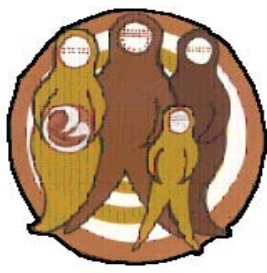


# Aboriginal Family Violence Prevention & Legal Service Victoria (FVPLS Victoria)



Aboriginal Family Violence Prevention & Legal Service

Standing Firm Against Family Violence

## Policy and Law Reform

Three FVPLS Victoria policy papers focused upon strengthening law and justice outcomes for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault and women and children were launched by our Chairperson, Marion Hansen, at our morning tea during NAIDOC Week:

- *Paper 1 - Strengthening law and justice outcomes for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault and women and children: National policy issues – A Victorian perspective.*
- *Paper 2 - Strengthening on-the-ground service provision for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault in Victoria.*
- *Paper 3 - Improving accessibility of the legal system for Aboriginal and Torres Strait Islander victims/survivors of family violence and sexual assault.*

The papers are available at [www.fvpls.org](http://www.fvpls.org). Our appreciation is extended to everyone who contributed to their development.

In recognition of the importance of policy and program development in improving access to justice, FVPLS Victoria has recently been funded through the Buckland Foundation to establish a Policy and Development Unit. The Policy and Development Unit is managed by Jacqui Katona. It will work with community to strengthen FVPLS Victoria's program development and charter. The Unit will also advocate for improved services to meet law and justice needs in Victoria, particularly in relation to family violence and abuse. Its establishment will also ensure capacity to advocate on national issues from a Victorian perspective.

For more information visit our website or contact Jacqui Katona by email at [policy@fvpls.org](mailto:policy@fvpls.org)

## New Staff



Above Left—Aunty Pam Pederson, Community Engagement Worker, with Jacqui Katona, Manager, Policy and Development Unit



Above - Maria Harelas, Children Protection Solicitor—Collingwood Office

### OUR OFFICE LOCATIONS

HEAD OFFICE - L3, 70-80 Wellington Street, Collingwood 3066 ph 9244 3333—Freecall 1800 105 303

GIPPSLAND —210B Main Street, Bairnsdale 3875 ph 5153 2322

BARWON SOUTH WEST —135-137 Kepler Street, Warrnambool 3280 ph 5562 5755

MILDURA —161A Lime Avenue, Mildura 3500 ph 5021 3200

### Inside this issue:

Policy & Law Reform	1
Where we assist	1
Improved accessibility an urgent need	2
Engaging with women in the community	2
Victoria Police Complaints Process	3
Useful legal advice	3

### MEMBERS AND GUESTS

are invited to

**FVPLS VICTORIA'S  
ANNUAL GENERAL MEETING**

**10.30 am**

**Level 3, 70—80 Wellington Street,  
Collingwood**

**Tuesday, 23 November 2010**



# FVPLS VICTORIA

## Improved accessibility - an urgent need within the family law system

FVPLS Victoria, through providing family law services to Aboriginal and Torres Islander families affected by family violence, has become aware of the urgent need to improve cultural accessibility within the family law system and the Family Courts. It is important that processes be established to ensure Aboriginal and Torres Strait Islander people lead necessary change.

Past initiatives to improve Aboriginal and Torres Strait Islander accessibility in the Family Courts have not been sustained – for example there is no longer an Indigenous Family Liaison program within the Courts.

FVPLS Victoria staff recently visited the Family Court of Western Australia to learn more about its Indigenous Family Liaison Officer (IFLO) program. Western Australia is unique in that it has retained its own family law system and the Family Court of Western Australia is a State rather than a Commonwealth Court.

In 2005, following criticism about Aboriginal and Torres Strait Islander cultural accessibility in the family law system, the Family Court Western Australia established an Aboriginal and Torres Strait Islander Family Consultants Committee and in 2007 the Court successfully sought three year funding from the Commonwealth to establish an IFLO program. Two IFLO's (a male and a female) were appointed in 2008. Funding for the program has recently been extended, but only for a further 12 months.

The goals of the IFLO program are:

- to optimise Aboriginal and Torres Strait Islander access to, confidence in and use of the Family Court of WA;
- to assist the Court make culturally appropriate resolution or determinations in disputes relating to Aboriginal and Torres Strait Islander children.

The IFLO'S role incorporates

- assisting with case management
- liaising with families
- advising on policy and practice issues
- establishing links with external organisations
- providing education and assistance to Court staff

An evaluation of the IFLO program has indicated it has been greatly valued. In answer to the question 'How important is it to have an Indigenous Consultant to help you with your case at the Family Court?', 84% of Aboriginal and Torres Strait Islanders surveyed gave a rating of above seven, and 64% gave a rating of 10 out of 10. Given its success, consideration must be given to reintroducing a similar program across the Family Courts.

FVPLS Victoria was also impressed by the child care service available in the Family Court Western Australia and with the location at the Court of an officer from the Department for Child Protection to improve coordination between family law and child protection jurisdictions.

## Engaging with women in the community

During the coming months, FVPLS Victoria is organising a series of events involving Koori women and community workers to discuss current issues and different ways of working together to support the community against family violence.

The first in the series of these events was held in Warrnambool on 5 October. Another is planned for 14 October in Lakes Entrance.

A community barbecue is also planned for Warrnambool on 29 November to celebrate White Ribbon Day as part of the campaign to fight violence against women in Australia

These events form part of FVPLS Victoria's Community Legal Education Program. To find out more about this program, contact Sam Nixon on 1800105 303 or by email [snixon@fvpls.org](mailto:snixon@fvpls.org)



*FVPLS Victoria Barwon South West regional lawyer, Carolyn Howe (left) with Tristin Debono, Kaye Smith (FVPLS Victoria paralegal support worker), Alice Ugle, Sam Nixon (FVPLS Victoria community legal education worker), Adeline McDonald, Jodie Dalton and Tania Jones*



# FVPLS VICTORIA

## Victoria Police Complaints Process

Victoria Police is committed to providing a high standard of service to all Victorians.

We acknowledge that we don't always get it right. What is also obvious is that when we look at our complaint data, there is a very clear under-representation of Koori complainants. What is also clear is that the majority of complaints we do receive from the Koori community relate to assault matters. There are very few complaints about duty failure or lack of action – this raises a big question for us – Why?

The Ethical Standards Department (ESD) is responsible within Victoria Police for the receipt, management and investigation of complaints against our members. There are many ways in which a complaint can be sent to us. We can be contacted by email, letter or telephone. It is also possible for a third party to lodge a complaint on behalf of someone else. Each and every complaint is taken seriously and the complainant can expect to receive, firstly an acknowledgement from us. They will be contacted by a police supervisor to discuss the complaint and will receive a letter informing them of the outcome.

Having explained the process briefly, most complaints we receive are sent to the local police to be handled by local supervisors.

This a deliberate attempt by ESD to have local managers deal with issues concerning their communities. We want local police and Koori communities to work together to address local issues. It is with this in mind that we encourage complainants to take their concerns to their local police

station. We understand that this may be a daunting task for a lot of people who may distrust the police but we see it as the ideal opportunity for local people to discuss their issues with their local police.

ESD is committed to this process and regularly monitors complaint statistics and trends on Koori complaints and we question local police management on how they address Koori complaints. One of the aims is to bring local police management together with Koori community groups to discuss and seek solutions to local issues. We have stated our commitment on this to the Aboriginal Justice Forum where we are held accountable for Koori complaint statistics. ESD is currently working with the Koori Justice Unit to develop a brochure which outlines in plain language, our commitment to the process and the steps to follow in order to lodge a complaint against police.

Ethical Standards Department at Victoria Police can be contacted by calling 1300 363 101, emailing [ethicalstandards@police.vic.gov.au](mailto:ethicalstandards@police.vic.gov.au) or even faxing a letter to 9247 3498.

*(Article submitted by Inspector Stephen Wilson, Ethical Standards Department, Victoria Police.)*

If you would like assistance to write a letter of complaint to Victoria Police regarding their response to a family violence incident, you can contact FVPLS Victoria or your local Community Legal Centre.

## FVPLS Victoria's Collingwood office legal team

Jenny Smith, principal lawyer (left), with (back) Ebony Hughes, paralegal support worker, Maria Harelas and Lily Hardman, lawyers, Tania McKenna, paralegal support worker; (front) Megan Ross, lawyer and Lauren Hills, paralegal support worker.



## I want to move interstate with the kids. Do I need permission?

This is something that our lawyers are often asked, particularly when our clients are trying to escape abusive ex-partners or want to move back to family to obtain their support. Without any further information our first advice is that it is important to obtain agreement from the other parent to such a move to prevent an application requiring the children to be returned. So, for example, if you move without obtaining consent, the other parent can apply to the court for a "Recovery Order" which means that if their application is successful the children could be brought back to the State where they had been living.

If the other parent doesn't agree, then we could help you to make an application to the Family Law court to be able to relocate. In deciding whether you should be allowed to relocate, the court will want to be satisfied that you will make sure the children continue to have contact with the other parent (unless it is decided contact is not appropriate) and will put considerable emphasis on you recognizing, facilitating and supporting the relationship between the child and the other parent. This may mean coming up with plans so that the children can still have some contact with the other parent.

If your ex-partner has moved away with the children, then talk to us immediately as you must act quickly if you want them to return. In this case we would help you to obtain a recovery order, which is often dealt with by the courts as an urgent same day application and children are usually returned within 24 hours.

PHONE 1800 105 303 FOR LEGAL ADVICE



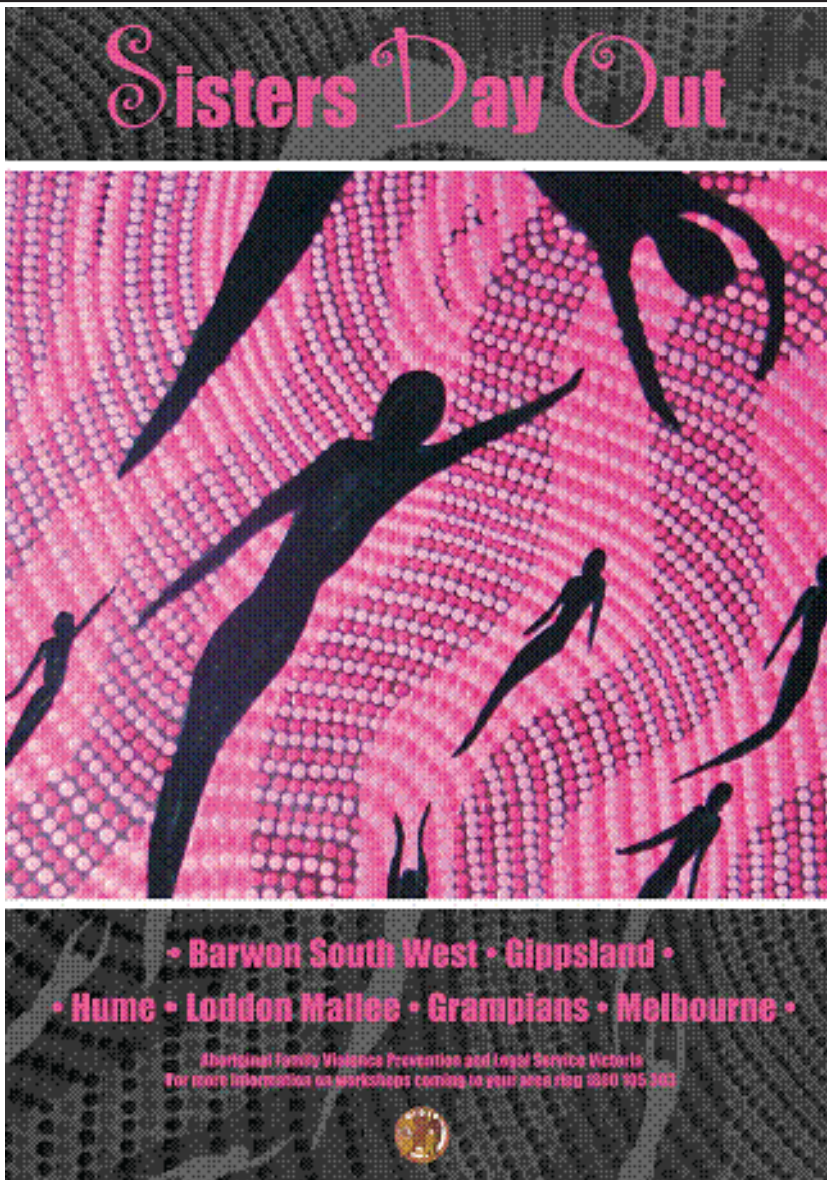
# FVPLS VICTORIA

## INFORMATION SESSIONS ABOUT...

FAMILY VIOLENCE  
 SEXUAL ASSAULT  
 INTERVENTION ORDERS  
 FAMILY LAW  
 VICTIMS' ASSISTANCE  
 FREE PRIVATE LEGAL  
 ADVICE  
 LOCAL SERVICE PROVIDERS

## YOU WILL RECEIVE FREE...

SHOW BAGS  
 T-SHIRTS  
 HAIRDRESSING  
 MANICURES  
 MASSAGE  
 MORNING TEA  
 LUNCH  
 AFTERNOON



## CONTACT US

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 (FVPLS Victoria)

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**1800 105 303**

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