

RAP 2019-2022¹

Mid-term progress report,
July 2020





ANIMALS OF THE MURRAY RIVER, KELVIN ROGERS

This artwork represents the Murray River and all the wildlife on the banks and in the water. The line work through the middle represents the journey of my life, what me and my family has gone through the ups and downs. The Murray River stays the same is always going to be there, as our home.


THE TORCH

The artwork has been supplied by The Torch, a project which provides support to Aboriginal and Torres Strait Islander people in prison and post-release in Victoria through art, cultural and arts vocational programs. By embracing program participants as artists rather than offenders, The Torch provides an avenue to change. www.thetorch.org.au

ACKNOWLEDGEMENT OF COUNTRY

Victoria Legal Aid acknowledges the Traditional Custodians of the land where we work and pays respect to their Elders both past and present. We recognise their continuing connection to country and the resilience and strength of Victoria's Aboriginal communities.

¹ In July 2020, Reconciliation Australia offered RAP partner organisations the opportunity to extend their RAP by six months due to unforeseen interruptions of the COVID-19 pandemic. VLA accepted this offer, extending our RAP deadline from July 2021, to January 2022.



**In July 2019, Victoria
Legal Aid launched
our second Innovate
Reconciliation Action
Plan (RAP2). This
report outlines our
achievements against
the RAP2 goals in the
first 12 months of
the plan.**

ABOUT THE RECONCILIATION ACTION PLAN

RAP2 commits our organisation to undertaking targeted actions that focus on developing and strengthening relationships with Aboriginal and Torres Strait Islander people and communities, engaging staff and stakeholders in cultural learning, and developing and piloting innovative strategies to embed reconciliation as a part of our everyday business.

To progress these actions, in the past 12 months we have developed and implemented an Aboriginal and Torres Strait Islander Employment Strategy, a Cultural Learning Strategy, reviewed and updated our cultural protocols practices, as well as strengthened our existing relationships with practice partners VALS and Djirra by continuing to support their self-determination and capacity through funding agreements and mutual training opportunities.

Key focus areas

Reconciliation Australia's key priority areas

Relationships



Key priority focus area: To build and maintain key internal and external relationships to ensure coordinated delivery of VLA services to Aboriginal and Torres Strait Islander peoples. This focus area is designed to progress the reconciliation dimensions of unity and race relations.

Respect



Key priority focus area: This focus area targets VLA's Aboriginal and Torres Strait Islander cultural awareness training and services. This focus area is designed to progress the reconciliation dimensions of historical acceptance, unity and institutional integrity.

Opportunities



Key priority focus area: To increase Aboriginal and Torres Strait Islander employment both in legal and non-legal roles, while ensuring a career pathway with professional development is provided for all First Nations staff. This focus area is designed to progress the reconciliation dimension of equality and equity, and institutional integrity.

WHAT WE'VE ACHIEVED SO FAR

Cultural learning

- Our Aboriginal and Torres Strait Islander Cultural Learning Strategy 2020–25 was launched in July 2020
- 454 staff have completed the 'Other ways of knowing' eLearning module, which was launched in March 2019
- 251 staff have attended the 'Aboriginal Cultural Awareness' training run by the Koorie Heritage Trust, which commenced in February 2019.

First Nations employment, retention and development

- Our Aboriginal and Torres Strait Islander Employment Strategy 2020–25 was launched in May 2020
- At July 2020, there has been a 0.7 percent increase in the number of Aboriginal and Torres Strait Islander employers since July 2019. This represents 2.5 percent of total staff
- The continuation of the First Nations Staff Network. The network published their 2020 strategic priorities ensuring their collective voice are heard and embedded in work across the organisation.

Strengthened relationships

- There has been an increase in briefing by the Victorian Aboriginal Legal Service (VALS) to VLA Chambers; for the first time, VLA Chambers was briefed on two occasions by VALS lawyers in 2019
- The involvement of one of our Aboriginal Community Engagement Officers (ACEOs) at a community roundtable led to a direct priority referral pathway between Victoria Legal Aid and the Energy Ombudsman and Telecommunications Ombudsman
- Our Aboriginal Services team was invited to attend the Aboriginal Justice Forum (AJF) as observers and have since been invited back. This is the first time that we have had a presence at this forum. We have made an ongoing commitment to attending the AJF, seeking community guidance where appropriate.

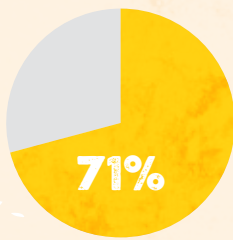


SNAPSHOT OF OUR PROGRESS JULY 2020

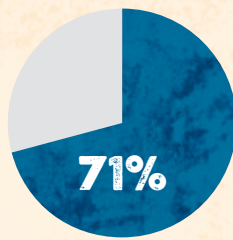
The RAP2 includes 138 deliverables. Of these, 86 deliverables have a deadline within the first 12 months of RAP2 (July 2019–July 2020):²

80%

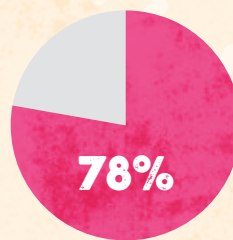
80 percent (69) of the 2019-20 deliverables were completed by July 2020. This includes 50 ongoing annual targets achieved for July 2019–July 2020, and 19 once-off deliverables.



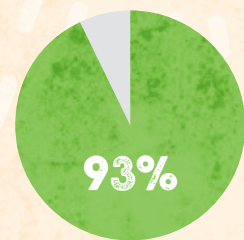
71 percent (17) of **Relationship deliverables** were completed



71 percent (17) of **Respect deliverables** were completed



78 percent (21) of **Opportunity deliverables** were completed



93 percent (14) of **Governance deliverables** were completed.

20%



20 percent (17) of the deliverables did not meet the 12-month deadline and remain incomplete but are in progress.

14%



14 percent (19) of VLA's overall RAP2 deliverables have been finalised and completed to date.

50%



50 percent (69) of our overall RAP2 deliverables are still in progress (not including repeated annual deliverables for July 2020–January 2022 yet).³

² There were originally 109 deliverables that had a deadline within the first 12 months, inclusive of those that have recurring annual targets. Of those 109 deliverables, 23 have had their deadlines extended beyond July 2020, due to COVID-19. 86 deliverables remain with a deadline expected to be completed within July 2019–July 2020.

³ This number includes the 29 deliverables had an intended deadline for July 2020–July 2022, in addition to 23 deliverables that had their deadline extended and the 17 deliverables that were incomplete but are still in progress.

OUR ABORIGINAL COMMUNITY ENGAGEMENT OFFICERS

Our Aboriginal Community Engagement Officers (ACEOs) are central to connecting Victoria Legal Aid's Aboriginal and Torres Strait Islander clients with legal and non-legal services, as well as influencing our culturally safe and appropriate practices. We have three ACEOs –located in our Mildura, Shepparton and Morwell offices. The following examples demonstrate how our ACEOs make a difference to our clients, our stakeholders and our organisation.

Client engagement

- An ACEO received a referral for a client who was at risk of his legal matter not progressing because he didn't attend his psychological assessment. The ACEO identified underlying social barriers the client was experiencing and informed the client the importance of what was in place. The ACEO said, 'After having further discussions with him, I was able to help him obtain a dental appointment which was a barrier for him to connect and speak with people due to low self-esteem. After some warm approaches to the work that he needed to do, mixed with the dental appointment, he showed for his second psych appointment and is ready for his matter to be heard in the Koori Court.'
- An ACEO received a referral for a client who was at risk of going to prison because he did not engage with his Community Correction Order and had further breaches. A lawyer had asked the ACEO to speak to the client regarding his engagement and the gravity of the situation the client was in.



The ACEO said, 'After meeting with him we spoke about multiple issues but identified that drugs had been a part of his life that he had never tried to address before. I made contact with the local Co-op's AOD (Alcohol and Drug) team and sent through all the details they needed to get in contact with him and undergo an assessment. He has now completed detox and has been moved to a rehab to begin his recovery with all his court matters now moving along smoothly and risk of imprisonment reducing dramatically. This has been a long process, but we got there in the end.'

Stakeholder relationships

- An ACEO's consistent presence and community engagement with an Aboriginal Controlled Community Health Organisation (ACCHO) contributed to an increase in referrals from across the organisation. This is a significant shift that highlights deeper engagement at an organisational level, compared to earlier periods, where referrals were only coming from one area (of the organisation).

The ACEO said, 'I have tried to maintain a constant presence within the local ACCHO and as a result, referrals are beginning to increase. In the beginning referrals were only coming from a certain area of [the organisation] but recent referrals have come from other areas of the organisation'.

- An ACEO attended a roundtable with Electricity and Water Ombudsman of Victoria (EWOV) and Consumer Action Law Centre (CALC) and a wide range of community stakeholders. The roundtable consisted of networking with stakeholders and looking at referral trends and statistics for vulnerable clients.

The ACEO said, 'This was a great opportunity to strengthen relationships with other local services and workers as well as EWOV. As a result, we now have a direct priority referral pathway with the Energy Ombudsman and the Telecommunications Ombudsman. This is especially helpful as these types of referrals are usually very urgent as clients have no gas, water or electricity connected.'

Staff relationships

- Our ACEOs continue to engage with staff to influence our organisation's culturally safe and appropriate practices. New staff in regional offices have been approaching ACEOs to learn more about the role, and how they can best support their clients together.

The ACEO said, 'I am noticing changes in the office in little ways such as colleagues reading the Koori Mail and asking about local events and issues that they can get involved with. This is one of the first steps towards strengthening cultural safety and awareness at Victoria Legal Aid.'

- ACEOs are improving strong and inclusive workplace culture practices at VLA. Acknowledgement of Country during team meetings had previously been delivered by the Regional Managing Lawyer. During Reconciliation Week, the ACEO suggested a small roster for staff to rotate and give the Acknowledgment of Country.

The ACEO said, 'I believe this not only gives everyone the opportunity to do it, but it helps to embed the importance and significance of doing it. Hopefully our staff can begin to feel comfortable and confident in delivering an acknowledgement when they are the organisers of meetings that they chair and showcase that Victoria Legal Aid's work culture is strong and inclusive.'



OUR RAP CHAMPIONS

Our RAP Champions have been a key influence in maintaining awareness of our RAP2 actions among colleagues. The network is comprised of 40 members from across a range of roles and offices, including a representative from our Board and our chief executive officer. The following snapshot outlines how the RAP Champions have actively supported this important work across our organisation.

Cultural learning

- Promotion and encouragement of completion of the eLearning module 'Other ways of knowing' within their teams.
- Arranged for broad sharing of the 'Other ways of knowing' eLearning module with practice partners and community legal centres.
- Some teams included a deliverable within their business plans to complete the 'Other ways of knowing' eLearning module with 80 percent completion target.
- Development of the 'Working inclusively with Aboriginal and Torres Strait Islander clients' eLearning module to support culturally safe delivery of services.
- Organised for all Board members to complete eLearning modules and attend the full day Koorie Heritage Trust Cultural Awareness training.
- Many champions have added RAP2 activities as a standing team meeting agenda item.

Observation of Cultural Protocols and Truth Telling

- Implementation of Acknowledgement of Country at the commencement of team meetings.
- Generated awareness of the significance of the January 26 public holiday and the need to approach the day respectfully through internal communications and team discussions.
- Promotion of Acknowledgement of Country plaques in our offices.

- Undertook work on how to make our corporate induction program more inclusive.
- Organised a Welcome to Country and Smoking Ceremony for the opening of our new Ballarat office.

Recruitment

- Updated position descriptions to include a statement about our RAP2, and included cultural safety as a key selection criteria.
- Commenced the development of an Aboriginal and Torres Strait Islander Employment Toolkit for hiring managers.

Awareness

- Established a South East RAP Committee across our Dandenong and Frankston offices with agreed objectives and goals that align with the RAP2.
- Promotion of RAP Champions and their role within teams.
- Ensured Aboriginal and Torres Strait Islander justice update is on the agenda for our Criminal Connections event.



OUR PROGRESS ON THE RAP2 PRIORITY ACTIONS

As we enter the second year of our RAP2, we do so in the different and uncertain times of the COVID-19 pandemic. However, our commitment to achieving our RAP2 actions remains an organisational priority. Teams across the organisation continue to be proactive in progressing RAP2 deliverables and maintaining engagement with our partners and clients. With 138 deliverables underway, the following outlines the progress that has been made on each of the 33 priority actions.



Relationships

“Our community engagement [...] driven by our ACEO, has identified some vulnerable clients who needed tenancy advice [...] Relationships with Elders resulted in referrals and legal enquiries - we anticipate clients would not have otherwise presented at VCAT. Elders also refer other vulnerable people within the community to our ACEO and VLA Service.”

Victoria Legal Aid staff member



ACTION 01

Establish and maintain mutually beneficial relationships with Aboriginal and Torres Strait Islander stakeholders and organisations

Summary of progress

An engagement plan to work with Aboriginal and Torres Strait Islander stakeholders and organisations will be integrated into a broader stakeholder engagement strategy. Planning has not commenced yet.

A family violence engagement framework is currently in development, with a focus on Aboriginal community voices and the lived experiences of our First Nations staff. Presently COVID-19 restrictions are challenging for broader community engagement.

ACTION 02

Build relationships through celebrating National Reconciliation Week (NRW)

Summary of progress

The RAP Champions Network have made concerted efforts to distribute learning resources, promote key issues and engagement activities amongst their own team and broadly across the organisation.

Continuous promotional information is also shared across our organisation via our internal Yammer channel.

Many of the 2020 external National Reconciliation Week events were cancelled as a result of COVID-19 restrictions, however there was a focus on providing online resources for staff.

As part of the our NRW activities we secured licensing for all staff to stream 'In My Blood in Runs'. This is an observational documentary from the perspective of a 10-year old Aboriginal boy, Djuwan, in Mparntwe (Alice Springs). This resource was also shared with practice partners VALS and Djirra. Staff were encouraged to have team meetings to discuss the themes of the film and how it connects to our work. Managers were provided with a discussion guide to support these conversations.

During NRW 2020, one of our RAP Champions also secured a license for staff to watch 'Vote Yes', an Australian film about Australia's referendum on Aboriginal rights in 1967.



ACTION

O3

Promote reconciliation through our sphere of influence.

Summary of progress

We engaged with King & Wood Mallesons to participate as a program partner in their newly established Waiwa Mudena pathways program. The program consists of paid work experience for Aboriginal and Torres Strait Islander law students, and we will act as one of the host organisations.

Our Aboriginal Services team provided guidance to CBUS on their RAP development, and recommendations about specific priority actions to pursue which are inclusive of First Nations employment and cultural learning.

Aboriginal Services are also consulting with the Victorian Bar on the development of their new RAP and potential collaboration, in line with our Aboriginal and Torres Strait Islander Employment Strategy 2020-2025.

ACTION

O4

Promote positive race relations through anti-discrimination strategies.

Summary of progress

An external consultant has been engaged through Indigenous Employer Partners to conduct a review of our policies and procedures to ensure compliance with anti-discrimination obligations and promote the recruitment and retention of Aboriginal and Torres Strait Islander staff. The review will be finalised in the second half of 2020.

An in-depth review of our Respectful Workplace Behaviours Policy will also be conducted in the second half of 2020.

Education of senior leaders on the effects of racism requires extended timelines for completion.

ACTION

05

Increase support to improve working in partnership with the Victorian Aboriginal Legal Service (VALS).

Summary of progress

Victoria Legal Aid and the Victorian Aboriginal Legal Service (VALS) are pursuing continued partnership opportunities. Examples of this include joint participation in the Collaborative Planning Committee. The committee was established to provide evidence-based advice and recommendations to the Victoria Legal Aid Board about legal and related needs of the community, provision of legal aid and strategic planning for the legal assistance sector in Victoria.

Victoria Legal Aid and VALS are finding ways to work constructively together during the pandemic. In particular, the Indictable Crime and Family Youth and Children's Law teams are regularly sharing practice updates and resources with VALS. VALS have been sharing information regarding child protection practice in the Gippsland and Mildura regions.

There are regular quarterly meetings between VALS and our Family, Youth and Children's law teams to identify trends and respond to challenges that are impacting clients and service delivery. VALS are also participating in the fortnightly criminal legal aid stakeholder meetings that we convene, along with the Law Institute of Victoria (LIV) and the Criminal Bar Association.

Following the discussions from mid-2019, we have an ongoing secondment of a senior lawyer to VALS' Criminal Law team. More recently, we have also agreed to provide a second shorter term secondment for a criminal lawyer. This arrangement provides opportunities for ongoing training and development across both organisations, fostering more regular communication and informal mentoring between VALS and our Indictable Crime team.

Our Drug Court lawyers provided professional development training aimed at increasing understanding of the Drug Court and referral for suitable Aboriginal and Torres Strait Islander clients into Drug Court.

Our Family, Youth and Children's Law team converted the seconded family lawyer role into direct funding to VALS for a family lawyer in 2020-21. This reflects our ongoing recognition of the importance of VALS' culturally specific family and children's law practice and our desire to support VALS to increase access for Aboriginal and Torres Strait Islander clients to family and children's legal aid services.

Our Family, Youth and Children's Law team is ceasing the current service agreement with VALS for the delivery of child protection legal services and will implement a new service agreement that covers both child protection legal services funding and new funding for a family lawyer.

ACTION



Increase support to improve working in partnership with Djirra (formerly Aboriginal Family Violence Prevention Legal Service Victoria).

Summary of progress

Victoria Legal Aid and Djirra are pursuing continued partnership opportunities. For example, joint participation in the Collaborative Planning Committee. The committee was established to provide evidence-based advice and recommendations to the Victoria Legal Aid Board about legal and related needs of the community, provision of legal aid and strategic planning for the legal assistance sector in Victoria.

We participated and supported the Strengthening Cultural Safety in Family Violence Services project, led by Djirra. This is a state-wide project which ensures mainstream family violence organisations undertake cultural safety reviews and action plans in all areas of operations, governance, workforce and relationships with Community.

We have engaged and coordinated with Djirra during the COVID-19 restrictions to support each other's voices, understand particular issues Djirra saw emerge with their clients and to find joint opportunities to raise this with decision-makers.

We continue to provide funding to Djirra's child protection practice.

We are participating in a government funding reform project with Djirra, which is still in development.

Initial discussions with Djirra about bringing respective teams together has been constructive.

ACTION

07

Enhance VLA's accountability to the Aboriginal and Torres Strait Islander community.

Summary of progress

COVID-19 restrictions have impacted on Regional Aboriginal Justice Advisory and Local Aboriginal Justice Advisory Group activities. Our ability to engage has become fragmented due to cancelled meetings and activities. We remain committed to this engagement, and will continue to participate should this activity move to a digital platform.

We have increased our output of social media content about Aboriginal and Torres Strait Islander culture, such as NAIDOC week. There have also been efforts to increase Aboriginal and Torres Strait Islander perspectives and culturally specific information on other social media where appropriate.

All our e-news templates now include an Acknowledgment of Country – 'Victoria Legal Aid operates on Aboriginal country throughout Victoria. We acknowledge the Traditional Custodians of the land and respect their continuing connections to land, sea and community'.

We have amplified Aboriginal and Torres Strait Islander perspectives within the discourse of key public advocacy campaigns, including sharing the story of Dujuan, a 10-year old Arrernte and Garrwa boy from the observational documentary "In My Blood it Runs", who is campaigning to Raise the Age.

ACTION

08

Strengthen the relationship between VLA Chambers and Aboriginal legal services (VALS and Djirra).

Summary of progress

There has been an increase in briefing by VALS to VLA Chambers. For the first time, VLA Chambers was briefed on two occasions by VALS lawyers in 2019.

We have undertaken a number of actions to pursue opportunities to enhance relationships between VLA Chambers, VALS and Djirra. These include:

- Communicating briefing guidelines and procedures to VALS and Djirra
 - Opening all professional legal education sessions conducted by VLA Chambers to VALS and Djirra, and inviting them to participate.
 - Establishing nominated VLA Chambers contacts for VALS and Djirra to provide on-call advice and case strategy
 - Communicating secondment opportunities within VLA Chambers to VALS and Djirra.
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Respect

“The RAP serves as a centrepiece for staff focus on Aboriginal and Torres Strait Islander issues, culture and disadvantage. We hope to increase awareness of these issues as a team. We hope to strengthen our links to culturally appropriate organisations and collaborate with them in delivering culturally safe client services.”

Victoria Legal Aid staff member



ACTION



Increase understanding, value and recognition of Aboriginal and Torres Strait Islander cultures, histories, knowledge and rights through cultural learning.

Summary of progress

Concerted efforts have been made to implement a number of cultural learning initiatives across our organisation. This includes:

- Launching our first Aboriginal and Torres Strait Islander Cultural Learning Strategy 2020-25 in July 2020.
- 454 staff have completed the 'Other Ways of Knowing' eLearning module which was launched in March 2019.
- 251 staff have attended the Koorie Heritage Trust's Aboriginal Cultural Awareness, which we commenced in February 2019.
- 34 staff have completed 'Working Inclusively with Aboriginal and Torres Strait Islander clients' eLearning module which was launched in May 2020.
- In the past 12 months VLA's library has added an additional 25 items to its catalogue relating to Aboriginal and Torres Strait Islander people, an increase of 31.6 per cent compared to 2018-19.
- We now have a subscription to the digital and print edition of the Koori Mail.
- During National Reconciliation Week, VLA's library highlighted relevant books in our catalogue carousel, and the library has a permanent display of National Reconciliation Week posters.

ACTION



Demonstrate respect to Aboriginal and Torres Strait Islander peoples by observing cultural protocols.

Summary of progress

We have made significant changes to our cultural protocols to help demonstrate respect to Aboriginal and Torres Strait Islander people and cultures, including:

- Educating staff and managers about cultural leave, and to recognise and support the use of cultural leave provisions.
- In December 2019 we revised our cultural protocols in consultation with the First Nations Staff Network. They are published on our intranet and promoted to staff. The updated protocols recommend that all staff provide an Acknowledgement of Country at the commencement of important meetings and require our organisation to invite local Traditional Custodians to provide a Welcome to Country at significant events each year.
- New staff are made aware of Acknowledgement of Country plaques in each office as part of their induction process.
- We continue to provide staff with the choice to work on the January 26 public holiday. People and Culture provided information to all staff and managers on how to approach the day respectfully and be sensitive to the feelings of those who experience the day as a day of sadness and pain.
- Our chief executive officer, senior executive team and RAP Champions have communicated information about the Uluru Statement from the Heart.



ACTION

11

Build respect for Aboriginal and Torres Strait Islander cultures and histories by celebrating NAIDOC Week.

Summary of progress

The postponement of national NAIDOC celebrations a result of COVID-19 restrictions impacted our ability to complete this action within the original timeframe. As such, the 2020 deadline for this action has been extended to November. In the meantime, to continue working towards achieving this action, we will:

- Proactively promote and encourage staff to attend November 2020 activities and events as details become available.
 - Encourage all staff, particularly RAP Working Group members and RAP Champions, to attend any online celebrations conducted by the Victorian NAIDOC Committee.
 - Continue to review our policies and procedures to remove barriers to Aboriginal and Torres Strait Islander staff participating in NAIDOC week activities. An external employment consultant, Indigenous Employment Partners, made suggested improvements in June and these are to be actioned in the second half of 2020.
-

ACTION

12

Continue to improve VLA's culturally safe workplace practices and working environment for Aboriginal and Torres Strait Islander staff and clients.

Summary of progress

Efforts to improve our culturally safe practices and working environment for First Nations staff and clients have commenced and are ongoing to ensure that Victoria Legal Aid provides an environment where both staff and clients feel culturally safe. This includes:

- Two mandatory e-Learning modules on unconscious bias and diversity and inclusion in the workplace were launched in June 2020. All staff are required to complete these modules by the end of 2020.
 - The implementation of our Aboriginal and Torres Strait Islander Cultural Learning Strategy 2020–25 has commenced, including discussions about which Aboriginal Community Controlled organisation is to deliver a cultural safety workshop for VLA to commence shortly.
 - We undertake regular consultation with the First Nations Staff Network, this has included the new Enterprise Agreement, Cultural Diversity Strategy, and Aboriginal and Torres Strait Islander Cultural Learning and employment strategies
 - We have increased visibility of First Nations staff through profiles on our internal communication channels, along with the promotion of the Aboriginal and Torres Strait Islander Clerkship program external and internally. These actions highlight our commitment to workforce diversity to reflect our Aboriginal and Torres Strait Islander clients.
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ACTION

13

Raise VLA's profile and presence at major Aboriginal and Torres Strait Islander community events and celebrations.

Summary of progress

COVID-19 restrictions have impacted our ability to complete this action as many events have either been postponed or cancelled. Where the opportunity arises, we will participate in online events.

COVID-19 restrictions have also impacted our ability to provide legal education and promote our services at major Aboriginal and Torres Strait Islander community events. Planning is ongoing with the First Nations Staff Network, in collaboration with our Community Legal Education team, to increase tailored education materials.

ACTION

14

Increase the briefing of Aboriginal and Torres Strait Islander barristers by both VLA lawyers and practice partners.

Summary of progress

Victoria Legal Aid and the Victorian Bar Association have discussed the equitable briefing practices policy with the view to encourage briefing to Aboriginal and Torres Strait Islander barristers. The Victorian Bar Association advised that at present, there are no Aboriginal and Torres Strait Islander barristers who are actively practising in areas of law covered by VLA. There will be a refocus on supporting the Bar to increase access to opportunities for First Nations lawyers through the provision of mentoring relationships, shadowing opportunities, etc.

ACTION

15

Support practice partners to provide culturally safe services to Aboriginal and Torres Strait Islander clients.

Summary of progress

We have implemented a number of initiatives to support our practice partners in providing culturally safe services to Aboriginal and Torres Strait Islander clients. These include:

- Making the 'Other Ways of Knowing' and 'Working Inclusively with Aboriginal and Torres Strait Islander clients' eLearning modules available to our practice partners via LawGuru. This has been communicated in the Legal Aid Brief e-news and Professional Legal Education e-news.
- We are exploring whether we can offer the Koorie Heritage Trust's Aboriginal Cultural Awareness training to our practice partners.
- Planning is underway to explore ways to ensure accountability of practice partners to Aboriginal and Torres Strait Islander clients.

Opportunity

“VLA’s RAP is a priority of this office - and a component of that for me is proactively supporting the ACEO Program. We find the role itself invaluable to our service and the clients we are able to reach - but we want to ensure that we look after the people in the ACEO roles, their wellbeing and their career progression.”

Victoria Legal Aid staff member



ACTION 16

Improve employment outcomes by increasing Aboriginal and Torres Strait Islander recruitment, retention and professional development.

Summary of progress

We have committed to increasing the proportion of First Nations staff to 3 per cent by May 2021. As at July 2020, we have 21 Aboriginal and Torres Strait Islander staff – 2.5 per cent of 852 total staff. This proportion was at 1.8 per cent when the RAP2 launched in July 2019.

We developed and launched the Aboriginal and Torres Strait Islander Employment Strategy 2020–25 in May 2020. The strategy aims to increase the number of First Nations staff employed at VLA to 5 per cent, improve access to professional development and mentoring opportunities, and ensure our workplaces are safe and inclusive.

An external talent acquisition consultant has commenced consultation with our corporate services leadership group regarding potential for corporate graduate/clerkship programs. Tools to support recruitment are in development and opportunities for non-legal pathway programs are currently under consideration. The consultation progress was impacted by COVID-19 restrictions but will continue in 2020–21 to enable better understanding of funding requirements.

Aboriginal and Torres Strait Islander Clerkship placements were on schedule until impacted by COVID-19 restrictions. Court and tribunal attendance was restricted by work from home orders. A strong pool of candidates for the two dedicated positions of the New Lawyers Program is still on track.

People and Culture have undertaken consultation and information sessions with the First Nation Staff Network to inform policy, pathways and communication of role design. Two First Nations staff are currently on secondment opportunities to other legal sector agencies.

In August 2019, four First Nations staff attended the 14th National Indigenous Legal Conference.



ACTION

17

Strengthen VLA's policies and services for Aboriginal and Torres Strait Islander peoples.

Summary of progress

The First Nations Staff Network published their 2020 strategic priorities ensuring their collective voice is heard and embedded in work across the organisation in the design and implementation of Aboriginal services, programs, and policies, and decisions affecting Aboriginal and Torres Strait Islander communities.

The Aboriginal Services team were consulted during the development and implementation of all new Aboriginal and Torres Strait Islander service initiatives and recruitment strategies. This approach is supported by our senior executive team, with all program managers advised to consult Aboriginal Services when commencing Aboriginal service initiatives.

Inclusive practices have been established and implemented for the First Nations Staff Network. These practices include:

- An online platform where policies and key work can receive input from the group.
- Co-designing and collaboration at the quarterly First Nations Staff Network meetings which provide opportunities for First Nations staff to assist in the development and design of Aboriginal-specific policies and programs.

ACTION

18

Support Aboriginal and Torres Strait Islander students to consider a career with VLA.

Summary of progress

We have engaged with King & Wood Mallesons to participate as a program partner in their newly established Waiwa Mudena Pathways program. The program consists of paid work experience for Aboriginal and Torres Strait Islander law students, and we will be one of the program host.

Our Ringwood office has hosted student placements from Worawa Aboriginal College.

ACTION 19

Increase Aboriginal and Torres Strait Islander supplier diversity to support improved economic and social outcomes.

Summary of progress

The Aboriginal and Torres Strait Islander Procurement Strategy has been incorporated into the Social Procurement Strategy, which was submitted to the Department of Treasury and Finance for review and feedback in April 2020, prior to implementation.

The Social Procurement Strategy includes a mandated step to review Aboriginal and Torres Strait Islander business listings (Kinaway and Supply Nation) when completing market analysis to identify Aboriginal and Torres Strait Islander businesses and invite them to provide a quotation.

Our year-on-year percentage increase of 228 per cent on goods and services from Aboriginal and Torres Strait Islander owned businesses:

- In 2018–19, from July to May, we spent \$25,282 on goods and services from Aboriginal business.
- In 2019–20, from July to May, we spent \$83,139 on goods and services from Aboriginal business.

We increased our total spend with Aboriginal and Torres Strait Islander owned businesses by 0.22 per cent relative to the total expenditure on goods and services since the previous 2018–19 financial year.

- In 2018–19, from July to May, we spent \$11,438,591 on goods and services and \$25,282 on Aboriginal business, which represents a percentage of 0.22 per cent.
 - In 2019–20, from July to May, we spent \$18,610,434 on goods and services and \$83,139 on Aboriginal business, which represents a percentage of 0.44 per cent.
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ACTION 20

Strengthen access to legal assistance to respond to Aboriginal and Torres Strait Islander civil and family law needs.

Summary of progress

We continue to create tailored community legal education resources for Aboriginal and Torres Strait Islander communities and work with the First Nations Staff Network, ACEOs, and our practice partners to actively identify ways to increase the availability of legal information for Aboriginal and Torres Strait Islander people.

Since July 2019, we have distributed 6,752 tailored Legal Help cards and 5,009 fridge magnets for Aboriginal and Torres Strait Islander people via 60 community organisations. These Legal Help cards outline a range of legal issues that we can assist with, as well as the contact details for two other culturally safe and accessible legal service providers – VALS and Djirra.

In May 2020, planning commenced to develop a priority Legal Help phone queue for Aboriginal and Torres Strait to improve access to legal assistance. At further stages this project will look at specialised webchat information and advice, services, and specific intake and triage processes that automatically connect callers to Aboriginal Controlled Community Organisations.

ACTION

21

Explore the opportunity to expand the Aboriginal Community Engagement Officers Program.

Summary of progress

Aboriginal Services, in collaboration with the Research, Evaluation and Library team, have commenced work to strengthen the Aboriginal Community Engagement Officer Program, including:

- Developing and publishing an ACEO Program Logic and ACEO Program Guidelines
 - Designing and implementing a monthly snapshot reporting tool for the ACEOs to capture consistent and robust data about their work and the impact they are having on their office and local community.
 - Monitoring and evaluation systems will be developed to support improved use of evidence and inform an effective ACEO practice model.
-

ACTION
22

Investigate opportunities for VLA to increase Aboriginal and Torres Strait Islander client access to civil law services.

Summary of progress

The deadline for this deliverable has been extended by six months. COVID-19 restrictions impacted our ability to conduct community engagement and consultation in a meaningful way. As of July 2020, steps are being taken to re-commence progress on these deliverables including planning and initial research.

ACTION
23

Explore opportunities to increase the development of integrated or co-located services.

Summary of progress

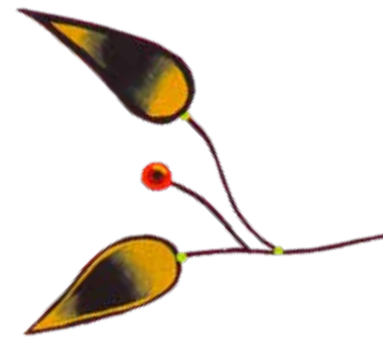
The ACEOs continue to build relationships with local stakeholders and explore integrated approaches to best support the community.

ACTION
24

Strengthen the referral processes between VLA and Aboriginal legal services and other non-legal Aboriginal Community Controlled Organisations.

Summary of progress

We have commenced planning to engage with Aboriginal Community Controlled Organisations to develop new warm referral arrangements and extend existing ones to improve Aboriginal and Torres Strait Islander communities' access to legal assistance.



ACTION 25

Explore strategic advocacy opportunities with Aboriginal legal services.

Summary of progress

We have undertaken significant strategic advocacy including:

- Regular meetings between our criminal law strategic policy manager and VALS policy staff to ensure alignment where possible in law reform submissions and proactive advocacy. We have collaborated with VALS on minimum age of criminal responsibility, the Royal Commission into Mental Health and Koori Court reform.
 - Consultation with Aboriginal Services on a range of submissions coordinated by Civil Justice, including:
 - Roads to Recovery and Paving the Roads to Recovery submissions to the Mental Health Royal Commission.
 - Submission to the Australian Human Rights Commission's Free and Equal inquiries into federal discrimination law reform and positive protections for human rights.
 - A joint submission to the Victorian Anti-Vilification Inquiry.
 - Submission to the Victorian Homelessness Inquiry.
 - Submission on the Victorian Government's Disability Action Plan.
 - Ongoing consultation with Aboriginal Services to identify and address issues that disproportionately affect Aboriginal and Torres Strait Islander peoples and reflect our commitment to strengthening the promotion of the importance of self-determination and culturally responsive and safe services.
 - Our submission to the Commissioner for Children and Young People's Inquiry into the overrepresentation of Aboriginal and Torres Strait Islander young people in the youth justice system drew on the experiences of clients to highlight the need to divert children away from the criminal justice system, support children to stay out of the system, prevent them from entering custody, and facilitate the rehabilitation of those who are exiting the youth justice system.
 - Working with VALS (and other stakeholders) to support the commencement of their Aboriginal Community Justice Reports pilot for women. The pilot is modelled on an existing system operating in Canada and provide the court with the accused's cultural context and background. VALS have invited our executive director of criminal law to sit on the steering committee. An additional two senior staff members from criminal law attended training organised by VALS to support the project.
 - We worked in partnership with VALS to lodge a joint submission to Victoria's Anti-Vilification Inquiry, and appeared at the hearing together with VALS' client Charmaine Crowe. We provided strategic advocacy and communications support to ensure the smooth running of this project, and continue to work together ahead of the report being released in September 2020.
 - Our Civil Justice team is scoping potential partnership opportunities to address the eviction of Aboriginal and Torres Strait Islander tenants from public, social and private housing in the aftermath of the COVID-19 pandemic.
 - Our Youth Crime Program are providing data to the Koori Youth Taskforce following a request to assist with its systemic investigation. Specifically, the program has conducted an audit of 100 closed diversion files from across the state to look at the way police exercise its veto power.
-

ACTION

26

Increase access to VLA services for Aboriginal and Torres Strait Islander peoples.

Summary of progress

In August 2019, Aboriginal Services was invited to attend the Aboriginal Justice Forum (AJF) as observers and have since been invited back. This marks the first time that we have had a presence at this Forum. We have made an ongoing commitment to attending the AJF, seeking guidance where appropriate.

Ongoing engagement and connection to the Aboriginal Justice Forum and Caucus is also occurring informally on a local level through RAJAC and LAJAC meetings.

The Aboriginal Services Project Officer attended the Koorie Youth Council's annual summit which took place online.

Our Access and Equity team continue to monitor the impact of eligibility criteria and intake processes on Aboriginal and Torres Strait Islander communities. In 2020-21 the team plans to review and develop a roadmap for improvement of our intake, triage and referral policy and practices through an investigation by our internal auditors.

ACTION

27

Increase Community Legal Education (CLE) resources for Aboriginal and Torres Strait Islander peoples.

Summary of progress

Our Community Legal Education team continues to develop tailored resources and are actively identifying ways to increase the availability of legal information for Aboriginal and Torres Strait Islander communities through consulting with the First Nations Staff Network, linking to relevant content on our website, supporting other VLA programs to develop legal information and consulting with local services such as VALS and Djirra.

Discussions continuing with our program managers and regional offices to identify suitable opportunities for focus groups. The focus for the remainder of 2020 is on including Aboriginal and Torres Strait Islander participants within client reference groups planned or in place for summary crime reforms, website redevelopment, Strengthening Legal Information Project and family violence reforms.

ACTION 28

Support Aboriginal self-determination and include lived experience in the design and delivery of VLA services.

Summary of progress

We are facilitating more opportunities for Aboriginal voices and lived experiences to inform the design and delivery of our services. This includes:

- A member who identifies as Aboriginal on the Independent Mental Health Advocacy (IMHA) lived experience group.
 - Several members who identify as Aboriginal on the Independent Family Advocacy and Support (IFAS) lived experience group. IFAS has strong links with Aboriginal Community Controlled Organisations. An Aboriginal consultant with extensive expertise working with Aboriginal people in the legal system is on the team of independent evaluators.
 - We are developing a guide for client engagement and participation with a focus on Aboriginal and Torres Strait Islander peoples, which is an action of our Client First Strategy. Staff will be guided to include people with lived experiences in service design, and strategic advocacy activities.
-



Governance

“Being a RAP Champion is allowing me to show my colleagues that we are not paying lip service to this important plan, but we genuinely want to bring about reconciliation for a brighter future.”

Victoria Legal Aid staff member



ACTION

29

Establish and maintain an effective RAP Working group (RWG) to drive governance of the RAP.

Summary of progress

RAP Working Group meetings continue as scheduled every quarter. Two First Nations staff remain on this working group.

A Terms of Reference for the RAP Working Group has been finalised and completed.

ACTION

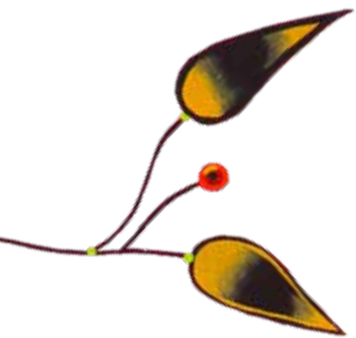
30

RAP Champions Network to engage both internally and externally to promote VLA's RAP 2019–2021.

Summary of progress

Aboriginal Services conducted a review of the RAP Champions Network membership in April 2020 and added new members who expressed interest.

The RAP Champions Network continues to promote the RAP2 internally and externally. Individual RAP Champions have been tracking their own progress to support RAP2 actions and report back to the Network.



ACTION

31

Provide appropriate support for effective implementation of RAP commitments.

Summary of progress

RAP2 budget priorities and resources have been articulated both in briefings to our senior executive team and Board.

Resourcing for RAP2 implementation are in progress, though possible delays are expected due to COVID-19 implications.

Our Board, senior executive team, RAP Working Group, RAP Champions and the First Nations Staff Network have all been actively engaged.

A RAP2 Action Dashboard was developed to track progress on individual RAP2 actions and to support our internal and external reporting obligations. The responsible parties receive notifications each month to update progress on their actions.

ACTION

32

Build accountability and transparency through reporting RAP achievements, challenges and learnings both internally and externally.

Summary of progress

Aboriginal Services completed and submitted the RAP Impact Measurement Questionnaire to Reconciliation Australia on 30 September 2019. These responses were based upon reflections from staff in all of our offices and were shared with the senior executive team and the RAP Working Group.

Aboriginal Services has provided the Board with written updates in March and May. In April, the Board received a copy of the RAP2 six-month progress snapshot.

This RAP2 mid-term progress report further supports this action.

A RAP2 Action Dashboard was developed to track progress on individual RAP2 actions and to support our internal and external reporting obligations. The responsible parties receive notifications each month to update progress on their actions.

ACTION
33

Continue our reconciliation journey by developing our next RAP.

Summary of progress

This action will be reviewed towards the end of our RAP2 in January 2022.



