

JUSTICE FOR ALL

It's time to balance the scales.

Our legal system fails too many people. It's always failed First Nations people and the consequences can be a matter of life or death. The system is too expensive, too hard to access and often, it's simply racist. We need to build stronger and better connected communities, not funnel people into the quicksand of the criminal legal system.

THE GREENS WILL:

- ▲ **Raise the age of legal responsibility to at least 14 years**
- ▲ **Introduce independent policy and prison oversight mechanisms**
- ▲ **Reform the criminal legal system so we can build communities not prisons**
- ▲ **Enact a charter of human and environmental rights**
- ▲ **Double the current funding for legal assistance services and provide an extra \$310 million per year so that with \$800 million a year, all people have access to legal help when they need it**
- ▲ **Improve the family law system**

PAYING FOR OUR PLAN

By making billionaires and big corporations pay their fair share of tax and winding back handouts to big polluters, we can build a better life for all of us.

1 in 3 big corporations pays no tax and many big corporations and billionaires send their profits offshore tax free.

The Greens will tax billionaires with a new 'billionaires tax', require big corporations making excessive profits to pay a 'corporate super-profits tax' and axe billions of dollars in handouts to the coal, oil and gas giants that are driving the climate crisis.

These measures have all been costed by the independent Parliamentary Budget Office.

When big corporations and billionaires pay their fair share, everyone can have the services they need for a better life.

RAISING THE AGE

Children do best when they are in loving and caring environments and have access to great healthcare, education and community support. However, in Australia, children as young as ten are being jailed and often for low-level offences.

Having such a low age of legal responsibility is impacting First Nations children the most.¹ Separating children from their families, communities, education and their cultures is causing lasting damage. Research shows that when someone enters the criminal legal system, the system makes it incredibly difficult to escape.²

The Greens will increase the age of legal responsibility from 10 to at least 14. Instead of jailing children for minor crimes, our plan will support children to get back on the right path through culturally safe and supportive diversionary programs as well as supportive bail and community corrections programs to divert people away from prisons.

1

<https://www.aihw.gov.au/reports/youth-justice/youth-justice-in-australia-2018-19/contents/summary>

2

<https://www.griffith.edu.au/research/impact/keeping-children-out-of-prison>

INDEPENDENT POLICE AND PRISON OVERSIGHT

As signatories to the Optional Protocol to the Convention against Torture, we have an obligation to implement a strong, culturally appropriate, and independent prison oversight system across the country. Many years after we signed the Convention, this system hasn't been properly set up.

The Greens will provide \$382m, with an equal contribution of funding from the states and territories to set up this monitoring system so that all imprisoned people have their human rights respected and affirmed while in custody.

We will also establish a country-wide Police Ombudsman system. The Police Ombudsman would be a fully independent and impartial body to handle complaints about the conduct of police officers and take appropriate action. The system we have now, where police investigate themselves when they are accused of wrongdoing, is completely inappropriate.

BUILDING COMMUNITIES

Our country needs a smarter, more ambitious approach to fixing our criminal legal system. First Nations people in particular are being disproportionately targeted by the system, often

with devastating effects on people and their communities.

Ultimately, the best way to reduce crime is to prevent it. The Greens will reform the criminal legal system by preventing people getting caught up in it in the first place. Prioritising strong communities over prisons and other punitive measures also known as justice reinvestment. We will work with underserved communities and provide them the public funding they need.

The Greens will implement all of the recommendations from the Royal Commission into Aboriginal Deaths in Custody, in partnership with First Nations people, particularly the families left behind after a death in custody.

We will also implement the recommendations from the Australian Law Reform Commission's *Pathway to Justice* report on how to end the over-imprisonment of First Nations people, including by establishing a justice reinvestment coordinating body. We will work with affected communities to ensure the recommendations from the *Royal Commission into the Detention and Protection of Children in the Northern Territory* are also implemented.

A HUMAN RIGHTS CHARTER

Human rights are the tools we use to fight for our basic dignities and freedoms. These tools belong to all of us, and they ensure equality among all groups of people. The Greens will enact a human rights charter, which also includes environmental rights, to ensure no one is stopped from asserting their rights and dignities.

Human rights and the rights of our environment cannot be separated. All of us depend on our environment for our survival. Countries that have environmental rights as part of their human rights charters have been able to strengthen and expand their environmental protection laws, safeguarding land, animals, Country, healthy water and clean air. A charter will provide all of us the tools we need to demand that we are treated as equals in our society regardless of who we are or where we come from.

Environmental rights as part of a human rights charter will guarantee that we can protect and improve our environment for everyone, forever.

SUPPORTING LEGAL ASSISTANCE SERVICES

Having access to legal help and assistance is critical to enforcing and protecting our rights.

We will double the current National Legal Assistance Partnership (NLAP) funding for legal assistance services like Aboriginal and Torres Strait Islander Legal Services, community legal centres, women's legal services, Family Violence Prevention Legal Services, and legal aid commissions, costing around \$490 million per year.

We would also provide an additional \$310 million a year to these services during the life of the NLAP so that they can clear the backlog in cases caused by the pandemic.

INDEPENDENT POLICE AND PRISON OVERSIGHT

As signatories to the Optional Protocol to the Convention against Torture, we have an obligation to implement a strong, culturally appropriate, and independent prison oversight system across the country. Many years after we signed the Convention, this system hasn't been properly set up.

The Greens will provide \$382m over the estimates, with an equal contribution of funding from the states and territories to set up this monitoring system so that all imprisoned people have their human rights respected and affirmed while in custody.

We will also establish a country-wide Police Ombudsman system. The Police Ombudsman would be a fully independent and impartial body to handle complaints about the conduct of police officers and take appropriate action. The system we have now, where police investigate themselves when they are accused of wrongdoing, is completely inappropriate.

IMPROVING THE FAMILY LAW SYSTEM

The family law system has been the subject of numerous inquiries and yet no action has been taken by the Government to implement the recommended reforms that would make the system fairer, quicker, easier and safer, particularly for survivors of domestic violence and their children.

The Greens will work with key legal assistance, court support and advocacy, family violence prevention and legal stakeholders to begin implementing the recommended reforms that the Government has allowed to gather dust.

Particularly those recommendations around training for court staff, expanding successful pilot projects, increased staffing and judicial officers, and providing adequate wrap-around support for people appearing before the courts.

The Greens will work with stakeholders and the community to repair and rebuild the family court system to restore specialisation, particularly in family law and family violence and to increase the safety of children and adult survivors of family violence.

FIND ALL OUR POLICIES:

greens.org.au/platform