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JOHN PESUTTO MP
State Member for Hawthorn
Shadow Attorney General



14 November 2018

Mr Michael Smith
Chief Executive Officer
Eastern Community Legal Centre
Chief Executive Officer
27 Bank Street
BOX HILL VIC 3128

Dear Mr Smith,

Thank you for your recent correspondence outlining the issues facing the Eastern Community Legal Centre together with your priorities.

For ease of reference, I will respond to your questions adopting the same numbering as that contained in your letter:

1. What commitments will you make to increase resources for legal help in the Eastern region?

The Liberal Nationals understand that Victoria's network of Community Legal Centres plays a vital role in our justice system, providing members of the public with advice, representation in court, and other vital legal assistance.

We will, as always, prioritise not only the allocation of funds to people in rural and regional Victoria but also to those people needing the services of Community Legal Centres acknowledging the positive impact that doing so has on the efficiency of our legal system.

Indeed, during our last term during the 2010-2014 period, the Victorian Coalition Government, among other initiatives:

- allocated \$9 million in the budget to enable Community Legal Centres to continue to provide legal advice and services to Victorians, with a focus on family violence assistance and maintaining services in rural and regional Victoria;
- introduced legislation to cut red tape and open up opportunities for more Victorian legal practitioners to assist the community through pro bono legal advice and assistance; and
- funding the expansion of the Goulburn Valley Community Legal Centre to provide free legal advice, ongoing legal help and legal education to the local community.

2. What commitments, plans and proposals do you have to improve access to Justice?

The absence of a framework to provide legal services to those who cannot afford representation risks frustrating the administration of justice. A functioning system of legal aid is crucial to ensuring not only that the disadvantaged can receive legal representation and advice, but to avoiding court delays and interruptions which are now among the most serious problems confronting our justice system.

When last in government we had a strong record of supporting access to justice and we will emulate this should we be elected on 24 November.

With the Andrews Government effectively cutting funding to the sector in its first budget, it appears to have been trying to make up ground ever since. That's why it is critical that legal aid be targeted to where need is at its greatest. Our imperative will be to support the sector to better achieve this.

3. What Commitments will you make to ensure this vital work in the Yarra Ranges continues

Should we be elected, we will work closely with you and other organisations to ensure the above objectives are being met. You will know, from your very productive relationship with the Hon. Robert Clark, former Attorney General, that we will be collaborative in our approach and always accessible.

4. What commitments including funding commitments will you make to the full implementation of the Royal Commission into Family Violence's recommendations?

5. What commitments will you make to ensure that legal help is fully integrated into these reforms?

The present government is working its way through the 227 recommendations and have enacted or part-enacted 90 of them. If elected, a Liberal Nationals Government will continue to work through all of the Royal Commission recommendations with an urgent focus to provide safe, emergency accommodation and support for victims.

Furthermore, a Liberal Nationals Government will work with Victoria Police and the Police Association of Victoria to pilot a Family Violence Disclosure Scheme. Recommended by the police in their submission to the Royal Commission, this will help Victorians who may be at risk of domestic or family violence to find out if their current or former partner has a history of violent criminal offences. The Scheme will empower people who may be at risk by assisting them make informed decisions about their relationships.

The Liberal Nationals will amend the *Crimes Act 1958* to make non-fatal strangulation, choking and suffocation in a domestic setting a criminal offence punishable by up to 10 years jail. People who commit non-fatal strangulation of an intimate partner are more likely to go on to commit a major assault, attempted murder, or murder. This law follows similar initiatives in other jurisdictions.

The Liberal Nationals will also introduce legislation allowing attending police to enforce an immediate intervention order in cases of family violence and also allow a police officer of Senior Constable rank or higher to authorise the issuing of an on-the spot Family Violence

Safety Notice rather than require the authorisation of a Sergeant or higher rank as applies at present. We will also remove the current 14 day limit for Family Violence Safety Notices so they will operate until such time as an application is made to the Magistrates Court. We have also made an announcement to extend mandatory minimum jail sentences to family violence offenders. We will not stand with violent offenders who think it's acceptable to ignore courts orders intended to protect vulnerable women and children.

6. What commitments, plans and proposals do you have to prevent and respond to elder abuse?

A Liberal Nationals Government will establish an Ombudsman for Retirement Housing to ensure those older Victorians living in retirement and lifestyle facilities feel safe and protected.

Currently there is no dedicated mechanism for dealing with retirement housing disputes, which can leave senior Victorians with no choice but to launch costly legal proceedings through VCAT, or seek assistance via Consumer Affairs Victoria.

We look forward to working with stakeholders to better protect the elderly and in particular look forward to contributing to work at the Commonwealth level to prevent and respond to elder abuse.

7. What commitments will you make to support the development and growth of health-justice partnerships?

We strongly believe that better collaboration between allied services have the potential to produce far better justice outcomes for our community, particularly in relation to lower re-offending rates.

In addition to the initiatives outlines in 4 and 6 above, a Liberal Nationals Government will also pilot the HomeStretch program and provide funding for 75 places per year over two years for young people transitioning from state care, to support their education, employment, housing, physical and psychological goals.

In a study by Anglicare Victoria it was found that extending support for young people who are transitioning from state care between the ages of 18 to 21, can halve homelessness, prevent alcohol and drug abuse, reduce incidents of mental health, and involvement in the criminal justice system as well as better enable the state's vulnerable youth to achieve their full potential.

8. How would your government work across departments to break down 'funding silos' to support programs that work?

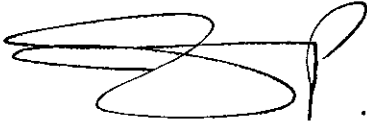
Agencies and departments not working together or even speaking to each other has been one of the most serious obstacles to improving community safety.

Our focus is going to be outcomes-driven. That will mean bureaucratic demarcations will not serve as impediments to programs that work, such as by lowering re-offending rates.

Thank you also for your kind invitation to attend your Annual General Meeting on Tuesday 20 November. Unfortunately, I am unable to attend, but one of my advisers, Ephie Bokas, will attend on my behalf.

Finally, I would like to take this opportunity to commend you on your valuable ongoing contribution to the communities of Victoria's East and extend to all staff and volunteers my very best wishes.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'John Pesutto', with a stylized flourish at the end.

John Pesutto MP
Member for Hawthorn
Shadow Attorney General