

Dear Candidate,

### **Your plan for addressing the access to justice crisis in Melbourne's East**

Unlike the Australian health and education systems, there is no universal safety net for legal help. In the context of the forthcoming election, Eastern Community Legal Centre (ECLC) seeks your views on the current access to justice crisis and invites you to outline your proposals to address the unmet demand for free quality legal help for members of the community in this area who cannot afford to pay for a private lawyer.

#### ***About Eastern Community Legal Centre***

ECLC provides free legal advice and assistance to the communities of the East, as well as working to improve the legal system for the community through community education, development and partnership initiatives. ECLC has a small staff team and over 100 volunteers, offices in Boronia, Box Hill and Healesville and ten outreach locations. While open to all, most people seeking assistance are on low incomes and a large number are from culturally and linguistically diverse communities. Eastern CLC services the needs of eight municipalities across the Eastern Metropolitan Region: Aston, Casey, Chisholm, Deakin, Higgins, Kooyong, La Trobe and Menzies. With a population of over 870,000 ECLC responds to undoubtedly the largest population catchment of any community legal centre in Victoria, over 15% of the State's total.

#### **1. Access to legal help in the Yarra Ranges**

After years of advocacy from the local community, in March 2014, ECLC opened a Yarra Ranges CLC to respond to local legal need across this municipality. The service assisted over 500 clients in 2015 and family violence was a primary issue for 170 (34%) of these clients.

ECLC has been formally advised that Commonwealth funding cuts to community legal services confirmed in the National Partnership Agreement on Legal Assistance Services will mean a \$240,000 reduction for the Centre, impacting particularly on the new Yarra Ranges Centre. While an earlier cut (in July 2015) was postponed for two years, services are again insecure.

This devastating cut endangers ECLC's vision of ensuring all residents in the East have equitable access to quality legal help, regardless of their postcode. The ramifications of these funding cuts will be significant, with the Yarra Ranges Centre facing potential closure.

#### **Question 1: What commitments will you make to ensure this vital legal work in the Yarra Ranges continues?**

#### **2. Community Law Australia - Fund Equal Justice**

Over 216,000 people receive free legal help each year from Community Legal Centres across Australia. Assistance is provided on a range of legal matters including family violence and family law, tenancy, credit and debt and consumer issues. As confirmed by the Productivity Commission, government investment in these services makes good economic sense. Community Legal Centres prevent the escalation of often relatively simple issues into complex legal matters that have expensive implications for Legal Aid Commissions and the Courts, as well as other essential community service systems.

ECLC supports *Community Law Australia - Fund Equal Justice* campaign to provide for the urgent legal needs across the community and place legal assistance funding on a sure foundation. ([More details here.](#)) Specifically, the campaign calls for:

- 1) Reversal of the Commonwealth funding cuts under the National Partnership Agreement on Legal Assistance amounting to \$34.83 million over the period 2017/18 to 2019/20
- 2) An immediate injection of \$200 million per year into the broader legal assistance service system to be shared between the Commonwealth (60%) and the States and Territories (40%). This should equate to at least an additional \$24 million per year allocated to Community Legal Centres (\$14.4 million pa. Commonwealth and \$9.6 million pa. States and Territories).
- 3) A commitment by all levels of Government to implementing an appropriate process for determining adequate and sustainable longer-term funding contributions for legal assistance in consultation with the sector.

**Question 2: What commitments will you make in response to these urgent legal assistance needs?**

**3. Preventing and responding to family violence**

Regrettably, ECLC assists a huge number of people each year who are experiencing family violence. As well as providing significant legal help to people in these awful situations, the Centre is actively working to both improve the systems that respond, and prevent violence before it happens. No-one, especially women and children, should be unsafe within their own homes.

ECLC has been pleased with the findings of the Victorian Royal Commission into Family Violence but much more action is needed to address family violence across Australia.

**Question 3: How will you support ECLC and other services to meet the increasing demand for family violence help?**

**4. Specialist pathway for family violence cases in the Courts**

ECLC supports Women's Legal Service Australia's five step plan, [Safety First in Family Law](#), launched in May 2016 by Rosie Batty as part of the [Never Alone](#) campaign. ECLC and 90 other organisations formally endorsed the plan's approach to fixing the family law system.

*Safety First in Family Law* outlines five key proposals:

1. Develop a specialist pathway for domestic violence cases in family court
2. Reduce trauma and support those who are most at risk of future violence and death
3. Intervene early and provide effective legal help for the most disadvantaged
4. Support women and children to financially recover from domestic violence
5. Strengthen the understanding of all family law professionals on domestic violence and trauma.

**Question 4: What commitments and responses are you making to the proposals of the Safety First in Family Law five-step plan?**

**5. Elder abuse**

ECLC has been actively working to prevent and respond to the emerging and tragic issue of elder abuse within the community, where vulnerable older people experience harm carried out by someone

they know and trust such as a family member or friend. While rarely spoken about this an increasing issue for agencies and seniors contacting ECLC. As awareness is raised, a high demand for holistic legal help is clear in the Eastern region.

ECLC proposes that a range of prevention, education and response strategies across the aged care, health, legal and community sectors are needed to address elder abuse.

**Question 5: What plans and proposals do you have to prevent and respond to elder abuse?**

**6. *Aboriginal and Torres Strait Islander Justice Reinvestment***

Locally, ECLC works in partnership with key Aboriginal community organisations to address legal, family violence and health issues. The Royal Commission into Family Violence noted that Aboriginal peoples are “disproportionately affected by family violence” and “face unique barriers to obtaining assistance” for a broad range of reasons.

ECLC supports the work of Change the Record and its [Blueprint for Change](#) that seeks to address the alarming rates at which Aboriginal and Torres Strait Islander people are experiencing violence and being put in prison. It calls for action to:

- “Close the gap in rates of imprisonment by 2040; and
- Cut the disproportionate rates of violence to at least close the gap by 2040 with priority strategies for women and children,

by calling on all levels of government to:

- Invest in early intervention, prevention and diversion strategies, which address the root causes of violence and imprisonment; and
- Work in partnership with Aboriginal and Torres Strait Islander people, communities, services and their representatives, to develop and implement solutions.”

**Question 6: What is your response to the Change the Record blueprint and proposals and what other policies to you have for addressing these issues?**

***Your response***

ECLC works closely with over 100 volunteers and many local organisations and communities. ECLC respectfully invites your response outlining the actions that you will take to address the issues above by Monday June 13. The Centre will publish responses on its website and through its e-newsletter, so that the communities of the East can consider these responses as they prepare to vote.

If you have any questions or would like to speak or meet with us, we would be most happy to oblige.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Michael Smith".

**Michael Smith**  
**Chief Executive Officer**