

Indigenous Legal Needs Project



Progress Report 4

- January 2014 -

ILNP JURISDICTIONAL REPORTS

Launch of the ILNP Victorian Report

The ILNP *Victorian Report* (2013) was launched at the Victorian Aboriginal Legal Service (VALS) in Melbourne on 29 November 2013. Our project partners in Victoria, VALS and Victoria Legal Aid (VLA), formally launched the report. ILNP researchers presented key research findings. The event was well attended by members of the public, including a range of stakeholder organisations and media.¹ Thank you to our Victorian ILNP project partners for their contributions to the *Victorian Report*, including their assistance with the launch. Thanks also to all other persons and organisations in Victoria who have provided valuable material for the Report.

The *Victorian Report* identifies significant civil and family law need in the Indigenous communities visited by the ILNP in 2012-2013. Priority legal issues in Victoria are broadly similar to those identified in the ILNP *NT Report* (2012).² Overall, **housing**, and in particular **tenancy**, has again emerged as the most prevalent legal issue in focus groups and stakeholder interviews, with **41.8%** of all focus group participants identifying having had a problem in this area. Other priority areas of civil/family law were **discrimination (29.2%)**, **neighbourhood issues (26.7%)**, **credit and debt (and consumer) issues (32.4%)**, **social security, child protection, victims**



Partner CEOs, ILNP researchers at VIC Report launch, Melbourne

compensation and wills.

The *Victorian Report* identifies significant gaps in Indigenous access to justice with respect to civil and family law problems. Only just over one in five Indigenous focus group participants in Victoria who identified having had a housing related problem, for instance, had sought legal advice or assistance in response. Slightly over one in ten who had experienced problems in relation to discrimination and social security had sought assistance or advice. The Report sets out community and stakeholder perspectives on suggested strategies to reduce these gaps and to increase Indigenous access to justice. These include an increased focus on and resourcing of civil and family law service delivery to Indigenous communities across the whole of the State, enhanced Indigenous knowledge of civil and family law rights, including through delivery of CLE, and



Melbourne launch, VIC Report

¹ An ILNP opinion piece, for example, was published online at The <http://theconversation.com/how-fear-and-funding-undercut-a-fair-go-for-indigenous-victorians-20644> and see further media output on our Facebook page.

² The *NT Report* (2012) is available on the ILNP website: <http://www.jcu.edu.au/ilnp/>



more effective partnerships between lawyers and non-legal and legal services.

The [ILNP Victorian Report](#) is available for download on the ILNP website.

The ILNP has also produced a **short animated film** summarising the research findings from our *Victorian Report*. This video is intended to improve access to research findings for Indigenous communities and project stakeholders, to contribute to increased Indigenous knowledge of civil and family law, and to link communities in need with relevant legal services. It presents in A/V format some of the experiences of civil and family law problems arising in the Victorian communities, as recounted to us by stakeholders and focus group participants during our travels.



NOTE: We have also produced an animated film for the ILNP research in the NT. Both the [NT and Victorian films](#) are

available on our website. Please feel free to distribute these films within your respective communities. If you need the films in a different format in order to do so, don't hesitate to contact us.³

ILNP Jurisdictional Reporting in Other States

We are now working on ILNP jurisdictional reports and short animated films for Queensland and Western Australia. These will be released and published on the ILNP website in 2014. Stakeholders will be notified by email at the time of publication.

ILNP FIELDWORK

Over the last 7 months the following fieldwork (both focus groups and stakeholder interviews) has been completed.

- All fieldwork has been finalised in **Victoria**.
- In WA, fieldwork has been conducted in **Balgo, Fitzroy Crossing** and **Wyndham** (and **Kununurra** for Wyndham; **Halls Creek** and **Broome** for Balgo and Fitzroy Crossing).
- In Qld, fieldwork has been conducted in **Rockhampton, Cairns** and **Pormpuraaw**.

We again thank, as always, all of those who assist so ably with our fieldwork: local focus group coordinators, focus group participants, stakeholders who participate in interviews and project partners in Qld and WA who help out with logistics, amongst many other things.

In particular, the Aboriginal Legal Service in WA (ALSWA) has to date accompanied the ILNP on all of our WA field trips: providing legal assistance to Indigenous focus group participants who need help with civil/family law



Men's Focus Group, Fitzroy Crossing

³ This film work has been undertaken with [Round 3 Creative](#) in Melbourne and Bumma Bipperra Media (Radio Station) in Cairns, with voiceovers provided by Indigenous people.



issues, conducting CLE, and more generally letting communities know that they can get legal help with a range of *non*-criminal legal issues. So often, Indigenous communities we have visited associate legal services with criminal law problems. It has been great to have this service working so closely with the project.

We note that whilst similar civil and family law problems are identified as arising in many ILNP communities, legal issues that are particular to specific jurisdictions are also evident. In Qld and WA these include, for instance, traditional adoption in parts of Qld (for example, its relationship with mainstream family law) and problems with the WA stolen wages compensation scheme (time period for application, eligibility, amounts of compensation). These and other issues will be discussed in detail in our jurisdictional reports for WA and Qld.

As at January 2014, there are 5 remaining ILNP communities: **Tjuntjuntjarra, Roeburne, and Narrogin in WA** and **Roma and Charleville in QLD**. A few interviews also remain in Perth and Brisbane. We are aiming to complete all ILNP fieldwork in these communities by mid 2014. Dates for visits to these communities will be posted online on our blog, website and Facebook page.



On the road near Wyndham, WA



Arriving at Pormpuraaw, QLD

ILNP SOCIAL MEDIA AND WEBSITE

There are now three ways to get in contact and to keep up to date with the ILNP: our website, blog and Facebook page.

ILNP Website: <http://www.jcu.edu.au/ilnp/>

ILNP Blog: <http://indigenouslegalneedsproject.wordpress.com/>

ILNP Facebook Page: <https://www.facebook.com/IndigenousLegalNeedsProject>

We are now using the Facebook page, in particular, to post on and link to a range of current, Indigenous civil and family law related issues (political, legal, social), covering such topics as stolen generations, consumer law, human rights, housing, Elder abuse and education... amongst others. Please visit us if you haven't already. We welcome your input.

PUBLICATIONS, PRESENTATIONS and OTHER MATERIAL

The ILNP has now made two formal submissions to the Commonwealth Productivity Commission's *Inquiry into Access to Justice Arrangements*: one submission in combination with VALS (submission of our *Victorian Report*) and one stand alone submission as the ILNP. The [ILNP submission](#) is available on our website.

The ILNP has published an article in the *Indigenous Law Bulletin* on Indigenous peoples' experiences of discrimination in the NT drawing from research conducted for and set out in our *NT Report*. This [paper](#) is available on our website.

The ILNP also [presented our research](#) for a second time at the National Association of Community Legal Centres (NACLC) conference in Cairns in 2013.

<http://www.jcu.edu.au/ilnp/>



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Thanks for reading and for your continued interest in the ILNP. If you have any comments or questions, please contact Fiona Allison at fiona.allison@jcu.edu.au or on (07) 40421886.

Stay tuned for a fourth progress report due out in **July 2014**.

