

COMMUNITY LAW NEWS

SUMMER 2006-07

Recognition for human rights work in CLCs!

Congratulations David Manne

Refugee and Immigration Legal Centre principal solicitor David Manne has won the Law Institute of Victoria Paul Baker Award for an outstanding contribution in the field of administrative and human rights law.

David has been a passionate defender of the rights of asylum seekers and refugees for over ten years. He has consistently lobbied the federal government to improve their treatment of asylum seekers and detention standards.

David also won the LIV Community Lawyers' Award.

Congratulations to Flemington Kensington Community Legal Centre

FKCLC has won this year's Tim McCoy Award for outstanding achievement in human rights advocacy and justice for Somalian Youth in Flemington.



FKCLC facilitated an effective collaborative

effort between local communities, youth workers, specialist and general community legal centre workers and other organisations to respond to complaints made by youth about police in the area.

FKCLC has a long history dating back to the 1980s of advocating around police brutality issues in the local area. The Centre continues to be involved in the ongoing publication of *Your Rights-Police Powers* that began in CLCs in 1996 and is now published jointly with Victoria Legal Aid.

FKCLC is an exemplary example of the ability of CLCs to achieve human rights outcomes by working strategically and in multi-disciplinary partnerships.

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Pass this newsletter on to others. If you have not received this newsletter directly from the Federation, let us know if you would like the next one by emailing :

fedclc@clc.net.au

Community Legal Centres promised increased State funding

As part of their *Access to Justice* election policy Labor has promised to provide a significant increase in funding to community legal centres.

This increase recognises the need for expanded resources for community legal centres in rural and regional areas and the importance of specialist legal services to assist victims of family violence to negotiate the court system.

The package will deliver five legal positions in rural community legal

centres, a network of seven and a half dedicated Family Violence Lawyers at eleven Magistrates Courts in Victoria and at the Aboriginal Family Violence Prevention Legal Service, and funding to provide a CLC presence in Rosebud.

This promise is an acknowledgement of the important work of community legal centres in family violence, and of the work that we do with communities throughout Victoria improving

access to justice.

The funding is a partnership package with Victoria Legal Aid. The Federation appreciates the continued commitment by Labor and VLA to the ongoing development of the CLC funding program.

The re-elected Labor government has also committed to stand alone Family Violence legislation as part of a comprehensive response to the Victorian Law Reform Commission's recommendations on

family violence. The Federation strongly welcomes this commitment and will continue to work to see effective implementation.

The Federation also welcomes the commitment to a 30% increase in pain and suffering compensation for victims of crime, that will take Victoria a step closer to a system of funded compensation that truly reflects the pain and suffering a victim has experienced as a result of a crime.

Highlights of Federation Justice Policy Work

Victorian State Justice Policy Positions

The Federation is presenting a challenge to the re-elected Labor government in the form of our State Justice Policy Positions. We are calling on the state government to deliver :

- An accessible justice system that is fair, welcoming and easy to use for all members of the community and that provides adequate remedies, as well as access to legal advice for all members of the community regardless of their financial status or location.

- Civil and political justice as well as economic, social and cultural justice for all Victorians.

- Guaranteed human rights protections including an individual right of action and the power to award damages.

The Policy Positions are available from www.communitylaw.org.au.

About Change, About Justice, About Time - Sexual Offences Project, Stage 4

The Federation continues to work towards access to justice for survivors of sexual assault who have cognitive impairments and/or people with little or no speech.

The Sexual Offences Project has produced a discussion paper with 32 recommendations covering:

- independent third person program;
- advocacy service development;
- crime reporting and evidence;
- police education, training and

- procedures;
- sexual assault service development;
- mental health responses; and
- preventative education strategies.

The project is working towards the implementation of these recommendations including the establishment of a pilot 24 hour Advocacy Service for people with cognitive impairment reporting sexual assault to the police.

For more information, contact Donna Swan on 9654 2204 or donna_swan@clc.net.au.

Thankyou to the Reichstein Foundation for their continued involvement in this project.

Family Violence Court Support Best Practice Project

This project seeks to support the work of CLCs in providing court-based legal support to victims of family violence as part of the multi-agency integrated response.

Since the introduction of the *Crimes (Family Violence) Act 1987*, CLCs have played a pivotal role in the delivery of legal support to survivors of family violence and have built considerable expertise in this specialised area. CLCs today provide legal support to Intervention

Order Applicants at 11 Magistrates Courts across Victoria.

The Best Practice Project was established in recognition of the need for an agreed approach to work in this area which draws on acquired knowledge and is informed by the complex and gendered nature of family violence.

Recent years have seen the establishment of a multi-agency framework to respond to family violence in Victoria, a new Victoria Police Code of Practice, the Family Violence Division of the Magistrates Court and specialist listings in Magistrates Courts. CLCs play a vital role in each of these initiatives.

For more information, contact Catherine Plunkett on 9654 2204 or catherine_plunkett@clc.net.au.

Thanks to the Helen McPherson Smith Trust and the Department of Justice for their support.

Being young is not a crime.



Smart Justice Campaign

The impact of the Smart Justice campaign on party election promises, the behaviour of candidates, and the relative prominence of populist law and order politics is currently being evaluated.

The campaign drew together CLCs from around the state with a wide range of church, community and welfare peak bodies, challenging and countering some of the 'tough on crime' myths and promoting smart, just and effective alternatives.

The campaign made sure that every candidate received the 'Play Fair' public statement and that particular policies were well countered in local, regional and major media.

Congratulations and thanks to all the CLCs and partner organisations involved over the long election year!

Farewells and Congratulations

Congratulations to Pauline Spencer on her appointment to the Victorian Magistrate's Court. Pauline has been involved in the Community Legal sector for many years, and has been Executive Officer at the Federation for nearly 2 years. She is a tireless, enthusiastic and passionate advocate in her efforts for Community Legal Centres. The sector will not be the same without her.

Anthony Kelly is also leaving the Federation at the end of 2006. Anthony has been one of our Policy Officers since 2005, when he began filling a maternity leave position. We wish Anthony all the best in his new role at Fitzroy Legal Service.

Working Group Updates

Coronial Reform

A Federation Group continues to work towards positive reform of the Coronial system. Building upon the Federation submissions to the Victorian Parliamentary Law Reform Committee's Review of the *Coroner's Act 1985*, the Federation has produced a response to the Committee's Final Report.

Community Legal Centres have a long history of representing families at Coronial Inquests, including inquests related to deaths of people in the custody of police, prisons, juvenile justice centres and detention centres, and deaths as a result of fatal shootings by police.

The Committee's Final Report contains a comprehensive set of recommendations that will assist to address deficiencies and improve the coronial system in Victoria. The Federation welcomes many of the recommendations, particularly those that implement the recommendations of the Royal Commission into Aboriginal Deaths in Custody, and which make allowance for deaths of vulnerable people in custody to include deaths of people with disabilities.

The Federation also supports the recommendation that the government investigate the feasibility of providing legal advice and assistance to families affected by a coronial investigation, where this is necessary, to enable them to effectively participate in the investigation. We look forward to working with the government and stakeholders in the coronial system to see implementation of the Final Report.

Get involved in a Federation Working Group
Federation Working Groups provide the infrastructure for cross-sector collaboration on vital justice. Law reform and sector development issues.
Check out www.communitylaw.org.au or contact the Policy Officers at the Federation Office.

Older Person's Law Task Group

The Federation recently made a submission to the House Standing Committee on Legal and

Constitutional Affairs' Inquiry into Older People and the Law. The submission drew attention to the significant isolation, disadvantage and barriers that older Australians face in accessing legal services.

In May 2006 the Victorian government announced a range of initiatives to improve access to justice for older Victorians, including the establishment of a specialist CLC to meet the needs of older persons in Victoria.

The Federation supports the establishment of this specialist CLC, which will build on the existing infrastructure of CLCs to resource their work in providing legal assistance to older people. It will also further the work being done by CLCs in investigating the adequacy of current laws in addressing the legal needs of older Australians, and advocating for legal change to meet those needs.

Members of the Federation Older Person's Task Group are currently participating in the consultation regarding the Older Person's specialist CLC on behalf of the Federation. Victoria Legal Aid has announced that it intends to hold roundtable discussions with key agencies regarding the model for the establishment of the specialist CLC in 2007.

Sector Development Update

Karen (Kaz) Mackay is temporarily filling the shoes of the Sector Development Officer until the end of February, after which time it will be advertised as a permanent position.

Kaz has three main objectives for her short time in the position:

- to look at what practical resources can be developed for the sector and distributed via e-newsletters;
- to conduct two professional development forums - one for committees of management and one for senior staff, and

- to develop a strategic sector development framework for 2007.

The beginnings of a committee of management kit.....

One of the main issues identified in previous consultations with the sector is the need for practical resources that can be used to support committees of management members. In particular, a need has been identified for a useful, clear induction kit for committees.

The Federation has decided to begin sending out a series of

practical resources that will help with this process. The kit will be added to and developed as 2007 unfolds. Your comments and suggestions for inclusions will be appreciated!

Resources will be sent to each centre in an email, but will also be available on the Federation website (under 'Toolkit').

Kaz can be contacted via email Karen_Mackay@clc.net.au or on mobile 0419 377 909. She will be based at the Federation Office 1-2 days per week.

**An e-newsletter of the
Federation of Community
Legal Centres Vic**

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Community Law News provides information about the justice policy & law reform activities of community legal centres in Victoria.

Community Law News is of interest to workers, volunteers, Board and Committee of Management members in community legal centres, as well as individuals and organisations interested in justice policy and law reform issues in Victoria.

For more information about the Federation and about community legal centres in Victoria see www.communitylaw.org.au.

If you have any ideas, comments or contributions please contact our Policy Officer:

Sarah Nicholson at the Federation of Community Legal Centres.
Phone 9654 2204
Email Sarah_Nicholson@clc.net.au



The Federation of Community Legal Centres (Vic.), is the peak body for the 52 Community Legal Centres in Victoria. CLCs provide free legal advice, information, assistance, representation and community legal education to more than 100,000 Victorians each year. We work on strategic research, casework, policy development and social and law reform activities. The day-to-day work of Community Legal Centres reflects a 30-year commitment to social justice, human rights, equity, democracy and community participation.

Special Community Law Events and Announcements

Making it happen: a critical workshop for new committee members of CLCs

**Monday February 5
6-8pm
Meeting room one, first floor, Trades Hall**

An opportunity to explore the key elements of your role as a committee of management member. The workshop will provide an introduction to important topics such as key roles and responsibilities, employment matters, effective communication, organisational structures and sector development.

Making it work: a critical workshop for lead staff of CLCs

**Thursday February 15
10am-1pm
Meeting room one, first floor, Trades Hall**

An opportunity to share your experiences, issues and needs in relation to the

complexities involved in resourcing and supporting committees of management. The workshop will cover dealing with committee needs and expectations, organisational structure and how it works, communication protocols and practices and sector development.

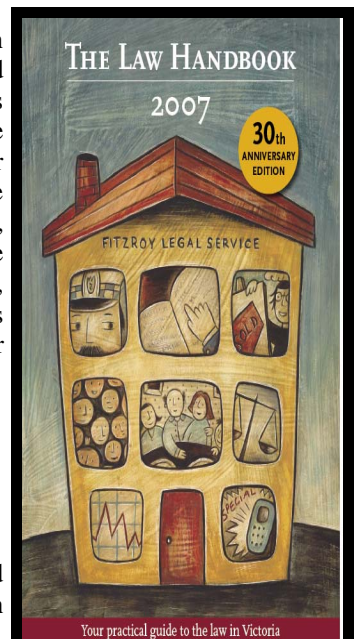
**Working Group
Convener's Training:
Wednesday 31 Jan
9.30am at Trades Hall**

For all members and convenors of Federation working groups.

**Family Violence Legal
Advocacy Training Part
Two
Thursday 1 March
Trades Hall**

An opportunity to practice the advocacy techniques discussed in the December Intervention Order Evidence & Techniques training.

**Post information about your events to
www.communitylaw.org.au – this site is
regularly accessed by community legal
centre staff, volunteers and committee
members as well as members of the public
seeking general legal information.**



The Law Handbook 2007 is now available. Published for over 30 years by the Fitzroy Legal Service, The Law Handbook continues to be a practical guide to the law for organisations and individuals.

Subscribers also have access to The Law Handbook Online — a fully searchable and easily navigated version of the whole book.

The Law Handbook can be purchased online from FLS via www.communitylaw.org.au or ph: 9411 1307.