

The Change Toolkit

Chapter 7. Writing effective submissions

An effective way to express your concerns about a particular law that is (or that you think should be) under review is to write a letter or submission to government outlining your views on the law and recommending ways to improve it. Governments often call for public submissions when they conduct an inquiry into a certain area of law, or amend or bring in new legislation (see also Chapter 6). This is a valuable opportunity for CLCs to inform government about how the law affects or, if proposed changes were made, would affect, disadvantaged people in Australian society. However, you can also write to government at any time to draw their attention to a law that you think needs improving.

This chapter offers some tips on how to write a submission to government.

Preparation

If your submission is in response to an inquiry, check if there are **terms of reference**. If there are, try to frame your comments around them. There may also be an **issues paper** available to assist you.

Joint submissions can be a very effective way to demonstrate the *shared* concern of a number of people and groups in the community. You may find it helpful to join with other CLCs or organisations that hold the same views on the issue as you do. This way, you can combine a broad array of similar and complementary insights and experiences to form a single, and potentially more powerful, submission.

Writing the submission

Style, format and tone

Submissions do not have to be in any particular format and can vary in style. The main thing is

to try to be as clear and concise as possible. Your response does not need to be overly technical to be effective.

Submissions should be persuasive in tone. Your submission will be more compelling if you use strong and direct statements to put forward your case, i.e. 'the legislation should be amended to include ...', rather than 'it is submitted that the government should consider making changes to the legislation.'

A submission does not have to be long. You can concentrate on the aspects of the review you really want to comment on, and leave out other parts.

Structure

If there are terms of reference for the review or specific consultation questions in an issues paper, address these in order, even if you do not answer every one. This is because the government agency responsible for the inquiry will generally record the submissions received

according to the same structure. If you organise your submission in the same way that the agency records responses, it makes it easier for them to document your views. This is a simple but effective way to make your submission count.

If the terms of reference or the questions miss key issues you should say so, but try to do it in a clear and succinct way. Otherwise, your comments may not fit within the terms of reference or the questions and could be overlooked.

It is often a good idea to use section headings and paragraph numbers or a table of contents to add structure and clarity to your response, particularly if it is long.

What to include

The tips below are particularly applicable to submissions, but the same structure also applies to letters too, albeit in a condensed format.

Introduction and executive summary

- Briefly introduce your centre and your work. Explain your interest in this issue and how and why it affects you or particular client groups or communities. If your submission is long, include an executive summary to provide a short overview of each section of your response.

Research, statistics and examples

- Incorporate case studies and stories to illustrate the impact of the law and the problems it creates for vulnerable people (see Chapter 9). Examples like this make a submission particularly persuasive.
- Refer to a wide selection of relevant and authoritative materials that support your case. Draw on data, applicable legislation, case law and policy, and broader commentary on the issue or area of law. Include other submissions, research or reports you have done.

- Before you submit, make sure you cite each source in a footnote. If it is unofficial, append it or add an internet link to it.

Recommendations

- If you can, make recommendations, not simply suggestions. This is your chance to offer a solution to a complex legal problem – the more concrete and workable it is, the better! Even if you do not feel that you are prepared to make your own recommendations, it is still valuable to make a submission to express your concerns.
- If there are positive things to say about the operation of the law or the system, say them. It is important to support the aspects of the proposed laws that should be retained, in case other submissions critique them.

Other tips

If you are willing to meet with the agency or appear at a hearing to discuss your submission, indicate this.

Submissions are public documents. If you want yours to be confidential, you will need to make this clear in your submission. This makes it particularly important to get consent from anyone whose case you refer to, or to use de-identified case studies.

If the deadline is approaching and you need more time, you can contact the agency before the due date and request an extension. Often, they will say yes. It is better to at least ask than not submit at all.

Don't fall into the trap of waiting for calls for submissions before raising an issue. If something needs to be raised, raise it. Get the issue on the agenda. You might even want to call for an inquiry!

Maximising your impact

Think of ways you can maximise the impact of your submission. A submission, in conjunction

with a media release, may give you wider coverage. See the chapter on working with the media for more information.

Sources

The main source of the information in this chapter is the Environment Defenders Office tip sheet for community members on how to write a law reform submission, online at http://www.edovic.org.au/downloads/files/law_reform/edo_vic_how_to_write_a_law_reform_submission.pdf

See also Mental Health Legal Centre, *Tips for Writing a Submission to Government*, online at http://www.communitylaw.org.au/mhlc/cb_pages/files/Submission%20tipsheet%20for%20consumers.pdf

Acknowledgments

This chapter has been downloaded from <http://www.thechangetoolkit.org.au>. We recommend checking back to see if the content has been updated.

The Change Toolkit was prepared by the Federation of Community Legal Centres. The Federation is the peak body for community legal centres across Victoria.

The Federation can be contacted at:

Level 3, 225 Bourke Street
Melbourne VIC 3000 Australia
Phone: (03) 9652 1500
Email: administration@fcl.org.au