

22 December 2022

Joanne van der Plaats  
President  
The Law Society of New South Wales

By email: [Claudia.Daly@lawsociety.com.au](mailto:Claudia.Daly@lawsociety.com.au)

Dear Ms van der Plaats

### **Law Society of New South Wales 2023 State Election Policy Platform**

I refer to the priorities of the Law Society of New South Wales (the Law Society) for the 2023 State Election.

I support all requested reforms identified by the Law Society and share priorities on Indigenous justice, drug law reform and ending homelessness. While as an independent I cannot form government, my record shows that I can get outcomes on reforms that major parties are too afraid to raise. I have outlined my response to each matter below.

#### Supporting the Justice System

A fair and accessible justice system for all is the cornerstone of a strong and healthy democracy.

I share the Law Society's view that more court processes should be done through digital means, as occurred during the height of the pandemic to make justice more accessible and affordable, particularly in rural and regional areas. I agree that further government investment is needed to support a transfer to digital particularly for the Local Court and the NSW Civil and Administrative Tribunal. Growing populations will see the need for further court infrastructure and I support a review process to inform a justice infrastructure capital program. While I am an inner city representative, I believe strongly that justice should not be limited by where one lives and support better court facilities for regional communities. I support the recommendations of the Select Committee on the Coronial Jurisdiction in NSW to improve resources and autonomy of the Coroner's Court.

I have a long history of supporting legal assistance services and requesting increased funding to organisations and community legal centres. These services are invaluable to ensuring everyone in the community can get justice and members of Parliament regularly refer constituents to them. Funding legal assistance services needs to be linked to demand and included as a core government priority.

#### Better Regulation to Support Economic Recovery and Resilience

There is no greater threat to humanity than climate change. The planning system is the gatekeeper for significant greenhouse gas emissions, but climate change is barely a factor in the system. Inefficient buildings, suburbs without public transport and dirty coal mines are routinely approved. I will push for an overhaul of the planning framework so that it embeds the need to green every aspect of life. I also support funding to prepare communities for the impacts of climate change.



I share the Law Society's concern that workplace bullying and sexual harassment need urgent reforms. The recent Broderick report into NSW Parliament demonstrated the breadth of the problem and I support a review of the *Industrial Relations Act 1996* to extend its jurisdiction to bullying and sexual harassment in the workplace in line with the *Fair Work Act 2009*.

The COVID-19 pandemic led to significant executive power overriding the normal Parliamentary processes and oversight. While the unprecedented situation warranted unprecedented action to protect life, the health system and the economy, I agree that we should now review the processes to inform future approaches in the face of new challenges.

I agree that the legal community should be consulted in developing the laws around the introduction of e-scooters, particularly around personal injury, and that the regulatory settings need to be established in harmony across the nation.

I have supported all legislation in Parliament as part of the transition to electronic conveyancing and will support remaining reforms needed. Should the Law Society raise any concerns that the system is not secure or efficient, I will bring these to the responsible minister and the Parliament.

Workers' compensation remains a complex field that has left many injured workers without adequate compensation or support. The piecemeal approach to address damning findings has not slowed the regular complaints I receive from those affected. I support a more comprehensive approach to implementing the recommendations of the statutory review and a further review to consolidate existing laws and schemes and ensure that those injured at work are fairly compensated.

#### Indigenous Justice

Closing the gap in Indigenous justice is a priority and I have repeatedly called on the NSW Government to action all three elements of the Uluru Statement of the Heart at a state level, including in a recent private member's statement to Parliament. I strongly support specialist Indigenous courts and called for a Walama court before the Walama List was established in the District Court. I worked with the Aboriginal Legal Service, the NSW Child, Family and Community Peak Aboriginal Corporation and the Public Interest Advocacy Centre to successfully move amendments for better oversight of the new Family is Culture reforms and during debate called for further reforms to be immediately brought forward. If re-elected, I will continue to push for action to close the gap.

#### Reducing Contact with the Criminal Justice System

I support raising the age of criminal responsibility to 14 and agree with the Law Society's view that funding for young offenders should focus on addressing the underlying causes of offending, including providing diversionary programs, support services and education for children in out-of-home care. I have been calling for a drug strategy based on evidence that treats drug use as a health matter since I was elected, including as a member of the NSW Parliament Harm Minimisation Roundtable. I support the recommendations of the ice inquiry and oppose criminal sanctions for personal drug use, drug dog detection operations and strip searches, and support pill testing. If re-elected I will continue to push for immediate implementation of the ice inquiry's criminal justice recommendations.

The changes made to laws around consent better reflect community values, but I agree that legal changes are not enough to reduce sexual assault. We need to work on cultural change including through education and I have called for an expansion of peer run programs like "consent labs" in schools. I share the Law Society's concern that we need to design the justice response to sexual assault in a way that helps survivors give their best evidence and that gets matters dealt with

quickly and fairly. I also agree that police training on legal issues, appropriate use of powers and responsibilities must expand particularly when dealing with communities that are overpoliced or have poor relations such as First Nations, some ethnic minorities or LGBTIQ+ communities.

#### Rule of Law and Protecting Rights

I agree that New South Wales needs specific human rights legislation to clarify and protect the rights that every individual in the state should have and help the state uphold international covenants. Whoever is in government will need to consult on what human rights are important to the community and if re-elected I will support and promote this process.

The *Anti-Discrimination Act 1977* is no longer fit for purpose with outdated and limited grounds and tests for discrimination and I will call for an inquiry to inform a wholesale rewrite, while introducing a bill to make the laws more inclusive of all LGBTIQ+ people in the interim. I support an independent funding model for oversight bodies to ensure their funding is not at the hands of those they could investigate.

I have been pushing for safe, secure and affordable housing since I was elected, and have long supported removal of no-grounds evictions, voting for these laws each time they were presented to Parliament. I will continue to push for this outcome. I have long worked with specialist homelessness legal services and supported their requests for funding and service expansions. I share concerns about the need for a framework to prevent elder abuse, and policies and programs to make online learning safe for children.

My office regularly consults the Law Society on legislation before the Parliament and I always appreciate the advice provided. If re-elected, I hope to continue this constructive relationship.

Yours sincerely

A handwritten signature in black ink, appearing to be 'AG', written in a cursive style.

Alex Greenwich  
**Member for Sydney**