



Victorian Aboriginal Legal Service

Newsletter

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Historic Agreement Signed by Police in Shepparton!

On August 14 in Shepparton, an official ceremony took place at the local police station to mark the signing of a **Local Agreement** between the Koori justice workers and the local police.

This event is an important marker in history because for the first time in this state, and after 18 months of negotiations, some of the police "standard procedures" have been re-defined to respond more effectively to the justice issues of the Koori community. The Local Agreement encourages police to be concerned in their day-to-day work to be respectful of Koori workers and their communities and to be aware of how police can implement recommendations of the Royal Commission into Aboriginal Deaths in Custody. An underlying aim of the Royal Commission and the Local Agreement in Shepparton is: **to prevent Aboriginal people coming into contact with the criminal justice system.**

The agreement also puts in place procedures to make sure that Koori Justice workers get an opportunity to meet police officers soon after they start at the Shepparton station.

At VALS we are awaiting feedback from the community to see whether this new initiative will improve relations with police in Shepparton and therefore make it easier for community to get the assistance they require when they come into contact with police. In the meantime, a signed Local Agreement is a great win for justice in the Shepparton Koori community!

NEWS

Indigenous "Sea Rights"

The Mary Yarmirr case on behalf of people of Croker island (250Km NE of Darwin) was decided by the High Court on 11/11/01.

According to David Marr in the Sydney Morning Herald, the Croker Island people were claiming exclusive control over fishing in their waters.

The Commonwealth Government argued that no native title can survive at sea.

The Court did not support the Croker people's claim for exclusive rights. The High Court did confirm the islanders native title right to fish. This means the right to fish will have to be shared between indigenous and non indigenous groups.

The court decision was 6-1 in favour. Five of the judges in favour wrote a single judgement which according to Marr is very unusual.

Mary Yarmirr called it "a shallow victory".

Northern Territory New Government

The Northern Territory government was sworn in on the 15th of October. There are Four aboriginal representatives one of whom is a minister in the new Labour Government. The government tabled a bill to end mandatory sentencing. Aboriginal legal service NT were quoted on ABC news as criticising the failure of the bill to have any impact on people already serving sentences. The government has said that they will make an apology in relation to the "Stolen Generation"

Ex VALS Staff in the Media

Pat Farrant who until recently was a Client Service Officer at VALS appeared briefly in an Australian Electoral Commission TV ad. Recently.

Staff Moves

Farewell to lawyers Justin Wheelahan and Graham Davies. Justin was based in the city and his farewell was notable. Rather than the conventional farewell speech Justin sang a song to the tune of Hotel California. (Very few people escaped unscathed).

Graham Davies has left VALS before and come back. This time he leaves the Bairnsdale office. Many thanks to both of them for their hard work and sense of humour.

Arrivals

Cynthia Lim has taken over the research Officer position vacated last march by Chris Dunk.

Cynthia will be known to a number of people in the Koori community as a result of three years experience coordinating Sorry Day and research she has done in relation to the Stolen Generation and Koori Community Justice Panels.

Welcome.

Jan Muir has recently accepted a position at VALS as a Community Legal Education worker. Jan has a range of valuable experience; see her article in the next edition of this news sheet. The position is funded from Aboriginal Justice Agreement money.

Tim Whitehead a lawyer from Shepparton has been appointed to a solicitor vacancy at VALS. Tim has a number of years experience and will be a valuable addition to the VALS staff.

Bradley Boon has recently been appointed to VALS as a Client Service Officer. Bradley has returned to VALS after working at the Aboriginal Health Service for a while. Welcome back Brad.



Restorative Justice and Indigenous Family Violence

VALS organised a workshop about the use of Restorative Justice Approaches to Family Violence.

The workshop was held at the Aborigines Advancement League and over 60 people attended.

Loretta Kelly, an indigenous lawyer, lecturer and Mediator from Southern Cross University, NSW was a keynote speaker. Loretta has been involved in helping set up the Kempsey Aboriginal Women's Annex.

Other people who spoke about services in Victoria were Lisa Briggs from the Dispute Settlement Centre, Eve Hudson from Elizabeth Hoffman House, Linda Mullet from the Department of Human Services and Linda Bamblett from the metropolitan Regional Aboriginal Justice Advisory Council.

Ms Kelly quoted Helene Carbonatto who argues that current criminal justice solutions to spousal abuse have been attacked because they do not adequately provide solutions for couples who continue to live together after criminal justice intervention has occurred. Carbonatto sees a restorative justice model as differing from traditional mediation because of the engagement of communities of concern.

Ms Kelly says that restorative justice may give the appearance of being soft but having to face up to the victim and other members of the community can be far more demanding than appearing before a court. She also highlighted that the violence is opened up to public scrutiny more than the privatisation which tends to occur with conventional family mediation.

A summary of the information coming out of the meeting will be available soon. Phone Catie Pitman at VALS if you want a copy.