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RESEARCH WORKSHOP ABSTRACT

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Just Ways: Australian Social Advocacy Stories

The recent publication Human Rights Advocacy Stories Foundation Press (2009), edited by Hurwitz (University of Virginia Law School) and Satterthwaite (New York University School of Law), highlighted the possible increased role of the lawyer and the law in human rights struggles and the dynamic interplay of formal and informal modes of protest.

In this presentation I wish to explore the role of the law and legal institutions in addressing local situations of injustice within Australia, from a number of casestudies (19) that are likely to form the substance of a future publication entitled: Just Ways: Australian Social Advocacy Stories.

Examining police use of "deadly force" in the 1990's where more than 20 citizens were shot dead by Victorian Police in less than two years, with little widespread community protest, the question first arose for me about the role of the legal profession in addressing more structural forms of injustice and oppression.

The threatened deportation of thousands of East Timorese, who had been permanent residents of Australia for more than ten years, resulted in a stronger partnership with the legal profession and local government authorities in concerted action in recent times.

A third casestudy (chosen for this lunchtime presentation) involved a strong partnership with defence counsel, in defending the life of Van Nguyen, eventually executed in Singapore in 2006 and the exhumation of the remains of Ronald Ryan, who had been buried in an unmarked grave in the former Pentridge Prison site for 40 years.

This presentation will examine the contribution of individual and collective action in the defence of human rights, as against individual advocacy before courts and tribunals, and how the legal profession has an important role to play in that partnership.