



Victorian Aboriginal Legal Service Newsletter

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Plan to expand Youth prison

Antionette Gentile

Acting Chief Executive Officer VALS.

VALS have written to the State Government urging them to rethink proposals to extend the capacity of Youth Prisons by up to 70 additional beds. VALS believes that alternatives to the cost of building a new prison should be considered. Once an additional prison is built a huge slice of resources are locked into the ongoing operation of it and it costs approximately \$80000 per annum to keep a person in prison. If the proposal goes ahead it is likely that funding towards alternative strategies to prevent increased prison numbers such as Koori controlled diversionary programs will not be available. A range of groups have lobbied the Government regarding this issue including the Federation of Community Legal Centres, the Victorian Council of Churches, the Catholic Commission for Justice Development and Peace, Catholic Social Services, Anglicare, the Uniting Church Synod and the Salvation Army.

As the government is about to seek expressions of interest from private contractors to build and run a new prison, it is vital that organisations and individuals write to the Minister for Youth and Community Services, Dr. Dennis Napthine, 22nd Floor 555 Collins St. Melbourne 3000 urging him to consider the alternatives to increased Youth prison beds.



Launch of 'Koories and Jungais' -research project findings

A study of Aboriginal and Police relations

Robin Inglis

Executive Officer Research Planning and Development. VALS.

This research project and publication was commissioned by the Victorian Aboriginal Legal Service (VALS) and written by Sarah James. It was launched on Monday May 3rd by VALS Board Chairperson, Frank Guivarra. A traditional welcoming ceremony to the event being held on traditional Wurundjeri lands was presented by Wurundjeri Elder Joy Murphy with the Winda Mara dancers from Heywood performing several dances.

Speeches were also made by Sarah James, Ron Murray one of the two interviewers and also Bruce Colcott State Manager of the of the Aboriginal Community Justice Panels Unit Victoria Police. (ACJP's).

The research is based on interviews with 60 Kooris and 60 Police Officers drawn from regions across Victoria where significant populations of Kooris live. The Community Justice Panel Unit of the Victoria Police supported the research project and it was sponsored by the Binjorra Regional Council (ATSIC).

At several levels this research reflects a bringing together of different organisations, people and perspectives. The report provides an overview of the issues and identifies some positive directions towards better relationships between the Police and the Koori community concluding with recommendations towards those ends. The report highlights that Police and Koori's have dramatically different understandings of the historical role of the Police, the causes of high contact by the Koori community with the police, the prevalence of violence in the relationship, the role of racism and the use of police powers.

Copies of the report are available from VALS at a cost of \$15.00

. "A Jungai is ... have you heard of the Jungai? Jungai is in Walaga Lake, they call them Jungais and it's the starfish. Jungais. And you see the policeman with their stars on their hat. Obviously when the black fella seen the cap and they had the star, what it resembled to them would have been a starfish. And that's a Jungai'. -An impression from a Koori interviewed for the study.



Statement of Co-operation

In March this year a Statement of Co-operation was signed by representatives of the Victorian Aboriginal Legal Service (VALS) and Victoria Legal Aid (VLA). The statement 'reflects a joint commitment of VLA and VALS to assist the Indigenous people of Victoria to manage their Legal Affairs'. The Statement contains thirteen undertakings intended to enhance, improve and develop legal services for Aboriginal people which include; to liaise in relation to needs, to establish a consultative committee, appoint a 'key' legal services worker for Indigenous clients to act as a central point of contact and information for Indigenous clients and to facilitate reciprocal participation in 'in house training' and to promote each other's services. The Statement builds on a history of co operation between VLA and VALS and provides a basis for continuing improvements to services and avoiding unnecessary overlap.

Draft Declaration on Indigenous Human Rights.

VALS Board Chairperson Frank Guivarra attended a working group on the Draft Declaration on Indigenous Human Rights held at Geneva Switzerland in December 1998. The Indigenous Caucus represented by Ms. Naomi Kipuri, presented a joint Indigenous declaration to the working group he attended. Ms. Kipuri acknowledged the 'noble and humane words of the Universal declaration of Human Rights which she said were full of promise but added she wished they were true. In a speech transcript she outlined the following clauses adding her comments.

- ◆ All are equal before the law and are entitled without any discrimination to equal protection before the law... I wish it were true that all countries would surrender their laws that treat Indigenous peoples unequally and deprive us of our rights.
- ◆ Everyone has the right to own property.....I wish it were true that Australian Aboriginal Peoples and all Indigenous people could enjoy the right to claim unhindered, native title to all our lands.
- ◆ Everyone has the right to life....I wish it were true for those Indigenous people in Africa and elsewhere who are driven from their lands and who can no longer adequately sustain themselves.
- ◆ No one shall be arbitrarily deprived of his or her property.....I wish it were true for the Masias, the Miskitos, the Innu Indian People and others whose lands are not yet recognized and respected.
- ◆ Everyone has the right to freedom of thought,...How I wish this were true for all Indigenous People whose sacred sites are despoiled and desecrated.
- ◆ Everyone has the right to a social and international order.....I wish it were true for so many Indigenous People who suffer the barbarity and lawlessness of others. I wish for an international order in which we indigenous people have a full and equal role.

.....Indigenous rights continued

We can still make the promises of the Universal Declaration of Human rights come true. One great step towards fulfilling these promises will be for the countries of the world to adopt the Declaration on the Rights of Indigenous people. Fifty years after states adopted the Universal Declaration of Human rights; we ask ourselves what were they thinking of when they wrote those words? For according to our understanding, as Indigenous Peoples, human rights cannot be simply individual rights, nor even rights of human beings, but rather must be rights of all life, of nature, the forests, rivers, plants and animals. So when we speak of our rights as Indigenous People, we are speaking of rights of collectivities constituted of plants, animals and human life. Respecting human rights means avoiding the annihilation of diversity. Nature itself shows us the need for diversity of life.

We salute the women and men who wrote and adopted the Universal Declaration in 1948. Perhaps they were thinking about the true meaning of human rights. But over the years, those that seek political and economic power have tarnished the ideals that inspired the Universal Declaration. Such is the case in the Amazon, for example, with the destruction of natural and mineral resources. From Alaska to Patagonia, from the Atlantic to the Pacific, in fact throughout the world, transnational companies are killing life itself, not just Indigenous People. If we can achieve balanced, just and equal relations amongst peoples, we can prevent conflicts, discord and confrontations such as those that have taken place in Central and South America, Africa and Asia, the Pacific and in other parts of the world where Indigenous People live. To respect human rights is to achieve peace.

Taken from an Address to the Working Group on Indigenous Human Rights by Ms. Naomi Kipuri, Geneva March 1999

Reconciliation Event

The week of May 26th to June 3rd is Reconciliation Week. The Victorian Aboriginal Legal Service is holding a brief Reconciliation afternoon tea at our offices at 4.00pm on June the 3rd. We are inviting members of mainstream organisations and also some Koori organisations, involved in Justice issues.

