



**Victorian  
Aboriginal  
Legal Service**



**South Eastern Australian  
Aboriginal Justice Services  
Limited**

ABN: 45 926 675 900

4 November 2024

Secretariat of National Aboriginal and Islander Child Care (SNAICC)  
By email: [familyafetyplan@snaicc.org.au](mailto:familyafetyplan@snaicc.org.au)

Dear SNAICC

**Re: Family Safety Plan Consultation**

VALS welcomes the opportunity to provide a submission to the consultation on Australia's first standalone National Aboriginal and Torres Strait Islander Family Safety Plan (**Family Safety Plan**) responding to family, domestic and sexual violence.

VALS has consistently advocated for family violence system reform and highlighted the harms that existing family violence systems inflicts on Aboriginal communities, particularly Aboriginal women and children.

We reiterate our recommendations in the following publications addressing violence against our communities and how government and mainstream service actions often create, exacerbate, and re-traumatise individuals, underscoring the urgent need for reform that genuinely prioritises the safety and well-being of Aboriginal families.

- [Victorian Aboriginal Legal Service Nuthur-mooyoop to the Yoorrook Justice Commission: Family Violence](#)
- [National Principles on Coercive Control, October 2022](#)
- [Addressing Coercive Control Without Criminalisation – Avoiding Blunt Tools that Fail Victim-Survivors, January 2022](#)
- [Submission to the Inquiry into Victoria's Criminal Justice System, September 2021](#)
- [Submission to the Victorian Law Reform Commission: Improving the Response of the Justice System to Sexual Offences, March 2021](#)
- [Submission to Inquiry into Children of Imprisoned Parents, May 2022](#)
- [Submission to the Senate Inquiry into Missing and Murdered First Nations Women and Children, November 2022](#)

In addition, we provide the following responses to the consultation questions.

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## **1. The key priorities and actions the family safety plan should focus on to create real and sustainable change for the Aboriginal and Torres Strait Islander families.**

VALS' key priorities for creating real and sustainable change and safety remain focused on the following critical areas.

### **A self-determined Family Violence sector with Aboriginal-led solutions**

Addressing family violence must start with self-determination for Aboriginal communities. Governments must transfer decision-making power, authority, control, and resources specifically within family violence systems. This includes providing Aboriginal communities with the leadership role in designing and implementing family violence prevention, intervention, and specialist support services. A transformational shift is required, starting with Aboriginal ownership and control of data in these systems to enable culturally informed decision-making. Aboriginal communities and organisations must be properly resourced to lead in developing responses that are culturally safe, trauma informed, therapeutic and responsive to community need. Unfortunately, policy and legislative responses to family violence remain single dimensional and ignore the surrounding impacts and complexity of the issue itself. While funds pour into supporting punitive measures for users of family violence, there is comparatively little investment in prevention, rehabilitation, or investment in research to understand the underlying causes of family violence. We know that poverty, insecure housing, and disengagement from education are all factors, but they are not causes. Resourcing a self-determined family violence sector will ensure responses are effective in promoting safety and well-being within our communities.

### **Resourcing ACCOs to provide prevention and early intervention services**

The Family Safety Plan should focus on providing culturally appropriate, trauma-informed prevention and early intervention support services that address underlying causes of violent and controlling behaviour. This means shifting away from punitive, carceral responses to family violence and instead prioritising rehabilitation and therapeutic interventions. By focusing on early intervention and prevention, the Family Safety Plan can more effectively support Aboriginal families in healing from trauma, reducing re-offending, and promoting long-term safety and well-being.

### **Funding for culturally safe legal and support services**

The Family Safety Plan should ensure access to culturally safe legal assistance and holistic, wraparound support services that address both the immediate needs of those affected by family violence and the underlying causes. This approach promotes long-term safety, healing,

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and support for Aboriginal families while addressing the broader factors contributing to family violence.

## **2. If there were no barriers, how would your community address family domestic and sexual violence?**

### **Provide accessible, culturally safe, therapeutic and trauma-informed programs**

The current reactive, punitive system fails to address the root causes of family violence. A focus on prevention, early intervention, and culturally appropriate support is critical. Aboriginal-led, therapeutic, and trauma-informed programs would not only meet immediate needs but also address underlying factors like housing. VALS programs such as Baggarrook, which provide transitional housing and holistic support to Aboriginal women leaving prison, exemplify this approach. Funding and expanding new and existing programs such as Baggarrook to work with young people and men across the state is key to breaking the cycle of violence and providing a path toward healing and stability.

There are so few supports available for Aboriginal men who use violence, there is a significant lack of housing for men who have used violence, and who are transitioning out of the criminal legal system. Housing options would need to be linked to intensive and therapeutic supports with a strong cultural lens and a focus on healing and accountability. Currently supports are limited to 6-week behaviour change programs, which have long wait lists, and do not have the intensive wrap around supports to be able to address the underlying causes of violent behaviour.

Self-determination must also extend to funding allocation, with ACCOs empowered to decide how resources are best distributed to meet the specific needs of their communities.

### **Restorative approaches to working with adolescents who use violence in the home**

Adolescents who use violence in the home require a specialist trauma informed, therapeutic and culturally safe policy and practice response that is specific to the needs of young people. They are too often responded to as adults using violence, rather than young people that have often been affected by violence themselves. In 2023 VALS responded to a proposal for a Victim Centred Restorative Justice Program for adolescents who use violence in the home.<sup>1</sup> We detailed that this kind of model would only be appropriate in circumstances where the young person has been found to have committed serious family violence and is part of a youth justice plan and/or intervention. We also recommended that an Aboriginal model be developed that is co-designed, developed and delivered by ACCOs with specialist family

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<sup>1</sup> VALS, Victim Centred Restorative Justice Program's AVITH Model (2023).

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violence and legal expertise to ensure it is culturally safe, therapeutic and trauma informed, with adequate resources allocated to ACCOs and includes funding for evaluation. VALS notes the extensive work undertaken under Victorian Aboriginal Justice Agreement 4 *Burra Lotjpa Dunguludija* in developing the *Lotjpadhan* (Talking Together) A Restorative Justice Pilot Project for Connecting and Healing. This project saw the development of a culturally responsive model that meets the needs of Aboriginal children and young people in various contexts.

VALS encourages the prioritisation in the Family Safety Plan of funding and development of models of working with adolescents who use violence in the home in a similar way.

### **Prioritising alternative responders to family violence**

Aboriginal communities recognise that a police response to what is effectively a social problem does not prevent, treat or solve the issue of family violence in our communities.<sup>2</sup> VALS' previous submissions detail the impact of discriminatory policing practices on people affected by family violence. This includes a lack of urgency and a "casual" approach by police, particularly where Aboriginal women and children are reported missing.<sup>3</sup>

VALS has been calling for non-carceral responses to family violence.<sup>4</sup> VALS contends that an alternative response to family violence incidents should be developed, where family violence incidents can be triaged according to risk, and an appropriate response to presenting factors can be addressed. This would involve a specialist family violence worker to help de-escalate the situation and ensure that there are targeted, holistic and therapeutic interventions and supports made available, rather than police being the first responders. There needs to be a dedicated Aboriginal led response, alongside a mainstream response.<sup>5</sup>

VALS has strongly advocated for non-carceral alternative responders, like the Crisis Assessment Treatment Team in the mental health space and the ACCHO-led public health response to public intoxication,<sup>6</sup> which work and produce better outcomes for our people.

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<sup>2</sup> *Independent Commission of Inquiry Into Queensland Police Service Responses to Domestic and Family Violence*, Transcript of Proceedings (Her Honour Judge Deborah Richards, 5 August 2022), p 14, para. 43-46.

<sup>3</sup> VALS, *Inquiry into missing and murdered First Nations women and children*, p5; VALS' *Nuther-mooyoop to the Yoorrook Justice Commission: Family Violence*, pg11-13.

<sup>4</sup> VALS, *Inquiry into missing and murdered First Nations women and children*; VALS' *Nuther-mooyoop to the Yoorrook Justice Commission: Family Violence*.

<sup>5</sup> VALS, *Submission to the Australian Federal Government on Family Violence Orders* (2024).

<sup>6</sup> VALS, [Public Intoxication decriminalised in Victoria Factsheet](#) (2024).

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### **Early access to culturally safe legal assistance**

Early access to culturally safe legal assistance is also essential. Without it, Aboriginal people risk being criminalised or misidentified in family violence cases, with devastating consequences such as the removal of children. By ensuring early legal support and a preventive approach, family violence could be addressed more effectively and holistically.

### **3. What culturally appropriate and holistic service provision looks and feels like.**

Culturally appropriate and holistic service provision for individuals affected by family violence is trauma-informed, culturally safe, and accessible. ACCOs are best placed to provide this type of service while ensuring Aboriginal people feel respected and understood in their cultural identity. However, inequitable funding across the sector presents significant challenges, highlighting the need for consistently funded integrated care models that combine therapeutic support, legal assistance, and healing.

Holistic support that ACCOs provide recognises the bigger picture of structural barriers inhibiting progress around family violence, including systemic racism and ongoing discrimination, the cost-of-living crisis, the housing crisis and lack of emergency accommodation for affected family members.

Funding must be allocated to services that already deliver holistic wraparound care, such as Balit Ngulu, to ensure comprehensive support for individuals affected by complex issues, including family violence. Balit Ngulu is a dedicated legal service for Aboriginal young people, offering culturally safe legal assistance and advocacy. These services play a critical role in addressing both the immediate and underlying issues faced by young people, many of whom come to Balit Ngulu with criminal legal matters where family violence is often a contributing factor, impacting them as both users of violence and as affected family members.

Victoria's court system remains culturally unsafe for Aboriginal people. Koori Courts offer a more culturally informed process by integrating the knowledge of Elders and respected community members to guide Magistrates' and Judges' decisions. Expanding these courts to handle family violence cases would enhance culturally safe legal pathways. The Umalek Balit program, located at specific Magistrates' Court locations, provides culturally safe and relevant support to Aboriginal families involved in family violence-related proceedings. Run by Koori family violence practitioners, the program offers vital support, information, and referrals. Expanding processes like Umalek Balit would foster a more culturally appropriate legal environment for Aboriginal communities.<sup>7</sup>

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<sup>7</sup> VALS, [Nuther-mooyoop to the Yoorrook Justice Commission: Family Violence](#) (2024).

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Additionally, the Specialist Indigenous List in the Federal Circuit and Family Court of Australia should be expanded to more locations and run more frequently. Currently, the Indigenous List is available across 11 locations in Australia, with only 1 of those locations being in Victoria (Melbourne) and sitting just once a month.

#### **4. How governments and mainstream services can best support Aboriginal and Torres Strait Islander people (including workforce and clients), services and solutions.**

##### **Governments must provide an urgent and crisis-level response**

There has been a shameful level of silence and inadequate action from governments. Federal and state governments continually fail to follow their own cultural safety guidelines; fail to implement hundreds of recommendations from inquiries they have initiated; and fail to adequately fund Aboriginal led early intervention and holistic services.

In 2015 the Royal Commission into Family Violence delivered its final report comprising 227 recommendations. In January 2023, the Government declared that it had successfully implemented all 227 recommendations.<sup>8</sup> However VALS and numerous other ACCOs remain steadfast in their belief that this work is far from complete.<sup>9</sup>

Despite the extensive evidence heard by the Senate Inquiry into Missing and Murdered First Nations Women and Children, the Inquiry recommendations do not address the massive gaps in data on missing and murdered Aboriginal women and fail to establish independent police oversight mechanisms to help improve police investigations.<sup>10</sup> To date, there has been no government response to the Inquiry recommendations.

Governments need to treat family violence as the continuing crisis that it is with tangible actions and commitments addressing the issues raised by the sector as opposed to inadequate roundtables and report recommendation responses. The Domestic Family and Sexual Violence Commission convened an emergency roundtable in May this year. However, the outcomes of the roundtable did not respond adequately to the serious and ongoing structural and systemic barriers Aboriginal women face and the level of system transformation and funding commitment required.<sup>11</sup>

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<sup>8</sup> Royal Commission into Family Violence, [Summary and recommendations](#) (2016).

<sup>9</sup> VALS, [Nuther-mooyoop to Yoorrook Justice Commission: Family Violence](#) (2024), p 10.

<sup>10</sup> Commonwealth of Australia, [Missing and murdered First Nations women and children](#) (2024), p vii – ix. See also: Djirra, [Missing and murdered First Nations women and children](#) (2024).

<sup>11</sup> Australian Government, [Media Statement Outcomes from emergency roundtable into murdered and missing women](#) (7 May 2024).

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### **Governments must actively support system transformation and self-determination**

As outlined in response to previous questions, any plans to address family violence progressed by government and government agencies must prioritise an Aboriginal-led service response for community, from early intervention, prevention and specialist therapeutic family violence intervention supports and case management

Funding of a non-carceral family violence response system that prioritises preventative, therapeutic, trauma-informed and holistic support and services is the best way to support people affected by family violence. We cannot address family violence with punitive and carceral response, we need to invest in supports and services that address the underlying reasons for violence and attitudes towards women.

### **Governments must provide long term flexible funding and support for ACCOs**

There is a critical need for increased funding to support family violence services, particularly in establishing a specialist response as the first point of contact instead of relying on police whom we know to be perpetrators of misidentification and violence towards Aboriginal communities. This shift would ensure that individuals experiencing family violence receive immediate, culturally safe support.<sup>12</sup>

All governments must ensure at least proportional funding should be allocated to ACCOs to deliver culturally safe, self-determined prevention and early help services immediately, with ultimate transfer of decision making and authority to be transferred through processes such as treaty negotiations.

Properly resourcing the implementation of the Family Safety Plan is essential, which includes investing in the full suite of specialist family violence programs rather than limiting funding to pilot projects or short-term initiatives. This requires a generational investment, ensuring that funding is not only adequate but also proportional to the specific needs of Aboriginal communities. As detailed in the next paragraph, strong accountability measures must accompany this investment to ensure that the funds are effectively utilised to support families and address family violence comprehensively.

### **Governments must ensure reporting and accountability**

An Aboriginal led public accounts and estimates committee should be established so that Ministers and government departments and agencies are held to account on the implementation and adherence to all current agreements including priorities set out in the

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<sup>12</sup> See: Recommendation 9, Yoorrook Justice Commission, [Yoorrook for Justice](#) (2023).

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National Agreement on Closing the Gap, the National Plan to End Violence Against Women and their Children and other state level agreements such as Dhelk Dja and Victoria's 10-Year Plan for Change in Victoria.<sup>13</sup>

Independent police oversight authorities are also necessary to improve police accountability in the handling of family violence matters, as recommended by the Yoorrook Justice Commission in the Yoorrook for Justice Report<sup>14</sup> and submissions to the Senate Inquiry into Missing and Murdered Aboriginal Women.<sup>15</sup>

### **Funding supporting multiple independent ACCO service providers**

To effectively support Aboriginal communities, it is crucial to establish some level of independence between ACCOs conducting family violence investigations, particularly where there is a risk of children being removed, and those providing family violence support services. This separation is essential for building community trust and clarity within the current landscape. When ACCOs hold the power to remove children while also offering services that assist families affected by family violence, it understandably creates confusion and apprehension within communities. Addressing this complexity is vital to ensure that families feel safe and supported in accessing the necessary resources without fear of punitive repercussions.

### **Build the cultural capability of mainstream services**

For the government and mainstream service delivery organisations to better respond and support Aboriginal people, state and national criminal justice, child protection and family law systems must be trauma-informed and culturally safe. All mainstream organisations and agencies should be required to undergo ongoing cultural safety training.<sup>16</sup>

VALS is developing a First Nations Cultural Capability Framework in the legal assistance sector, as well as developing cultural capability training for barristers – to transform the way Aboriginal people are provided with legal representation and assistance to ensure it is culturally safe, responsive as culturally competent as possible within a colonial and western legal system.<sup>17</sup>

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<sup>13</sup> VALS [Nuther-mooyoop to Yoorrook Justice Commission: Family Violence](#) (2024), p 66.

<sup>14</sup> Yoorrook Justice Commission, [Yoorrook for Justice](#) (2023), p 262 – 279.

<sup>15</sup> VALS, [Submission to the Senate Inquiry into missing and murdered First Nations women and children](#) (2022).

<sup>16</sup> See recommendations 7, 28 and 29 in VALS [Nuther-mooyoop to Yoorrook Justice Commission: Family Violence](#) (2024).

<sup>17</sup> Victoria Legal Aid, [Developing a First Nations cultural capability framework](#).

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## **5. How the service system should respond to the intersectional needs of Aboriginal and Torres Strait Islander people and communities.**

### **Acknowledge the family violence response and service systems as a potential source of harm and violence**

The Family Safety Plan would be incomplete if it did not name and address the harm and violence caused by broken state systems and responses to family violence.

When Aboriginal women seek to leave an abusive relationship, they not only have to navigate the violence of their relationship, but also the potential harm and violence of the government response. This includes the harm of colonial, culturally unsafe and discriminatory police, legal and social service systems that often misidentify and punish Aboriginal women as perpetrators and take their children away.<sup>18</sup> The misidentification of Aboriginal women as users of violence and child removal responses to family violence compound the harm of family violence and are a form of harm inflicted by the state.<sup>19</sup>

### **Address police misconduct and the misidentification of Aboriginal women**

At the intersection of gender-based violence and Aboriginality, Aboriginal women are 45 times more likely to experience family violence and 25 times more likely to be killed or injured.<sup>20</sup> This abuse is predominantly inflicted by non-Aboriginal men.<sup>21</sup> Yet Aboriginal women experiencing family violence are often stereotyped as the primary aggressors by family violence response services, with a complete lack of accountability for the police and prosecutors perpetuating these stereotypes.<sup>22</sup> Based on analysis of their casework, Djirra reports that approximately 24 per cent of Aboriginal women are misidentified by police as the perpetrators of violence, often being blamed and punished for the abuse they experience.<sup>23</sup>

<sup>18</sup> Cripps, K. (2023). Indigenous women and intimate partner homicide in Australia: Confronting the impunity of policing failures. Current Issues in Criminal Justice. <https://doi.org/10.1080/10345329.2023.2205625>. Victorian [Aboriginal Child and Community Agency](#), [Yoorrook Justice Commission Nuthur-mooyoop on Family Violence](#) (2024). VALS, [Submission to Inquiry into capturing data on family violence perpetrators in Victoria](#) (2024), Victoria Legal Aid, [Submission to Inquiry into capturing data on family violence perpetrators in Victoria](#) (2024), VALS, [Submission to the Senate Inquiry into missing and murdered First Nations women and children](#) (2022), VALS [Nuthur-mooyoop to Yoorrook Justice Commission: Family Violence](#) (2024), Yoorrook Justice Commission, [Yoorrook for Justice](#) (2023) p 262 - 269, VALS, [Addressing Coercive Control Without Criminalisation Avoiding Blunt Tools that Fail Victim-Survivors](#), Australia's National Research Organisation for Women's Safety, [Accurately identifying the "person most in need of protection" in domestic and family violence law: Key findings and future directions](#) (2019).

<sup>19</sup> Yoorrook Justice Commission, [Yoorrook for Justice](#) (2023) p 46, 62- 63, 262 – 269.

<sup>20</sup> Victorian Government, [Family Violence Reform Rolling Action Plan 2020-2023](#).

<sup>21</sup> 2 in 3 Aboriginal women seeking assistance from Djirra's legal service experience violence from non-Aboriginal men. Djirra, [Victorian Government says more must be done to support victim-survivors](#).

<sup>22</sup> As above, fn 18.

<sup>23</sup> Djirra, [Evidence of Antoinette Gentile, Yoorrook Justice Commission: Social Justice Hearing](#) (2024).

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The impacts of misidentification are profound and include separation from children, criminal charges, criminalisation and institutionalisation of children taken into child protection, negative employment and financial consequences, homelessness and lack of access to necessary supports.<sup>24</sup> There is also a lack of accountability and therapeutic or preventative support for the user of violence, placing women and children at risk of further harm.

Police and courts continue to act against affected family members instead of users of family violence with alarming frequency, despite the Royal Commission into Family Violence<sup>25</sup> making recommendations aimed at changing police practice to minimise this risk.<sup>26</sup>

As a matter for urgency, the Family Safety Plan must acknowledge and introduce measures to mitigate the persistent problem around the misidentification of Aboriginal women as persons using violence instead of as affected family members. It is equally important to ensure police are held accountable for their misconduct, which is why the Family Safety Plan must ensure independent oversight of police.<sup>27</sup>

### **Keeping Aboriginal children with their families**

Family violence is one of the lead indicators of a child being removed from their family, and Aboriginal women are understandably fearful of reporting family violence.<sup>28</sup> In cases where children are removed, they are placed in a broken child protection system that traumatises and criminalises them, removing them from the love, support and culture that they need.<sup>29</sup> To effectively address family violence, the Family Safety Plan must prioritise responses that keep Aboriginal children in Aboriginal care and provide the housing and other support necessary to keep families together.<sup>30</sup>

<sup>24</sup> VALS, [Nuther-mooyoop to the Yoorrook Justice Commission: Family Violence](#) (2024).

<sup>25</sup> Royal Commission into Family Violence, [Summary and recommendations](#) (2016), Recommendation 41.

<sup>26</sup> In 2020, 79.4 per cent of Aboriginal women listed as the respondent had previously been recorded as an AFM, and there'd been a 44 percent rise in Aboriginal women being listed as a respondent in Family Violence reports from 2016-2020. See: VALS, [Nuther-mooyoop to the Yoorrook Justice Commission: Family Violence](#) (2024), p 21 and Office of the Family Violence Reform Implementation Monitor, [Monitoring Victoria's family violence reforms Accurate identification of the predominant aggressor](#) (2021), p 10.

<sup>27</sup> Independent Commission of Inquiry Into Queensland Police Service Responses to Domestic and Family Violence, [Final Report: A Call for Change](#) (2022); findings and recommendations reveal the institutional, structural and systemic racism and bias that exists in police forces hugely contribute to the over-policing of Aboriginal woman as users of family violence, and underpolicing as AFMs in need of protection.

<sup>28</sup> Monica Campo, [Children's exposure to domestic and family violence: Key issues and responses](#), Australian Institute of Family Studies (2015), p 14.

<sup>29</sup> 53% young people under youth justice supervision in 2020–21 had contact with the child protection system between 1 July 2016 and 30 June 2021. In 2021–22, about 1,200 children were the subject of a substantiation of abuse in care. The most common primary type of abuse in care was physical abuse (32%). This was followed by emotional abuse (29%), neglect (18%) and sexual abuse (15%). See: AIHW (2023) [Child protection Australia 2021–22: Safety of children in care](#), AIHW, Australian Government, accessed 28 September 2023. See also: VALS, [Nuther-mooyoop to the Yoorrook Justice Commission: Family Violence](#) (2024) p 78-80, and Yoorrook Justice Commission, [Yoorrook for Justice](#) (2023), p 127.

<sup>30</sup> See discussions about early intervention to avoid removal in recommendations 7, 8, 9 and 14, and ways to ensure Aboriginal children are kept in Aboriginal care in recommendations 5, 6, 7, 8, 9 in VALS, [Yoorrook Justice Commission Nuther-mooyoop on Family Violence](#) (2024).

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## **Recommendations**

VALS recommends that the following be included as elements in a Family Safety Plan:

**Recommendation 1.** The Commonwealth government must give full effect to the rights of Aboriginal people to self-determine the family violence sector including access to legal supports, as it relates to Aboriginal people, and must support state and territory governments to do the same. This includes prioritising the transfer of decision-making power, authority, control and resources in that system to Aboriginal people. Transferring or creating decision-making power includes but is not limited to:

- system design, including alternative responders to family violence than police;
- obtaining and allocating resources;
- powers of, and appointments to bodies or institutions; and
- accountability and oversight functions.

**Recommendation 2.** The Commonwealth government should establish a national framework for specialist courts that reflect the cultural needs of Aboriginal people, similar to the Koori Court in Victoria. This framework should empower these courts to hear additional types of matters, including breaches of Family Violence Intervention Orders (FVIOs), ensuring that legal processes are culturally appropriate and accessible.

**Recommendation 3.** Governments must resource ACCOs to develop alternative, non-carceral response to family violence incidents.

**Recommendation 4.** The Commonwealth government should enhance court processes to be more culturally safe for Aboriginal people by implementing similar programs to the Umalek Balit program on a national scale.

**Recommendation 5.** The Commonwealth government should facilitate the expansion of the Indigenous List of the Federal Circuit and Family Court of Australia to more locations and increase the frequency of sittings where there is greater unmet legal need.

**Recommendation 6.** The Commonwealth government, along with state and territory governments, must ensure that proportional funding is allocated to ACCOs to deliver culturally safe and self-determined prevention and early intervention services.

**Recommendation 7.** The Commonwealth government must prioritise funding Aboriginal Legal Services to provide early access to culturally safe legal assistance to prevent the criminalisation and misidentification of Aboriginal people in family violence cases.

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**Victorian  
Aboriginal  
Legal Service**



**South Eastern Australian  
Aboriginal Justice Services  
Limited**

ABN: 45 926 675 900

**Recommendation 8.** The Commonwealth government, in collaboration with all state and territory governments, must prioritise funding for ACCOs to deliver culturally appropriate community legal education aimed at increasing knowledge of what constitutes family violence and preventing it at an early stage, alongside resources and referral information for those experiencing family violence.

**Recommendation 9.** Establish an Aboriginal-led National Public Accounts and Estimates Committee to ensure that Federal Ministers and government departments are held accountable for the implementation and adherence to all national agreements, including the National Plan to End Violence Against Women and their Children and other relevant frameworks aimed at supporting Aboriginal communities.

**Recommendation 10.** Establishing a multi-agency coordinated approach to address misidentification, informed by the findings of the Victorian Royal Commission into Family Violence. This approach should require immediate collaboration among federal family violence services, legal organisations, and community members to reduce the risk of misidentification affecting Aboriginal people across Australia.

**Recommendation 11.** Mandate ongoing training for all police services and federal law enforcement agencies regarding the impact of misidentification, particularly affecting Aboriginal women. This training should focus on the complexities and nuances of family violence and include a cultural awareness module developed and delivered by specialist family violence ACCOs who are resourced for this purpose.

**Recommendation 12.** Governments must fund the design and implementation of Aboriginal restorative justice model for adolescents who use violence in the home. This model must be self-determined, developed and delivered by ACCOs with specialist family violence and legal expertise to ensure it is culturally safe, therapeutic and trauma informed, with adequate resources allocated to ACCOs and includes funding for evaluation.

**Recommendation 13.** Governments must prioritise the establishment of independent accountability and oversight mechanisms for police services, particularly to address systemic racism.

Thank you for considering this letter. Please contact us if we can assist any further.

Yours sincerely,

*Nerita Waight*

Nerita Waight  
Chief Executive Officer

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