

Foreword



In October 2017, the United Nations independent expert, Michel Forst, conducted an official visit to Australia to inquire into the working environment for journalists, human rights lawyers and all of the people in civil society who work to protect human rights.

At the end of his visit, Forst, noted that he had expected to “encounter only laudable implementation” of Australia’s obligations under human rights laws to provide a safe and enabling environment for civil society. Instead, he observed “mounting evidence of a range of cumulative measures that have levied enormous pressure on Australian civil society”. Forst’s findings were not news to many of us in Australia.

Unfortunately, there is a clear and worrying trend of governments limiting our basic democratic rights and freedoms. Anti-protest laws are restricting people’s ability to gather together and speak out on issues that they care deeply about. Excessive secrecy laws make it all the more difficult to reveal abuses that happen behind closed doors. Meanwhile press freedom is limited by metadata retention laws that jeopardise the confidentiality of journalists’ sources.

For many who work in community organisations, there are a range of financial pressures that stifle free expression. For some, governments have imposed gag clauses in funding agreements on community organisations, or proscribed the use of government money for advocacy activities.

Environmental advocacy groups have been threatened with the removal of their tax deductibility status, effectively hamstringing their ability to fundraise. The message from government is clear: if you speak out, you face financial uncertainty.

To the extent people feel silenced, we all lose. Government lose the expertise and

experience of the people who work hand in hand with the most marginalised and disadvantaged communities in our country. Policy making suffers as a result. Those marginalised communities lose an important voice for conveying their lived experience to decision makers. And our democracy suffers, as we silence debate and discussion on matters of public importance.

We are so pleased to work with Pro Bono Australia and academics at the University of Melbourne on the Civil Voices survey and report. This body of work will provide much-needed data and information on the extent to which people who work in not-for-profit organisations experience a restriction on their freedoms. It is a crucial piece of the puzzle in understanding how we can work together in defending the space in which all of us can speak freely on matters of public interest.

Emily Howie

Director of Legal Advocacy of Human Rights Law Centre

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Australia has very strong protections for civil society organisations' right to advocate yet this survey shows that the not-for-profit organisations who serve the community and who can best advocate on behalf of it perceive that they have to mute their voices in order to allay retribution. This is very concerning.

As one of the 1,462 sector respondents who contributed to this research, put it:

"We seem to be at a low point. Too much current government policy lacks an evidence base and is driven by populist and vested interest agendas. The previous Labor government was also prone to this, but it is worse under the current federal government. Our organisation has not been targeted for being critical of government because our areas of interest are not currently as controversial as some other policy areas. But we observe other charities/sectors being targeted for being outspoken and holding government to account."

This is a trend which threatens to silence a sector that has much to contribute to Australian public debate and policy making.

We know from a previous sector wide survey conducted by Pro Bono Australia in 2015 that nine out of 10 not for profit respondents considered recognition of their advocacy role as the most important factor in developing the social sector.

At Pro Bono Australia we believe it sits firmly within the remit of our social impact mission to give a voice to civil society organisations.

That is why we are pleased to be working in collaboration with the Human Rights Law Centre and academics at the University of Melbourne to take the temperature of the social sector and shine a light on this important issue. We thank both of them for their excellent work.

This piece of research seeks to better understand the challenges and opportunities facing not-for-profit organisations in Australia that contribute to advocacy and public policy debate.

We are pleased once again to use Pro Bono Australia's sector-wide network to be able to deliver this report. We have one million people a year using our services and 50,000 subscribers to our news services which makes for a robust data set for respondents.

We thank the Ruffin-Falkiner foundation who stepped forward to fund the delivery of the Civil Voices project. There are too few in the philanthropic world who fund advocacy and systemic change and they are one of the significant few.

A big shout out to the Pro Bono Australia team; in particular Wendy Williams, the Civil Voices project leader and deputy editor of our news services. Lina Caneva (Pro Bono News editor), Chloe Tucker and Katy Oakley have also made fabulous contributions. I thank them for all the above and beyond hours.

We hope Civil Voices will stimulate public discussion on these issues.

Karen Mahlab AM

Founder of Pro Bono Australia

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