

# JusticeReview

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DEPARTMENT  
OF JUSTICE

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The Place To Be

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Medal awarded

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only a click away

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modernises

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Court opens

Spring 2008

## Changing the shape of Victoria's justice system

Justice Statements sets out the road map for future reform.

The State Government has continued its bold vision of reforms to the justice system with the release of details of a package of projects known as Justice Statement 2.

The initiatives announced by the Deputy Premier and Attorney-General Rob Hulls build on the foundations of the first Justice Statement, released in 2004.

They continue the government's focus on Modernising Justice, Addressing Disadvantage and Protecting Rights. The government has refreshed its agenda with two new themes – Reducing the Cost of Justice and Creating an Engaged and Unified Court System.

In line with the recommendations of the Victorian Law Reform Commission, the government will strengthen the courts' capacity to manage litigation while encouraging parties to resolve their

differences through community and industry based mediation, as well as through court-led mediation.

Expanding the use of Appropriate Dispute Resolution (ADR) within the courts system and in the community is a key component of JS2 and aims to provide people with better options for quicker and cheaper dispute resolution.

Other initiatives focus on greater engagement between the courts and the community, and closer coordination between the courts.

Mr Hulls said the projects were building on the reforms outlined in Justice Statement 1, which were already having a real effect on the quality of justice experienced by Victorians.

"We've achieved a great deal: introduced a Human Rights Charter, opened the Neighbourhood Justice

Centre, expanded the network of Koori Courts and improved services and support for victims of crime, particularly victims of family violence and sexual assault," he said.

"All the Justice Statement 1 projects are either completed or in train, helping put Victoria's justice system at the leading edge of reform in the developed world."

Department of Justice Secretary Penny Armytage said ongoing reform was crucial in ensuring the justice system remained relevant to the community it served.

"We want to create a system of which we can be proud; one that is accessible and responsive to the changing needs of the community," she said.

Building on the foundations of Justice Statement 1, the government has already:

- become the first Australian state to introduce a Charter of Human Rights and Responsibilities
- established a Relationship Register for the registration of domestic relationships in Victoria, regardless of the gender of each partner
- completed a review of Victoria's equal opportunity framework
- introduced a Victims' Charter to improve the justice system's treatment of victims of crime
- allocated \$55 million to the Supreme Court, Office of Public Prosecutions and Victoria Legal Aid to help manage their workloads and deal with major crime and terrorism trials
- allocated \$34 million to improve services for victims of sexual assault, including counselling services, multi-disciplinary sexual assault centres, and new specialist sexual

assault lists and prosecution teams in the Magistrates' and County Courts

- introduced the Family Violence Protection Act to ensure the law protects victims of family violence
- allocated more than \$74 million for family violence courts, specialist court-based family violence services and other initiatives
- allocated \$18 million to support refugees, with most of this allocated for justice, health and education programs
- built new courthouses at Morwell, Mildura and Moorabbin with an investment of more than \$80 million, along with funding of \$32 million to upgrade the Supreme Court building, \$29 million to refurbish the lower floors of the old County Court building, and \$16 million to improve security in the Magistrates' Court.

## Prisons raise flowers for charity



Charity was in full bloom at Dhurringile and Beechworth prisons recently with more than 500 Daffodil bulbs prisoners had planted.

Daffodil Day is the Cancer Council's largest fundraising event and people are encouraged to buy a daffodil to lend their support to the fight against cancer. The money raised funds essential services, education and research programs.

Leonie Watson, Hume Prison's Regional Programs Manager, said this was the first year the prisons had supported Daffodil Day; previously they had been involved in the Cancer Council's Relay For Life event.

The daffodil bulbs, bought by the Hume Prisons Region's Program Department, were planted and looked after by prisoners studying horticulture with the assistance of GoTAFE staff.

The prisoners cut the flowers and bunch lots of five to be collected by members of the public ready to be sold on Daffodil Day.

"Planting the daffodils was a small way the prisons could give back to the community," Leonie said.

"We hope to continue this into the future and next year possibly plant more bulbs to increase supply.

"Prisoners and staff are happy to support such a worthy cause, having families or friends touched by the disease," she said.

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# Secretary's message

The need to make the system work better for Victorians drives staff at the department to do great things.

The Attorney-General has released Justice Statement 2, a roadmap for reform that contains several proposals on how to take our services to the next level. Before digging into this meaningful and interesting work, it is important to look back at all that has been achieved throughout the implementation of Justice Statement 1.

Initiatives such as the Neighbourhood Justice Centre, the Drug Court and the Koori Courts stand out. It is gratifying to be able to build upon these projects and move them forward.

This quest for improving the way justice services are delivered is quite evident in these pages of Justice Review.

This edition contains news on important research on the physical effects of fighting bushfires and how to better

prepare volunteer firefighters. Three studies by the Bushfire Co-operative Research Centre will assist in the development of fitness challenges to test whether a volunteer is ready for deployment. The research could lead to the development of strategies to counter some of the physical stress experienced by bush firefighters.

Innovation is not only unfolding in the Emergency Services branch. The department is also devising new ways to help break the cycle of re-offending. This edition has a story about the cultural spirit guiding Wulgunggo Ngalu, or the Learning Place. The voluntary residential diversion program caters for up to 20 Aboriginal men on community-based orders. It offers training and education while linking them with their culture and history.

We can and must do more to address Indigenous over-representation in the justice system.



We must also do more to help those experiencing problem gambling. Victoria continues to lead the way in this area with a number of new initiatives announced this year.

These include more than doubling penalties for allowing minors to gamble and issuing graphic warnings for every gaming machine about the effects of problem gambling.

I encourage everyone to take some time to read these articles about how our department is helping to craft a better justice system for all Victorians.

Penny Armitage  
Secretary

## Kelvin gets Service Medal

Acting Executive Director of Corporate Services Kelvin Anderson didn't intentionally set out on a long and distinguished career with Victoria's correctional service – he just found the work so interesting he never left. Now in his 25th year, Kelvin is the proud recipient of one of the state's highest honours, the Public Service Medal, for outstanding public contribution to correctional services.

Kelvin, Victoria's Commissioner for Corrections since 2002, has seen Victoria's correctional services undergo some major changes since he began work at the then Prahran Attendance Centre in 1983.

"The improvement to physical facilities has been outstanding, we've moved out and away from facilities such as Bendigo and Pentridge prisons that were built in the late 1800s," he said.

"This physical shift has allowed for the second most important change in my time and that is the increased focus on the case management of prisoners and offenders.

"Through effective case management we are able to assess, stream and treat people according to their offending behaviour."

The positive outcomes of these changes are helping keep all Victorians safe however Kelvin maintains there are now new challenges to overcome.

"The incidence of self harm among prisoners has declined, there hasn't been an escape from a high security facility in many years and recidivism has been declining for the past five years," he said.

"With the prison population again on the rise our next challenge is going to be working out how we can have intervention in the community, through community based orders, which sees imprisonment left as a last resort."



Kelvin Anderson after receiving his Public Service Medal.

The challenges his line of work has, and continues to provide, are one of the aspects that attracted Kelvin to the job in the first place.

"I turned up to fill in for someone on maternity leave and never left. I found the work really interesting and to this day I still find it fascinating and challenging," he said.

"I loved working in community based corrections so much when they asked me to go across and work in the prisons I originally said no, I was worried about losing that direct contact with the community.

"When I eventually said yes, I found I was just as involved in the community. Prisoners have visitors, they are very much still connected to the community and it's important they maintain their

relationships so they can settle back in to the community – it's about making sure they are given the option not to offend again."

Describing his Public Service Medal as a fantastic honour, Kelvin is quick to acknowledge the contribution made by the staff at Corrections Victoria. Announced on Australia Day and Queen's Birthday each year the awards recognise outstanding service by federal, state, territory and local government employees.

"Many things have changed over the past 25 years but one constant has been the commitment and quality of work delivered by the people across Corrections, and this honour is a reflection of their efforts," he said.

## The Justice Review:

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# Indigenous links reduce reoffending

A smoke-filled path led more than 200 guests to the official opening of the Wulgunggo Ngalu Learning Place in Won Wron in September.

An ancient custom among Indigenous Australians, the burning of leaves is believed to have cleansing properties and the ability to ward off bad spirits.

Some might say the same about Wulgunggo Ngalu itself.

A voluntary residential diversion program, the Wulgunggo Ngalu Learning Place caters for up to 20 Aboriginal men on a Community Based Order from across the state.

It offers training and education, while linking them with their Indigenous culture and history.

The official opening showed an insight into this cultural spirit.

Local Elder Uncle Albert Mullett began the formal proceedings with a Welcome to Country, guests from across the state were greeted by the program participants, many of them in traditional Aboriginal dress.

There was traditional chanting and the clapping of boomerangs.

Corrections Minister Bob Cameron officially opened the Learning Place, joined by local Regional Aboriginal Justice Advisory Committees (RAJAC) Chairperson Aunty Bess Yarram in the unveiling of a plaque.

Mr Cameron said Wulgunggo Ngalu Learning Place would help reduce reoffending and break the cycle of crime among Aboriginal offenders.

"Indigenous adult males are 14 times more likely to be imprisoned than non-Indigenous adult males," Mr Cameron said.

"This program reconnects offenders with their culture and gives them the skills they need to turn their lives around."

Department of Justice Secretary Penny Armytage was the MC for the event, Parliamentary Secretary Brian Tee, representing the Attorney General, Director of the Indigenous Issues Unit, Andrew Jackomos and Manager of Wulgunggo Ngalu Shaun Braybrook also spoke.

Wulgunggo Ngalu was developed as part of the Aboriginal Justice Agreement – a partnership between the Victorian Government and the



Andrew Jackomos at the official opening of Wulgunggo Ngalu.

Koori community, working together to address the issue of Koori over-representation at all stages of the justice system.

It was led by a Steering Committee chaired by the Commissioner, Corrections Victoria Kelvin Anderson, a local Indigenous Advisory Group and the Gippsland Regional Aboriginal Justice Advisory Committees. An Indigenous architect led the design.

Indigenous Issues Unit manager Mr Jackomos, who was part of the first discussions to create Wulgunggo Ngalu eight years ago, said the project was a prime example of a successful

State Government partnership with Victoria's Indigenous community.

The courts and Community Correctional Services refer Aboriginal offenders to the program, with Koori Courts expected to become the primary point of referrals.

Once they are approved and agree to take part, offenders spend three-to-six months in the program.

Wulgunggo Ngalu Learning Place Manager, Shaun Braybrook each person has an individual case management plan to address individual offending behaviour.

There are seven staff at the learning place, five of whom are Aboriginal, working 24 hours a day, seven days a week, he said.

Mr Braybrook said one of the most important programs is the Aboriginal Cultural Immersion Program which encourages the men to reconnect with their cultural journey and assists them to strengthen their identity as an Aboriginal person.

It designed to be relevant to Victorian Koori culture and covers a range of topics including Aboriginal history, identity, cultural ways, art, beliefs, kinship systems, separation issues, music and health.

A statewide Elders Group would be established to ensure the cultural integrity of the program, lead cultural activities and act as role models, support and mentors, he said.

He said the hope and change that comes from reconnecting people with their heritage was already at work.

"The men in the program helped plan the official opening. They were part of the smoking ceremony, cultural dance and wrote and performed an inspirational song – Wulgunggo Ngalu Dream Time Warriors – which tells the story of how Wulgunggo Ngalu has helped them," he said.

## New measures to tackle problem gambling head-on

Victoria continues to lead the way on tackling problem gaming with a suite of new initiatives announced this year.

Gaming Minister Tony Robinson said Victoria had some of the toughest measures to fight problem gambling.

"For many people gambling is a legitimate form of entertainment; however people can sometimes get into trouble when they gamble because they can't stop betting," he said.

"Problem gambling can have a devastating impact, affecting relationships with family and friends."

The new initiatives include the removal of ATMs from Victorian gaming venues, to take place by 2012, and making pre-commitment mechanisms mandatory on new machines from 2010.

Other measures being introduced in 2008 to fight problem gambling include;

- more than doubling the penalties for allowing minors to gamble. Fines will increase to a possible maximum of over \$13,000, from a current minimum penalty of \$1100

- issuing graphic new player information warnings on every machine about the effects of problem gambling
- halving the maximum betting limit on gaming machines outside of the Melbourne casino from \$10 to \$5 a spin, with the new lower limits to be introduced for new machines from 1 July 2008 and for existing machines from 1 January 2010
- new powers for the Minister for Gaming and the Victorian commission for Gambling Regulation to ban products or practices that undermine the government's responsible gambling strategies or encourage risky behaviours.

Mr Robinson said the restriction of ATMs from gaming venues would be part of the operations of the gaming industry post-2012.

"Ready access to cash in a gaming venue can be a contributor to problem gambling and the government is taking action to remove ATMs from gaming venues," he said.

The new pre-commitment options are expected to give Victorians the option to make better decisions about how much they can afford to spend and how long they want to spend in a gaming venue.

The mechanisms will allow players to pre-determine the amount of time and money they want to spend on gaming machines.

Victoria is also taking the lead on establishing national online and phone counselling services for all states and territories to help tackle problem gambling.

Victoria will buy the 1800 number on behalf of all states and territories and coordinate the online counselling service agreement with Turning Point Alcohol and Drug Centre.

The initiative will ensure Australians across the country have the same easy access to problem gambling services.

Mr Robinson said the new initiatives would further protect the community from the effects of problem gambling.

"Since 1999 we have introduced a range of harm-minimisation measures including capping the number of machines in vulnerable areas and eliminating 24-hour gaming venues outside the casino," he said

"We recognise that a continual effort is needed to fight problem gambling and these new initiatives will step up the fight and help us protect vulnerable Victorians."

The new measures are part of the \$132.3 million, five year, Taking Action on Problem Gambling initiative announced in 2006," he said.

Taking Action on Problem Gambling is the biggest commitment to problem gambling initiatives made by an Australian government.

## New program provides support

A new program will operate across the state to help Koories meet the conditions of their community-based orders.

Launched in April, the Local Justice Worker Program will operate in 10 cities and towns across Victoria, and is dedicated to ensuring there are supervised community work opportunities for Koori offenders on community-based orders.

Attorney General Rob Hulls said when work opportunities were provided in a culturally friendly environment, offenders were more likely to meet the conditions of their orders.

In addition to finding offenders appropriate community work to do, local justice workers will help offenders use development programs run by service providers.

They will also help Koories with outstanding fines to negotiate payment plans with the Sheriff's Office and act as one key point of contact between local Koori communities and Justice agencies.

The Local Justice Worker Program has been allocated \$2.1 million to operate the program in the following locations:

- Goolum Goolum Aboriginal Cooperative Limited, Horsham
- Mungabareena Aboriginal Corporation, Wodonga

- Njernda Aboriginal Corporation, Echuca
- Western Suburbs Indigenous Gathering Place Incorporated, western metropolitan Melbourne
- Bendigo and District Aboriginal Cooperative Limited, Bendigo
- Gunditjmara Aboriginal Cooperative Limited, Warrnambool
- Gippsland Lakes Community Health Incorporated, Lakes Entrance
- Swan Hill Aboriginal Health Service, Swan Hill
- Dandenong and District Aborigines Cooperative Limited, Dandenong
- Ramahyuck District Aboriginal Corporation, Drouin and Warragul.

Towns and cities were selected based on the daily average number of Koori offenders reporting to Community Corrections Services offices in each region.

"The local justice worker will be an important link between Koori offenders on orders, Indigenous organisations, and local justice agencies," Mr Hulls said.

The program is an initiative of the Aboriginal Justice Agreement – its purpose is to tackle disadvantage and inequity, reduce Koori contact with the criminal justice system, and improve justice for Indigenous Victorians.

# Camera information just a click away

In August, the Victorian Government launched a speed camera website, aptly named **Cameras Cut Crashes**.

One of the aims of the site is to give the public confidence in the accuracy and reliability of speed cameras.

It does this by posting online the calibration certificates of all fixed digital speed cameras, which are produced when the cameras are tested and certified to be operating accurately.

The tests are done independently and regularly. However, previously, motorists needed to request copies of the certificates via Freedom of Information (FOI) if they wanted proof of their accuracy. Having the certificates available on-line saves motorists time and money.

Launching the website, Victorian Premier John Brumby said: "From the point of view of the Department of Justice, it saves us some time and money as well because we're not dealing with more than 100 FOI applications (a year).

"About 20 per cent of FOI requests lodged with the Department of Justice relate to speed cameras," he said.

The multimedia website also contains the locations of speed cameras. An interactive map of Victoria depicts the locations of all fixed speed and red-light cameras in Victoria. There are also lists of all approved sites for mobile and red-light, wet film intersection cameras which are rotated by the Traffic Camera Office of Victoria Police.

The website outlines several features of the Victorian speed enforcement system, including the speed camera testing and maintenance regime. For example, the regular testing of speed measurement devices which is



A sample of some of the information on the website, [www.justice.vic.gov.au/camerascutcrashes](http://www.justice.vic.gov.au/camerascutcrashes)

required in accordance with the Road Safety Act 1986 is outlined, as well as the additional speed and sensor tests which the government voluntarily subjects its devices to.

Another major initiative in Victoria is the introduction of a policy to double-check measured speed. Secondary Speed Verification means the speed recorded by a fixed camera must first be recorded by a certified speed measurement device and then verified by a secondary means before an infringement can be issued.

These features combine to make Victoria a leader in the world in speed enforcement.

Importantly, the website explores the impact of speed on the risk and severity of a crash – including the fact that travelling just five km/h over the limit in a 60km/h speed zone can double the risk of a crash – and the effectiveness of cameras in cutting crashes.

The use of automated speed enforcement technologies is now widespread throughout many parts of the world and research has consistently shown the positive road safety benefits achieved through the use of these technologies.

The program creates a perception that illegal speeds can be detected at any time or place.

Studies of the Victorian program have shown its effectiveness in reducing the frequency and severity of casualty crashes both at speed enforcement sites and more generally across the road network (MUARC report 242 – The History and Development of Speed Camera Use).

However, speed enforcement is just one element of Victoria's road safety strategy, arrivealive 2008-2017, which aims to reduce death and serious injury by 30 per cent in its 10-year

duration. Other elements of the strategy including safer roads, better cars and other initiatives to target risky behaviour are also outlined in the website.

The Cameras Cut Crashes site has been developed by the Department of Justice in consultation with Victoria Police.

Cameras cut crashes and save lives.

Check it out yourself, at [www.justice.vic.gov.au/camerascutcrashes](http://www.justice.vic.gov.au/camerascutcrashes)

## Fighting back against Multiple Sclerosis



Lina Marracco

For Lina Marrocco, receiving an Order of Australia Medal (OAM) was a humbling experience and made her feel that "extraordinary things could happen to ordinary people."

However, there is nothing ordinary about Lina, who received the OAM for service to the community through her fundraising and support for multiple sclerosis (MS) research and education.

Lina has devoted countless hours to fundraising for MS research while fighting the disease since her diagnosis in 2002.

Lina works part-time as Corrections Victoria's Privacy Coordinator and runs Charityworks for MS – a foundation she set up to help find a cure.

This year, Charityworks for MS will host its ninth fundraising event and in the past six years the team has raised more than \$700,000 for charity.

"It is my way of saying to this monster, sometimes you have me, but not always! Today I may need a walking stick, but tomorrow I'll be working hard to raise money to eradicate you," Lina said.

She said if it wasn't for her supportive family she wouldn't be able to spend as much time on fundraising.

"It is a struggle and there are times when my family suffers because of my various commitments, but I do have an incredibly supportive

husband, Sab Ventura, and kids."

Lina said being able to continue to work part-time is part of her fight against MS.

"Working is very important to me – it's one of the things that MS has not taken away from me. I feel extremely lucky that my employers are very flexible and accommodating of my needs."

Living with MS is a constant struggle which can terrify her with its unpredictability and cruelty – just when she is feeling "cured" the disease strikes. Despite the constant battle, her passion for the cause rarely allows her to slow down.

"My desire to raise money for the scientists to find a cure motivates me, as does my desire to bring up my two children, Mergy and Millie, to understand that giving back, in whatever capacity they choose, is hugely rewarding," Lina said.

Ironically, her diagnosis has also been the gateway to interesting life experiences.

Earlier in the year she appeared on Neighbours as part of an episode about MS, after one of the show's producers saw her photograph and story in The Age about her OAM.

"It was an unbelievably surreal experience and I agreed to it because it gave me a chance to heighten MS awareness," she said.

The next challenge for Lina, is the 2008 MS Ball on 22 November.

One of the auction items to feature at this year's ball is a bottle of Grange wine that Lina hopes will be signed by all the living Prime Ministers of Australia. She currently has all signatures except Paul Keating's and asks if anyone knows him to let her know.

"I am passionate about raising money for the scientists who will one day find a cure - perhaps not in my lifetime, but hopefully in my children's lifetime."

Visit [www.charityworks4ms.net.au](http://www.charityworks4ms.net.au) for more information about the 2008 MS Ball.

# Firefighter health and safety

“Weary firefighters” is a cliché in media reports. Just how much of a toll firefighting takes on the human body is now revealed in new research into the effects of working on bushfires.

This work is just one of three pieces of research the Bushfire Cooperative Research Centre (CRC) is conducting on the health, fitness and wellbeing of firefighters. CFA’s Executive Manager Research and Development, David Nichols, and Dr Brad Aisbett from Deakin University are researching the physical demands and fitness of CFA volunteer firefighters aged from 18 to 60.

David describes the research as cutting edge. “It’s never been done anywhere in the world,” he says. “The outcomes of the research will have significant impacts on the health and safety of firefighters.”

The research is measuring volunteers’ heart rate, energy expenditure, and oxygen consumption during standard fireground activities, including unreeling

and reeling fire hoses and advancing water charged hoses. The research is also measuring important health indicators including resting blood pressure, blood cholesterol and glucose levels, body fat levels, and cardiovascular fitness.

Fireground stresses can lead to increases in energy expenditure, heart rate, sweat rate, and the firefighter’s sense of effort and thermal discomfort. If the stresses are too severe or prolonged, fatigue and/or impaired judgement, unsafe behaviour, accidents and, in very rare cases, death can occur.

From this research, CFA expects to gain a greater insight into the physical demands experienced by its volunteers during bushfire suppression. It’s anticipated that the information collected will help identify and develop strategies (including diet, hydration and physical training) for volunteer firefighters to work safely and effectively on the fireground.

From the research data, CFA will devise a physical fitness challenge that accurately predicts whole-body fitness for firefighters. The plan is that this test be readily and easily administered at fire stations. As such, the physical



Dr Brad Aisbett conducting research into firefighter health and safety.

readiness of volunteer firefighters can be conveniently and accurately assessed before deployment.

The research is also trying a range of strategies that may counter some of the physical stresses experienced by bush firefighters, enabling them to

sustain their efforts for longer on the fireground. These methods are likely to focus on eating and drinking strategies before, during and after work shifts.

# New laws can graffiti

The State Government has introduced new laws restricting the sale of spray paint to under 18 year olds, in a bid to stop young graffiti vandals.

Under the new laws, which came into effect on 1 June 2008, retailers are restricted from selling spray paint cans to under 18s, unless they have written proof the paint is for their work.

Retailers and their employees can face on-the-spot fines of up to \$226 or fines of up to \$2,268 for selling spray paint to a minor who can’t prove it’s for work.

Employers also face fines of up to \$2,268 for failing to take reasonable precautions, such as staff training, to prevent an employee from selling spray paint cans to a minor without proof.

Retailers were sent information kits to advise them of the new laws and help them inform their employees and customers.

The kits include information sheets and signage, to clearly inform staff and customers on the sales restriction on spray paint cans.

The new laws were specifically aimed at minors as research showed they were the largest group of apprehended graffiti offenders.

Research shows graffiti offending is evolutionary, with offenders beginning with tagging in early adolescence.

The new restrictions form the second, and final, stage of tough measures introduced earlier this year as part of the State Government’s Graffiti Prevention Act.

In April, on-the-spot fines of up to \$550 were introduced for anyone carrying spray paint without lawful excuse while on public transport or when trespassing.

## Retailers are restricted from selling spray paint cans to under 18s...

Convicted graffiti offenders now also face tougher penalties including two years jail and hefty fines.

Fines of up to \$5,671 can be imposed on anyone advertising spray paint cans in a way that would incite or promote illegal graffiti.

The State Government also expanded its Graffiti Removal Program where low risk offenders are put to work cleaning up graffiti.

Graffiti clean-up crews are run by Corrections Victoria in partnership with 26 local government and community partners. There are six additional purpose-built trailers added to make a total of 14 operating across Victoria.

Since it began in 2005, the Corrections Victoria Graffiti Clean Up program has removed more than 300,000 square metres of graffiti.

Retailers can obtain additional kits by emailing graffiti@justice.vic.gov.au with their trading name, contact details and the number of kits required.



The advertisement targeting graffiti offenders.

## Greater role for commission under equal opportunity review recommendations

An independent review of the Equal Opportunity Act 1995 by former Public Advocate Julian Gardner has recommended creating a new Equality Act, which would emphasise the importance of achieving real equality for people and overcoming disadvantage, rather than just giving lip-service to equality of opportunity. The review also recommended an overhaul of the discrimination dispute resolution process and greater powers for the Victorian Equal Opportunity and Human Rights Commission to research and inquire into discrimination and to enforce the law (without relying on complaints by individuals).

In the review's final report, *An Equality Act for a Fairer Victoria*, launched in July 2008 by Deputy Premier and Attorney General Rob Hulls, Mr Gardner said a more positive approach towards achieving equality was required, which would involve giving the commission additional powers, modernising the law, reforming the complaints system and creating a board with more members and a full-time Commissioner.

The review found continuing evidence of discrimination, not only based on the number of complaints being lodged and independent research, but also through submissions and in meetings with affected individuals. The review found discrimination affected people's health, happiness and livelihoods. Discrimination can mean that people get caught in a

cycle of perpetual disadvantage. The impacts of discrimination can be severe, but the causes can be difficult to detect, especially where the discrimination cannot be attributed to an isolated cause or individual, but is a 'systemic' issue.

Mr Hulls appointed former public advocate Julian Gardner to undertake a review into the Equal Opportunity Act 1995 as one of the initiatives arising from his 2004 Justice Statement. The Attorney-General expressed the government's commitment "to ensure that Victoria's equal opportunity laws are better placed to achieve the objective of eliminating discrimination" and has welcomed the Equality Act for a Fairer Victoria Report. In its 2008 Annual Statement of Government Intentions, the government has already committed to introducing legislation to implement its response to the review recommendations. Implementation of the reforms will be staged.

If the review recommendations are accepted by government, the new Equality Act would see:

- the commission continuing to offer a free dispute resolution service, which will be expanded to include negotiation, mediation and conciliation rather than just conciliation
- victims of discrimination having the option of taking a complaint directly to the Victorian Civil and Administrative Tribunal (which also offers a mediation service)

- the commission empowering people through education so they know their rights and know how to comply with the law
- an expansion of protections for vulnerable groups from discrimination by including homeless people, people who are refused employment because of an irrelevant criminal record and volunteer and unpaid employees as protected attributes
- modernisation of the law, including for example, new definitions of 'discrimination' and specific requirements to make reasonable adjustments for people with disabilities
- importantly, there would be a new duty to comply with the law, whether or not a complaint is lodged; which would mean that the commission could launch an investigation or inquiry into a suspected breach of the law, and enter into enforceable undertakings and issue compliance notices for breaches of the law.

Information about the Equal Opportunity Review, including copies of the Final Report and the speeches at the launch of the report by the Attorney-General and Julian Gardner, are available at the Department of Justice website, [www.justice.vic.gov.au](http://www.justice.vic.gov.au). Queries can be directed to Rose Finch on 8685 0861.

## Legal Policy Internship Program

The Victoria Law Foundation's Legal Policy Internship Program, now well established after operating successfully for six years, continues to be a highly regarded practical program placing talented law students in public sector legal organisations for 20 day pro bono internships. The program's popularity has increased dramatically since its inception in 2002 when 12 interns were placed with 4 participating agencies. In the 2006-07 intake, 45 interns were placed with 21 agencies, highlighting the programs growing success and standing.

The program has been a valuable resource for community and public sector organisations. Interns are chosen on the basis of academic and personal achievement and for possessing a particular and keen interest in the public or community sector. Participating agencies experience considerable benefit through retaining the services of such skilled and enthusiastic law students who make valuable contributions to regular host organisation work and to special projects.

The program is also of key importance and value to interns. Law school invariably introduces students to an array of career possibilities. Typically, however, throughout their

studies, law students encounter little prospect for consolidating theoretical knowledge and understanding in a vocational arena. The internship program provides successful applicants with this much sought after opportunity to add a strong practical and applied dimension to existing skills. Interns complete valuable assignments in a wide range of interesting areas including social policy development, law reform, community legal education, legal research and community sector development.

In addition to the practical placements, interns attend a range of seminars and workshops aimed at heightening the placement experience and ensuring they are as effective as possible in their positions.

The 2006/07 intake saw 15 interns placed with 8 Department of Justice agencies. DoJ interns were involved in specific projects and in the core, ongoing work of host units. Interns gained new experience, honed existing skills, and developed a broad understanding of the work of DoJ, its position and role in the public sector, and its affiliations and organisational links to other associations and organisations.

As it celebrates its 170th anniversary, the Magistrates' Court of Victoria is embarking on a process of modernising and improving services to ensure it remains flexible, responsive to change and able to deliver appropriate access to justice services.

## New directions to deliver service improvements

Released by the Attorney-General, *New Directions for the Magistrates' Court of Victoria 2008-2011* sets out the initiatives the Court will undertake to achieve its vision of being Australia's leading court of summary jurisdiction.

The court has a proud tradition of serving the Victorian public over the past 170 years and a long history of doing things differently and better," the Attorney-General, Rob Hulls said. "As the complexity of cases the Court deals with have developed over time, so has the community's expectations of justice. *New Directions* provides rich opportunities for the Court to become more responsive to both their users and the broader community."

"From its origins in 1838 as a crude court of petty sessions, the Magistrates' Court of Victoria has

since heard hundreds of thousands of cases, contributing to its fascinating history," he said.

The result of the Magistrates' Court 2015 Project, a partnership between the Department of Justice and the Magistrates' Court, *New Directions* establishes a new model of management and administration designed to strengthen the Court's capacity to meet today's needs and respond to future challenges.

"The Magistrates' Court has pioneered innovative problem-solving and alternative dispute resolution approaches such as the Drug Court, Koori Courts, the Sexual Offences Management List and Specialist Family Violence Courts" said the Chief Magistrate, Ian Gray, "It has also introduced Judicial Registrars to deal with high volume, minor matters allowing Magistrates to hear more complex matters."

Focusing on 2008-2011, *New Directions* builds on the reforms already underway in the court, outlining priority initiatives under three strategic objectives: delivering a first class service; getting the right people in the right place; and doing business simpler, faster and consistently.

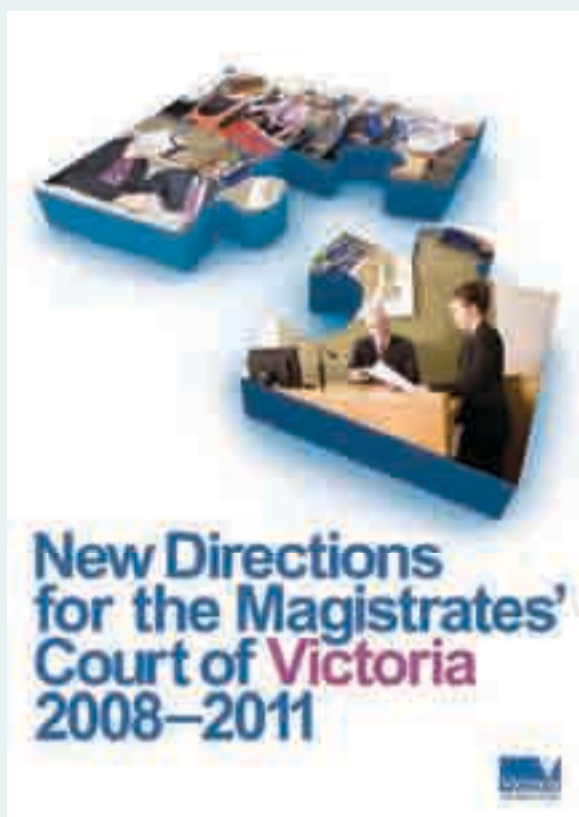
The court's new initiatives are expected to provide:

- better support for the vulnerable and victims of crime
- access to alternative ways of resolving disputes and quick access to the Court when needed
- better integration of specialist services and therapeutic approaches
- more court's services available online
- more highly skilled court staff to support the Magistracy
- well trained and supported court staff with a stronger career path
- closer partnerships and linkages with the community, the Department of Justice, partners in the justice system and other agencies.

"Recent changes to the court's operations have gone some way to addressing public expectations," court's Chief Executive Officer, Charlotte Stockwell said, "New case listing protocols and the trialling of staggered timeslots have been introduced in most courts. Other customer focused improvements have also included a complaints

mechanism, a new Customer Service Charter, Court User Forums, as well as a range of initiatives to better engage people from culturally and linguistically diverse backgrounds."

Details: [www.magistratescourt.vic.gov.au/newdirections](http://www.magistratescourt.vic.gov.au/newdirections)



# New drink spiking laws to protect young people

New drink spiking laws have been introduced into parliament. These new laws are aimed at further protecting young people against harm and sexual assault.

**D**rink spiking occurs when alcohol or another drug is added to a person's drink without their knowledge, usually resulting in the person becoming drunk or drug affected unexpectedly.

There is no single 'typical' incident of drink spiking. Rather, it can occur in a variety of locations, to a variety of victims, with a range of different drink spiking additives, for a number of different reasons.

Deputy Premier and Attorney-General Rob Hulls said the legislation would make it a criminal offence to spike a person's food or drink, with a maximum penalty of two years' jail.

"The legislation will not require the 'spiked' drink or food to be consumed, nor a person's senses or understanding to actually be impaired – preparation and intent will be enough," Mr Hulls said.

Some people may see drink spiking as a prank but it can cause a significant amount of distress and harm, and can act as a precursor to sexual assault.

**"We believe a targeted drink and food spiking offence will encourage more people to come forward and report drink spiking incidents."**

Victoria already has a range of offences which address the harm of drink spiking, from administering intoxicating substances without consent or knowledge through to manslaughter and murder.

"The legislation will close a gap at the lower end of the offending spectrum and create a new summary offence

where anyone convicted of drink spiking could face up to two years in jail," Mr Hulls said.

"We believe a targeted drink and food spiking offence will encourage more people to come forward and report drink spiking incidents."

The legislation will also expand an existing offence of administering a drug with the intent of rendering a person incapable of resisting sexual penetration to include non-penetrative sexual acts such as indecent assault.

The Model Criminal Law Officers' Committee – an expert group of criminal lawyers from federal, state and territory attorney-general departments – has investigated drink spiking at a national level. The committee found four out of five drink spiking victims in Australia were female, and one third of all drink spiking incidents were associated with sexual assault.

Separate research carried out by Melbourne's RMIT University last year – in which 800 people aged between 18

and 35 were surveyed online – found one quarter of participants reported having their drink spiked.

Most incidents occurred at licensed venues when they left their drink unattended or accepted a drink without seeing how it was made and 16 per cent of survey participants admitted they had added alcoholic shots to another person's alcoholic drink.

## Drink spiking prevention strategies include:

- noting suspicious behaviour and reporting this to police or bar staff,
- keeping an eye on your drink at all times and not leaving it unattended,
- not accepting drinks from strangers or people you don't trust,
- monitoring how much alcohol you are drinking; and,
- leave parties and licensed venues with friends (not alone).



New drink-spiking laws are aimed at protecting young people.

## Bill to better protect family violence victims

Landmark legislation was introduced into Parliament in June 2008 to better protect women and children who are victims of family violence.

**T**he new Family Violence Protection Bill will increase the protection available to victims and make perpetrators more accountable for their actions.

Women's Affairs Minister Maxine Morand said police attended about 30,000 family violence incidents a year and about 29 per cent of these were repeated calls to the same people.

"Family violence remains the leading contributor to preventable death, disability and illness in women between the ages of 15 and 44. Addressing family violence is one of the most important challenges facing our community," she said.

Deputy Premier and Attorney-General Rob Hulls said the Family Violence Protection Bill would replace the 21-year-old Crimes (Family Violence) Act, after the Victorian Law Reform Commission (VLRC) recommended a stand-alone Act to provide a targeted and cohesive response to family violence.

He said the VLRC found the intervention order system often let women down – it could be inaccessible, frightening and ineffective.

The proposed legislation means police can better respond to the threat of family violence after-hours through police-issued family violence safety notices.

Other key elements of the Bill include:

- making it easier for victims of family violence to remain in the family home with their children while the perpetrator may be required to leave
- restricting the ability of self-represented alleged perpetrators of family violence to personally cross-examine their victims in court
- defining family violence to include economic and emotional abuse, as well as other types of threatening and controlling behaviour
- broadening the definition of 'family member' to cover contemporary families and include carers of persons with a disability in 'family-like' relationships.

## Young Victorians named triple zero heroes

When intruders broke into an Ashburton home, they weren't expecting to find a brave 12-year-old girl with the know-how to get help quickly.

**C**ourageous Tegan was among 20 quick-thinking young Victorians to be named a 2008 Junior Triple Zero Hero at an awards ceremony in July.

The Junior Triple Zero Heroes Awards are run by the Emergency Services Telecommunications Authority, which provides call-taking and dispatch services to police and ambulance in Melbourne and Geelong and fire and VICSES services across the state.

Emergency Services Minister Bob Cameron presented this year's junior heroes with their awards, which recognise their effective and quick response in an emergency, to help save a life or resulted in a safe outcome.

This year's award winners were aged three to 14 and called triple zero to

report a range of emergencies from a collapsed and unconscious parent to witnessing a physical assault in the street.

They were able to tell emergency call takers where and what the emergency was – essential information needed to provide help quickly.

In many cases, they stayed on the line with the operator who talked them through how to give basic help until emergency services arrived.

In Tegan's case she answered all the ESTA call taker's questions and provided as much information as possible.

Tegan kept talking to the call taker who reassured her and helped keep her calm, while she locked herself in the

bathroom and waited for police to arrive.

The other 2008 Junior Triple Zero Heroes called triple zero to assist with emergencies including;

- a collapsed or unconscious parent,
- being home alone during a home invasion,
- a parent in the throes of a diabetic fit,
- a pregnant mum giving birth,
- a building fire,
- hoon drivers,
- a grandparent suffering an asthma attack,
- a parent who fell off a ladder and suffered broken bones,
- a grandparent who had fallen; and,
- witnessing a physical assault in the street.

The awards have been held for the past five years and help raise awareness about the need for all children to know and understand what to do in an emergency.

Young callers who show great initiative and courage are nominated for the awards by call takers.

The awards also send an important message about not using triple zero (000) for prank calls. Young people learn prank calls to triple zero are not a joke, they put lives at risk because people experiencing real emergencies have to wait longer for help.



Emergency Services Minister Bob Cameron with Carlton footballer, Brendan Fevola, and Tegan.

# Preventing conflict in the old schoolyard – and beyond

Students at Drysdale Secondary College near Geelong are learning to resolve disputes more appropriately, thanks to our Corio-based community mediation project.



Schoolyard disputes can be resolved through mediation.

It doesn't seem all that long ago that many student conflicts were inappropriately resolved in the schoolyard – often in a physical manner – during recess, lunchtime or after school.

While this may sometimes still be the case, today's internet age has opened up new arenas for student interaction, which have increased the potential for bullying and conflict to occur online or via mobile phone.

With this in mind, Drysdale Secondary College near Geelong recently approached the Dispute Settlement Centre of Victoria's (DSCV) Corio-based community mediation project

for help in delivering a peer mediation program at the school.

The college had run a similar program, which enlisted students in mediating conflicts between peers. As many of these mediators were now in Year 12 and due to leave the school later this year, college staff recognised a need to identify and train a new group of peer mediators and to reinvigorate the program.

Consequently, in recent weeks, DSCV's Pam Clark has been working closely with a group of four Year 8 and four Year 9 students to provide them with a framework and the skills and confidence that will enable them to

appropriately resolve disputes between fellow students while at school.

To date, two training sessions have been held and more are planned to ensure participants are fully prepared before taking on their important roles. Once training is completed, Ms Clark will continue to work with and support the peer mediators on an ongoing basis.

She says the program is a shining example of appropriate dispute resolution (ADR) in action and enables DSCV to do something a bit different that improves service delivery at the local community level.

For more information, please contact Pam Clark Ph: 03 5225 3391.

## An integrated approach to consumer education

Consumer Affairs is delivering important messages to students about being smart, independent and responsible consumers through its Consumer Education in Schools (CEIS) program.

The CEIS program, launched in 2003, provides secondary school teachers with free educational resources to help students develop the knowledge, skills and behaviours to make informed consumer decisions.

The resources are distributed to secondary teachers of Commerce, English and Mathematics and in 2005 two new cross-curricular resources, Health & Wellbeing and Consuming Planet Earth, were added.

With the success of the CEIS program for secondary schools, Consumer Stuff for Kids for upper primary level was released and will soon be followed by The Home Handbook, which highlights the link between consumer education at school and the home.

In 2007, the CEIS program expanded to include a partnership with the Office of Gaming and Racing (OGR). This program will see responsible gambling resources developed for use in all Victorian schools.

In May, the Minister for Gaming and Consumer Affairs Tony Robinson promoted the new resources during the launch of Responsible Gambling Awareness Week and said it would raise awareness within school communities of problem gambling and its impacts.

"The resources will help young people make informed decisions about gambling and money management throughout their lives."

The program incorporates 22 new responsible gambling units of work into the secondary school resources and includes a multimedia tool to help educate students about responsible gambling.

The CEIS program also runs an annual competition called the Consumer Stuff Challenge to help young people understand important consumer issues and challenges students to create an information product that addresses a consumer or financial topic. Last year 800 students from across Victoria took part.



Students learn to be more responsible to consumers.

## Life after public service

When Una Gould retired as a public servant at Treasury she decided to look for a volunteer role. Since 2000 she has worked as a community visitor, helping ensure the health, safety and wellbeing of frail, aged and younger people at privately owned nursing homes. She spoke with Justice Review.

**Q. What is a community visitor?**

A. The idea is for Community Visitors to be the eyes and ears of the community. We try to advocate for the very best deal we can for the residents who may be very vulnerable, not able to speak for themselves or articulate themselves or have connections. Community Visitors visit mental health facilities, facilities for people with a disability and supported residential services for vulnerable people.

**Q. What does a Community Visitor do?**

A. We report what we see and observe on the day we visit, talk to people and get to know them. A visit is typically an hour long and sometimes we have specific things we look for. We check what's being served as a meal, what the menu plan is, whether the residents or patients are being treated with dignity and respect, and whether the emergency procedures are up-to-date.

**Q. What sort of training do you need to undertake to become a community volunteer?**

A. Training is two-fold. First, when you start visiting you always visit with someone experienced, so you learn what to pick up on. Secondly, there are regular training sessions by the Office of the Public Advocate which runs the Community Visitor Program. This covers aspects like report writing, talking to people with mental health problems, dealing with people with Alzheimer's and dealing with aggression. We also attend quarterly meetings for our areas where we discuss issues and feedback.

**Q. What sort of people become Community Visitors?**

A. Quite a lot of Community Visitors are retired as they have more flexibility, however some are not. I know one who is a fireman and another a nurse. You can do it to suit your commitments.

**Q. What is the reporting structure?**

A. We write a report on our visit – matters discussed during the

visit, some of which will be positive practices, and sit down with our area manager and discuss the visit. If there's a specific issue we want followed up, there's an investigation form we send to the Department of Human Services which are responsible for the residents.

**Q. Why did you become a community visitor?**

A. I retired and was looking for useful and meaningful voluntary work, something that involved dealing with people and a social justice aspect.

**Q. What do you get out of the role?**

A. I see the need for it, and doing something useful. We can make a difference to someone's life – no matter how small. You certainly build up a liking for the residents and incredible respect for other Community Visitors. It's just part of living in the community. The places I visit are within the area I live, the residents are people like you and me and deserving of respect and consideration.



Una Gold had been a community visitor since 2000.

# \$1.3 million to help homeless and at risk young Victorians

The Department of Justice, through Consumer Affairs Victoria, is making a positive difference to the lives of young Victorians at risk of becoming homeless through its support of Kids Under Cover's (KUC) bungalow accommodation program.

A funding injection of more than \$1.3 million was sourced from the Victorian Property Fund (VPF), which is administered by CAV. The money will finance the construction of 39 new bungalows and the relocation of nine existing bungalows over three years.

The VPF provides grants for purposes that benefit the community and granted a record \$206.4 million in grants last financial year, mostly for the development of affordable housing for disadvantaged Victorians.

Premier John Brumby announced the funding for KUC at a bungalow accommodation project in Epping in August.

The project helped a family reunite after one of the children left home due to conflict with their siblings. KUC built a bungalow in the backyard to give the family some much-needed space. This reduced the conflict within the family and enabled them to live together again.

KUC CEO Jo Swift said family breakdowns often occurred because of issues such as overcrowding, which could lead to extreme conflict and trigger young people to leave home and become homeless.

"The family in Epping were very grateful for the bungalow and said it had made a huge difference to their lives," she said.

Consumer Affairs Minister Tony Robinson said the government funding would help families like these who were at risk of breakdown, and foster families and carers who were seeking more room to accommodate young people in need.

He said they would also help people with disabilities to remain living at home.

"Consumer Affairs Victoria (CAV), and KUC believe every young Victoria has the right to a safe and secure home," Programs like these provide the right support and accommodation to young people at risk of homelessness, so they can move on with their lives and not slide into a lifetime of instability and social disconnection."

The bungalows are prefabricated one-bedroom and two-bedroom units that can be erected in the backyard of an existing dwelling. The units have an estimated lifespan of up to 15 years and can be dismantled and relocated up to three times, as the need arises.

KUC is a not-for-profit organisation that raises funds to build houses and demountable bungalows to accommodate young people at risk of becoming homeless.

**"...every young Victorian has the right to a safe and secure home,"**

The ultimate aim of KUC is for young people to stay connected with family, school and community. They provide educational scholarships as well as a safe place to stay to ensure a healthy journey into adulthood.

Since 1989, KUC has built 16 houses, 195 new bungalows, relocated 81 bungalows and provided accommodation for more than 1700 children and young people.

The Victorian government's support of KUC's bungalow accommodation program is part of its commitment to providing environments where vulnerable young people are nurtured and supported.

The 2007-2008 budget delivered \$9.6 million for homelessness initiatives, with a particular focus on

housing for homeless and at-risk young people in the metropolitan growth areas of Casey, Melton, Whittlesea and the Yarra Ranges.

For more details contact Consumer Affairs Victoria on 1300 55 81 81 or visit, [www.consumer.vic.gov.au/grants](http://www.consumer.vic.gov.au/grants).



Premier John Brumby and Consumer Affairs Minister Tony Robinson (near left) announced funding for Kids Under Cover.

## VGSO

Before joining the Victorian Government Solicitor's Office Assistant Solicitor Kirsty McIntyre worked as a construction litigation solicitor. Kirsty's latest role has her based at the Victoria Police Central Branch.

**Q. What does your role involve?**

A. The Victorian Government Solicitor's Office (VGSO) provides independent legal government advice. I provide legal, strategic and practical advice to Victoria Police corporate command and individual members.

**Q. What does a typical day/week look like?**

A. In the last fortnight we had 35 requests for written advice and those requests come with files! They relate to complex high level issues such as ethical matters or requests for advice on contractual arrangements, memorandums of understanding and police responsibility and powers.

We get daily faxed requests to make applications for things like surveillance which are made in front of the Supreme Court and have to be

done almost instantly. We also get five or six calls a day from individual police members on issues they are facing at the coal face.

**Q. What attracted you to the role?**

A. I was interested on working for an organisation with a public interest.

**Q. Where were you before the VGSO?**

A. Most recently, I was a solicitor in construction litigation. I worked as corporate council to a national law reform body, developing legislation and legislative policy in road and rail safety. In that role, I worked closely with groups that included police, from all over the country. I saw I could bring to this role, my experience in creating and interpreting legislation and advising government. I also have a background in community legal advice. I worked for the women's legal service dealing with domestic violence problems.

**Q. What skills do you need to work at the VGSO?**

A. Lawyers here need to have a wide breadth of knowledge. You have to be able to give accurate advice. There's no room for error and the advice has to be instantaneous.

**Q. What drives you in this role?**

A. The work is always new and different. Also, the feeling you are making a difference. The police make a difference and the advice we give them help them do their job better.

**Q. How do you cope with the demands of the job?**

A. The job carries big responsibility but everyone benefits from the office's collegiate spirit. We have a team structure in place that ensures team members are well protected. The partnership approach ensures there is a transfer of knowledge and there are checks and balances in place.



Kirsty McIntyre.

## Cultural change contributes to social justice

Margaret Fried, from the Department of Justice, recently visited Trinity College in Dublin to present a paper at an international conference on Women and Ambition. Her subject – What has the Victorian government been doing to bring cultural change to the practice of law.

The state's Legal Panel arrangements provide the government with access to high quality legal services and makes equal opportunity and pro bono work, part of the way law firms on the panel do business.

"Today, women lawyers in Australia and Ireland face similar challenges in combining a career, with a full life outside work. In Victoria, panel law firms must regularly report on equal opportunity in their workplace and when briefing barristers for government work," Margaret said.

"Since the 1970s, the growing number of women entering the legal profession has not translated into more women promoted to partnerships or improved financial status. Moreover occupational barriers such as a glass ceiling or concrete roof are neither culturally bound nor limited to a life in the law," she said.

The Attorney-General Rob Hulls is determined to change what he has often described as the "old boys club" of the legal profession and the state has used the contract with 35 law firms to promote that objective. The equal opportunity elements encouraging gender diversity and financial equity for women working in the law elicited praise. The chairperson and representative of the National Economic and Social forum of the Republic of Ireland described Victoria as 'the Sweden of the South.'

"We do not think of the law as innovative but sometimes a contract does more than what appears. Next time you seek advice from one of the law firms who provide legal services to government, remember they are also contributing to the social justice priorities of the state," she said.

# Sustainable Consumerism for Students

Consumer Affairs Victoria (CAV) is educating young Victorians about the importance of making informed decisions about consumption habits and how over-consumption is affecting the world we live in.

As part of the Consumer Education in Schools (CEIS) program, CAV has developed a free resource for teachers called Consuming Planet Earth, which encourages young Victorians to explore ways to reduce their impact on the environment.

Consuming Planet Earth was developed in 2005 in conjunction with several environmental education agencies, to examine a range of important issues, including world population growth, community sustainability programs, waste reduction, the real cost of food, smarter transport options, and increasing consumerism.

The resource is promoted at a range of teacher professional development programs and conferences.

A resource for upper primary level called Consumer Stuff For Kids has also been produced, it aims to educate primary students about their rights as consumers and covers a range of key environmental issues.

Shane O'Connor, CAV's Schools Education Manager, says the activities in the Consuming Planet Earth resource are inquiry-based and engage students in informative and hands-on exercises.

"Activities in the resources include conducting an audit of the energy efficiency of their home, calculating

their ecological foot print, or determining the impact of transport options,

"The resource is fun, easy to use and a ready-to-go resource for teachers that caters for a range of student learning styles," Shane says.

CAV says the publication has received excellent feedback and has been widely accepted as an engaging, informative and integrated resource, which is user-friendly, relevant, fun and provides a variety of different learning activities."

## ...educating young Victorians about the importance of making informed decisions...

The resource is promoted at a range of teacher professional development programs and conferences. In March, CEIS delivered a presentation at The Museum of Victoria on consumer sustainability education and Consuming Planet Earth was the centrepiece of the presentation.

All the activities are directly linked to the required learning outcomes set down in the Victorian Essential Learning Standards (VELS).

"The resource is fun, easy to use and a ready-to-go resource for teachers that caters for a range of student learning styles,"

# Young ambassadors for human rights

Uyen Nguyen will draw on her family's experience of fleeing the Vietnam War as refugees during her new role as Human Rights Youth Ambassador in Victoria.



VEOHRC Chief Executive Officer Helen Szoke (left), with the Young Ambassadors.

Uyen is one of 11 inspiring young people selected to be part of the Victorian Equal Opportunity & Human Rights Commission's (VEOHRC) new Human Rights Youth Ambassador Program.

"Coming from a refugee background has enabled me to gain an insight into the adversities that new migrants face when they first come to Australia," the Melbourne University arts/law student said.

"I was born in a refugee camp in Indonesia and came to Australia when I was three.

"Although I do not have a clear recollection of this experience, it has allowed me to appreciate that basic human rights such as freedom, education, clean water and sufficient food are not to be taken for granted."

Aged 18 to 25, the Youth Ambassadors will work with the commission for the next 12 months, spreading the word about the Human Rights Charter to young Victorians.

Another Youth Ambassador, David Vincent, who grew up in a Kenyan

refugee camp before coming to Australia, said he had witnessed "many destructions" since he was three. "For me human rights means having a good place to sleep, three meals a day, an opportunity to visit a doctor when sick and to be able to sleep soundly without worrying to be killed the next day...the freedom to be able to do what I want without fear," he said.

Becoming a Human Rights Youth Ambassador meant being able to educate others about what freedom meant and how to enjoy it once it was gained.

Youth Ambassador Cassandra Devine first understood what human rights meant when she lived in East Timor two years ago and saw suffering and injustice "right on Australia's doorstep".

"Since living in East Timor, I am far more aware of how precious human rights are, and how easily they can be taken away," Cassandra said. "My experience in Timor showed me that it is possible for positive change to occur, at both big and small levels."

Commission CEO Dr Helen Szoke said she was in awe of the experiences, drive, motivation and commitment of each of the ambassadors.

"Each of our ambassadors offers unique insight into human rights issues in the Victorian community," she said. "These young people will make the charter real and relevant to young Victorians."

The Ambassadors would work with the commission to uncover issues affecting young people.

The other Ambassadors are Rahab Mousslimani, Claudia Stapledon, Marcelle Disanayake, Demetrio Zema, Lucas Ryan, Thomas Woodroffe, Francis Ventura and Mario Filintatzis.

The 11 ambassadors represent diverse communities and were nominated by the Centre for Multicultural Youth, the ALSO Foundation, Victorian Multicultural Commission, Youth Affairs Council of Victoria Inc, and Youth Disability Advisory Service.

# Justice for the environment – at work and at home.

DOJ environmental initiatives are having a positive impact on more than just the department's carbon footprint; a focus on the environment at work means that staff are better informed and able to make sustainable choice at home.

Many of the department's high-profile initiatives, such as the greening of the department's car fleet with the introduction of hybrid vehicles, are directly aimed at improving the carbon load of

departmental sites and activities. However, a carbon-minded workplace also has additional benefits for the environment, as staff mindful of climate change issues are likely to focus on environmental issues in their lives away from the office.

The Justice Environment Team believes there are definite, positive flow-on effects when staff are educated and aware about environmental efficiency and the conservation of resources.

For example, awareness of the introduction of hybrid cars into the departmental fleet is likely to make staff thinking about purchasing a new car consider a hybrid vehicle as a serious option.

Many of the Environment Team's projects have more than just the

greening of the workplace in mind. The distribution of native seeds across all DOJ offices to celebrate World Environment Day is a great example of an initiative bigger than just the department.

Staff who planted the seeds will now benefit from the growth of native lemon-scented bottlebrush plants, helping to reduce greenhouse gases as well as providing food and shelter for native wildlife.

Visitors to the Environment Team's pages on the J-Net site can also access useful information about sustainability in their day-to-day activities.

There's advice from Good Environmental Choice Australia about sourcing products that are environmentally and socially

responsible – information relevant not only to staff with purchasing responsibilities within the department but to all of us as consumers.

What you buy and where you buy it from has a big impact on how sustainable your lifestyle is. Understanding the impacts of your purchases can be complicated, as the whole life-cycle (production, manufacturing, transportation, packaging and disposal) of the product should be considered.

Supporting the right people and products can have huge benefits for the local economy, community and, of course, the environment, so it is worth putting some thought into purchases.

The Environment Team, in conjunction with Swinburne University's National Centre for Sustainability, is also

conducting a pilot program to train regional staff on environmentally sustainability.

The half-day training program provides staff with the tools to assist in reducing their environmental impacts at work and at home. The program gives a general overview of sustainability issues and discusses the top 10 environmental issues facing Victoria, common myths about conservation and life-cycle analysis of plant and product, so the most eco-friendly choices can be made.

For more information: [environment@justice.vic.gov.au](mailto:environment@justice.vic.gov.au)



Attorney General Rob Hulls with Uncle Besley Murray at the opening of the Swan Hill Koori court.

## Swan Hill Koori court opens

Seven adult Koori Courts are now operating in Victoria, with the Swan Hill court opening in June.

Attorney General, Rob Hulls, officiated at the opening of the new Swan Hill court, which was attended by Koori Elders, Respected Persons as well as community leaders and justice workers.

Victoria's Deputy Chief Magistrate, Jelena Popovic, presided at the court's first sittings a few weeks later.

Like other Koori Courts, Swan Hill's court aims to provide a culturally significant legal process to break the cycle of over-representation of Indigenous offenders in Victorian jails.

There are now adult Koori Courts operating at Bairnsdale, Moe/Latrobe Valley, Shepparton, Broadmeadows, Mildura and Warrnambool. Children's Koori Courts operate in Mildura and Melbourne.

An independent evaluation of the Shepparton and Broadmeadows Koori Courts showed the number of repeat offences by Indigenous people who attended them reduced to almost half the general level.

Plans for a pilot of Victoria's first Country Koori Court were announced by the Victorian Government in the 2008 State Budget. Project development is now underway.

## Change is well underway at OPP

The Office of Public Prosecutions is setting the pace for prosecution services in Australia with its restructure implemented on 21 August 2008. The changes will be closely observed by other jurisdictions.

OPP began to implement its new legal practice structure, business model and management strategy in March 2008. The changes will improve core business processes and responsiveness to the increasing challenges facing prosecution services. Importantly, the program aligns with Justice portfolio and Government-wide strategies for the criminal justice system.

The new business model is critical to reducing delay and improving the efficiency and effectiveness of prosecutions. It replaces a disaggregated prosecution process with a case management approach. All cases will now be assessed early and assigned a Case Assessment Rating (CAR). This expands on the approach successfully working in the Office's Specialist Sex Offences Unit. The CAR will also ensure Crown Prosecutors are briefed in the most complex and high risk cases.



The new look OPP will be better able to respond to challenges.

Early assessment will also enable the potential for resolution to be identified and actively pursued, and builds on the government funded initiative on early resolution. Early resolution is an important part of filtering appropriate matters out of the system, and avoiding unnecessary flow-on to trial phase.

The new model integrates victims services with the prosecution process. Victim issues will be identified early and solicitor-allocation will reflect the nature of the case and issues involved.

The new business model also includes a new advocacy program with solicitors able to appear in a greater range of court proceedings. An adjunct

training program is underway to ensure OPP's Advocates are appropriately skilled to undertake these roles.

The advocacy program provides better career options for OPP staff and has benefits for the criminal justice system overall. With OPP advocates involved in more court hearings the opportunities for early resolution of cases increases.

These changes will establish a modern, responsive legal practice which continues to exercise its statutory role servicing the Director of Public Prosecutions at the highest standards.

For further information on the OPP restructure visit [www.opp.vic.gov.au](http://www.opp.vic.gov.au)

## Sentencing advisory council Magistrates' Court snapshots

The Sentencing Advisory Council has now released the first two sets of Sentencing Snapshots that focus on offences in the Magistrates' Court of Victoria.

After publishing almost fifty Snapshots on sentencing trends for offences heard in the higher courts, the Council has turned its attention to providing information on offences heard in the Magistrates' Court.

Chair of the Sentencing Advisory Council, Professor Arie Freiberg, says that "the release of Magistrates' Court data represents a significant step forward in the Council's work on providing statistical information on sentencing to the judiciary and to the broader community".

Until the Sentencing Advisory Council began producing Sentencing Snapshots in 2005, Victoria did not have any reliable and readily accessible sentencing statistics. As of March this year, the Council has published 48 Sentencing Snapshots that provide sentencing trends for 32 different offences heard in the County and Supreme Courts.

In June this year the Council published the first of its Magistrates' Court Snapshots, with the release of information on indecent assault, indecent act with a child under 16 and knowingly possessing child pornography.

These first Snapshots were followed in August with a group of eight theft offences, covering different types of acts that fall under the same statutory reference.

Professor Freiberg says, "the statistical information that magistrates need is somewhat different to what's needed in the higher courts. Offences in the Magistrates' Court that fall under the same statutory reference can nonetheless vary significantly. For example, our second batch of Magistrates' Court Snapshots covered eight different theft offences, such as theft of a bicycle, shop steal and theft of a car. Although these are all counted as theft, clearly the sentencing outcomes for each will be quite different. In order to provide magistrates with the most useful information possible, we split the theft Snapshots into specific types of theft.

**"In all our work, we try to be as responsive to our audience's needs as we can".**

Accurate sentencing statistics are a crucial tool for working out what current sentencing practices are and for establishing the range of sentences for a particular offence. The Sentencing

Act 1991 states that, when sentencing an offender, a court must have regard to "current sentencing practices". When an offender or the prosecution appeals against a sentence, a common argument on appeal is whether the sentence is "outside the range" of sentences for the offence.

Higher courts judges have increasingly used the Snapshots since the first were released in 2005. In 2007-08, the Court of Appeal referred to the Council's Snapshots 11 times, using the data as evidence of whether the original sentence imposed was outside the range of sentences typically imposed for the offence.

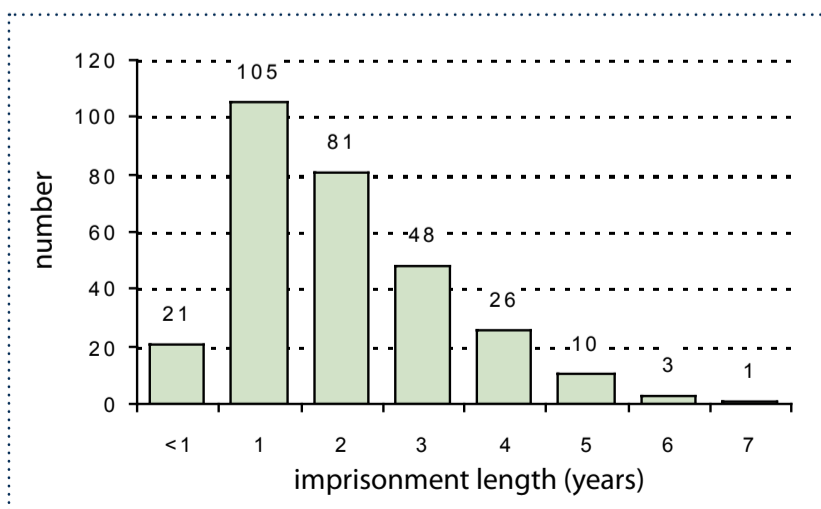
"Before we started releasing our Snapshots," says Professor Freiberg, "Judges had to rely on their personal knowledge of similar cases that had previously been before the courts. While judges often have great experience and a close understanding of general sentencing patterns, the Snapshots provide a detailed and exact picture of the range of sentencing outcomes and the kinds of sentences most often imposed.

"This information adds a level of accuracy that the courts simply didn't have before".

Judges and magistrates may use the Snapshots to help them determine which sentencing outcome is appropriate. For example, the Court of Appeal has considered the Snapshot on intentionally causing injury for evidence on the proportion of offenders who are sentenced to a term of imprisonment.

Sentencers may also use the Snapshots to determine the appropriate length of the order to be imposed. For example, the Court of Appeal used a Snapshot on aggravated burglary to determine the range and most common length of imprisonment terms that had been imposed over the past five years (see graph at left).

Around 92% of all criminal cases finalised in Victorian courts are heard in the Magistrates' Court. Over the coming year, while the Council will continue to update the higher court Snapshots, focus will turn to producing reliable and accessible data for offences heard in the Magistrates' Court.



The number of people sentenced to imprisonment for aggravated burglary by length of imprisonment term, 2002-03 to 2006-07.

# Churchill Fellowship allows a look at world's best practice

**M**artin Hardy, Investigations Manager for the Office of Police Integrity, was awarded a Churchill Fellowship by the Victorian Governor, Professor David de Kretser, during a ceremony at Parliament in July this year, and has recently begun his overseas study trip sponsored by the Churchill Foundation.

Martin was awarded the Fellowship because of his submission to investigate criminal infiltration and the impact of improper association on policing and public organisations. This area of research taps into Martin's work as an investigator for the Office of Police Integrity, and previously for Victoria Police. Of particular significance is his past investigative work on the Ceja Taskforce, which uncovered corruption in Victoria Police's now disbanded Drug Squad.

The fellowship has allowed Martin to carry out independent overseas study of this area. The aim of the Churchill Trust is to give financial support to those who, having exhausted opportunities within Australia, seek to travel overseas to further their

knowledge and skills in a particular field, and to bring their new-found knowledge back to benefit Australia.

Martin is travelling through Europe and North America, visiting cities such as Vienna, Lyon, Paris, London, Belfast, New York, and Vancouver, and meeting with representatives from other law-enforcement and anti-corruption agencies. "It's a pretty exciting time", he said as he prepared to leave his office for 7 weeks.

He began his trip in early September and was most looking forward to visiting the United Nations in Vienna, where he has been invited to meet the Drug and Organised Crime Unit and help with their policy preparations. Another highlight is meeting the Chief of the Official Corruption Unit in the New York District Attorney's Office.

The fellowship allows Martin to directly communicate with agencies such as the United Nations, Interpol, Met, Federal Bureau of Investigations, New York Police Department, Scotland Yard and the Royal Canadian Mounted Police, to observe their models and

note strategies which could be applied to Australian law enforcement. "I just want to learn as much as I can to bring back home to Australia, and in particular to OPI".

Martin was required to submit an initial application, outlining his research idea and proposed travel itinerary, with personal information such as employment history and personal achievements. "Not only do you need the right vehicle and the right topic, but the Board also need to make sure you're the right person for the job".

The application process was in four stages; initial application, two rounds of interviews with the second interview and presentation before a 15-member judging panel, and final approval before the National Churchill Fellowship in Canberra. This would all be a rather confronting experience for most, except Martin's past employment as a senior level manager and his investigation experience held him in good stead. "Although I was a little nervous speaking before the panel, overall I felt pretty confident about it. Having done extensive work in this area before, I

knew I was in a good position to apply and would be able to field the Board's questions," he said

From an initial 270 applications from Victoria, 25 Fellowships were awarded. The Churchill Fellowships are provided by the Churchill Trust. The Trust is named after Winston Churchill and was

formed to honour his memory, and to enable Australians in their quest for excellence in a variety of fields. Other research topics from Victoria include prosthetics and orthotics, migrant and refugee integration, management of chronic diseases, reading programs and eco-tourism.



Martin Hardy receiving the Churchill Fellowship from Victorian Governor, Professor David de Kretser.

## Everyone's a winner

Recognising that many people struggle to participate in community life, the greyhound industry is linking clubs to local communities in ways that benefit everyone involved.

**T**hrough the 'Great Chase' initiative Greyhound Racing Victoria is opening up greyhound racing to people with intellectual and physical disabilities in community groups across the state.

The initiative helps raise funds for community organisations by pairing them with greyhounds entered in Great Chase events across regional Victoria and metropolitan greyhound tracks.

About 160 groups are invited to one of Victoria's 14 racing clubs for a lunch or dinner, where they draw a greyhound to race for their group in the Great Chase series.

Funds are generated for participating groups through a series of heats, semi-finals and a grand final. When a group's dog has a win during the series, that organisation also receives prize money.

The organisation with the winner of the Great Chase grand final receives \$3000 plus 10 per cent of that greyhound's winnings for the year.

Local community groups relish the opportunity to enjoy a social outing with friends and family, to mix with other community members and to be treated like VIPs. Not only offering great outings

for participants, these events also raise the profile of disability groups within the community. They provide valuable support and winnings go towards improved facilities and equipment.

A highlight of the events is witnessing the excitement and joy of those involved as they cheer on their dog. The industry is extremely supportive as it brings a wonderful atmosphere to the club.

### The initiative helps raise funds for community organisations.

Groups can visit the kennels to see how the dogs are trained, fed and groomed. Many trainers also take their greyhounds to visit the groups and centres throughout the year and are amazed at the delighted response as they pat and cuddle the dogs – some never having patted a dog before! The smiles on people's faces say it all.

Greyhound Racing Victoria has shown the racing industry that giving back to communities across Victoria can only result in a win/win situation.

## Walk in her shoes

There is a saying that: 'You can't really understand another person's experience until you've walked a mile in their shoes.'

**S**ince beginning in mid-2007, 310 staff from outreach services, family violence support agencies, legal agencies and community groups have taken part in the 'Walk in Her Shoes' tour offered by the Specialist Family Violence Services team at the Melbourne Magistrates' Court. The program literally walks people through the process of applying for an intervention order. Groups are shown through interview rooms, remote witness facilities and the after-hours service. The supervising magistrate explains court proceedings, and

participants have the opportunity to ask questions and sit in on a hearing. Most agree 'the tour gives a good overview of what clients will have to go through'.

For victims of family violence the court experience can be intimidating and distressing. Many of the legal and support services are unaware of the full range of support available to women when they come to court. As one participant said: 'I think people generally expect a less supportive, more clinical experience, and I found this a lot more supportive than I expected'. The specialist family

violence service team has reported stronger links with community groups that have participated. Having taken the tour, they are more willing to encourage women to apply for intervention orders as they 'can now outline the process, so the clients can have an understanding before they get to court'.

For more information, please contact Bez Robertson at the Melbourne Magistrates Court.

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Ph: 9628 7777



The "Walk in her shoes" tour takes place through a complex process.