

Unlike the Australian health and education systems, there is no universal safety net for legal help. In the context of the forthcoming state election, Eastern Community Legal Centre (ECLC) sought key politicians’ views on the current access to justice crisis. They responded to ECLC questions about their plans to address the unmet demand for free quality legal help for members of the community in Melbourne’s eastern region who cannot afford to pay for a private lawyer.

About ECLC

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 multiple 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 six municipalities across the Eastern Metropolitan Region including the electorate of Ferntree Gully.

Despite excellent work from ECLC staff and volunteers, with a population of about 900,000 in the Eastern region, ECLC is unable to meet growing demand. In the last year, more than 6,800 people sought legal help but ECLC was only able to provide advice and assistance to 2,685 people. The ECLC and its partners have shown that early legal help prevents major issues later as well as saving money for government and the community

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<p>Q.1 What commitments will you make to increase resources for legal help in the Eastern region?</p>		
<p>Q.2 What commitments, plans and proposals do you have to improve access to justice?</p>		
<p>A.1&2. Victorian Labor has spent the last three years in Government leading the discussion about better support for victims of crime, holding offenders to account, system resourcing, access to justice, support for the community legal sector and redress for victims of child sexual abuse. We have a proud record of achievement and acknowledge there is much more to be done.</p> <p>When Labor came to Government in 2014, CLCs were on the brink of losing substantial</p>	<p>A.1. 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.</p> <p>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</p>	<p>A.1. Refer to response to question 2.</p>

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<p>funding from the Federal Government. The threat of cuts left CLCs with an uncertain future, and the clients who rely on their services were left in limbo. Only Labor will ensure the provision of free and low cost legal advice and services for those who are experiencing hardship or disadvantage.</p> <p>The Andrews Labor Government has invested significant funding to legal assistance services through Victoria Legal Aid, Victorian Aboriginal Legal Services (VALS) and CLCs to continue the essential work they do for our most disadvantaged Victorians. The Andrews Labor Government has also funded grants through the Victorian Legal Services Board, resourcing projects that support some of the most vulnerable people in our community, including people with disability, indigenous people, young people and victims of family violence.</p> <p>We are pleased that ECLC has been a recipient of significant increased funds through Department of Justice Grants, VLA and the Legal Services Board to support its vital work, particularly for its family violence and court work, the Yarra Ranges and including the new Monbulk Outreach service.</p> <p>Victorian Labor has a long, proud history of investing in the community legal sector and will continue to fight for every Victorian’s right to access affordable justice. Labor will:</p>	<p>doing so has on the efficiency of our legal system.</p> <p>Indeed, during our last term during the 2010-2014 period, the Victorian Coalition Government, among other initiatives:</p> <ul style="list-style-type: none"> • 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. 	

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<ul style="list-style-type: none"> • continue to ensure adequate funding for Victoria Legal Aid community legal centres, and Victorian Aboriginal Legal Services and that the Federal Government pays its fair share; • monitor funding for VALS and CLCs to ensure those most in need receive representation in the justice system; • engage with the Aboriginal Community Controlled Organisations and Aboriginal Legal Services to design and deliver justice programs that will help address Aboriginal Victorians overrepresentation in the criminal justice system including primary prevention and diversion and • review the demands on and processes of the Victorian Civil and Administrative Tribunal (VCAT) to ensure it remains a quick, low cost and user-friendly alternative to the courts. <p>Labor will continue to support and where possible expand specialist courts, court lists and programs which lead to a reduction in reoffending and reduced costs for the taxpayer. Labor has a range of commitments including we will :</p> <ul style="list-style-type: none"> • continue supporting court diversion programs, specialist courts and lists; 		

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<ul style="list-style-type: none"> • continue the roll out of the Koori Court model; • increase the number of Judges and Magistrates in line with case load guidelines; and • increase support for legal assistance, duty lawyers and other legal caseworkers to alleviate pressure on the system 		
<p>A.2. See 1&2 above.</p>	<p>A.2. 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.</p> <p>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.</p> <p>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.</p>	<p>A.2. The Greens’ acknowledge the current crisis in the legal assistance sector, which has been unable to keep up with the unprecedented rises in demand for free legal help. To ensure ongoing and universal access to justice for all Victorians, we have committed to increase significantly the level of State Government funding to the legal assistance sector, including to Community Legal Centres (CLCs).</p> <p>As part of our access to justice initiative we will:</p> <ul style="list-style-type: none"> • Provide an additional \$132 million over four years to the legal assistance sector (including Victoria Legal Aid, CLCs and Aboriginal Legal Services). • Advocate for the Commonwealth Government to formalise a transparent, long-term state and federal

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	<p>Our imperative will be to support the sector to better achieve this.</p>	<p>government funding agreement for legal assistance.</p> <p>You can find out more about the Greens’ plan for access to justice here.</p>
<p>Access to legal help in the Yarra Ranges</p> <p>After years of advocacy from the local community, ECLC established a Yarra Ranges CLC in early 2014 to respond to local legal need across this municipality. This vital service has assisted hundreds of residents, with a high proportion of these legal matters involving family violence, and has forged strong partnerships with local health, support and Aboriginal community controlled organisations. ECLC seeks a State Government commitment for this service on an ongoing basis at a minimum of \$300,000 per annum (with additional matching Commonwealth funding also sought).</p> <p>Q.3. What commitments will you make to ensure this vital work in the Yarra Ranges continues?</p>		
<p>A.3. See 1&2 above.</p>	<p>A.3. 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.</p>	<p>A.3. Refer to response to question 2.</p>
<p>Prevention, early intervention and response to family violence</p> <p>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 across prevention, early intervention and responses to family violence. This includes an Intervention Order Support Service four days each week at Ringwood Magistrates’ Court, the SAGE and MABELS programs and extensive support through the legal and support teams. No one, especially women and children, should be unsafe within their own homes.</p>		

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<p>As well as its own work, ECLC collaborates with many partners to address family violence. It endorses the Unite Against Family Violence Campaign, led by DV Victoria, No To Violence, the CASA Forum and Gender Equity Vic, with its four Key Messages:</p> <ol style="list-style-type: none"> 1. The Royal Commission delivered us a world-first roadmap with 227 recommendations for how we can build a system that will keep women and children safe and prevent violence before it begins. 2. We should be proud of how far Victoria has come in ending family violence, but the Royal Commission’s roadmap was just the beginning. 3. Family violence is our state’s biggest crime, health, economic and human rights problem and it can no longer be treated as a political football. We have a roadmap. We know how to tackle this issue and we want to get it done. 4. We are asking all political parties to commit to long-term support for funding full implementation of every recommendation handed down by the Royal Commission into Family Violence. <p>While there are many actions that could be taken to address family violence, ECLC supports the view that the Royal Commission provides the best ‘roadmap’ forward.</p> <p>Q.4. What commitments including funding commitments will you make to the full implementation of the Royal Commission into Family Violence’s recommendations?</p> <p>Q.5. What commitments will you make to ensure that legal help is fully integrated into these reforms?</p>		
<p>A.4&5. Family violence is the number one law and order issue in Victoria. The Andrews Labor Government has made an historic commitment to addressing family violence and to helping ensure that victims of family violence are supported.</p> <p>The Andrews Labor Government established Australia’s first Royal Commission into Family Violence and has committed to implementing all 227 report recommendations.</p> <p>The Andrews Labor Government has provided unprecedented funding for family violence services, an investment that will help to save</p>	<p>A.5. 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.</p> <p>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</p>	<p>A.4. The Victorian Greens proudly support all 227 recommendations from the Royal Commission. Our Greens leader Dr Samantha Ratnam recently wrote to Domestic Violence Victoria to confirm this position, and we see our first and most important ongoing role as keeping the next state government on track in the delivery of all 227 recommendations, irrespective of which party wins the upcoming state election. There are numerous program and funding delivery aspects of this agenda that need close and careful scrutiny, to ensure that change is impactful and lasting, and to</p>

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<p>lives by responding to the needs of victims including children, and holding perpetrators to account.</p> <p>The Andrews Labor Government has also responded with legislation to increase protections for children subject to family violence, make service of Family Violence Intervention Orders more straightforward and make it harder to abuse the intervention order appeal process. Labor will:</p> <ul style="list-style-type: none"> • support Family Safety Victoria, the state-wide agency responsible for implementing the Family Violence Royal Commission; • support Respect Victoria, the state-wide prevention of violence agency to coordinate and deliver state wide prevention of family violence campaigns; • aid victims of family violence to escape from these situations and build new lives free from abuse, through practical and therapeutic support, by providing culturally appropriate refuges or ensuring they can remain safe in their own home; • ensure victims of family violence have access to legal help they need; 	<p>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.</p> <p>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.</p> <p>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.</p>	<p>ensure at the policy level we don’t make things worse.</p> <p>We agree that family violence represents the state’s biggest crime, health, economic and human rights problem. The incidence, prevalence and recurrence of family violence is at crisis levels, and what we need in Victoria is bipartisan political leadership that will build on the platform we have set to lead the country.</p> <p>In terms of funding commitments, we Greens will consider what further investment is appropriate in the lead up to the next state budget, taking into consideration evidence and advice from the sector. Nonetheless, we anticipate that as Respect Victoria beds down its processes there will be the need for greater investment in prevention strategies that embed gender equality. The Victorian Greens understand that family violence is gendered violence. We need to change the way we treat women and those who identify as gender diverse. We need to hold the media and each other to account. We will also work with the sector to get longer contracts and grants so that organisations can plan for their programs over the medium-term not just year by year. We know the security of jobs and stronger staff retention rates the family violence workforce is part and parcel of more effective reform. We also need to ensure family violence programs</p>

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<ul style="list-style-type: none"> • support those affected by family violence to participate in the criminal justice system; • develop initiatives aimed at increasing the economic participation and therefore the economic independence, of victim survivors; • support the skills development, growth and recruitment of the family violence workforce; • oversee programs to prevent family violence including in rural and regional areas; • develop programs in conjunction with communities most affected by family violence such as the disabled and indigenous aimed at early intervention, eradication and prevention; • commission research to ensure Victoria is a world leader in the prevention of family violence; • develop culturally appropriate perpetrator behaviour change programs and ensure culturally appropriate refuges are available for victims; • research the development of a Family Violence Index to monitor and report to 	<p>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.</p>	<p>and strategies specifically address the compounded intersectional disadvantage faced by Aboriginal and Torres Strait Islander women, and women of colour.</p> <p>The Victorian Greens supported a number of reforms introduced through the Family Violence Protection Amendment Act 2017 and the Justice Legislation Amendment (Family Violence Protection and Other Matters) Act 2018, laws which have empowered courts to make own motion interim family violence intervention orders during criminal proceedings, established the Specialist Family Violence Court Division in the Magistrates’ Court, and provided the Children’s Court greater capacity to act in the interests of family violence victims and survivors through prescribing therapeutic treatment orders to young adults. Beyond these reforms, we understand survivors deserve legal assistance and support when escaping family violence, and would refer you to our justice initiative for the \$132 million we have committed in additional legal assistance funding, including in relation to family violence services.</p>

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<p>parliament on the prevention of family violence; and</p> <ul style="list-style-type: none"> implement all recommendations of the Royal Commission into Family violence by 2023 and the Victorian Gender Equality Strategy by 2021. 		
<p>Elder abuse</p> <p>ECLC has been actively working to prevent and respond to the emerging and tragic issue of elder abuse within the community for over ten years, where vulnerable older people experience harm carried out by someone they know and trust such as a family member or friend. This is an issue of great concern for agencies and seniors and ECLC has been active across prevention, education and response strategies in the, health, legal and community sectors, as well as with seniors groups themselves, including culturally diverse groups. While elder abuse was identified by the Royal Commission into Family Violence, funded responses have been minimal in relation to the size of the problems seen across the community.</p> <p>Q.6. What commitments, plans and proposals do you have to prevent and respond to elder abuse?</p>		
<p>A.6. Older Victorians have received respect and dignity from investments by the Andrews Labor Government.</p> <p>The Labor Government has invested \$6 million to tackle elder abuse by extending the trial of an integrated model of care – offering specialist clinical advice, family counselling and mediation services.</p> <p>These services are being rolled out to five pilot locations. The funding package will also provide better workforce training to ensure staff can better identify and respond to cases of suspected elder abuse, and prevent the abuse from escalating.</p>	<p>A.6. 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.</p> <p>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.</p> <p>We look forward to working with stakeholders to better protect the elderly and in particular look forward to contributing to work at the</p>	<p>A.6. Elder abuse is a complex and under-researched problem. The Greens believe there is an urgent need for the Victorian Government and community organisations to improve the safety of older people in their own homes, in provision of support services and in the wider community. The Greens support the development of a national elder abuse prevalence study not only because of its potential to increase understanding of the drivers, impact and prevalence of elder abuse, but because a national conversation on the issue is a critically important component of awareness raising.</p> <p>The Greens are committed to:</p>

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<p>Ten elder abuse prevention networks have also been funded, including the one led by ECLC.</p> <p>Community awareness events are also being held to increase the understanding of elder abuse as a form of family violence.</p>	<p>Commonwealth level to prevent and respond to elder abuse.</p>	<ul style="list-style-type: none"> • Ensuring training on elder abuse is embedded and mandatory for all people working with older people in Victoria; • Reviewing the extent to which Royal Commission recommendations relating to elder abuse are being implemented and adequately funded, including specifically examining current levels of demand for frontline services and projected increase in demand; and • Continuing to hold the Victorian Government to account on full and effective implementation of all Royal Commission recommendations. <p>We can also provide our commitment in principle to maintaining existing Elder Abuse Prevention Networks and the Elder Abuse Prevention Coordinator and to providing ongoing funding to Senior Rights Victoria for employment of a lawyer and advocate for older people experiencing elder abuse (for which we care currently seeking costings).</p>
<p>Health Justice Partnerships</p> <p>Health-justice partnerships put legal teams where people are already seeking help, such as local health or family violence services. Working together, legal and health professionals can identify and help with legal problems before they reach crisis point. ECLC has been a leader with other</p>		

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<p>services in the establishment and development of Health Justice Partnerships, but most only have short-term funding and opportunities are being missed to assist people, early and prevent further harm and expense.</p> <p>Q.7. What commitments will you make to support the development and growth of health-justice partnerships?</p> <p>Q.8. How would your government work across departments to break down ‘funding silos’ to support programs that work?</p>		
<p>A.7&8.The Andrews Labor Government supports integrated service models and Health Justice Partnerships. We have recently funded the MABELS program, a highly effective HJP in the Eastern Region.</p> <p>To further enhance our legal system’s accessibility, the Andrews Labor Government has conducted a wide-ranging review into Access to Justice, delivering major new investments in access to legal assistance, online legal information, duty lawyers, telephone advice services, translators and interpreters.</p> <p>Labor will:</p> <ul style="list-style-type: none"> strengthen the viability of CLCs by providing greater encouragement for lawyers to work in the community sector; engage the whole Victorian legal sector in our law reform process while we work to modernise our laws and the legal system and provide greater access to justice; and 	<p>A.7. 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.</p> <p>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.</p> <p>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.</p>	<p>A.7. The Greens’ understand that the increased demand for legal assistance has coincided with a greater number of vulnerable clients presenting with complex social, medical and legal needs. Because they are closely embedded in their communities, we also recognise the importance of CLCs, in providing both legal support as well as facilitating non-legal help to complex needs clients through their successful integrated service delivery model.</p> <p>A part of our commitment to providing \$132 million in additional legal assistance funding, priority will be given to the services/programs experiencing the greatest level of demand, in particular: the summary crime jurisdiction; family violence services; integrated services for complex needs clients (such as Health Justice Partnerships); and, Aboriginal and culturally appropriate services.</p> <p>We also acknowledge that the current system of inconsistent, short-term funding allocations is incompatible with the commitment of CLCs to</p>

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<ul style="list-style-type: none"> • continue to deliver on the review’s wide-ranging recommendations to improve access to justice for vulnerable and disadvantaged Victorians, including: <ul style="list-style-type: none"> ○ additional support for legal assistance with priority for duty lawyers services; ○ family violence-related services; ○ Aboriginal legal services and integrated service provision partnerships; and ○ support moving to four-year agreements with community legal centres. 		<p>build and implement innovative programs that are tailored to their communities. That’s why we will allocate government funding to legal assistance providers over four year periods, so CLCs and other providers will be better able to plan and deliver these programs.</p>
<p>A.8. See 7&8 above.</p>	<p>A.8. Agencies and departments not working together or even speaking to each other has been one of the most serious obstacles to improving community safety.</p> <p>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.</p>	<p>A.8. In addition to our plan for access to justice, we have also pledged to build stronger communities through our justice reinvestment initiative. This initiative includes:</p> <ul style="list-style-type: none"> • Establishing an Independent Centre for Justice Reinvestment to shift criminal justice funding away from politically motivated decisions towards researched, evidenced-based crime prevention programs. • Funding a Justice Reinvestment Grant Program worth \$80 million over four years to support communities, organisations and representative

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		<p>bodies initiate local justice reinvestment programs across Victoria.</p> <ul style="list-style-type: none">• Expanding proven positive cost-benefit criminal justice programs such as the Drug Courts and the Courts Integrated Service Program (CISP). <p>You can find out more about the Greens’ plan for justice reinvestment here.</p>