



# Victorian Aboriginal Legal Service

## Newsletter July 2003

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### VALS Welcomes New Staff

Congratulations to the following new staff:

- Melissa Morgan, who is the new Indigenous Women's Justice Forum Coordinator. Melissa is already well known at VALS, where she has been employed for the last year as a Client Service Officer for the Metropolitan region;
- Rosemary Lovett, who has returned to VALS to fill the Client Service Officer position left vacant by Melissa; and
- Michelle Tapp, who has joined VALS as the new Legal Word Processor.

VALS is currently interviewing for a legal secretary for the Melbourne office and solicitor for the Bairnsdale office.

### VALS Employee Wins Community Award

Congratulations to Wayne Bell, the Client Service Officer responsible for the Heywood region, who recently won a Centenary Medal for Services to the Indigenous Community. The award was presented by the Federal Member for Wannon, David Hawker.

### Elizabeth Hoffman House Visits VALS

Representatives from the Indigenous women's refuge Elizabeth Hoffman House recently met with VALS staff to discuss the range of issues affecting Indigenous women. The meeting highlighted the problems faced by Indigenous women in getting intervention orders, especially if the order is contested.

An intervention order is a legal way of protecting a person from someone's behaviour in the future. Although there are various grounds for applying for an intervention order, applications are often made by those who have suffered family violence, whether verbal or physical, and who believe that this abuse will continue. An intervention order puts limits on what the person against whom the order is made (the defendant) can do and where they can go, such as not allowing the person to threaten or harass the applicant, or not visit the applicant's home or workplace. If the defendant disagrees with the application, then the application is said to be contested. Problems arise for the applicants at this stage

Under its guidelines, VALS does not usually provide legal representation for intervention order applications. Yet, in cases where the defendant wants to contest the application, the applicant, subject to a merits test, becomes eligible for representation by Victorian Legal Aid. However, the applicant does not know until the return date of the complaint whether the application is being contested. If the applicant then wants to adjourn the case in order to get legal help, sometimes the court will indicate that the applicant will be liable for the costs of the adjournment, which forces the applicant into proceeding with the complaint on the day even though they are unrepresented and intimidated by the process.

VALS is investigating how this process can be improved for Indigenous women.

### **Sculptural Garden Opens at Acheron Youth Camp**

Several of VALS' staff attended the opening ceremony of the Baba Bik (Mother Earth) Sculptural Garden at the Acheron Youth Camp last month. The gardens, which feature local plant species, have as their centrepiece a fire pit decorated with Indigenous designs and a painted sculpture in the shape of two boomerangs. The gardens were created by Indigenous and non-Indigenous youth from Acheron (an alternative custodial option for young men aged 17-21), and Malmsbury Juvenile Justice Centre. The Guests were welcomed by Taungurong elder Judy Monk, while Taungurong elder Brian Patterson performed a smoking ceremony. The project was part of National Reconciliation Week.

### **New Book Highlights Australia's Psychological *Terra Nullius***

Dr Larissa Behrendt, a Professor of Law at the Sydney University of Technology and the Director of the Jumbunna Indigenous House of Learning, has recently published a fantastic new book *Achieving Social Justice – Indigenous Rights and Australia's Future*. The book provides an in-depth analysis of the reform needed to facilitate Indigenous self-determination and reconciliation. For more information visit [www.federationpress.com.au](http://www.federationpress.com.au)

### **Indigenous Weather Website Launched**

The web site *Indigenous Weather Knowledge* is a new project which recognises the knowledge of Indigenous people of Australia. Currently a work in progress, the website will grow to contain information about Indigenous season weather calendars across Australia. The project is the result of a joint effort involving Indigenous communities, ATSIC, the Bureau of Meteorology, and Monash University's Centre for Australian Indigenous Studies and School of Geography and Environmental Science. Visit the website at [www.bom.gov.au/iwk](http://www.bom.gov.au/iwk)

### **"Stolen Generation a Myth" claims Herald Sun**

There have been two articles in the last three weeks by the same Herald Sun writer claiming that the Stolen Generation is a myth. If people so desire, it would be worth letting the Editors know that they have got it wrong, yet again. Send letters to the Editor, Herald Sun, PO Box 14999, Melbourne 3001.

### **NAIDOC Week**

Following years of effort by various groups and individuals within the Aboriginal and Torres Strait Islander communities, in 1955 Aborigines Day became a national event and was celebrated in July that year for the first time. In 1957 the National Aborigines Day Observance Committee (NADOC) was formed. In 1991, NADOC became known as NAIDOC - National Aboriginal Islander Day Observance Committee - to include Torres Strait Islanders. NAIDOC is now used widely to refer to all the events and celebrations that go on during National Aboriginal and Torres Strait Islander Week beginning the first Sunday in July every year.

This year the NAIDOC Week is taking place this year from 6-13 July. The celebrations aim to promote a greater understanding of Aboriginal and Torres Strait Islander people and give us the opportunity to display the richness of our culture and heritage to the entire Australian community. Each year NAIDOC Week has a theme; in 2003 the theme is *Our Children, Our Future*.

To find out what's on, visit the Victorian NAIDOC website [www.naidocvic.com.au](http://www.naidocvic.com.au) or the ATSIC NAIDOC web page at [www.atsic.gov.au/Events/NAIDOC/](http://www.atsic.gov.au/Events/NAIDOC/)