

6 July 2019

Legal and Social Issues Committee

Legislative Council

Parliament of Victoria

By email: spentconvictionsinquiry@parliament.vic.gov.au

Dear Committee Members

Spent Convictions Inquiry

Established in the 1930s, the Brotherhood of St Laurence is an independent, non-government organisation with strong community links that strives to achieve an Australia free of poverty and social exclusion and works to build social and economic participation.

Accordingly, we welcome the Committee's Inquiry into establishment of a Spent Convictions Scheme in Victoria. Such a scheme is both long overdue and absolutely critical to addressing the marginalisation experienced by vulnerable groups over-represented in the justice system. Aboriginal Victorians are particularly impacted.

The lack of a legislated Spent Convictions Scheme creates significant and ongoing hardship.

Old, minor, irrelevant and sometimes unjust criminal records (e.g. young children charged with being neglected) are having devastating impacts on individuals and their families, by:

- discouraging people from undertaking education and training and lowering their aspirations about what they can achieve
- preventing people from obtaining work –Brotherhood program staff have reported that people are can be screened out by employer recruitment processes because of irrelevant convictions (such as for unpaid fines) or old convictions relating to crimes committed when they were much younger
- creating barriers to community life, including volunteering and membership of boards and committees
- limiting the eligibility of Aboriginal families to provide kinship care
- discouraging people from seeking assistance from government services, including in situations of family violence
- causing stigma.

These have broader community-level consequences including:

- reduced wellbeing, including mental health

- lower economic participation – Aboriginal Victorians experience much higher unemployment and have lower rates of labour market participation
- lower household incomes and higher rates of reliance on income support
- reduced participation in social, community and civic life
- reduced connection to culture, an important protective factor for Aboriginal Victorians
- barriers to advancement towards self-determination, with convictions curtailing leadership capacity
- reduced ability of Aboriginal community controlled organisations and workforces to support culturally responsive services.

The Brotherhood is pleased to endorse the comprehensive submission co-ordinated by Woor-Dungin, which was informed by the Criminal Record Discrimination Project and calls for:

1. Introduction of a Spent Convictions Scheme for Victoria; and
2. Changes to the *Equal Opportunity Act 2010 (Vic.)* to protect people from discrimination on the grounds of irrelevant criminal records.

Please contact Nicole Rees at nrees@bsl.org.au or on 0407 337 940 if you wish to discuss the Brotherhood's position.

Yours sincerely

Conny Lenneberg
Executive Director