jane thus breastfed him on their corresponding lunch break. Her Director made inappropriate comments in relation to her breastfeeding, failed to provide her with a comfortable space to breastfeed, and began altering her lunch breaks to ensure that they did not coincide with her child's lunch break. During this period, Jane informed the Director that she was pregnant and then began being treated unfavorably by having her duties altered and her shifts reduced. Jane filed a Complaint in the Anti-Discrimination Commission Queensland for discrimination on the basis of breastfeeding, pregnancy and family responsibilities. WWQ attended a conciliation conference as Jane's representative and negotiated an exit package including a substantial sum of general damages and four weeks' in lieu of notice. WWQ also negotiated that the end of the employment relationship be recorded as a resignation, a detailed Statement of Service be provided, and a guarantee that the employer would provide a prospective future employer with an appropriate reference.

(\*not her real name)



# Working Women Queensland Program (WWQ)

## Lee Matahare

Working Women Queensland Program (WWQ) has proudly operated for over 20 years, the last 2 of these as a program of Basic Rights Qld. In 2018-19 WWQ has continued to provide free state- wide services to vulnerable working women in Queensland. Services are accessed via telephone support, web contact and representation to commissions in cases where women are unable to represent themselves.

Clients who contact WWQ for assistance are seeking information on their rights and options regarding recourse options via application to the Fair Work Commission, Queensland Industrial Commission, Queensland Human Rights Commission and the Australian Human Rights Commission. Many matters are able to be resolved prior to this through the information, support and advocacy provided by the WWQ team including negotiating directly with the employer.

WWQ provided three advisory clinics per week this year and experienced strong demand for their services demonstrated in the 280% increase in the number of clients. In 2018-19 WWQ worked with 640 women up from 247 the previous year and provided 1112 services to these women. 67% of these women are classed as financially disadvantaged and 31% have a disability. These factors combined with systemic discrimination on the grounds of family responsibilities, pregnancy, sexual harassment, health status and domestic and family violence compound the gendered disadvantage of Queensland working women.

The most common issues reported by clients were discrimination, sexual harassment including assault and rape at work, general protection disputes and unfair dismissal including cases where women were sacked for disclosing chronic health conditions such as cancer and mental health matters, domestic and family violence and unfair conditions and entitlements. Many of these issues occur concurrently meaning they have application across multiple jurisdictions which adds to the complexity of the casework the service undertakes.

WWQ facilitated fantastic outcomes for Queensland women this year including the recovery of over \$341,000 from employers for women by way of statutory entitlements (notice, long service leave, under payment) compensation and or general damages for unfair dismissals, general protection disputes, sexual harassment, family responsibilities, pregnancy discrimination and disability discrimination. Non-financial outcomes included reinstatement of employment where appropriate, anti-bullying stop orders, the attainment of statement of service following dismissal and having terminations rescinded and replaced by resignation. These outcomes have been empowering and important for the women concerned and also positively impact on the slow but vital work of systemic and cultural change.

WWQ remains affiliated with number of women's advocacy groups, including the National Women's Alliance, Economic Security 4 Women, the National Foundation of Australian women and Australian Working Women's Centres. Through these groups WWQ contributes to roundtable discussions, parliamentary and senate inquiries and has participated in training and networking events.

This year saw the departure of our much loved, respected and dedicated comrade and director Kerriann Dear whom accepted a position within the Domestic and Family Violence Work Aware Training Program. She has been honoured by the Queensland Services Union with the Emma Miller award for 2019 recognising her contribution to women. Throughout this year of high demand and changes, the Industrial Officers and the volunteers of WWQ have remained passionate and committed to improving the working lives of Queensland women and are to be commended for their outcomes.

# Disability Discrimination

## Terri Kempton

BRQ's Disability Discrimination Advocacy Service provides advice, and limited case representation to people in Queensland who believe they have been subjected to unlawful discrimination on the basis of their disability. BRQ provides advice in relation to a range of areas including employment, education, access to premises, the provision of goods and services, accommodation, clubs and memberships and the Administration of State Laws and Programs.

The Disability Discrimination service provided 226 services including, 174 advices and 11 opened cases for the 2018/2019 period. Several of the cases opened have related to community access issues which has often led to outcomes which not only benefit the client but also others within the community who are also experiencing barriers to access due to their disability.

Many of our clients present as vulnerable, with issues ranging from exclusion to education as well as housing and accommodation issues. BRQ places a large emphasis on empowering clients through our advice service to be aware of their rights and where possible resolve matters informally without the need to go through an adversarial process which may cause the clients further distress.

BRQ was fortunate enough to have Bridget Burton, Director of the UQ Pro Bono Law Centre, provide the BRQ Disability Discrimination Advocacy Team mentoring and high-level training for a six month period. The service was also fortunate to have Isabella Morosan, Law Student and Advocate for WWQ, bring her skills and expertise in employment law to assist the Disability Discrimination Advocacy Service over the 2018/2019 period. It has been a real benefit to draw on the skills and expertise from across the different service areas within BRQ.

BRQ has also undertaken training and participated in practitioner workshops in relation to the upcoming Human Rights Act 2019 (QLD) which is due to commence in January 2020. BRQ's Disability Discrimination Advocacy Service will be one of the specialist Community Legal Centre's who will advise and represent clients in possible breaches of the Queensland Human Rights. We are optimistic that the Human Rights Act will bring about positive outcomes for our clients, without being restricted by the current narrow and often complex Anti-Discrimination laws.



CLIENT STORY

## Disability Discrimination

Sue\* is a disability pensioner who relies on a wheelchair for mobility. Sue regularly uses her local bus route to access the community and found her local bus stop did not have wheel-chair accessibility. This meant Sue had to be dropped off at alternative bus stops or mid-route which caused significant distress and humiliation.

BRQ provided Sue advice and assistance in resolving her dispute informally with her local Council. Council agreed to upgrade her local bus stop to ensure it had wheel-chair accessibility and provided interim arrangements for her bus service until the upgrade had been undertaken. Sue was satisfied with the outcome and pleased she wasn't required to proceed through a formal complaint process.

(\*not her real name)





## CLIENT STORY

# Unfair Dismissal Claim resolved prior to Hearing

Sally\* worked as a permanent part-time picker and packer in the wholesale industry for almost seven years. Twenty days prior to accumulating seven years of continuous service (and thus potentially being entitled to pro rata long service leave), her employment was terminated. She was unexpectedly informed that her employment was being terminated because the company could only provide day shifts to casual employees. The dismissal was harsh, unjust and unreasonable because the employer did not provide a valid reason for the dismissal related to Sally's capacity or conduct, and did not afford her procedural fairness. Furthermore, the employer had not made the appropriate payment in lieu of notice. The dismissal had a negative impact on Sally's personal and economic situation as she was over the age of forty-five, a single parent, lived in a remote location, was financially disadvantaged and at risk of homelessness. Sally filed an Unfair Dismissal Application in the Fair Work Commission. Prior to the matter proceeding to Hearing, WWQ negotiated 11 weeks redundancy pay, an additional three weeks in lieu of notice, and an additional two weeks in recognition of the employer's inadvertent delay in making the former payments. WWQ also negotiated that the termination be recorded as a redundancy, a detailed Statement of Service be provided, and a guarantee that the employer would provide a prospective future employer with an appropriate reference.

(\*not her real name)

# Domestic & Family Violence Work Aware Training

IN CONJUNCTION WITH

## The Services Union

### Jen Carmen

In February 2019, The Services Union applied for and were successful in receiving three year funding under the "Workplace Rights and Co-operative Industrial Relations Grant Program". The key objective of this training is to increase workplace knowledge and awareness of DFV as an industrial issue, as part of a broader DFV prevention strategy and to foster best practice workplace responses.

Working Women Queensland (WWQ) successfully delivered Domestic and Family Violence Work Aware training to hundreds of workers in many workplaces during 2017/18, sponsored by QSuper together with a group of interested unions. Given this experience, The Services Union have employed WWQ to deliver 25 Awareness Raising Sessions, to employees in the Social and Community Services Sector, Local Government, Queensland Rail and Energy Providers, together with the development and delivery of 5 community education/outreach activities per year.

To date, WWQ have provided a total of 12 awareness raising sessions to the TSU Local Government Industry Committee, TSU Branch Executive, the United Voice Union and Douglas Shire Council with further sessions being finalised for Gympie Regional Council and Noosa Council. It is envisaged that the performance indicators for the 2019/2020 funding year will be comfortably met.



# Financial Report

## Stuart McDowall, Treasurer

I am pleased to present the Basic Rights Queensland (BRQ) Treasurer's Report, for the 2018/19 financial year.

The BRQ Management Committee would like to thank our funders for their financial support.

BRQ's ongoing social security and disability discrimination services are funded through the Community Legal Services Program. Program funding of \$914,000 was provided by the State Department of Justice and Attorney-General (DJAG), and the Commonwealth Attorney-General's Department.

Funding for the Working Women Queensland program of \$231,000 is provided by the Queensland Office of Industrial Relations.

Other funding received includes donations, which are of great assistance in our work to provide specialist legal advice, information and advocacy to the community.

We particularly thank the Electrical Trades Union for their regular sponsorship since 2006.

Salaries and staffing costs are BRQ's major expenditure item (\$1.1m).

BRQ has finished the year in a strong financial position and we are confident in our ability to meet our financial commitments in the coming year.

The ongoing financial sustainability of BRQ remains a focus for the Management Committee. BRQ will continue to manage its funding and operations to ensure ongoing sustainability, so we can continue to provide our clients with the services they need.

BRQ's performance and position is a reflection of the contributions made by our talented and invaluable staff and volunteers, who exhibit great passion, energy and innovation in delivering their important work.





## CLIENT STORY

# Disability Discrimination

Leanne\* and Karen\* contacted BRQ due to the lack of accessible parking available at their housing complex. The lack of accessible parking left the clients feeling like prisoners in their own home due to their physical impairments.

After a many months of trying to negotiate an outcome directly with the housing managers the clients sought advice and assistance from BRQ. BRQ wrote to the housing company on behalf of the clients outlining their obligations under Anti-Discrimination Laws and requested accessible parking be made available.

The Housing Company rectified the parking issue and the clients are now able to enjoy accessing the community again.

(\*not their real names)

Statement of Profit or Loss and Other Comprehensive Income for  
the Year Ended 30 June

REVENUE	2019	2018
Community Legal Services Program grants	913,933	867,918
Employment Advisory Services for Women grant	231,136	113,636
Building Stronger Communities grant	–	7,500
Donations	4,122	271,459
Services revenue	19,820	10,455
Finance income	10,484	4,911
Other revenue	9,725	8,646
<b>Total revenue</b>	<b>1,189,220</b>	<b>1,284,525</b>

**EXPENSES**

Staff expenses	(1,099,120)	(905,151)
Premises costs	(41,683)	(22,973)
IT & communication expenses	(47,915)	(34,063)
Print, postage & document management expenses	(9,517)	(21,942)
Membership, subscriptions & conference expenses	(17,499)	(17,381)
Depreciation and amortisation	(28,182)	(6,858)
Assets written off	–	(7,303)
Office renewal costs	–	(10,063)
Training & workshop consultants	(8,640)	–
Marketing & sustainability expenses	–	(8,360)
Audit fees	(6,380)	(6,200)
Insurance costs	(2,443)	(691)
Travel expenses	(8,184)	(3,603)
Programming & planning costs	(4,763)	(2,312)
Other expenses	(7,694)	(9,637)
<b>Total expenses</b>	<b>(1,282,020)</b>	<b>(1,056,537)</b>
<b>SURPLUS/(DEFICIT) BEFORE INCOME TAX</b>	<b>(92,800)</b>	<b>227,988</b>
Income tax expense	–	–
<b>SURPLUS/(DEFICIT) FOR THE YEAR</b>	<b>(92,800)</b>	<b>227,988</b>

**OTHER COMPREHENSIVE INCOME**

Items that will not be reclassified subsequently to profit or loss	–	–
Items that may be reclassified to profit or loss	–	–
<b>TOTAL OTHER COMPREHENSIVE INCOME, NET OF TAX</b>	<b>–</b>	<b>–</b>
<b>TOTAL COMPREHENSIVE INCOME FOR THE YEAR</b>	<b>\$(92,800)</b>	<b>\$227,988</b>

## Statement of Financial Position as at 30 June

<b>CURRENT ASSETS</b>	<b>2019 \$</b>	<b>2018 \$</b>
Cash and cash equivalents	498,337	538,574
Trade and other receivables	4,483	2,808
Other current assets	7,905	7,476
<b>TOTAL CURRENT ASSETS</b>	<b>510,725</b>	<b>548,858</b>
<b>NON-CURRENT ASSETS</b>		
Property, plant and equipment	94,489	92,012
<b>TOTAL NON-CURRENT ASSETS</b>	<b>94,489</b>	<b>92,012</b>
<b>TOTAL ASSETS</b>	<b>605,214</b>	<b>640,870</b>
<b>CURRENT LIABILITIES</b>		
Trade and other payables	59,524	44,264
Employee benefits	114,019	100,820
Revenue received in advance	27,259	–
<b>TOTAL CURRENT LIABILITIES</b>	<b>200,802</b>	<b>145,084</b>
<b>NON-CURRENT LIABILITIES</b>		
Employee benefits	33,106	31,680
<b>TOTAL NON-CURRENT LIABILITIES</b>	<b>33,106</b>	<b>31,680</b>
<b>TOTAL LIABILITIES</b>	<b>233,908</b>	<b>176,764</b>
<b>NET ASSETS</b>	<b>\$371,306</b>	<b>\$464,106</b>
<b>EQUITY</b>		
Accumulated surplus	371,306	464,106
<b>Total equity</b>	<b>\$371,306</b>	<b>\$464,106</b>

\* Copies of our full audited Financial Report are available via email: [brq@brq.org.au](mailto:brq@brq.org.au)





# Contact Us

To book a telephone advice session for  
Social Security or Disability Discrimination

Between 9.30am and 4.00pm weekdays  
07 3847 5532 | 1800 358 511 (free call)

For telephone advice on Women's employment issue

Between 9am and 4.00pm Monday, Tuesday, Friday  
1800 621 458 (freecall)

## Administration Line

Between 9.30am and 4.30pm weekdays  
07 3421 2510

## Postal Address

GPO Box 496  
Brisbane Qld 4001

**Email** [brq@brq.org.au](mailto:brq@brq.org.au) | **Fax** 07 3421 2500

**Website** [www.brq.org.au](http://www.brq.org.au)



Community Legal Centres  
Australia



Produced by  
Basic Rights Queensland Inc 2019  
Graphic Design by Rachel Spearritt  
Printed by Print Systems Australia  
Cover Art by Gerard Bargo

