

# Victorian Aboriginal Legal Service Co-operative Ltd

## Newsletter July 2005



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### Staff Update

VALS welcomes Michelle Murphy and Cameron Horn, Criminal Law Solicitors, to the Organisation. VALS also wishes to thank Paul Newman who worked as a locum Criminal Law Solicitor during July 2005. Becky Pattinson is currently working as a Criminal Law Solicitor on a temporary basis. She formerly held the position of Solicitor at the Bairnsdale Office.

### Video-Conferencing Units

VALS has been successful in its application for one-off funding for the installation of video-conferencing facilities from Aboriginal Justice Agreement funds. On 22<sup>nd</sup> July 2005 State Attorney-General, Rob Hulls, attended VALS to present a cheque for \$75,000.00 to the Chief Executive Officer, Frank Guivarra, for the purchase of video-conferencing equipment which will be located in the VALS Head Office and yet to be determined sites.

There is an atmosphere of enthusiasm about the installation of the equipment because it will enable VALS to better meet the needs of clients in rural areas. The equipment will enable clients in rural areas to communicate with their lawyers at the Head Office in Fitzroy. The clients and lawyers will be able to see one another on a video screen whilst they talk.



**Photo 1: Rob Hulls (Attorney- General).**  
**Photo 2: Frank Guivarra (CEO), Alf Bamblett (Director), Rob Hulls (Attorney-General), Ray Ahmat (Director) and Des Morgan (Director) .**  
**Photo 3: Alf Bamblett (Director), Andrew Jackomos (Director Indigenous Issues Unit, Department of Justice) and Frank Guivarra (CEO).**

## **Civil Law Update**

A Complaint of Unlawful Discrimination against the State of Victoria (Department of Education and Training) was lodged at the Equal Opportunity Commission of Victoria (EOCV) in May 2003 on behalf of a student. In February 2005, an additional complaint was lodged against the Department of Education and Training (Department) alleging that the Department had subjected the student to victimisation in breach of the Equal Opportunity Act 1995 (Vic) following the initial EOCV Complaint. The Complaints were declined by the EOCV on the basis that there was no prospect of the Complaints being settled by Conciliation. The Complaints were referred to the Victorian Civil and Administrative Appeals Tribunal (VCAT) Anti-Discrimination List. On 13<sup>th</sup> July 2005, a Mediation Conference was held at the VCAT and the outcome of the Mediation was on favourable terms for the VALS client. The specific terms of the settlement are confidential.

## **‘Telling it Like it Is Camp’**

VALS’ staff attended the ‘Telling it Like it is Camp’ on 26<sup>th</sup> July 2005. The Camp was held at Camp Jungai and sponsored by the Victorian Aboriginal Community Controlled Health Organisation, Mary Stopes Australia, Melbourne Aboriginal Youth Sport and Recreation and Family Planning Victoria. The Camp was aimed at young families aged 16 to 24 years of age. Two solicitors, a Client Service Officer and a Community Legal Education Officer attended the Camp and discussed issues relevant to the participants, such as discrimination and family law. The Camp was a success as it is the experience of VALS that it is worthwhile, where time and workload permits, for solicitors and/or Client Service Officers to attend such camps or conferences to engage with community members.

## **UPCOMING EVENTS**

### **Indigenous Australian Human Rights Forum**

All are invited to the Indigenous Australian Human Rights Forum. The Victorian State Government has released a Discussion Paper titled ‘Have Your Say about Human Rights in Victoria’. The Indigenous Australian Human Rights Forum is your chance to let the Government know how the human rights of Indigenous Australians in Victoria should be protected. The Human Rights Project (Department of Justice) is funding the Forum.

- Date: Wednesday 10 August 2005.
- Time: 10.30am – 1.30pm. Please arrive at 10.30am for registration and morning tea. The meeting will officially commence at 11.00am (lunch is provided).
- Venue: Aborigines Advancement League – 2 Watt Street, Thornbury.
- To RSVP for catering purposes please contact Greta Jubb at VALS on 9419 3888 or [gjubb@vals.org.au](mailto:gjubb@vals.org.au) by Thursday 4 August 2005.

**Presenters:** The following people will be presenting papers:

- Larissa Behrendt (Professor of Law and Indigenous Studies, Director of the Jumbunna Indigenous House of Learning at University of Technology, Sydney and member of the Bill of Rights Australian Capital Territory Consultative Committee);
- Frank Guivarra (Chief Executive Officer - Victorian Aboriginal Legal Service Co-operative Limited);
- Melissa Castan (Associate Director of Castan Centre for Human Rights Law, Monash University);
- Muriel Bamblett (Chief Executive Officer - Victorian Aboriginal Child Care Agency);
- The Honourable Alistair Nicholson QC (former Chief Justice of the Family Court and

current Honorary Professorial Fellow at the Department of Criminology, University of Melbourne).

**The following organisations support VALS in organising this Forum:**

- Aborigines Advancement League Incorporated;
- Victorian Aboriginal Community Services Association Limited;
- Victorian Aboriginal Community Controlled Health Organisation;
- Victorian Aboriginal Child Care Agency;
- Victorian Aboriginal Education Association Incorporated;
- Elizabeth Hoffman Indigenous Women's Services Incorporated;
- Victorian Aboriginal Health Service

**Koori Organisations' Policy Workers Network**

VALS is a member of the Koori Organisations Policy Workers Network established in early 2005. The Network meets once a month to discuss research and policy issues. The Network has been useful in addressing some of the challenges faced by VALS. The Network enables Indigenous Australian organisations to:

- Share information and ideas about current policy and program issues more easily;
- Get a clearer understanding of how other organisations are dealing with these issues;
- Identify opportunities to work more collaboratively and effectively ;
- Develop more wholistic and comprehensive submissions and proposals for our respective organisations.

The Network has had a valuable information sharing meeting with the Non-Government Organisations' Research Network and one with the Victorian Council of Social Service.

**Law Institute of Victoria Working Group on Indigenous Issues and Reconciliation**

VALS is a member of the Law Institute of Victoria Working Group on Indigenous Issues and Reconciliation. VALS welcomes the establishment of the Working Group and looks forward to future involvement in it.

**Stolen Generations Organisation**

In May 2005, Minister for Aboriginal Affairs, Gavin Jennings, announced that Victoria will establish Australia's first dedicated Stolen Generations Organisation to help reunite stolen generation members with families. For more information contact Mason Atkinson on 9208 3262.

**Mildura Koori Court**

Attorney General, Rob Hulls, officially opened the Mildura Koori Court on 12 July 2005. The Mildura Koori Court is the fourth Koori Court in Victoria. VALS was represented at the opening by Des Morgan (Director), Frank Guivarra (CEO) and Jill Prior (Solicitor). VALS welcomes the opening of the Koori Court in Mildura.

**SBS Story on Family Violence**

In the month of June 2005 SBS aired a story about family violence in the Indigenous Australian community. The following Victorians were interviewed for the story: Eva Hudson (Domestic Violence Outreach Worker at Elizabeth Hoffman Women's Services Incorporated), Lisa Thorpe (Chairperson Elizabeth Hoffman Women's Services Incorporated), Marion Hansen (Chair of Board Directors of Aboriginal Family Violence Prevention and Legal Service) and Alf Bamblett (member of Victorian Indigenous Family Violence Taskforce).

The story is available at the following site:

<http://news.sbs.com.au/livingblack/index.php?action=prog&id=262>.

### **Family Violence Court**

VALS met separately with Janelle Morgan, Manager Courts and Programs Development Unit, on 14 July 2005 and Cathy Lamble, Magistrate at Heidelberg Magistrates' Court, on 15 July 2005 to discuss the Family Violence Court Pilot. The discussions were useful and both Janelle and Cathy are keen to meet with the Indigenous Australian community to discuss the Pilot in August 2005. If you are interested in finding out about this meeting please contact Greta Jubb (Research Officer).

### **Submissions/Public Hearings:**

VALS drafted the following submissions in the month of July 2005:

- Submission to the Department of Justice in response to the Family Violence Court Division Magistrates' Court Professional Development Strategy 2005-2007 - sent 14<sup>th</sup> July 2005.
- VALS Submission to the Victorian Parliament Law Reform Committee in response to the Coroners Act 1985 Discussion Paper (April 2005)–sent 25<sup>th</sup> July 2005.
- VALS Submission to the Standing Committee on Legal and Constitutional Affairs in response to the Family Law Amendment (Shared Parental Responsibility) Bill 2005 Exposure Draft–sent 25<sup>th</sup> July 2005. Similar arguments in the submission were raised by VALS at a Public Hearing on 20<sup>th</sup> July 2005. Rose Solomon and Eva Hudson (Elizabeth Hoffman Indigenous Women's Services Incorporated) also presented at the Public Hearing.

### **Contact Details**

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