



MEDIA RELEASE 24 April 2020

The Victorian government must do more for Aboriginal people impacted by COVID-19

The Victorian government's legislative response to COVID-19 fails to respond to the needs of many Aboriginal people in Victoria. Whilst the bill includes important changes to prevent unnecessary evictions into homelessness, more must be done to ensure that Aboriginal people in the criminal, youth justice and child protection system are not disproportionately impacted by the pandemic.

Aboriginal people in custody and their families are currently facing a terrifying situation. Not only are they at a higher risk of contracting COVID-19 due to the nature of custodial facilities; they are also subjected to severe restrictions which threaten to undermine their health, welfare and social and emotional wellbeing.

The COVID-19 omnibus bill provides for mandatory protective quarantine for all persons being admitted to a prison, as well as isolation for up to 14 days for children and young people in Youth Justice Centres. Whilst VALS recognises that responding to the pandemic requires extraordinary measures, there is no circumstance that can justify putting Aboriginal people in isolation for 14 days. Too many black lives have already been lost in custody for us not to know that the risks are high.

Instead of putting our people in isolation, the government must do more to ensure that Aboriginal people are not in custody during this time. VALS calls on the government to:

- Review the situation of all Aboriginal people currently on remand and facilitate bail applications wherever possible;
- Provide emergency support to Aboriginal people released on bail, including housing;
- Release Aboriginal people who are currently in prison wherever possible, including through measures such as administrative leave, early release for people nearing the end of their sentences and greater flexibility in parole decisions;
- Amend policing practices to reduce the flow of Aboriginal people into prisons;
- Reform the Bail Act to prevent unnecessary remand of Aboriginal people.

VALS is also extremely concerned that COVID-19 will lead to more Aboriginal children being removed from their families. Whilst there have been positive steps to ensure that parents with children in out of home care are able to maintain contact through technology, the cumulative effect of court delays and limited access to services creates an increased risk for Aboriginal families. The government must change the time frames for permanency arrangements, so that Aboriginal families are not unnecessarily separated during this time.

Despite our concerns about the proposed legislation, VALS is pleased that the bill contains significant changes to Victoria's tenancy laws that will help to prevent unnecessary evictions into homelessness for people affected by COVID-19.

Now more than ever, Aboriginal community members in Victoria need housing stability to support themselves and their families through this crisis. We are pleased there will be greater scrutiny on all attempted evictions during this period and would urge all landlords, including community housing landlords, to abide by the spirit of these amendments by working constructively with tenants and their advocates to avoid evictions and explore alternatives wherever possible.



We are also pleased to see that some measures are being taken to support our young people, including changes in the legislation to allow for greater flexibility with the Youth Parole Board, extension of the Home Stretch Program to allow young people in care who are due to turn 18 before December to maintain their foster or kinship care living arrangements, and \$46 million to provide outreach support to the most vulnerable Victorian families.

Quotes attributable to Nerita Waight, Chief Executive Officer of the Victorian Aboriginal Legal Service:

“Aboriginal people in custody and their families are currently facing a terrifying situation. Not only are they at a higher risk of contracting COVID-19 due to the nature of custodial facilities; they are also subjected to severe restrictions which threaten to undermine health, welfare and social and emotional wellbeing.”

“The Victorian government’s legislative response to COVID-19 fails to respond to the needs of Aboriginal people in Victoria. Instead of putting our people in isolation, the government must do more to ensure that Aboriginal people are not in custodial facilities during this time.”

“Too many black lives have been lost in custody for the government not to know that the risks are high.”

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“Now more than ever, Aboriginal community members in Victoria need housing stability to support themselves and their families through this crisis. We urge all landlords, including community housing landlords, to abide by the spirit of these amendments by working constructively with tenants and their advocates to avoid evictions and explore alternatives wherever possible.”

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