The Justice Project: A National Blueprint for Justice for All

Terms of Reference

Whereas:

• The Law Council of Australia is the national representative body for the Australian legal profession and is committed to promoting, protecting and defending the rule of law and the human rights of all people;
• The Law Council of Australia and its constituent bodies recognise that equality before the law and access to justice are fundamental to the rule of law;
• In Australia, laws and access to justice affect individuals unevenly and disproportionately, often due to social, economic or cultural factors; and
• Such inequality under the justice system undermines the rule of law and diminishes the capacity of people to participate fully and the strength of Australia’s democratic institutions

in 2017 the Law Council of Australia is reviewing the state of access to justice in Australia.

The Justice Project A National Blueprint for Justice for All (‘the Project’) will consider key existing studies of impediments to access to justice for those identified as facing significant economic and other disadvantage, for example:

(a) Aboriginal and Torres Strait Islander peoples;
(b) Those with disabilities;
(c) The elderly;
(d) Economically disadvantaged and impoverished Australians;
(e) Homeless persons;
(f) Children;
(g) Prisoners and detainees;
(h) Those who are trafficked or exploited;
(i) Those who face challenges concerning sexual orientation or gender identity;
(j) Recent arrivals to Australia;
(k) Asylum seekers;
(l) Those who experience family violence;
(m) Those residing or working in regional and remote areas of Australia.

The Project will have regard to and report on measures proposed and taken to reduce and eliminate obstacles to access the justice system, including resourcing of the legal assistance sector, courts and tribunals, non-financial impediments to justice, laws, policies practices and systems with disproportionate impact on different individuals or groups, and ‘gaps’ in access to justice and rights protection.
The Project will have regard to the extensive existing literature and recommendations of prior inquiries and investigations yet to be implemented, on the broad and important topics covered by these terms of reference.

In conducting the Project, the Law Council will engage in consultations, receive submissions and invite members of the public to share their experiences of the justice system within these terms of reference.

The Law Council will report by 1 December 2017.