

11 February 2019

Law Society of NSW 2019 State Election Platform - Greens NSW response

**The Law Society of NSW calls on all parties to commit to the expansion of drug and alcohol rehabilitation facilities and the Drug Court in rural, regional and remote areas.**

Support.

**The Law Society of NSW calls on all parties to commit to increasing the hourly Legal Aid rate to \$250, future CPI increases, and an increase in the time claimable to undertake matters.**

Support.

**The Law Society of NSW calls on all parties to commit to adequate ongoing funding for the legal assistance sector.**

Support - noting funding should never be accompanied by a political gag.

**The Law Society of NSW calls on all parties to commit to funding the construction of a new multi-jurisdiction justice precinct in the Macarthur region.**

Support

**The Law Society of NSW calls on all parties to commit to long-term funding solutions for court services in rural, regional and remote areas.**

Support - noting that these should be rolled out based on identified need, rather than as election announcements and a focus on addressing the needs of First Nations people and communities.

**The Law Society of NSW calls on all parties to commit to a thorough review of the administration of payroll tax, including options for reform in the medium and long term.**

Support, provided it does not negatively impact on revenue.

**The Law Society of NSW calls on all parties to commit to fostering digital innovation, particularly in the field of easing the burden of regulatory compliance.**

Support - though noting the need to ensure strong protections for workers and the environment.

**The Law Society calls on all parties to commit to promoting Sydney as a professional services hub for the Asia-Pacific region.**

Support.

**The Law Society of NSW calls on all parties to amend environmental planning legislation to ensure the appropriate procedural framework is in place to minimise unnecessary delays to the implementation of planning decisions.**

Support - unnecessary delays are by definition unnecessary. Note strong support for the retention of consultation and appeal periods in their entirety and for ensuring greater community participation in all aspects of the planning system.

**The Law Society of NSW calls on all parties to commit to reducing unnecessary regulatory burdens.**

Support.

**The Law Society of NSW calls on all parties to commit to:**

- **increasing funding for the NSW Information and Privacy Commission**
- **promoting open government**
- **harmonising health privacy laws**
- **harmonising federal and state/territory privacy laws.**

Support. There is also a need to adequately fund and independently situate the Privacy Commissioner acknowledging the inherent tension between the roles of the Privacy and Information Commissioners.

**The Law Society of NSW calls on all parties to commit to:**

- **preserving access to legal advice for claimants, irrespective of the degree of injury**
- **enhancing benefits available under the CTP and workers compensation schemes**
- **ensuring that disputes are determined by a tribunal that is independent of the scheme regulator**
- **implementing realistic costs regulation which provides a reasonable level of costs**
- **reviewing the new CTP scheme.**

Support. The Greens have worked on this in the current parliament and will continue in the next.

**The Law Society of NSW calls on all parties to commit to:**

- **establishing an Office of Public Advocate with power to investigate elder abuse**
- **increasing public awareness of elder abuse**
- **implementing Recommendation 5-1 of the 2017 ALRC Report into Elder Abuse relating to safeguarding the misuse of enduring documents through state and territory legislation**

**• implementing the recommendations of the Law Reform Commission’s Review of the Guardianship Act 1987.**

Support.

**The Law Society of NSW calls on all parties to commit to keeping the take-up of e-conveyancing under review and implementing any necessary safeguards to ensure e-conveyancing is the safest and most secure method for settling land transactions.**

Support. Subject to consumer protections and ensuring there are no monopoly and or other anti-competitive actions undertaken by and one private provider.

**The Law Society of NSW calls on all parties to commit to enacting human rights legislation.**

Support. The Greens NSW have previously tabled a bill of rights in NSW and are committed to law reform protecting and enhancing human rights, including civil, social and environmental in NSW.

**The Law Society of NSW calls on all parties to commit to implementing the Law Reform Commission recommendation that section 32 be extended to the District Court.**

Support.

**The Law Society of NSW calls on all parties to commit to expanding the availability of the Young Offenders Act and rehabilitation and support services for young people.**

Support.

**The Law Society of NSW calls on all parties to commit to increasing the age of criminal responsibility from 10 to at least 12 years.**

Support increasing the age of responsibility 16.

**The Law Society of NSW calls on all parties to commit to:**

- funding education liaison officers at the NSW Children’s’ Court**
- a review of disciplinary processes and policies regarding the questioning of children accused of criminal behaviour.**

Support

**The Law Society of NSW calls on all parties to commit to providing a full range of diversionary options for children accused of domestic violence.**

Support

**The Law Society of NSW calls on all parties to commit to reviewing the impact of spent convictions on children.**

Support - including a commitment to reform in the next Parliamentary term.

**The Law Society of NSW calls on all parties to commit to ensuring children are dealt with by the Children's Court for traffic matters.**

Support - including a commitment to reform in the next Parliamentary term.

**The Law Society of NSW calls on all parties to commit to focusing on early intervention for Indigenous young people.**

Support - including a commitment to reform in the next Parliamentary term.

**The Law Society of NSW calls on all parties to commit to enacting Indigenous justice targets aimed at reducing the incarceration rate of Indigenous people.**

Support - the Greens believe that given the systemic disadvantage experienced by Aboriginal people that all Aboriginal people currently incarcerated for non-violent offences should be released.

**The Law Society of NSW calls on all parties to commit to enacting Indigenous care and protection targets aimed at reducing the removal of Indigenous children.**

**The Law Society of NSW calls on all parties to commit to the establishment and expansion of specialist Indigenous courts, as well as an improved funding model for the Aboriginal Legal Service.**

Support - and commit to rolling back forced adoption laws introduced in 2018.

**The Law Society of NSW calls on all parties to commit to a discussion of treaty issues.**

Support - but believe we need to move beyond discussion into implementation of treaties with First Nations peoples. The wait for justice and sovereignty has already been too long.

**The Law Society of NSW calls on all parties to commit to prioritising partnerships with local Aboriginal leadership and a funding model underpinned by the principle of self-determination.**

Support.