



 Basic Rights Queensland

Annual Report 2021

Supporters and Donors

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

Sponsor

The Electrical Trades Union, QLD and NT Branch, sponsor since 2006

Pro Bono & Legal Support

Adrian Duffy (QC)
Benedict Coyne (Barrister-at-law)
Gillian Shephard (Barrister-at-law)
Lisa Wilson (Barrister-at-law)
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Hemmant's List
Murray Gleeson Chambers
Darrow Chambers
Griffith Chambers
Jeddart Chambers
35 West Chambers

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 Inc is funded by the Queensland Government Department of Justice and Attorney General, the Commonwealth Government Attorney General's Department, and the Queensland Government Office of Industrial Relations.

BRQ also received significant funding in 2020/21 from the Queensland Government Department of Child Safety, Youth and Women and the Ecstra Foundation, and additional COVID-19 funding from the Commonwealth Government. We are grateful for their support.

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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 free call from anywhere in Queensland.
- BRQ's client work focuses on vulnerable and disadvantaged people:
 - 52% of our clients are people with a disability, including mental illness
 - 94% of our clients experience financial disadvantage
- BRQ's social work services are offered to clients in need of brief counselling or linking in with local support.

- BRQ 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 understand the law and how to assist their clients.
- BRQ's law reform activities arise from client work; they focus on informing the government of the impacts of laws and policies on vulnerable people and on offering positive alternatives.
- BRQ has been operating for over 35 years with the support of volunteers, sponsors, donors and pro-bono assistance.



A voice for fairness



Strategic Plan 2021-2023

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, freedom from discrimination and social justice in the workplace.

Advocating fair and just outcomes for people experiencing disadvantage.

Our Goals

Fairness

We act with integrity, ensuring our resources are targeted equitably while prioritising people experiencing disadvantage.

Access

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

Inclusion

We embrace and understand 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-judgmental 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.

Expertise

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

Strategic Priorities

Organisational Sustainability

- Fulfil governance, business and contractual requirements
- Be best practice employees
- Seek additional and diversified income streams
- Foster a culture of excellence

Responsive and Excellent Service

- Analyse data, research and feedback to improve BRQ responsiveness to clients and communities
- Develop rural and remote practice
- Foster referral networks to ensure fair access to BRQ
- Adapt service delivery including through digital platforms

Leaders in Social Security, Disability Discrimination and Employment Rights

- Engage in networks and campaigns to share knowledge and collaborate for systemic change
- Develop or contribute to law reform submissions

Effective Stakeholder Relationships

- Map and prioritise engagement
- Advocate for the needs of our clients
- Promote BRQ services
- Foster good stakeholder relationships

“Advocating fair and just outcomes for people experiencing disadvantage.”

Message from our President

On behalf of the BRQ Management Committee I would like to acknowledge the continued commitment of all of the employees and volunteers to BRQ's values of social justice, equity and inclusion in the context of a constantly changing social, political, economic and health environment.

The previously reported on COVID-19 government funding was largely exhausted by June 2021, coinciding in March/April 2021 with major increases in demand for BRQ's services and advocacy. People were faced with extreme income insecurity associated with the federal government's miniscule increase in the (now) Jobseeker rate. Neither the effects of the COVID-19 pandemic nor the growth of hardship and poverty have abated in 2021. Without significant policy change these effects are likely to reverberate well into the future.

In more buoying news, you will be pleased to know that our Strategic Plan for 2021 – 2023 has honed and sharpened BRQ's focus!

While the federal government continues to miss major opportunities to properly allocate government funds to tackle workplace and domestic violence, as well as address income and housing security, unmet need will only expand and escalate.

The failure of the federal government to respond in a comprehensive manner to the Respect@Work report's recommendations, along with inadequate funding for Working Women's Centres (of which our own service WWQ is part), led to the commencement of significant national advocacy regarding women's safety in employment. This national activism, led in part by BRQ, resulted in a one-off \$100,000 grant, allocated to both WWQ and the NT Working Women's Service in the May 2021 federal budget. This limited commitment, which was only obtained following strong advocacy, has led to continued concerns around the neglect of women's safety.

Furthermore, the Respect@Work Report's recommendation (Recommendation 49) for Working Women's Centres to be provided with increased and recurrent funding, as well as the establishment of centres in jurisdictions where they do not currently exist, has not been heeded.

It is significant therefore, that the Queensland Government has assured the continuation of state funding for the next three years for WWQ. BRQ will continue to advocate for a fully funded WWQ. The Domestic and Family Violence WorkAware (DFVWA) program is also funded by the Queensland State Government in conjunction with The Services Union Queensland.

Against the stretched and at times uncertain environment of the last year, the first stage of our Rural and Remote Project commenced. This project, which is funded until 2025, aims to extend the reach of social security legal services in rural and remote Queensland and demonstrates the amazing capacity of our employees, volunteers and committee members.

I would also like to recognise the momentous formal start to the Portable Long Service Leave Scheme in Queensland on January 1 2021. Portable Long Service Leave has been a long time coming! It is here now and represents a significant improvement for employees and employers in the social, community and disability services sector in Queensland.

In closing, I will note that this will be my last President's Report. After a decade as Chair, it is well and truly time to pass the baton on.

I am grateful to have been able to contribute to BRQ (which was the Welfare Rights Centre when I started). The organisation is an important one in seeking social justice and I know employees, volunteers and committee members will continue to fight the good fight.



Lurline Comerford
President



Attorney-General and Minister for Justice Hon Shannon Fentiman from Department of Justice and Attorney General (DJAG) who provided program funding

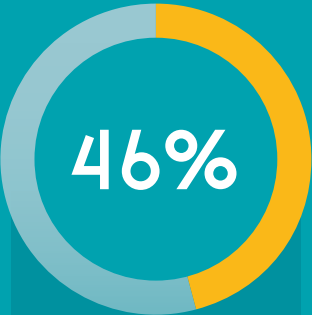


President Lurline Comerford and Industrial Officer Jayne Carter with Senator the Hon Michaelia Cash

Service Statistics 2020-2021

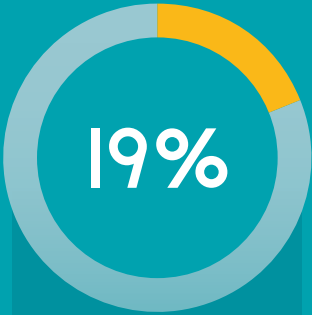


BRQ Overall

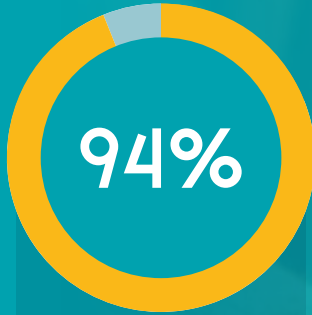


↑ 50

Of our clients are over the age of 50.



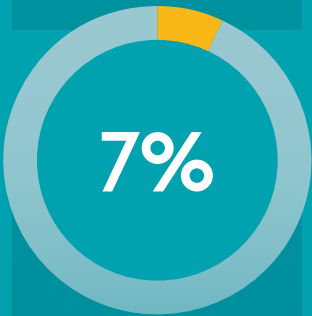
Of our clients are families with children in their care.



Of our clients have a financial disadvantage.



Of our clients have a disability.



↓ 25

Of our clients are under the age of 25.



Of our clients identify as Indigenous.

Director Fiona Hunt during Rural and Remote project work at Bynoe CACS in Normanton

Message from our Director

Basic Rights Qld consolidated its position in 2020-2021 and expanded its programs and services. The organisation has been through substantial internal change over the last few years which has been accompanied by improvements that have further strengthened our ability to assist the community.

Last year the buzz phrase was unprecedented and while we are now more familiar with the ins and outs of COVID-19, this year has continued to bring uncertainty, both from the pandemic and the social impacts of an altered industrial and social world. The BRQ team has been wonderful and our increased client statistics, case studies and the annual program and project reports tell the story of how our work and advocacy have improved people's lives. BRQ has again stood steadfast in its commitment to justice and equity for everyone in the community.

Like many businesses and community services, we adopted/ adapted to a hybrid model of operations with staff working from their homes and from the office. BRQ has taken a flexible approach to onsite office work by requiring in-person attendance for key meetings and required work but otherwise allowing staff to work to their preference. This has meant some team members come in every day and others less frequently, depending on their preference and circumstances. Together, we maintained a good 'COVID safe game' throughout and adjusted our office protocols in line with Queensland Health advice. In this way our team has managed to maintain resilient amidst the pandemic and the service has experienced little disruption. This new way of working suits our team and BRQ will maintain a hybrid model when we reach the long anticipated new normal.

Our President and WWQ's reports have spoken to the significant impact the Respect@Work report and the women's movement for change have had in Australia this year. Women's safety at work has been in the spotlight and under public scrutiny in ways we have not seen before. BRQ joined this groundswell, partnering with our sister Working Women's Centres in South Australia and the Northern Territory to call for legislative change and adequate funding for our services. We fiercely lobbied federal politicians,

calling for the implementation of the full suite of Respect@Work recommendations and gained excellent coverage across the media. The campaign is ongoing and so is our collective strength and resolve.

In June 2020 we launched our Rural and Remote Project, with funding provided by The Ecstra Foundation and the Department of Justice and Attorney General. The project aims to address the unmet need for social security advice in regional and remote Queensland by linking in with remotely based partner organisations to assist workers to identify, refer and address social security issues. The project, ably led by Paul MacKay, has been an immense success. We provided training to over 20 organisations and built ongoing relationships of trust and linkages to local networks and communities. The suite of culturally appropriate multi-media promotional resources, produced as part of the project by Article One, helped get the word out and resonated with communities. Our team worked together to develop accessible Community Legal Education (CLE) materials and delivered excellent and well-received sessions under difficult circumstances. Our cultural sensitivity and knowledge have also been developed through the project and will continue to benefit our team and clients.

Another major project we delivered this year was the extended Domestic and Family Violence WorkAware (DFVWA) project made possible by generous funding from the Queensland Government. The team made up of Kathryn Rendell, Siân Tooker, Paul MacKay and Terina Hegarty delivered education, support, and resources to workplaces across Queensland to make work safe for women experiencing DFV. The team developed and delivered an incredible project in a very short time period and created a strong base for this work to continue, albeit it in a compressed form, for the coming year.

Again, we joined with our peak body Economic Justice Australia and the Australian Council of Social Services to advocate for a permanent increase to the Jobseeker payment and were again disappointed that this basic and essential social investment was not made. Our team participated in national reform advocacy and senate inquiries and used our case studies to illustrate injustices in the system. We continued to support investment in social housing through the Everybody's Home campaign, improved

tenancy legislation in Queensland with Make Renting Fair and advocated for the reversal of the Cashless Debit Card with the Accountable Income Management Network as well as decriminalisation of sex work with Respect QLD.

It is satisfying to present a financial report demonstrating a small surplus this year, after many years of deficit, even while we upgraded organisational systems and managed notable change. Thank you to Mark McKeon, our skilled and committed finance administrator, for ably managing our many projects and shifting requirements.

The BRQ team has stepped up in every way this year and supported each other and our clients through an exceedingly difficult time. Andrew Davison and Sam Tracy, in the shared role of Acting Co-Principal Solicitor, have been outstanding in their flexibility and commitment. Thanks to both for their leadership and generosity. Our Intake and Administration team have been flat out answering phones and supporting the rest of us to do our work well. The Social Security, Disability Discrimination and Working Women advisors have had to pivot continually in the volatile environment and quickly assimilated new knowledge to better serve our clients. Thank you all for a job truly well done. Our volunteers also did a wonderful job this year in difficult circumstances, and we thank you sincerely.

This year two staff members, Isabella Morosan and Terina Hegarty, completed their studies and blossomed into highly skilled professionals, taking up fantastic new roles to progress their careers. We wish them all the best and continue to cheer their successes. Thank you also to Paul MacKay and Siân Tooker our project workers – you have had a lasting impact at BRQ and we are inspired and grateful.

Finally, I would like to thank the members of BRQ's Management Committee for their diligent governance of BRQ and support of our team and work. Special thanks to our outgoing Chair of ten years Lurline Comerford who has been the backbone of the service for this period and an untiring advocate for social justice in Queensland. We are truly fortunate to have such a skilled and committed board.

Fiona Hunt
Director

Acting Co-Principal Sam Tracy delivering a CLE in Hervey Bay

Director Fiona Hunt, NT Working Women's Centre Director Nicki Petrou and Senator Larissa Waters lobbying for the Working Women's Centres in Canberra

Our Team

Management Committee

Lurline Comerford – President

A social worker with 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.

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 helping them succeed. He has a keen interest in social justice and joined the Management Committee in 2015.

Wylie Thorpe – Secretary

Wylie is a solicitor of the Supreme Court of Queensland with over nine years' experience in commercial litigation and all forms of dispute resolution. Wylie is a Special Counsel at Holding Redlich and 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.

Dr. Lyndal Sleep

Lyndal is a Postdoctoral Research Fellow in the School of Social Science at the University of Queensland with an academic background that spans science and society, sociology, social work and law. Her research focuses on social security decision making, technology and women with the aim of enhancing safety, wellbeing and life chances for women in situations of intersectional disadvantage. Lyndal has served on the Management Committee since 2019.

Rodney Holmes

Rodney holds a Masters in politics and policy and has over 16 years' experience in the social services sector covering community housing, child and family support and addictions. For the last three years Rodney has been working in social policy and is currently the Senior Policy Advisor with the Foundation for Alcohol Research and Education. Rodney joined the Management Committee in 2020.



Jessica Hodge

Jessica is a personal injuries lawyer at Hall Payne Lawyers. She is passionate about helping disadvantaged people pursue justice and compensation. She is also an animal lover and owner of far too many pets! Jessica joined the Management Committee in 2020.



Janine Aitken

Janine has a significant employment representing workers across a number of diverse industries including health, energy, transport industries and the community services sector. Janine is passionate about workplace health and safety, employee rights and disability inclusive workplaces. Janine holds a Bachelor of Laws, Graduate Diploma in Occupational Health and Safety and is currently undertaking her Masters in Cyber Law and Emerging Technologies. Janine joined the Management Committee in 2020.

BRQ Staff

Jennifer Carman – Intake and Administration Officer, Industrial Officer

Jayne Carter – Industrial Officer

Tamara Chin – Solicitor

Maddison Dantu-Hann – Solicitor

Andrew Davison – Acting Co-Principal Solicitor

Teresa Grahame – Senior Social Worker

Ellia Guy – Administration Assistant, Administration Coordinator

Terina Hegarty – Intake and Administration Officer, DFV WorkAware Project Officer

Fiona Hunt – Director

Steve Irvine – Principal Solicitor

Ellen Jones – Solicitor

Dahye Jung – Intake and Administration Officer

Terri Kempton – Solicitor

Liisa Kuru – Intake and Administration Officer

Paul MacKay – Project Officer DFV Work Aware and Rural & Remote Engagement

Jack Margaritis – Social Worker

Lee Matahaere – Senior Industrial Officer

Monica Matray – Industrial Officer

Mark McKeon – Financial Administrator

Isabella Morosan – Industrial Officer

Marie Namoc – Intake and Administration Officer

Zarin Nunis – Intake and Administration Officer

Kathryn Rendell – DFV WorkAware Project Officer

Deidre Ross – Administration Coordinator

Siân Tooker – DFV WorkAware Project Officer

'Sam' Simon Tracy – Acting Co-Principal Solicitor

Kristy Vilalba – Intake and Administration Officer

Madison Waldby – Intake and Administration Officer

Volunteers

Jack Margaritis

The volunteer program recommenced in October 2020 with a total of four volunteers engaged in our service. The program continued to see volunteers working closely with our telephone advice workers, providing support with legal research and advice.

We were excited to see all volunteers providing advice on DSP matters under the supervision of our social workers and solicitors. This provided volunteers with the experience to not only dive more deeply into the nuances and complexities of social security law but also presented the opportunity to engage with people with different lived experiences of adversity.

Due to the uncertainty around lockdowns and a return to primarily working from home, in May 2021 we made the difficult decision to once again temporarily suspend the program. It was decided that once there was more stability regarding lockdowns, social distancing, and mask requirements, we would review the recommencement of the program. Thank you to Haneen, Ruby and Zarin for remaining connected to BRQ throughout this period of uncertainty.

We'd like to take this opportunity to especially thank Amanda for her volunteer service to BRQ. Amanda finished up at BRQ in May 2021 after almost 3 years. We wish her all the best with her future endeavours and career in law.

"As a BRQ volunteer, I have had the opportunity to be part of a collaborative team, who were always there to answer all my queries. Through the help of the team, I have successfully been able to develop client interviewing and legal research skills. The most rewarding aspect of the volunteer program is learning how to effectively communicate with vulnerable clients from a range of different backgrounds. I value that BRQ focuses on building these skillsets effectively in each of their volunteers, as they are the foundational skills of a lawyer." – Haneen, 2021

Students:

- Hailey Tran
- Jieyi Chen
- Jane Andrews
- Amanda Hubert

Volunteers:

- Haneen Alfadhli
- Ruby Clarke
- Zarin Nunis
- Amanda Hubert



"As a BRQ volunteer, I have had the opportunity to be part of a collaborative team, who were always there to answer all my queries."



Community Legal Education

Sam Tracy

In 2020-2021 BRQ provided community legal education to over 250 participants and workers in 15 workshops and community events. This included education to community organisations and tertiary institutions, participation in social security forums, attendance at targeted community events, interviews for media, and continued networking within the social security and legal communities.

Participating in community events and forums is a great opportunity for BRQ to educate other services, and the general public, about social security issues. COVID-19 severely impacted face-to-face gatherings but the team joined many virtual forums and workshops during the period to maintain relationships and promote awareness of our services. As well as this there was also the amazing opportunity to work alongside the Rural and Remote Project that saw BRQ connected to 144 workers from 20 organisations over nine months, involving CLE delivery from multiple staff members.

Collaboration both within the sector, and with external stakeholders, plays an important role in the dissemination of social security information. BRQ maintained involvement with other Queensland community legal services via the CLE Legal Assistance Forum Network (CLAF). BRQ also regularly contributes to Economic Justice Australia's (EJA)

advocacy campaigns – attending monthly meetings and contributing to the development material and submissions on relevant issues. This year we also had the opportunity to deliver a presentation at the annual EJA conference, outlining the model we adopted to deliver the Rural and Remote Project.

Student placements are core to BRQ's service, with many of our team having completed placements with BRQ prior to taking up paid roles in the service. Placements provide an opportunity to highlight the important role Community Legal Centres play in the lives of disadvantaged people, the legal profession and the community sector. BRQ has great support in this sphere from Bond University, The University of Queensland and Queensland University of Technology student placement programs. Through these programs BRQ provides students with opportunities to gain practical experience within the sector and experience in how administration law 'works' in a practical setting. Five students participated with BRQ during the year and are to be commended for adapting to the virtual environment and for their commitment to clients.

Additionally, BRQ bolstered its social media profile including the campaign for March4Justice and participated in law reform campaigns including the ParentsNext enquiry in the Parliamentary Joint Committee on Human Rights which was live broadcast with significant online following.

Social Work

Teresa Grahame and Jack Margaritis

A key feature of the past year has been the turbulence associated with COVID-19 which resulted in temporary but significant changes to the social security system. The financial year commenced with bolstered financial support for income support recipients, particularly non-pensioners, relaxed eligibility rules and the temporary cessation of debt repayments, moving to the gradual reintroduction of the previous, harsher rules by the end of the year.

With the re-instatement of the old rules and only a small increase in ongoing payment rates for non-pensioner payments in early April, financial stress has re-emerged as a significant issue for our clients. There has also been regular feedback to our service regarding the onerous nature of Centrelink's Jobseeker requirements for people with disabilities, especially in the context of medical exemption requests being rejected by Centrelink. Jack and I are currently finalising a fact sheet about how our clients can best respond to having their medical certificates rejected given the frequency of this complaint.

In the second part of the year, along with our social work student Terina Hegarty and BRQ Solicitor Ellen Jones, we updated the Basic Rights Queensland fact sheets on Disability Support Pension, Centrelink Debts and Prosecution. Apart from updating the format and refining the content, we added a list of useful Centrelink phone numbers tailored to assist our more vulnerable client groups. Jack's advanced computer skills have been a great asset for this project.

We also had the opportunity to present Community Education as part of the Rural and Remote Project, delivering several sessions to communities in rural and remote regions of Queensland, along with our solicitor colleagues.

Our social work student from the University of Queensland, Terina was a valuable addition to our social work team and stayed on as a part time employee, assisting the Domestic and Family Violence WorkAware program as well as the Rural and Remote Project, both which concluded in June 2021. Terina was snapped up by another organisation but has remained connected with BRQ by continuing to assist us with the intake skills she developed on her 400-hour placement.

As always we must thank our invaluable liaison officers in Centrelink for helping us to provide the best possible service we can, especially to our more vulnerable clients. We will continue to look for ways to optimise our service in collaboration with our wonderful colleagues in the coming year.

"BRQ has stood steadfast in its commitment to justice and equity for everyone in the community."

Social Security

Andrew Davison

Despite the ongoing upheavals of intermittent lockdowns and the challenges of returning to the office our advice and caseworkers have continued to maintain our casework and advice services at a very high standard this year.

Indeed, with the additional COVID-19 funding we were able to increase both the numbers and amount of assistance we were able to give to clients and we finished the year with our busiest ever three-month period in terms of social security advice given. Thankfully, despite some staff leaving or needing to take extended leave, we were able to re-employ Ellen Jones on her return from Japan in October and she has stepped seamlessly back into advising and other staff were able to increase their hours to minimise disruptions in the social security team.

The reduction of the Jobseeker rate to only slightly above pre-pandemic levels has had a significant impact on clients who, for the first time, had been able to pay their bills and expenses on time with their Jobseeker payments. The return to the much lower rate has left many of those clients vulnerable and has made applications for Disability Support Pension (worth 50% more) all the more urgent, which has led to clients often expressing frustration and distress when they call us for help on this very complicated issue.

The team contributed a range of case studies to inform the initial stages of the review of the Disability Support Pension next year, as well as contributing to numerous social security campaigns through our peak body Economic Justice Australia.

Social Security Advice

In 2020-21 we provided 1862 legal advice services to clients, as well as an additional 573 legal tasks where those clients needed greater assistance with taking further steps. In addition, we provided 184 of the more intensive duty lawyer advice sessions in which we examined clients' Tribunal file before giving advice on it, regularly tailoring letters to doctors and other health professionals as part of that service. Often, those legal tasks and duty lawyer tailored letters enable clients to succeed in a new claim or self-representing in their appeal where they do not meet our casework criteria (for example, if they do not meet our vulnerability criteria or their hearing is too soon for us to prepare an appeal).

Social Security Casework

In 2020-21 we completed 71 casework files for clients. We represented 32 of those clients in their Administrative Appeals Tribunal (AAT) (Social Security and Child Support Division) hearings of which we won 27 or 84% – a very high success rate indeed! An additional eight cases resulted in successful outcomes for the clients (three on new claims, four at Authorised Review Officer level and one negotiated outcome at the General Division of the Tribunal). The majority of those cases were DSP rejections, however, we also successfully overturned decisions in four compensation preclusion periods, three member of a couple findings, three debts and two early start date cases. Special mentions go to Jack, Tamara and Isabella who all did their first AAT representations this year and have continued to develop their skills and experience.

Rural and Remote Advice

In the latest five year round of funding, commencing 2020-21, we were successful in obtaining funding for the equivalent of one day per week of a social security advisor to provide prioritised access for rural and remote clients and their support workers to ensure we were maximising our accessibility to these vulnerable groups. Obviously, as a new program it has taken some time to build relationships and get our name out there. However, the Ecstra Foundation funding, which we secured to partner with numerous rural and remote organisations on the ground (many of which were First Nations organisations) has really helped with this (this will be reported on separately in the Annual Report).

So far, we have provided 22 legal advice or legal tasks as well as nine community legal education sessions in the establishment phase of the program and we expect those numbers to steadily increase as we build our reputation in those communities and continue to establish new relationships with other services on the ground. This project will continue into the next financial year with funding from the Department of Justice and Attorney General, allowing us to undertake four visits to remote communities in Doomadgee, Mornington Island, Weipa and the NPA lands to assist with continuing to build this program.



Rural & Remote Program



Of our clients are over the age of 50.



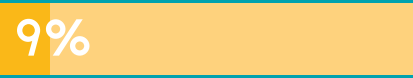
Of our clients have a financial disadvantage.



Of our clients are families with children in their care.



Of our clients have a disability.



Of our clients are under the age of 25.



Of our clients identify as Indigenous.

Social Security Client Stories

Jim

Jim* received a compensation payout in late 2019 of around \$200,000 as a result of a workplace injury a few years earlier. He has been working full time until then, employed for most of his life in labouring jobs. Following the injury, he suffered severe post traumatic stress disorder (PTSD) and had little to no work capacity due to his physical and mental disabilities.

Jim outlaid funds for his own gardening business across 2020 with some of the compensation moneys but unfortunately the impacts of COVID-19, along with his disabilities, made this untenable and he had to close the business down. In the meantime, Jim continued to suffer from PTSD alongside significant substance abuse issues. By the end of 2020 the compensation funds were expended, he was homeless, his financial situation was dire and his mental health was continuing to deteriorate.

Following an unsuccessful appeal to an Authorised Review Officer at Centrelink Jim approached BRQ for help. We immediately started writing a submission for the hearing at the first level of the Administrative Appeals Tribunal (AAT) which was scheduled for two weeks' time, and succeeded in arguing that there were special circumstances in Jim's case that warranted a waiver of the remainder of the preclusion period. The AAT Member agreed and further, backdated his payment to the date of claim three months earlier.

Helen

Helen*, a client in her 50s on the disability support pension (DSP), contacted BRQ because Centrelink had deemed that she was a member of a couple with Trevor, with whom she had resided for several years with Centrelink's knowledge. When they moved to a new address together Centrelink reviewed their situation and deemed that they were partnered.

Helen suffered from mental health issues following episodes of physical and sexual abuse as a child in institutional care. When she was unwell, which occurred particularly at times when she was subject to social stressors, she alienated people with her behaviour and described Trevor as her only friend, who had seen her at her worst. She relied heavily on Trevor for emotional support. COVID-19 led to greater isolation for Helen and was especially challenging for her mental health. Centrelink weighted their close friendship heavily in their decision making and Helen's Centrelink payment was reduced to zero as a result of their decision.

BRQ argued that it was important for Helen's mental health to maintain stability of accommodation and the emotional support of Trevor. In addition, we argued that, financially, they operated like a share house and Helen was not regarded as partnered by professionals who had known her for many years. Taking these facts into consideration the Tribunal agreed with BRQ and Centrelink's decision was reversed.

Tom

Tom* had a Centrelink debt of approximately \$80,000 for carer payment and carer allowance payments they had received. Tom was providing care for their ex-partner before they started caring for their mother. Tom submitted a claim for carer payment and carer allowance for the care provided to their mother, however, Centrelink did not correctly process their claim and change who they were receiving carer payment and carer allowance for, so they continued to receive payment for care they had provided to their ex-partner, who they were no longer caring for. Subsequently, Centrelink raised a debt when they found out Tom was not providing care to their ex-partner, even though during the debt period they were still caring for their mother.

BRQ provided advocacy at the AAT and argued that the debt should be waived as Tom was notionally entitled to the payment as they were providing care to their mother and they had a variety of other special circumstances. The AAT found that Tom was notionally entitled to the payments and waived the whole debt amount.

Sue

Sue* was receiving Special Benefit in her young daughter's name, Rita*, as Sue was unable to qualify for a Centrelink payment due to being on a visa. Sue and Rita were renting a room in a share house but had to leave suddenly when one of the other residents acted inappropriately towards Rita. Upon moving out of the share house and into temporary accommodation, their Special Benefit was cut due to a Centrelink policy which states that if a person who is on Special Benefit is not paying board or lodging their payment is reduced. This placed Sue and Rita in severe financial hardship, as Sue was unable to work as her visa did not grant her work rights, and Rita had ongoing medical costs due to an eye condition and scoliosis.

BRQ provided advocacy at the Centrelink internal appeal level and asked Centrelink to exercise their discretion and increase Sue and Rita's Special Benefit payment back to the original rate due to their ongoing hardships.

The Centrelink authorised review officer found that the rate should be returned to the standard rate.

Jane

Jane* contacted us after her application for the Disability Support Pension (DSP) was rejected. In assessing her application Centrelink had only assigned five points on the upper limb table and zero points on the lower limb table for her Functional Neurological Disorder (FND). After discussing Jane's symptoms and determining that her symptoms may not meet the criteria for 20 points on those tables, we enquired about whether she had any other conditions and discovered she was seeing a clinical psychologist, though she did not think she had a mental health diagnosis. We spoke to Jane's clinical psychologist who advised us that Jane had been referred to her for treatment for FND which is a condition included in the Diagnostic and Statistical Manual of Mental Disorders (DSM-5). We assisted the clinical psychologist to write a letter explaining this and addressing how her FND symptoms met the criteria for 20 points on the mental health table. We provided to the Tribunal with detailed legal submissions and were successful in getting her onto the DSP based on FND being assessed as meeting 20 points on the mental health table.

**Not the clients' real names or photos*

Working Women QLD

Jayne Carter

The Working Women Queensland (WWQ) program began operation in 1994 and has now operated under the BRQ umbrella since 2018, providing a Queensland-wide industrial relations telephone advisory, support and advocacy service for vulnerable women with funding from the State and Federal Governments.

As an inclusive organisation, WWQ provides assistance to all vulnerable women in Queensland, including First Nations women, women from a migrant or culturally and linguistically diverse background, LGBTIQ and women with disabilities. The work performed remains consistent with the philosophy that all women are entitled to respect, to information about their rights and to equal opportunity in the workplace. WWQ also conducts project work on a range of issues that women experience in relation to work, including discrimination, sexual harassment, unfair dismissal or treatment, work-life balance, pay equity and the impact of domestic and family violence (DFV) on women and their workplaces.

A number of factors have impacted the workload of the WWQ team throughout the 2020-21 financial year, including the recognition of Grace Tame (activist and advocate for survivors of sexual assault) as the 2021 Australian of the Year, the disclosure by Brittany Higgins of sexual assault in the federal parliament, the release of the 2020 Respect@Work Sexual Harassment National Inquiry Report and the world-wide COVID-19 pandemic. More than ever before a spotlight was thrown on workplace sexual harassment, recognising this as a form of sex discrimination that perpetuates gender inequality. Disproportionately affecting women, sexual harassment can have serious consequences for victims, including negative career-related, physical, wellbeing and psychological outcomes.

WWQ worked directly with 746 women and provided 2392 services. This is a significant increase compared to the 2019-20 financial year, where the WWQ team worked with 611 women, providing 1260 services. This increase in service delivery was assisted in part by the \$100,000 Federal Government funding, delivered in relation to Recommendation 49 of the Respect@Work report. WWQ took 123 women directly to specialised assistance, casework and provided direct advocacy. WWQ assisted these women to recover \$715,197 from employers by way of payment of outstanding statutory entitlements (notice, long service leave, under payment) compensation and/or damages for unfair dismissals, general protection disputes, sexual harassment, unmet concessions for family responsibilities, pregnancy discrimination and disability discrimination. More importantly, WWQ continued to ensure women's ongoing economic security and safety by keeping 12 women employed—through the successful negotiating of reinstatements, return to rosters, flexible working arrangement agreements and the implementation of two workplace domestic and family violence safety plans.

WWQ saw a notable increase (more than doubled from previous year) in the number of women reporting workplace sexual harassment and assault. For 2020-21, WWQ assisted 79 women that had experienced sexual harassment or assault in the workplace, representing over 10% of matters. In comparison, in 2019-20 WWQ assisted 35 women that had experienced sexual harassment in the workplace.

“...all women are entitled to respect, to information about their rights, and equal opportunity...”



Industrial Officer Jayne Carter at the March4Justice in March 2021

Working Women Client Stories

Alice

Alice* a victim of DFV, worked in a male dominated industry and had been subjected to appalling and systematic sexual harassment, assault and sex discrimination by more than one perpetrator over an extensive period of time. This led to severe PTSD, however Alice's complaint of the historical workplace abuse was more than five and a half year out-of-time. WWQ negotiated \$20,000 (paid as general damages) for the hurt and humiliation caused to Alice, plus, a statement of regret from her former employer.

Jackie

Jackie* was sexually assaulted by her supervisor, following their end of year work party and believes that her drink was spiked at the party. After the assault, Jackie was declared unfit for work and made a claim with WorkCover who rejected her claim due to lack of evidence and denial of the allegations by her employer and the supervisor. WWQ assisted Jackie in having the claim reviewed by the Regulator, but the claim was denied again due to lack of evidence, despite extensive supporting material provided by her treating practitioners. Jackie remained off work, with no support or contact from her employer who continued to deny the allegations. Jackie had no income for more than 12 months and needed intensive self-funded psychological support. She lodged a complaint in a human rights jurisdiction and at conciliation, agreed to resign and signed a deed of settlement preventing her from further action and disclosing the settlement that WWQ negotiated with her employer's lawyer.

Eileen

Eileen* worked as a hairdresser at the same retail outlet for nine years. After informing her employer she needed time off for a medical procedure she was dismissed for alleged theft. Eileen denied the theft and believed her dismissal was related to her time off, as her full long service leave entitlement was approaching. WWQ represented Eileen at Conciliation and then Hearing at the Fair Work Commission where there was a finding of unfair dismissal. Eileen was then able to pursue her long service leave entitlement through the Office of Industrial Relations, who calculated the amount and advised her former employer what was owed.



Bussaba

Bussaba*, a 64-year-old migrant from a non-English speaking background, is a childcare worker and had been employed with the same organisation for more than 12 years. Out of the blue she received a letter in the mail terminating her employment. WWQ acted on her behalf in lodging an impairment and age discrimination matter with the QHRC. WWQ negotiated a settlement of \$15,000 in general damages for the hurt and humiliation caused to Bussaba at conciliation.

Anna

Anna*, an Indigenous woman had been working with a new employer for three months and was still in her probation period. She experienced racial slurs and discrimination in the workplace and was stood down when she complained. WWQ represented her and she was awarded \$15,000 in compensation.

Laura

A large workplace introduced 24/7 rosters for all employees. As a result Laura*, single mum of two small children, was unable to comply due to her caring responsibilities. She was cut from the roster and faced poverty and homelessness. WWQ lodged an urgent discrimination complaint in the Queensland Human Rights Commission and represented her. The woman was reinstated onto the roster and flexible working arrangements were put in place to suit her family responsibilities and parental status.



*Not the clients' real names or photos

Disability Discrimination



Sam Tracy

BRQ's Disability Discrimination advocacy service provides advice and representation to people who believe they have been subjected to unlawful discrimination on the basis of their disability.

Our advisors, Sam and Terri, have had some great outcomes for clients in 2020-21 with amazing dedication in advice, early intervention and representation.

This year we have, once again, worked closely on referrals from the Australian Human Rights Commission and Queensland Human Rights Commission, as well as working internally with our Working Women Queensland program in employment disability discrimination matters that crossover in jurisdiction.

A total of 256 advice and task sessions were provided, exceeding our targets, along with 35 information and referral services. We provided six clients with casework and representation in the Australian Human Rights Commission and the Queensland Human Rights Commission, as well as one in the Administrative Appeals Tribunal.

The service has been busy providing much needed assistance to vulnerable clients, and the matters of importance this year that resulted in additional service and representation included those relating particularly to access for clients who use wheelchairs and mobility devices, and several accommodation matters relating to assistance animals that are trained to alleviate mental health conditions.

COVID-19 has had a wide impact on the organisation (and the world) and has been directly implicated in discrimination matters on 30 occasions including relating to mask wearing exemptions, health directions, testing requirements and vaccinations.

We also commenced valuable law reform assistance joining a Community Legal Centre network of anti-discrimination advisors working on the Queensland Anti-Discrimination Act review which we will continue in advocating for fairness for Queenslanders with impairments into the next year.



Disability Discrimination Client Stories



Madeleine

Madeleine's* access at the accommodation where she resided had significant barriers. She was unable to open electric doors from her electric wheelchair. Furthermore, the doors often closed on her while trying to open them. Her requests for access that allowed her dignified entry were refused by the Body Corporate (BC).

We assisted negotiating an outcome in the Australian Human Rights Commission (AHRC) with the result being satisfactory alternative access being granted and the Body Corporate undertaking training in anti-discrimination in the Commission.

"There is no doubt in my mind that without the input from both [the AHRC] and yourself, this result would never have been achieved. To just say "thank you" seems inadequate, but I do sincerely thank you for all your help and support. That you and [the AHRC] both felt it worthwhile when at times I felt it somewhat trivial compared with problems other people have, was great. ...it drew the attention of the BC to the rights of the handicapped, and hopefully may help others in the future. Again, many thanks and my very best wishes to you"



Ely

Ely's* permanent accommodation (and her mental health) were under threat from the park management after she commenced training an assistance animal 'Marley'* to alleviate her conditions. She had been receiving threatening eviction notices and demanding letters from the park's lawyers.

We assisted the client in advice regarding the pathways of complaint and the complex and in need of reform area of assistance animals under the federal and state legislation. We negotiated with the lawyers, protecting the client and the animal accreditation body, and then briefed another Community Legal Centre (that specialised in the legislation) to protect her from eviction in the circumstances. Ely was allowed to stay in the accommodation and the efforts triggered education for the park management and residents on the rights and benefits of assistance animals.

"Thank you for all you did – without you we wouldn't have got that; so wonderful and helpful you were."

*Not the clients' real names or photos

DFV Work Aware

Kathryn Rendell

DFV Work Aware is a project of Working Women's Centres Australia and is administered by BRQ and The Services Union. The purpose of the project is to raise awareness of domestic and family violence (DFV) in a workplace context and to support workplaces to recognise and respond appropriately to DFV.

The key deliverables include three training programs, each of which can be tailored to organisational needs and supporting resources including one information booklet, a safety planning toolkit, facts sheets on leave provisions and coercive control and a new website.

In October 2020, the project received additional funding as a response to the COVID-19 pandemic, which enabled BRQ to employ three additional part-time staff until 30th June 2021 and to provide training and resources to a broader range of organisations, including commercial enterprises.

DFV WA commencement strategy with the additional funding was to engage with community services, peak bodies, and networks to establish ourselves as contributors and participants in the DFV sector. This increased visibility in the DFV sector has ensured DFV WA is invited to participate and/or present in important forums and discussions at a time when the COVID-19 pandemic has led to increased isolation, reduction in resources and other stresses and contributed to an increase in the prevalence and severity of domestic and family violence.

Participation and contribution to sector forums includes:

- National Women's Safety Summit
- Queensland Council of Unions
- Policing and CALD communities
- QCOSS events and practice forums
- DFV Roundtable Events and practice forums – Community Services Industry Association
- DFV Corporate Roundtable
- Collaborative engagement with Work Haven and Insight Exchange



*Project Officers
Kathryn Rendell,
Sian Tooker and
Paul MacKay*



*Project Officer Kathryn
Rendell with City of
Townsville team after
DFVWA training*

Projects completed in this period include:

- Revising training materials to fit online delivery
- Completion and launch of the DFV Work Aware website
- Review, update, and completion of the information booklet: When Domestic and Family Violence Comes to Work and collaboration with the DFV peak bodies to promote and distribute.
- Adaptation of the Safety Planning Toolkit and provision of training in relation to its practical application
- Revision and production of a fact sheet on DFV leave and a fact sheet on coercive control in collaboration with The Services Union
- Collaboration with QCOSS to provide training to the community services sector around developing good DFV policy and procedures. The training was delivered as a face-to-face workshop and followed by online training to reach regional workers. DFV WA and QCOSS researched best practice in DFV policies and procedures and built on discussions held before and during the training to provide DFV policy template for use by community services
- Research commissioned by DFV WA to be completed by the University of Queensland Pro Bono Centre into the prevalence of DFV among community services workers. The project was subsequently reported in UQ Contact magazine. The results may be used to further develop training for the sector
- Establishing a Memorandum of Understanding with White Ribbon, to be included as an approved training program for organisations wishing to be accredited with White Ribbon

Since November 2020, DFV WA has delivered training to more than 1560 participants and 35 services/organisations, including four commercial enterprises with large employee numbers. Each has undertaken to make some changes in response to information and ideas presented in the training.

Special thanks to Siân Tooker who led much of the early resource development and appreciation of the fine work of the rest of the DFV Work Aware team.

DFV WA acknowledges the ongoing support of The Services Union and their commitment to the safety and wellbeing of Queensland workers.

Rural and Remote Project

Acting
Co-Principal
Solicitor Sam
Tracy in Rural and
Remote Project
meeting in
Roma

Paul MacKay

Being a state-wide, telephone-based service, BRQ is able to offer the same expert, specialist services to all clients, whether they live in Brisbane or Boulia. However, statistics gathered by BRQ in the years prior to 2020 revealed a low uptake of legal advice services by people living in the rural and remote areas of the state.

In particular, Aboriginal and Torres Strait Islanders were underrepresented in the number of people accessing the service provided by BRQ. This unmet need for social security advice for people living in rural and remote Queensland is significant – if legal issues related to social security are left unaddressed, they perpetuate cycles of exclusion.

Through funding from the Ecstra Foundation, BRQ was able to partner with 20 organisations, including two regional interagency groups, to bring social security advice to rural and remote dwellers. The project sought to increase awareness of legal rights, support, and referral pathways relating to social security issues that has, for some time, been coming to the attention of rural and remote community organisations.

The project involved the development of an intermediary service partnership model that provided training, resources and professional legal advice to community centres and organisations embedded in communities throughout rural and remote Queensland.

Research has shown that community members will be more likely to access a Community Legal Centre if the interaction is facilitated by a worker from a community organisation. This is due to the formality of the legal system and services, prohibitive cost of legal representation, language barriers and limited legal solutions for complex social problems, such as family violence.

Overall, 20 organisations were approached to partner with BRQ. Intentionally, half of those services were those that were either managed or controlled by Aboriginal or Torres Strait Islander people. The project also benefited by the guidance and expert advice from a project advisory group comprised of sector leaders from community centres and services from Aboriginal and Torres Strait Islander communities.

Across the nine-month Rural and Remote Social Security Project, BRQ connected to 144 workers from 20 organisations, supporting 50 communities in Queensland.

As part of the project promotional materials were produced (postcards, posters, radio advertisements and social media tiles) were developed to drive engagement and awareness of BRQ's services for people living in rural and remote Queensland.

A Community of Practice was also established, with the goal to keep community workers actively connected to BRQ as well as with their peers in rural and remote community organisations.

As a result of the relationship in the Cape and Peninsular regions and generous funding from the Department of Justice and Attorney General to extend the program, BRQ advisors will delivering ongoing service delivery in those communities throughout 2021 – 2022.

"Doomadgee is in urgent need of this type of project, people give up too easily when they are 'knocked back' by Centrelink, then they live in destitution – and there is no one to support them through the process of appeal."

Aunty Isabel Toby

Centre Coordinator, Dumaji Children & Family Centre, Doomadgee

"BRQ is able to offer the same expert, specialist services to all clients."

Normanton
Airport

Normanton
sunset



Financial Report

I am pleased to present the Basic Rights Queensland (BRQ) Treasurer's Report, for the 2020/21 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 is provided by the State Department of Justice and Attorney-General (DJAG). BRQ will receive more than \$5 million CLSP funding over the five-year term of the 2020–2025 agreement, including \$883,000 funding for program expenditure in 2020/21.

Queensland's Office of Industrial Relations provides funding for the Working Women Queensland program of \$236,000.

This year BRQ delivered a pilot rural and remote program, which was funded by Ecstra Foundation and DJAG. We are grateful for this support, which has assisted us in making a difference to clients in rural and remote communities, and extending our referral network in these areas.

Other funding received included the Commonwealth Cash Flow Boost, other one-off funding in response to COVID-19 from the Commonwealth Government and from Queensland's Department of Child Services, Youth and Women, and donations, which are of assistance in our work to provide specialist legal advice, information and advocacy to the community. We thank the Electrical Trades Union for their regular sponsorship since 2006.

The funding environment continues to be challenging. BRQ has continued to work towards additional funding in order to provide additional much-needed support to our clients.

Salaries and staffing costs are BRQ's major expenditure item (\$1.5m).

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. Financial sustainability remains a focus for the Director and 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.



Stuart McDowall
Treasurer

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

	2021 \$	2020 \$
Revenue		
Community Legal Services Program grants	883,320	998,974
Commonwealth COVID-19 grants	191,316	–
Ecstra Foundation remote services grants	140,000	–
Employment Advisory Services for Women grant	236,364	261,876
Domestic & Family Violence service grants	232,500	–
Commonwealth Cash Flow Boost income	50,000	50,000
Donations	8,788	2,042
Services revenue	63,601	42,032
Finance income	2,009	5,884
Other revenue	11,757	9,035
Total revenue	1,819,655	1,369,843
Expenses		
Staff expenses	(1,502,493)	(1,123,976)
Premises costs	(5,664)	(36,514)
IT & communication expenses	(66,757)	(47,698)
Print, postage & document management expenses	(6,871)	(10,139)
Membership, subscriptions & conference expenses	(11,985)	(11,014)
Depreciation and amortisation	(78,025)	(60,012)
Assets written off	–	(42,637)
Office renewal costs	–	(39,470)
Training & workshop consultants	(19,449)	(12,894)
Governance & social marketing consultants	(41,414)	–
Audit fees	(6,700)	(6,600)
Insurance costs	(4,173)	(3,375)
Travel expenses	(24,375)	(6,137)
Programming & planning costs	(7,282)	(1,521)
Finance expense – Leased property	(4,811)	(4,806)
Other expenses	(10,886)	(7,663)
Total expenses	(1,790,885)	(1,414,456)
Surplus/(deficit) before income tax	28,770	(44,613)
Income tax expense	–	–
Surplus/(deficit) for the year	28,770	(44,613)
Other comprehensive income		
Items that will not be reclassified subsequently to profit or loss	–	–
Items that may be reclassified to profit or loss	–	–
Total other comprehensive income, net of tax	–	–
Total comprehensive income for the year	\$28,770	\$(44,613)

Statement of Financial Position as at 30 June

	2021 \$	2020 \$
Current assets		
Cash and cash equivalents	636,744	601,090
Trade and other receivables	6,880	2,685
Contract assets	45,000	–
Prepayments	8,826	7,921
Total current assets	697,450	611,696
Non-current assets		
Property, plant and equipment	65,385	53,093
Right-of-use asset	69,903	123,519
Total non-current assets	135,288	176,612
Total assets	832,738	788,308
Current liabilities		
Trade and other payables	135,390	119,737
Contract liabilities	133,367	104,151
Employee benefits	168,130	149,508
Total current liabilities	436,887	373,396
Non-current liabilities		
Trade and other payables	12,968	69,717
Employee benefits	27,420	18,502
Total non-current liabilities	40,388	88,219
Total liabilities	477,275	461,615
Net assets	\$355,463	\$326,693
Equity		
Accumulated surplus	355,463	326,693
Total equity	\$355,463	\$326,693

Copies of our full audited Financial Report are available via email: brq@brq.org.au



Basic Rights Queensland

Contact Us

To book a telephone advice session regarding social security or disability discrimination

Free Call 1800 358 511

Monday – Thursday:

9:30am – 4:30pm

Friday: 9:30am – 12:30pm

For telephone advice on Women's Employment Issues

Free Call 1800 621 458

Monday and Tuesday:

9:00am – 1:00pm

Friday: 9:00am – 4:00pm

For enquiries about our Rural and Remote Project and DFV Work Aware Training

(07) 3847 5532

Free Call 1800 358 511

Administration line

(07) 3847 5532

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