



# Victorian Aboriginal Legal Service Newsletter

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## Veterans and War Widows Entitlements for ATSI people



Joan Ormrod of the Federal Department of Veterans Affairs (DVA) visited VALS recently and informed us that the DVA believes many indigenous ex-service men and women and war widows may be missing out on benefits to which they are entitled. It is estimated there may be 3000-4000 Aboriginal and Torres Strait Islander (ATSI) veterans and similar numbers of their widows and children.

Like all Australian veterans, ATSI people fought for their country and can therefore apply for benefits and services from the DVA.

The Disability Pension is available if you have an illness or injury that was caused by, or is related to your wartime service.

The Service pension is available if you are a male veteran aged 60 years or over and have what is known as 'qualifying service' Female veterans can apply from the age of 56 years 6 months.

If you are aged under 60 but are unable to work due to medical reasons, you can apply for an invalidity Service Pension.

Service Pensioners can also get help paying the rent, medicines and telephone bills. If you live in a remote area you might get a special allowance.

Some veterans can get free access to health care services such as medical and hospital treatment, dental care, physiotherapy, podiatry, community nursing care and medicines.

For counseling needs, the Vietnam Veterans Counseling Services (VVCS) helps veterans who are suffering stress caused by or related to their wartime service. VVCS counselors can talk with you and your family about problems at work or at home and help to find ways to handle them for the sake of your family.



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Even if you are not sure whether you are eligible or not, you should ring DVA to talk about your service. The widows of veterans whose death is caused by or related to their wartime service may be eligible for a pension and/or health care. Partners of Veterans with 'qualifying service' may be able to get the age Service Pension. You can call the DVA office in your state or territory and ask for the Aboriginal and Torres Strait Islander Project Officer. This will ensure you get the best assistance with your questions about DVA services and benefits and how to claim them. Information brochures are available from your nearest DVA office; these brochures also feature your state office telephone numbers. If you live outside the metropolitan area, phone free call 1800 113 304.

## Indigenous Women's Legal Needs Study

A briefing meeting about the issues emerging from the Indigenous Women's Legal Needs Study was held at the Queen Victoria Women's Centre on December 13<sup>th</sup>. In attendance were people from a range of government and non government organizations.

VALS board member Denise Lovett, and Deputy CEO, Antoinette Gentile introduced the workshop and Consultant Leanne Miller facilitated the discussion. A final report is expected shortly and we will keep you informed next issue.

## Seasons Greetings

*The Board of Directors, CEO and Staff of the Victorian Aboriginal Legal Service wish to convey their best wishes to the community, the organizations and services we work with in the pursuit of justice and equity for our Indigenous citizens. We appreciate the efforts of all concerned and look forward to our continued interaction in the new millennium.*

*We hope that you and your families all have safe and a happy Xmas, new year and New Millennium celebrations.*

## **Human Rights Commission Changes**

Tracey Raymond from the Human Rights Commission in Sydney visited VALS to provide information about changes to Human Rights Law. Human rights complaints involving the Commonwealth Government, will now be dealt with by the Human Rights Commissions Sydney office. If conciliation fails, the Commission will no longer decide cases. These will be decided by the Federal Court. People who want Legal Aid to run cases will have to apply to the Federal Attorney's Department in Canberra for funds to run their case.

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## **Community Legal Education Unit on the Road**

The Community Legal Education (CLE) Unit staff Sherry Nakalevu and Catie Pitman have been targeting their efforts in the Dandenong and Shepparton areas. There have been meetings with community members in each of these areas with strong interest in developing opportunities to deliver Community Legal Education, empowering community members in the knowledge, pursuit of and expression of their legal rights.

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## **Responding to Perpetrators of Family Violence**

Earlier this year the Office of Women's Affairs held a consultation about Commonwealth Government proposals to develop programs for perpetrators of family violence. One of the outcomes was to consult with the Koori community further.

The Commonwealth Government, following a National Crime Prevention report, supports an approach which involves courts forcing people who use family violence to attend programs or counselling. The consultation identified that the whole Koori community needs to be involved in the prevention of violence; that violence cannot be addressed as a single isolated factor and that further community consultation should occur with the Koori community.

This consultation is likely to occur sometime early next year. There will be a discussion paper developed and public comment invited. If you want further details contact Marion Frere at the Office of Womens Affairs on 96510525.



## **VALS appoints new CEO**

VALS Board of Directors have recently appointed Mr. Nigel D'Souza as Chief Executive Officer.

Nigel held a position as Executive Officer with the Secretariat of the National Aboriginal and Islander Child care (SNAICC) where he had worked for some 15 years before deciding it was time for challenges elsewhere. While at SNAICC he was involved in issues of great variety including family violence, law reform relating to children's rights, family law matters, policy in relation to children and families and was closely involved with the National Enquiry into the Separation Aboriginal and Torres Strait Islander Children from their Families. He was on the Indigenous Advisory Council of the national Enquiry. Prior to working with SNAICC, worked in the remote western desert community of Kintore working to establish their community health service.

Nigel holds a Degree in Economics from Manchester University and a Masters Degree in Social Policy from RMIT.

Nigel wishes to convey to the community that he is committed to build on the achievements of the service under Acting Chief Executive Officer, Antoinette Gentile and the previous CEO, James Christian.

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## **Congratulations Geoff Clarke**

Congratulations to new chairman of ATSIC; Mr. Geoff Clarke. We wish to convey our best wishes to him in his appointment to the leadership of our most powerful Indigenous organization, and for the challenges ahead.

Geoff has long been associated with determined and dogged struggle for, and his advocacy of; Indigenous land and social rights. Geoff has indicated that he supports a renewed push for Land Rights which he described as being 'unfinished business'. He also called for ATSIC funding to be guaranteed for 3 year terms with greater budget flexibility and for a treaty between Indigenous and non Indigenous Australia.

We hope that the Federal and State Governments and the non Indigenous community can deal with these long outstanding issues which divide the nation in a mature and enlightened manner towards a more equitable and inclusive nation in the next Millenium.

