

Thank you for your email of the 16th June 2016 seeking the Australian Greens views on access to justice funding.

The Greens are absolutely committed to adequate funding for the community legal sector, Legal Aid, and the court system. We recently launched a comprehensive access to justice plan to restore the Liberal Government's cuts and invest \$761m in community legal services and aid. A full copy of the plan can be found [here](#).

1. What commitments will you make to ensure this vital legal work in the Yarra Ranges continues?

Over the forward estimates, the Greens will invest \$92m in Community Legal Centres and \$290.04m for Legal Aid Commissions around the country. Access to justice is a fundamental human right and Legal Aid and Community Legal Centres provide much needed support and legal advice to people who would otherwise be on their own. We believe that investment into legal services actually saves the community money. Underinvestment merely shifts costs to other areas of government like health, housing and child protection.

The Greens agree with the Productivity Commission that partial restoration of the cuts made by the Abbott-Turnbull government, or even full restoration of these cuts, isn't enough: legal assistance in Australia is chronically underfunded, and only The Greens believe in social justice enough to provide the funding it so badly requires, so that all Australians have access to justice.

2. What commitments will you make in response to these urgent legal assistance needs?

The Greens will reverse the government's cruel cuts to legal assistance, as well as fund the Productivity Commission's recommendations for extra funding.

This will mean additional federal funding across the forward estimates of:

- \$92m for Community Legal Centres
- \$290.04m for Legal Aid Commissions
- \$183.09m for Aboriginal and Torres Strait Islander Legal Services
- \$144.36m for Family Violence Prevention Legal Services
- \$6.99m for legal service peak bodies.

That's an extra \$716 million of federal funding across four years for these essential legal services that allow our most disadvantaged and vulnerable citizens to access to justice. This includes \$6.99m across the forward estimates for peak bodies to continue their vital role in things such as advocacy, accreditation and policy development for their members, with the following allocations:

- \$4.5m for National Family Violence Prevention Legal Services
- \$1.67m for National Association of Community Legal Centres
- \$0.82m for National Aboriginal & Torres Strait Islander Legal Services.

With States and Territories matching the Productivity Commission's recommendations for extra legal assistance funding, split 40:60 with the Commonwealth, there will be a further \$320m in funding.

3. How will you support ECLC and other services to meet the increasing demand for family violence help

Violence against women is preventable, and gender equality is the core of the solution, along with funding our vital front line services. An Australia free from violence against women and their children is an Australia where women are safe, respected, valued and treated as equals in private and public life.

The best way to stop violence is before it occurs. Primary prevention involves challenging the deeply ingrained attitudes, social norms and gender inequalities that give rise to men's violence against women. The Greens support the *Change the Story* framework for primary prevention developed by Our Watch.

Gender inequality is the root cause of violence against women, and acknowledging this is the first step to truly eliminating it. The key objectives of the *Change the Story* framework are:

- Challenge condoning of violence against women
- Promote women's independence and decision-making in public life and relationships
- Foster positive personal identities and challenge gender stereotypes and roles
- Strengthen positive, equal and respectful relations between and among women and men, girls and boys.
- Promote and normalise gender equality in public and private life.

The Greens would commit to a broad program for gender equality led by the federal government, but involving everyone across government, business, civil society and the community.

Our Watch (the National Foundation for the Prevention of Violence Against Women) and Australia's National Research Organisation for Women's Safety – or ANROWS – are our primary prevention and cultural change experts. The Greens support securing and expanding their funding.

The Greens support a national rollout of best practice, age-appropriate Respectful Relationships programs alongside age appropriate sexual education in our schools, by working with States and Territory governments. This would be supported by federal investment of \$10 million over 4 years in quality assurance, safety, evaluation and coordination.

It is critical to ensure there are qualified practitioners with expertise in best practice approaches to primary prevention, who can not only advise government, but also lead local prevention activities - funded at \$18 million over 6 years.

Our full Eliminating gender inequality policy initiative can be found [here](#).

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

The Greens support the 5-step Safety First in Family Law plan from Women's Legal Services Australia in its entirety. We will put safety first in family law with a \$60 million package involving the following reforms:

- Create a special process in family courts for domestic violence cases, supported by specialist workers placed in court registries along with specialist services based in courts to receive referrals. These workers and services would focus on early intervention and risk assessment - \$5 million per year over 4 years.
- Reform the Family Law Act with a focus on safety and child protection. This would include removing the language of "equal shared time" and "equal shared responsibility" to focus on safety and risk to children. It would also include legal protections to stop a victim being directly cross-examined by their abuser.

- Make family law safe for everyone by implementing the Family Law Council's 2012 recommendations on improving the system for clients from Aboriginal and Torres Strait Islander and Culturally and Linguistically Diverse Backgrounds, and by undertaking a comprehensive audit of barriers facing women with disabilities and women from regional communities and women in prison.
- Provide legally assisted and supported family dispute resolution in domestic violence cases based on the highly effective 2012 Co-ordinated Family Dispute Resolution pilot. The Greens would commit \$10 million per year over 4 years to roll out this model at 10 sites around Australia, aiming for a national rollout as soon as possible.
- Support women to financially recover from violence by streamlining small property settlements and simplifying family court processes.
- Establish robust national accreditation and monitoring for family report writers with mandatory training on domestic violence, cultural competency and working with victims of trauma for all practitioners who prepare family reports.
- Implement mandatory video recording of interviews with family report writers to bring the Family Court into line with standard practice in other jurisdictions such as workers compensation and investigations of child sexual abuse. This measure is additional to the Safety First in Family Law plan.
- Deliver a comprehensive professional development package for family law judicial officers, and family law legal professionals, working with the Judicial College of Australia, the Australian Institute of Family Studies, State and Territory law institutes and bar associations.

5. What plans and proposals do you have to prevent and respond to elder abuse?

The Australian Greens stand against all forms of elder abuse. We believe that older people have the equal right to participate in society, and to maintain their independence.

The Greens have announced a number of initiatives to support older Australians including giving greater choice and control over the care they receive, this will give older Australians greater flexibility and control. This can help reduce vulnerability to elder abuse.

<http://greens.org.au/olderaustralians>

We have also announced a significant commitment to increase funding for legal services. As part of our *Access to Justice* policy commitment, we have announced an extra \$92m in funding for Community Legal Centres, as part of a total \$716m in total funding for essential legal services. This will ensure that older Australians can have fair access to justice - <http://greens.org.au/access-to-justice>

We have also announced a significant funding boost to community services. As part of our inequality package, we have committed to working towards guaranteed access to essential community services. Everyone deserves access to essential community services, and these shouldn't depend on where people live, or the uncertainty of short term government contracts. As part of our plan to tackle inequality and poverty, the Greens will boost funding for community services by \$504m over the next four years - <http://greens.org.au/inequality>

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

The Greens support approaches that empower and invest in Aboriginal and Torres Strait Islander communities, to create community driven solutions. Twenty-five years after the final report of the Royal Commission into Aboriginal Deaths in Custody, there are still too many Aboriginal people incarcerated, and dying in prison.

To see meaningful change, the Greens will adopt Change the Record campaign recommendations, including:

- Setting a national target to reduce incarceration of Aboriginal and Torres Strait Islander peoples.
- Developing a national, whole of government strategy to address incarceration rates.
- Undertaking an independent review of laws and policies which contribute to unequal incarceration rates, working to fix the problems in the system.
- The Greens will provide \$40 million in grant funding for projects to help reduce the rate of incarceration.

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