

Inquiry into volunteering in Queensland

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Introduction

Legal Aid Queensland (LAQ) welcomes the opportunity to make a submission to the inquiry by the Local Government, Small Business and Customer Service Committee into volunteering in Queensland.

LAQ provides input into State and Commonwealth policy development and law reform processes to advance its organisational objectives. Under the *Legal Aid Queensland Act 1997*, LAQ is established for the purpose of “giving legal assistance to financially disadvantaged persons in the most effective, efficient and economical way” and is required to give this “legal assistance at a reasonable cost to the community and on an equitable basis throughout the State”. Consistent with these statutory objects, LAQ contributes to government policy processes about proposals that will impact on the cost-effectiveness of LAQ’s services, either directly or consequentially through impacts on the efficient functioning of the justice system.

LAQ always seeks to offer policy input that is constructive and is based on the extensive experience of LAQ’s lawyers in the day-to-day application of the law in courts, tribunals, and Ombudsman schemes. LAQ believes that this experience provides LAQ with valuable knowledge and insights into the operation of the justice system that can contribute to government policy development. LAQ also endeavours to offer policy options that may enable government to pursue policy objectives in the most effective and efficient way.

This submission is informed by the knowledge and experience of the lawyers in LAQ’s Civil Justice Services, as well as by members of LAQ’s First Nations Advisory Committee (FNAC).

Response to terms of reference

The current state of volunteering in Queensland and the value it contributes, including benefits to volunteers, organisations and the State

LAQ does not seek to make submissions on this issue.

The views of volunteers, prospective volunteers and the volunteering sector on the current barriers to volunteering, including excessive legislature and the regulatory burdens and other restrictions adversely limiting active volunteers

LAQ does not seek to make submissions on this issue.

The current experiences, motivations and challenges for volunteers and volunteer-involving organisations and their recommendations for addressing challenges and improving the volunteering experience

LAQ does not seek to make submissions on this issue.

The unique challenges experienced by people from diverse backgrounds, genders, age groups, abilities and locations, and opportunities to improve volunteering participation, accessibility and experience for these groups

LAQ does not seek to make submissions on this issue.

The extent, effectiveness and efficiency of current government support at all levels for the volunteering sector in Queensland and sustainable opportunities for improvement

LAQ does not seek to make submissions on this issue.

Opportunities for the Queensland Government to leverage all portfolios to support growth in volunteering across Queensland, including through hosting the Brisbane 2032 Olympic and Paralympic Games

LAQ does not seek to make submissions on this issue.

Opportunities to increase emergency response volunteering in Queensland, including how to optimize the engagement, support and integration of volunteers assisting with natural disasters and community recovery

LAQ's Civil Justice Services has first-hand experience providing legal advice and assistance to clients experience legal problems arising from disasters. LAQ's Civil Justice Service lawyers consider it important to note that volunteers assisting people following disasters are always well meaning and motivated by a genuine desire to help people. Often, in LAQ's experience, volunteers will inadvertently provide opinions on legal issues as part of assisting people in recovery because they are trusted in their community.

LAQ considers it to be vitally important that both LAQ and Community Legal Centres are provided with appropriate resources to ensure the following:

- (a) Volunteers are educated about when, how and to whom they should make appropriate referrals.
- (b) Ongoing funding is available to provide advice and assistance for the wide range of legal issues that arise in the wake of a disaster. In the experience of LAQ lawyers, these legal issues include, but are not limited to, financial hardship, insurance, banking, employment, discrimination, farming, social security, family, and criminal law matters.

First Nations peoples volunteering, including in remote and discrete communities, and the role of First Nations volunteering in Closing the Gap

An important issue for consideration and inclusion in the inquiry is that the origins and development of the Aboriginal and Torres Strait Islander community-controlled sector arose from the work of volunteers in their local communities.

Housing, legal, employment, education, and health were several areas where Aboriginal and Torres Strait Islander people could not get access, or where services were not responsive to their cultural and communal needs. Racism and discrimination were a part of this, along with failure to include First Nations people in the design and development of services.

Local leaders and concerned citizens met to establish corporations or organisations that could mobilise and harness the voluntary efforts and goodwill of volunteers to tackle social issues. Over time, these agencies became more sophisticated and, in response to changes in governance, attracted funding to deliver services and employ staff. However, the role of the directors remained as volunteers.

The Aboriginal and Torres Strait Islander Legal services started in Queensland in 1972. A volunteer board of directors set the course for the direction of the service which continues to deliver legal services today.

The Qld Aboriginal and Islander Health Council was established in 1990, again with a volunteer board of directors.

As at 30 June 2023, there were over 3000 Aboriginal and Torres Strait Islander corporations registered under the *Corporations (Aboriginal and Torres Strait Islander) Act 2006 (Cth)*. All have a constitution and a board of directors who are, for the most part, voluntary.

The first National Aboriginal and Torres Strait Islander Survey (NATSIS) conducted by the Australian Bureau of Statistics in 1994 found that Indigenous communities engage in voluntary work at a higher rate at 26.9 per cent than non-Indigenous Australians at 19 per cent respectively.¹

First Nations people volunteer every day in informal and formal ways. Caring for children and Elders is one example. There is no written or formalised contract; people just do it because it needs to be done.

Sporting bodies and associations attract volunteers, and, in small communities and remote and regional areas, it is the volunteers who keep these activities running. Centrelink requirements can include volunteering to demonstrate engagement and meeting obligations.

Further areas of First Nations volunteering, and opportunities for First Nations volunteering to be cultivated and advanced, are outlined below.

¹ It is noted that no recent data on the rates of volunteering in Indigenous communities is available.

Closing the Gap

Closing the Gap has four key priorities:

1. Formal partnerships and shared decision-making
2. Building the community-controlled sector
3. Transforming government organisations
4. Shared access to data and information at a regional level.

LAQ's FNAC suggests that all these priorities could provide opportunities for a national or state-wide volunteer program such as Volunteering Australia to embed volunteering from a First Nations perspective into its work.

Reconciliation Action Plans

LAQ's FNAC submits that Reconciliation Action Plans (RAPs) are another way for the private and public sectors to identify ways to address outcomes and include pro bono efforts which could include volunteering into their agenda.

Employment outcomes

Volunteering has been used as a pathway to employment and education in remote and regional communities. People gain skills and can then become better equipped to join the labour market.

In the view of LAQ's FNAC, it is crucial for the volunteer agency to keep documentation so that the volunteer has evidence of the work that they have done.

Education

The value of volunteering and the benefits it brings can be part of the promotional work that may attract more younger people to volunteer. LAQ's FNAC submits that volunteering programs could form part of the school curriculum for young people to gain awards and certificates and feel they belong from good work done and acknowledged.

First responders' roles in critical events

When disasters occur or critical events take place, the role and place of First Nation people can be overlooked or ignored. Yet as a vulnerable group, it is important that planning authorities consider who they are and where they are located. It is local First Nations people who have this knowledge.

The local First Nation volunteers could form an integral link in the coordination and management of emergency service responses in their communities.

LAQ's FNAC suggests that participating with other local emergency volunteers could lead to increased training opportunities e.g. volunteer fire fighting; first aid qualification; reading and monitoring two-way radios; operating drones; obtaining drivers licences, etc.

It can also lead to enhanced social well-being and greater community participation.

Summary

Volunteering by First Nations people is not new. It is the way in which families, communities, agencies, and individuals have survived and functioned when all other support systems are absent.

First Nations forms of volunteering constitutes a unique form of social capital in Australian society and deserves recognition in its full breadth.

In the experience of LAQ's FNAC, the introduction of Blue Cards and other licensing requirements has impacted upon the number of First Nations people who can volunteer. LAQ submits that it would be of benefit for the inquiry to recommend a review of the Blue Card system, with a view to exploring barriers to First Nations volunteering and how these could be alleviated.

Any other relevant matters, including academic and other diverse sources, and any relevant reports and reviews at the national level and across other states and territories

LAQ does not seek to make submissions on this issue.

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