

JUSTICE POLICY STRATEGIC PLAN 2009 – 2010
FEDERATION of COMMUNITY LEGAL CENTRES (VIC) INC
(Revised 2010)

Overview

This plan outlines the key objectives and activities of the Federation Secretariat in Justice Policy for the 2009 and 2010 calendar years.

The plan covers all of the Federation's justice policy activities including activities funded by:

- Victoria Legal Aid's ongoing funding to the Federation; and
- Legal Services Board funded "Grounded Justice" major project.

The document focuses on 2009 activities and outcomes. The activities and outcomes for 2010 will be reviewed and documented in an updated plan at the end of 2009, following a process of consultation with Federation working groups and the Justice Initiatives Standing Group.

Further information:

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1: A FAIR AND ACCESSIBLE CIVIL LAW SYSTEM IN VICTORIA

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
Civil law system fairer and more accessible to CLC clients	Research and consult with CLCs on civil law issues affecting CLC clients to identify issues for reform in areas such as debt recovery, fencing, alternative dispute resolution, victims of crime, mental health and access to immigration advice.	Civil law issues affecting CLC clients identified	N/A
	Identify potential partners for research and consultation	Research capacity on civil law enhanced through collaboration	ADR research enhanced through collaboration with academia
	Research and consultation with CLCs to examine the impact of ADR on disadvantaged clients and recommend safeguards to ensure that CLC client groups are not disadvantaged by ADR expansion.	N/A	Identification of potential consequences of ADR expansion on CLC clients and measures to protect against negative consequences
	Document findings of ADR research and consultation and disseminate findings.	Issues documented and publicised	Expansion of ADR informed by risks to CLC client groups and recommendations to protect against risks
	Research, consultation and advocacy to improve insurance protection for taxi drivers.	N/A	Improved insurance protection for taxi drivers (decrease in bankruptcies, civil litigation over debts etc).
	Advocate for resources to implement recommendations arising from civil law research.	Public spending informed by, and targeted towards, needs identified by research.	N/A
	Prepare briefing paper/factsheet on civil law unmet need.	As above	N/A
	Advocate for implementation of VLRC and AG Justice Statement 2 proposals around self-represented litigants and support CLCs to obtain funding to implement these proposals	None in 2009	Self-represented litigant proposals implemented
	Advocate for further civil justice review focused on reforming lower court civil litigation (review VCAT review recommendations and examine need for Magistrates Court review to improve access to justice in lower level civil law matters)	None in 2009	Improved access to justice for CLC client groups in lower court civil litigation

	Review need to conduct specific project in collaboration with immigration CLCs on access to justice in immigration issues.	Need examined.	N/A
CLC client issues and case studies informing Victorian civil law reform	<p>Participate in relevant civil law advisory groups (directly or through external representative).</p> <p>Promote CLC involvement in Civil Law Working Group and civil law reform & policy initiatives</p> <p>Develop a mechanism for CLCs to document and collect civil law case studies which can be accessed for policy and law reform initiatives.</p> <p>Evaluate potential for better data recording of civil law issues through CLSIS or alternative mechanism.</p>	<p>CLC client experiences informing reform.</p> <p>Effective Civil Law Working Group & greater CLC engagement in civil policy work</p> <p>CLC case studies informing reform</p> <p>Improved data recording examined.</p>	<p>CLC client experiences informing reform.</p> <p>Effective Civil Law Working Group & greater CLC engagement in civil policy work</p> <p>CLC case studies informing reform</p> <p>N/A</p>

2. HUMAN RIGHTS OF DISADVANTAGED AUSTRALIANS REALISED

FCLC Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
A national legislative human rights charter	Federation submission to national consultation Advocacy to support submission and respond to negative human rights coverage	CLC perspective informing consultation Balanced debate around human rights, with interests of CLC client groups represented	N/A Balanced debate around human rights, with interests of CLC client groups represented
CLC client issues and case studies informing national human rights debate	Facilitate mechanisms for CLCs to document and provide cases studies on human rights Use case studies in human rights advocacy	CLC case studies informing debate As above	N/A N/A
Victorian Charter strengthened through 2011 review to include economic, social & cultural rights, and expanded remedies	Federation submission to Victorian review Advocacy to support submission and respond to negative human rights coverage	None in 2009 None in 2009	CLC perspective informs review of Victorian Charter CLC perspective informs debate about Charter review
Gardner EO Act Review implemented	Advocacy to support implementation of review	Review implemented	Review implemented
EO Exceptions Review finalised and implemented	Advocacy to support implementation of review. Continue advocacy around relevant exemptions not recommended to be removed by the review.	Review finalised and implemented	Review implemented.
Enhanced participatory democracy and free speech	Monitor laws and policies that impact on democracy and free speech	Issues monitored	Issues monitored

3. FAMILY VIOLENCE ELIMINATED IN AUSTRALIA

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
Further implementation of the VLRC Report on Family Violence.	By leading Women's Justice campaign, continue advocacy for implementation of non-legislative reforms.	Government implementation of VLRC non-legislative reforms.	Government implementation of VLRC non-legislative reforms.
CLC perspectives informing government response to family violence	Continue CLC representation on government advisory groups	N/A	CLC perspectives communicated to government and influencing policy

A sustainable network of CLC Applicant Family Violence Lawyers.	Support CLCs to organise network meetings, develop promotional and resource materials, develop models for peer support/mentoring, seek funding for network. Seek funding or resources to support the network.	Network in place and operating effectively.	Network in place and operating effectively. As above.
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4. A FAIR CRIMINAL JUSTICE SYSTEM AND EFFECTIVE POLICE ACCOUNTABILITY IN VICTORIA

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
Enhanced police accountability	<p>Advocate for a strengthened and independent system of investigation of police misconduct.</p> <p>Support Police Issues Working Group members to conduct advocacy including research and report writing support.</p> <p>Identify potential partners for research and advocacy.</p> <p>Develop a mechanism for CLCs to document case studies around police accountability processes focusing on rural, indigenous and disadvantaged communities.</p>	<p>None in 2009</p> <p>Working Group effective and engaged in advocacy</p> <p>None in 2009</p> <p>None in 2009</p>	<p>Debate about models for informed by CLC experience</p> <p>Working Group effective and engaged in advocacy</p> <p>Research and advocacy capacity enhanced through partnership with academics /stakeholders</p> <p>CLC case studies informing reform</p>
Police not using unnecessary force or weaponry	<p>Respond to advocacy opportunities to reduce inappropriate police use of force/weaponry</p> <p>Make public (eg: through freedom of information requests) key information relating to police use of force and decision-making.</p> <p>Undertake research and analysis based on use of force information and disseminate the results.</p>	<p>Public debate and police decision-making about use of force informed by CLC experience</p> <p>Public scrutiny of Taser policies</p>	<p>Public debate and police decision-making about use of force informed by CLC experience</p> <p>Improved public awareness around police decisions about use of force and weaponry</p> <p>Enhanced public awareness and debate around police use of force and weaponry</p>
Evidence-based and human rights compliant criminal justice policies that respect human rights	Update and disseminate Smart Justice materials and work with partners to increase support for Smart Justice policies	N/A	Increased public awareness of facts concerning criminal justice system. Fairer and more effective criminal justice policies.

Appropriate treatment of people with mental illness by police and the criminal justice system	<p>Participate in relevant advisory groups (directly or through external representative) examining mental illness and the criminal justice system.</p> <p>Work with specialist CLCs to advocate for an improved police response to critical incidents involving mental health crises</p>	<p>CLC client experiences informing reform of how the criminal justice system deals with mental illness</p> <p>As above</p>	<p>N/A</p> <p>CLC client experiences informing police practice in dealing with people with mental illness</p>
Human rights protected in Victorian criminal law reform	Promote CLC collaboration to monitor and respond to relevant issues to Victorian Government review of criminal law	CLC perspective informing reform of criminal law	CLC perspective informing reform of criminal law

5. A FAIR & HUMANE CORRECTIONAL SYSTEM THAT PROMOTES CRIME PREVENTION, APPROPRIATE ALTERNATIVES TO PRISON & REHABILITATION

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
CLC sector conducting corrections law reform & policy work and contributing informed and balanced public comment on corrections issues	<p>Undertake advocacy around corrections issues focused on presenting an informed and balanced view point</p> <p>Work with CLCs engaged in corrections work to respond to relevant law reform & policy issues</p> <p>Support Centre for Human Rights of Imprisoned People Project and other CLC corrections networking initiatives</p>	<p>Public corrections debate informed by research and CLC client viewpoints</p> <p>Collaborative responses to relevant corrections law reform & policy issues undertaken</p> <p>Effective CLC network engaged in corrections law reform & policy issues.</p>	<p>Public corrections debate informed by research and CLC client viewpoints</p> <p>Collaborative responses to relevant corrections law reform & policy issues undertaken</p> <p>Effective CLC network engaged in corrections law reform & policy issues.</p>

6. ANTI-TERRORISM LAWS THAT ARE CONSISTENT WITH HUMAN RIGHTS AND APPLIED IN A NON-DISCRIMINATORY MANNER

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
CLCs have capacity to engage in policy, legal and community development work around anti-terrorism laws.	<p>Support CLCs to engage with communities affected by anti-terrorism laws and contribute to government reviews of laws</p> <p>Engage with decision makers to improve understanding of impact of anti-terrorism laws on affected communities and present case for reform that responds to the needs of communities</p>	Improved CLC capacity to engage in policy, legal and community development work around anti-terrorism laws.	<p>Improved CLC capacity to engage in policy, legal and community development work around anti-terrorism laws.</p> <p>Improved public and policy maker awareness of the impact of anti-terrorism laws on migrant communities.</p>

7. ELIMINATION OF INDIGENOUS DISADVANTAGE AND REALISATION OF INDIGENOUS SELF-DETERMINATION

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
CLCs have capacity to appropriately address Indigenous issues.	Develop and implement a strategy to achieve appropriate cultural competency levels in CLCs	Strategy developed	Training to assist CLC to deliver culturally appropriate and accessible services to Indigenous clients
Federation working collaboratively with Indigenous CLCs on policy issues affecting Indigenous Victorians.	<p>Work with AFVPLS and VALS to develop a strategy to work collaboratively on Indigenous policy issues and review 09/10 policy priorities in light of strategy.</p> <p>Collaboration with AFVPLS and VALS on policy work on child protection, coronial reform and Smart Justice</p> <p>Work with AFVPLS and VALS to review the Indigenous section of the Federation Policy Positions.</p>	<p>Strategy developed and 2010 policy priorities reviewed in light of strategy.</p> <p>N/A</p> <p>Need for Indigenous justice policy reform highlighted in Policy Positions.</p>	<p>N/A</p> <p>Federation policy work on child protection, coronial reform and Smart Justice informed by Indigenous perspectives</p> <p>Need for Indigenous justice policy reform highlighted in Policy Positions.</p>

8. ELIMINATION OF DISCRIMINATION & HARASSMENT AGAINST GAY, LESBIAN, BISEXUAL, TRANSGENDER & INTERSEX COMMUNITIES

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
FCLC engaged in collaborative law reform & policy work on GLBTI issues	<p>Work with GLBTI agencies to develop a strategy to work collaboratively on GLBTI policy issues and review 09/10 policy priorities in light of strategy.</p> <p>Collaboration with Gay and Lesbian Rights Lobby, ALSO Foundation and Transgender Victoria on relevant policy issues (intersex identity documents, marriage equality, legal services).</p> <p>Work with GLBTI agencies to review the GLBTI section of the Federation Policy Positions.</p>	<p>Strategy developed and 09/10 policy priorities reviewed in light of strategy</p> <p>N/A</p> <p>Need for GLBTI justice policy reform highlighted in Policy Positions.</p>	<p>N/A</p> <p>Closer links with GLBTI agencies engaged in policy work</p> <p>Need for GLBTI justice policy reform highlighted in Policy Positions.</p>

9. A CORONIAL SYSTEM IN VICTORIA THAT IS MORE RESPONSIVE TO FAMILIES AND THAT HAS A STRENGTHENED PREVENTATIVE ROLE

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
Enhanced access to justice for families in inquests	Explore means to develop resources and conduct training to promote increased and more effective representation of families in inquests	Increase in expertise and access to representation in coronial law	Increase in expertise and access to representation in coronial law
	Support development of national policy network to improve coronial legislation and practice in Australian jurisdictions	N/A	Improved death prevention focus, and improved family engagement and justice, in Australian coronial practice

10. CLCs ENGAGED IN, AND COLLABORATING ON, EFFECTIVE LAW REFORM AND POLICY WORK

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
CLCs collaborating on law reform & policy work	Support and, where possible, attend Federation Working Groups and Justice Initiatives Standing Group: Justice Initiatives Violence Against Women & Children Child Support Human Rights Police Issues Anti Terror Children & Youth Issues Corrections Bushfire Older Persons Civil Law Infringements Done by Law Disability Community Development & CLE, Access to Interpreters Professional Standards	Effective Working Groups and JI Standing Group	Effective Working Groups and JI Standing Group
	Develop Working Group Convenor Position Description	As above.	N/A
	Review and distribute information on Federation structures and getting involved	Greater CLC understanding of, and engagement with, Federation structures	Greater CLC understanding of, and engagement with, Federation structures
	Review and develop membership policies and protocols on collaboration between specialist and generalist CLCs, the Federation and Working Groups	Greater collaboration and better coordinated law reform & policy work by specialist and generalist CLCs and Federation and Working Groups.	N/A

	Monitor relevant law reform & policy issues not being covered by Working Groups and promote CLC collaboration to respond to issues such as family law	CLCs collaborating on law reform & policy issues not being addressed by Working Groups.	CLCs collaborating on law reform & policy issues not being addressed by Working Groups.
CLCs undertaking increased law reform & policy work.	<p>Promote CLCs undertaking law reform & policy work</p> <p>Review and publicise data on CLC engagement in law reform & policy work</p> <p>Develop resource to assist CLCs to record law reform & policy work</p> <p>Actively engage with CLCs on Federation law reform & policy projects</p> <p>Consult with RRR CLCs on how Federation can support RRR CLC law reform & policy work</p>	<p>Increase in CLC involvement in Federation law reform & policy work</p> <p>As above</p> <p>N/A</p> <p>Greater CLC input to Federation law reform & policy initiatives</p> <p>Greater Federation collaboration with RRR CLCs on law reform & policy work</p>	<p>Increase in CLC involvement in Federation law reform & policy work</p> <p>As above</p> <p>Work more valued and recorded more accurately</p> <p>Greater CLC input to Federation law reform & policy initiatives</p> <p>Greater Federation collaboration with RRR CLCs on law reform & policy work</p>
Improved effectiveness of CLC law reform & policy work	<p>Build links with academics and others to provide research assistance and collaboration around law reform & policy work</p> <p>Identify & disseminate research and statistical analysis to support CLCs to conduct effective law reform & policy work</p> <p>Provide training to CLCs on submission writing and media work</p> <p>Work with AGD and NALC to explore means of better recording law reform and policy work and better data collection/reports to assist law reform and policy work</p>	<p>CLC law reform work backed by improved research capacity</p> <p>CLCs have greater access to research and data to support law reform work.</p> <p>More effective CLC law reform & policy work.</p> <p>None in 2009</p>	<p>CLC law reform work backed by improved research capacity</p> <p>CLCs have greater access to research and data to support law reform work.</p> <p>More effective CLC law reform & policy work.</p> <p>CLC data and case studies accessible and informing law reform and policy initiatives. More accurate recording of CLC law reform and policy work</p>

11. CHILD PROTECTION LAWS AND PRACTICES THAT ARE IN THE BEST INTERESTS OF CHILDREN

Federation Goal	Activities	Expected Outcomes 2009	Expected Outcomes 2010
Reforms to child protection laws and practices that are in the best interests of the child including recognizing the importance of family and culture.	Support Child Protection Working Group to document and contribute CLC perspective to debate about child protection system reform (including VLRC review of child protection laws)	N/A	Child protection debate informed by CLC client experiences and perspective